

21 Old Mill Road – Official Plan and Zoning Amendment Applications – Final Report

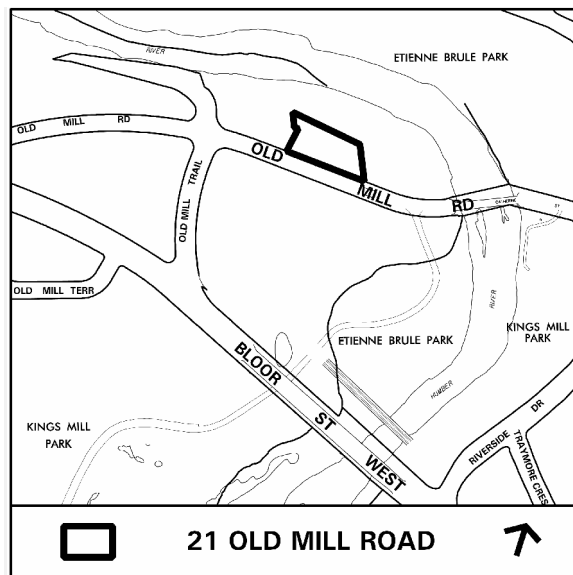
Date:	January 25, 2008
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	File No.: 06 197220 WET 05 OZ

SUMMARY

This application was filed on December 11, 2006 and is not subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

The application proposes a 10-storey residential condominium building at the site across from 21 Old Mill Road, currently being used as a surface parking lot for the Old Mill Inn and restaurant/banquet hall.

The development provides an opportunity to incorporate underutilized lands into the residential fabric of the adjacent Apartment Neighbourhood and will have minimum impact on the natural area to the north. The proposed built form and relationship to the public street complements the Old Mill and existing residential developments to the south and west of the proposal and represents an appropriate level of residential intensification for the area. Consideration has also been given to the unusual lot situation, the variety of issues affecting the site and to a detailed assessment of the development fit into the neighbourhood.



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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 10.
2. City Council amend the former City of Etobicoke Zoning Code substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9.
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 to City Council for enactment, require the owner to enter into a Section 37 Agreement to secure community benefits outlined in this report and summarized in Attachment No. 12.
5. Before introducing the necessary Bills to City Council for enactment, the Notice of Approval Conditions for the site plan be issued.

Financial Impact

The recommendations in this report have no financial impact.

ISSUE BACKGROUND

The applicant initiated discussion with City staff regarding to the development of the subject site in 2005. The initial discussions were based on a proposal for a 14-storey condominium building with approximately 90 units. At that time, staff suggested that it would be prudent to seek an early pre-application meeting with appropriate City and Agency staff, the local councillor and the community in order to determine what the development opportunities and constraints would be for the site.

Staff also provided the applicant with a general overview of the applicable Official Plan policies, as well as zoning requirements of the lands. No commitments were made by staff to support the proposal at the time. Staff did inform the applicant of the issues that had been identified at the early staff meetings so that those comments could be addressed and integrated in a revised proposal.

Following further pre-application discussions, the applicant revised the proposal to a 12-storey condominium building. Following three pre-application open house meetings organized by the applicant in the community and further consultation with City staff, the

applicant further revised the proposal to a 10-storey condominium building. Further revisions to the proposal were made during the application review. The changes are discussed below.

Proposal

The development proposal is for a 10-storey condominium apartment building with approximately 84 units. The site is currently being used as a parking lot for the Old Mill Inn and restaurant/banquet hall (Old Mill). The proposed residential gross floor area is approximately 16 000 square metres. The applicant is proposing to retain some units on the ground floor of the proposed building to be used as an adjunct to the existing Old Mill Inn on the south side of Old Mill Road. The applicant also requests the flexibility to modify the unit arrangement to produce larger units, by combining some of the currently proposed units, depending on market demands.

The proposal also includes a four-storey underground parking garage. The proposed garage will include 119 parking spaces for the new residents and visitors and an additional 99 spaces to be used in conjunction with the existing Old Mill.

Vehicular and servicing access to the development will be from Old Mill Road, at the east end of the building.

The existing surface parking lot is laid out over two areas of different natural elevations: “the upper parking lot” (the proposed location for the proposed building) and “the lower parking lot”. The lower parking lot is to remain under the ownership of the Old Mill. The applicant proposes to undertake some improvements to it, such as increased landscaping and repaving.

The applicant states that this development application is in part to provide additional parking for the Old Mill to address a shortage of parking, particularly on the weekends and holiday seasons. To maintain the viability of the Old Mill business, the applicant has submitted that the parking supply must be increased.

The condominium site is proposed to be severed from the remainder of the parking lot in the near future.

For a summary of the application, please refer to Attachment No. 11, Application Data Sheet.

Site and Surrounding Area

The subject property is a slightly irregular 3 500 square metres rectangular parcel of land located within a larger geographical triangle bounded by the Humber River Valley to the north and east, Bloor Street West to the south and the Kingsway to the west. There are a number of mid to high density residential developments within this pocket, to the south and west of the proposal, including a 23-storey residential building to the south of the Old Mill. The entire property slopes downward from west to east.

The property is currently occupied by an existing parking lot, with approximately 53 parking spaces on the upper portion and approximately 332 parking spaces on the lower portion all used by the Old Mill. The exact number of parking spaces that exist on the site cannot be determined, as spaces are unmarked, however the proposal will result in a net increase in available parking for the Old Mill.

The surrounding uses are as follows:

North and East: Humber River Valley.
South: Old Mill Inn, Conference Centre, Restaurant/Banquet Hall, high rise residential development and Old Mill Subway Station.
West: Five storey residential condominium building, single family dwellings.

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.

Consistency and conformity with these policies are discussed below.

Official Plan

The subject lands are located within the "Green Space System" identified on the Urban Structure Map (Map 2). Land located within the Green Space System are comprised of lands with a Parks and Open Space Areas designation which are large, have significant natural heritage or recreational value and which are connected. They should be protected, improved and added to whenever feasible.

The lands are designated on Map 14 Land Use Plan as "Parks and Open Space Areas – Natural Areas". This designation does not permit residential uses. Lands designated Parks and Open Space Areas – Natural Areas are to be maintained primarily in a natural state while allowing for a range of recreational, cultural, educational uses and conservation projects, among others.

The lands are also located within the “Natural Heritage System” as shown on the Natural Heritage Map (Map 9) of the Official Plan. Development is generally not permitted in the natural heritage system. Policies in the Official Plan require that the development be set back by at least 10 metres adjacent to a top-of-bank of the valley, although the Plan contains policies dealing with opportunities, to restore, enhance and extend the Natural Heritage System through new developments in these areas.

The Plan also states that Parks and Open Space Areas that are privately owned are not necessarily open to the general public nor intended to be purchased by the City. If an application is made to develop such lands and the City, or any other public agency does not wish to purchase them to extend the public open space system, the application will be considered on the basis of its consistency with the policies of this Plan. The application was circulated to a number of city divisions and agencies, including the TRCA, and the City of Toronto Parks, Forestry and Recreation Division and there is no interest to purchase the site.

Further, the Natural Environment policies state that consents to sever land will not be permitted for any parcels of land that are entirely within or part of the natural heritage system unless an assessment of the impact to the natural heritage system has been satisfactorily completed. All proposed development in or near the natural heritage system will be evaluated to assess the development’s impacts, and identify measures to mitigate negative impacts on and/or improve the natural heritage system, taking into account consequences for features, form and function (Policy 3.4.12).

The lands are also subject to Site and Area Specific Policy No. 10 which permits a surface parking lot within the subject lands to be used in conjunction with the restaurant use at 21 Old Mill Road. Notwithstanding the Plan’s general Natural Area designation, the Plan recognizes the long standing use of the site as a parking lot.

Zoning

By-law No. 14,160 passed in 1963 amended the zoning category applying to the subject lands from Second Density Residential classification to a Limited Commercial Classification, provided that the subject land’s use was limited to automobile parking only in conjunction with the Old Mill.

Under By-law No. 1981-117, the Old Mill Inn and restaurant was exempted from zoning with respect to standards for restaurants, because of the unique and distinct land use and significant historical, architectural and scenic interest of the Old Mill.

In 1985, all lands being used as parking lots on the north side of the Old Mill Road, including the subject site were again rezoned from Limited Commercial to Private Open Space by By-law Nos. 1985-53 and 1985-54. These further clarified that the new Private Open Space zoning category would allow continued parking use on the subject lands for the Old Mill. This permission still applies to the lands today.

Ravine Control

The subject area is protected under the City of Toronto Municipal Code, Chapter 658 – Ravine Protection. Specifically, the purpose of the by-law is to promote the management, protection and conservation of ravines and associated natural and woodland areas and to prohibit and regulate the injury and destruction of trees, filling and dumping in areas defined in Schedule A of the by-law. A permit is required to conduct any of the above activities on the ravine protected areas. Under the provisions of Section 658, the General Manager of Parks, Forestry & Recreation is authorized to issue permits to injure or destroy trees or alter the grade where applicable. The issuance of permits may be subject to conditions.

Toronto and Region Conservation Authority

The entire subject property is regulated by the Toronto and Region Conservation Authority (TRCA). Under the Conservation Authorities Act, the TRCA has the power to regulate development in certain designated areas. The areas under the TRCA's control are identified in Ontario Regulation 166/06 (Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation) established under the authority of the Act. A permit is required from the TRCA prior to any of the following works: straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland or development, if in the opinion of the authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development.

Development is defined by the TRCA as:

- a) the construction, reconstruction, erection or placing of a building or structure of any kind;
- b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure or increasing the number of dwelling units in the building or structure;
- c) site grading; and
- d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

The TRCA's Valley and Stream Corridor Management Program (VSCMP) sets out development guidelines for properties affected by valleys and streams. The limits of a valley corridor are determined to be a minimum of 10 metres inland from the stable top of valley bank, while the limits of a stream corridor are a minimum of 10 metres inland from the Regulatory Floodplain. Any new development should be consistent with the policies of the VSCMP.

Reasons for Application

An Official Plan Amendment is required as the subject lands are located within the Green Space System, are designated Parks and Open Space Areas – Natural Areas and are located partly within (below) the top-of-bank of the valley. The policies of the Official Plan do not permit residential development in this location. The site specific permission in the Plan limits the land use to a parking lot.

An amendment to the former City of Etobicoke Zoning Code and site specific by-laws is also required to permit the proposed residential development. The amendment will accommodate appropriate development standards for parking, loading, building envelope build-to requirements and the provision of community benefits under Section 37 of the Planning Act, all as discussed in this report. A copy of the proposed Zoning amendment will be available at the public hearing.

Community Consultation

A Community Consultation Meeting was held at the Etobicoke Collegiate Institute on April 17, 2007 in order to provide residents and property owners with an opportunity to review and comment on the original application. Approximately 70 area residents were in attendance at the meeting. A number of letters and phone calls were also received after the meeting, for the most part, in objection to the development.

The concerns identified by the area residents included:

- Density and height (the proposal is too bulky and too high);
- Additional traffic congestion;
- Loss of privacy for the existing residents of the building to the west of the proposal;
- Preference of an alternative development such as a smaller building or an above-ground parking garage;
- The loss of a heritage landscape;
- Negative impacts on the natural environment;
- Construction will negatively affect neighbouring communities with increased traffic and construction traffic blockages; and
- Impact on the archaeology of the site.

These issues will be addressed in the body of the report, including how the revisions made to the application responds to these concerns.

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

The subject application has been reviewed in context of the policies of the Provincial Policy Statement, Growth Plan and Official Plan, including among other policies, the

protection of the natural environment, natural heritage system, land use designation and built form.

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. The development promotes intensification through a compact building form utilizing existing infrastructure. The site is located in close proximity to a main street (Bloor Street West) and within walking distance of a subway station and as such, the development will also promote ridership for the transit system. The proposal also does not negatively affect the natural environment, as discussed in detail below.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The proposal helps to optimize the utilization of existing services and public infrastructure and reduce the need to convert rural land to urban uses. The site is located in an area that has been designated for higher densities and with good access to public transit.

Natural Environment

The site is located within the Natural Heritage System as identified on Map 9 of the Official Plan. The natural heritage system is made up of areas where protecting, restoring and enhancing the natural features and functions should have high priority in city-building decisions. Care must be taken to assess the impacts of new development in areas near and within the natural heritage system. To this end, proposals for new development require an accompanying study to assess their impact on the natural environment.

The Official Plan requires that a study be undertaken and submitted to the City and TRCA staff to assess the proposed development's impact on the natural environment and propose measures to reduce negative impacts on and where possible, improve the natural environment.

In order to assess the appropriateness of the proposed residential use for the subject site, it is important to first determine if the proposed development would have a significant negative impact on the "Natural Heritage System". The applicant submitted a draft Scoped Natural Heritage Impact Study (SNHIS) and a Humber River Valleyland Compensation Plan (HRVCP).

The purpose of the SNHIS was to: provide an evaluation of the environmental constraints and opportunities; identify opportunities for enhancement and restoration; and provide conclusions and recommendations with respect to the environmental feasibility of the proposed development. The detailed objectives of the SNHIS were to:

- a) review applicable planning policies and existing documentation and studies regarding the subject property and proposed development;

- b) characterize the existing natural heritage features and functions of the subject property; and
- c) provide recommendations to ensure the provision of an environmental net gain resulting from the development.

The study determined that the proposed development plan presents the opportunity to proceed with the proposed development with only a slight impact to the environmental features and functions of the study property. The study anticipates that a total of 58 trees with diameter at breast height (dbh) values greater than 10 centimetres and 264 trees with dbh values less than 10 centimetres will be removed. The trees to be removed are predominantly non-native (53 of the 58 trees). The identified loss of trees and associated growing space can be mitigated as discussed further below.

Landscape connectivity is considered a critical component to the health of the natural system allowing for the movement of flora and fauna. Connectivity can contribute to increased local species richness, opportunities for movement between core areas, and shelter from disturbance and predation.

The Humber River Valley acts as a significant corridor to provide opportunities for wildlife to move through the urban landscape. The tree communities adjacent to the subject property are isolated from the forest communities in the valley and provide a poor quality habitat for wildlife species in the area. Therefore, the removal of any trees within the site will not affect the connectivity of the Humber River Valley.

The Humber River Valleyland Compensation Plan (HRVCP) identified appropriate remedial actions such as compensation plantings. The objective of the plan is to identify and provide a net benefit environmental gain to the Humber River valleylands as a result of the proposed development.

A net environmental gain according to TRCA may be defined as “the result of an activity or series of activities that involve a loss of existing natural features or functions that is compensated for and enhanced in terms of the replacement of the same feature and functions or the establishment of different features and functions considered to add quality and enhancement of the overall natural system”.

In this case, a net environmental gain can be accomplished by the:

- improvement of connectivity in this section of the valley system by reducing invasive species and managing edge habitat;
- long-term enhancement of habitat potential and native species biodiversity through the creation of self-sustaining native plant assemblages and management of non-native invasive species;
- improvement of flood attenuation functions via increased plant cover; and

- improvement of the aesthetic and education values of the Humber valleylands site.

The proposed restoration plan could benefit over 10 000 square metres of terrestrial habitat, potentially including the:

- replacement of 1 200 square metres of turf grass with native meadow marsh;
- creation of an native upland meadow community in a field currently dominated by non-native legume species (400 square metres);
- management of invasive species and edge management in approximately 5 000 square metres of floodplain woodlands, including plantings of native trees and shrubs; and
- enhancement of a riparian forest community (4 000 square metres) dominated by non-native species with 28 native trees and shrubs.

Staff from TRCA and Urban Forestry Ravine Protection Group (of Parks, Forestry and Recreation Division) have reviewed both studies and are in agreement with the findings and recommendations, in principle. The details of the recommendations will be dealt with at Site Plan Review stage including the securing of financial securities for the proposed compensation work.

Land Use

The Official Plan states that boundaries of land use designations on the Plan's land use maps are general except where delimited by a defined Secondary Plan or area specific policy, or where they coincide with fixed distinguishable features such as roads, public laneways, utility corridors, railroads, watercourses or other clearly defined physical features. In all other instances, the boundaries of land use designations will be determined by a review of: existing zoning by-laws, prevailing lot depths, orientation of lots frontages, lot patterns and land use patterns.

Where the intent of the Plan is maintained, minor adjustments to boundaries may require an amendment to the Plan, should Council determine that greater certainty is desirable when amending the land use designation and area specific mapping will be adopted through an amendment to the Plan.

Planning staff have reviewed the prevailing lot depths, orientation of the lot frontages and lot patterns and determined that the location and orientation of the upper portion of the parking lot is consistent with existing residential lots immediately to the west of the subject site. The applicant is still required to apply for an Official Plan Amendment given: the complexity of issues surrounding the location of the site; its current Official Plan designation; and heritage and environmental concerns.

The lands surrounding the subject site directly to the south and west (except for the Old Mill lands which are designated Mixed Use) are designated Apartment Neighbourhoods for the most part. Given the larger area context and Official Plan designations staff concur that the redesignation of the site as an Apartment Neighbourhood is appropriate.

Apartment Neighbourhoods consist of apartment buildings and parks, local institutions, cultural and recreational facilities and small-scale retail, service and office uses that serve the area residents. Apartment Neighbourhoods are generally considered to be stable areas where major growth is not anticipated.

Apartment Neighbourhoods are distinguished from low-rise Neighbourhoods because a greater scale of buildings is permitted and different scale-related criteria are needed to guide development.

Section 4.2 of the Official Plan sets out policies which are intended to contribute to the quality of life of local residents such as:

- providing appropriate transition between areas of different development intensity and scale;
- minimizing shadow impacts on existing development;
- locating and massing new buildings to frame the edge of streets and to maintain sunlight and comfortable wind conditions at street level;
- providing adequate off-street parking;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- providing ground floor uses that enhance the safety, amenity and animation of the streets;
- providing indoor and outdoor recreation space for the residents; and
- providing buildings that are accessible or adaptable for persons with disabilities.

The proposal for the construction of a 10-storey condominium building at this location is consistent with the existing established Apartment Neighbourhood located to the south and west. An adequate transition exists to the low-rise residential communities to the north and west of the proposal. Virtually all of the lands within the larger area context of the Old Mill have been developed for higher density residential uses with the exception of the Old Mill conference centre and a number of detached dwellings backing on the valley along the north side of Old Mill Road between Humber Boulevard and the triple intersection of The Kingsway, Bloor Street West and Old Mill Road. There are a number of similar developments in the vicinity of the Old Mill including an 11-storey

condominium building at the northeast corner of Bloor Street West and Old Mill Trail, a 9-storey condominium building at the intersection of Bloor Street West and The Kingsway and a 23-storey slab building immediately south of the Old Mill that was built in the 1960's.

Height, Built Form, Massing

The Official Plan contains policies relating to height and massing, particularly in the Apartment Neighbourhoods and Built Form Section of the Plan. Specifically, new buildings are to be located and massed to provide a transition between areas of different development heights and scale, such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale Neighbourhoods. The policy seeks to limit the impact of new development on adjacent streets, parks, and existing neighbourhoods and maintain acceptable levels of sunlight, privacy, and sky views for both new and existing residents. In addition, the Official Plan includes a policy that new buildings must frame the edges of streets with good proportion to maintain adequate sunlight, sky view and comfortable wind conditions for pedestrians.

As illustrated in Attachment 7, from a broader area context, the site is located adjacent to an existing high-rise apartment neighbourhood. That neighbourhood contains existing buildings with similar or greater height in storeys than the proposed 10-storey condominium building. Furthermore, the proposed development site is at a significantly lower elevation than the existing buildings to the west which has the effect of reducing the relative height of the proposal in relation to the existing buildings to the west, when seen from Old Mill Road. The massing of the proposed building has also been revised to address the existing building to the west. The applicant has provided for an increased side yard setback of approximately 7 metres from the abutting property to the west. The building is further stepped back at the 5th, 6th, and 8th storey to minimize impacts on the building to the west and create a meaningful gap to preserve light, view and privacy.

The applicant has also revised the proposal to increase the front yard setback along Old Mill Road. The increased front yard setbacks along are consistent with the front yard setbacks of the buildings to the west, and ensure that a consistent edge condition is created along the public street.

The City's "Design Criteria for Review of Tall Building Proposals" (TBDC) have been drafted to assist in the evaluation of tall building applications. Approved by City Council on July 25, 26 and 27, 2006, they provide guidance for the design, evaluation and approval of tall buildings and are intended to implement the built form policies of Section 3.1.2 and 3.1.3 of the Official Plan. The Official Plan policies on tall buildings are general, relating to the form of the building itself and considerations of neighbourhood context and fit. Tall buildings are characterized as those whose height is greater than the width of adjacent road allowance.

The project has been reviewed against the TBDC and generally complies, appreciating the special character of the area. It is important to note that the same built form may not be considered "tall" in another context, where the adjacent public road is wider. In this

instance, Old Mill Road is very narrow. The building has been appropriately designed to reinforce the street-edge in a form that includes a base building, shaft and roof and a scale that is consistent with the policies of the Plan. The design of the building also provides for appropriate transitioning in height and mass from the neighbouring building to the west and respects the open space features in the area including the valley and the public street. The increased front yard setback also ensures that the proposed building will respect the prominence of the Old Mill.

Lastly, the applicant has redesigned the rear of the building (north wall) to be more sympathetic to the Humber River and residential communities to the north of it, ensuring that the building does not “turn its back” on the river, parks and valley setting.

Sun, Shadow, Wind

As the development site is located to the north, the Shadow Study submitted by the applicant demonstrates that there will be no shadowing on the Old Mill and Old Mill Road to the south. The shadow analysis also demonstrates that the shadow impacts of the proposal on the building to the west, surface parking lot and valley lands to the north and east have been improved through revisions to the proposal such as an increased setback from the building to the west, and increased setback from Old Mill Road and further stepbacks at the 5th, 6th and 8th floor. The shadow study and the shadow impacts of the proposed development have been reviewed by staff and are acceptable.

Traffic Impact, Access, Parking

The Official Plan includes policies for new development in Apartment Neighbourhoods that deal with the provision of off-street vehicle parking for residents and visitors and minimize the impact of service areas, ramps and garbage storage areas on adjacent streets and residences.

As mentioned earlier in the report, the development will include a 4-storey underground parking garage containing a total of 218 parking spaces. The use of the parking garage will be shared between the residents and visitors of the residential building (119 spaces) and the patrons of the Old Mill (99 additional parking spaces). The remainder of the site, or the existing lower parking lot will continue to exist and service the Old Mill. The proposed parking for the residential condominium meets the requirements of the Etobicoke Zoning Code and thus staff from Transportation Services are satisfied.

It is important to note that the Old Mill was exempt from the Etobicoke Zoning Code parking provisions, by By-law No. 14,160. In order to understand the impact of the additional condominium building and the current parking shortage for the Old Mill, the applicant was required to submit a “Parking Supply and Operation Study” and a further “Parking Study Addendum” at the request of staff from Transportation Services. The studies indicate that the Old Mill currently has approximately 385 parking spaces, consisting of approximately 332 spaces within the lower parking lot and approximately 53 spaces in the upper parking lot. Most of the existing spaces do not meet the current by-law requirements with respect to stall dimensions and access aisle widths.

The upper parking lot is the proposed location of the condominium building and as such, the 53 spaces currently existing will be replaced with the proposed 99 parking spaces in the underground garage. This will generate approximately 46 new additional parking spaces for the Old Mill.

The parking survey data presented in the parking studies clearly indicates that the Old Mill generates a high demand for parking and that based on the counts conducted by the consultant, the Old Mill should be providing a total of 420 parking spaces to accommodate their patrons. The existing 332 parking spaces currently existing in the lower parking lot (for which the size of stalls does not meet the by-law requirement) plus the additional 46 new parking spaces that will be provided in the underground garage (a total of 431 parking spaces) satisfy and surpass the suggested number by Transportation Services staff.

The additional 46 parking will reduce the parking shortage for Old Mill patrons, particularly on weekends and holiday seasons. At the community consultation meeting a number of residents voiced their concern regarding these shortages. On weekends, the existing parking lot fills up quite quickly and there is an overspill of cars parking on the public street. This causes disruptions on the traffic flow along Old Mill Road, and affects the enjoyment of the surrounding parks and trail system for residents and visitors to the area. The proposed development will strategically assist in the long term preservation and success of the Old Mill as a unique heritage designated community feature. Specifically, important new parking resources will be provided through this development to the Old Mill in a proximate and sheltered location. No other opportunities exist either on or off the site of the Old Mill conference centre/banquet hall property to provide additional parking.

The applicant proposes to sever the condominium building site from the lower surface parking lot in the near future. Prior to the severance, staff will ensure that the entire site is reviewed under a Site Plan Control application and reviewed to be consistent with the recently approved guidelines for greening surface parking lots, especially given its location within the Humber Valley.

The Official Plan also encourages development at locations well serviced by a full range of transportation options so as to reduce reliance on the private automobile. The site is in close proximity to the Old Mill subway station, which has the lowest ridership numbers in Toronto's subway system. The proposal will help increase the low ridership numbers of the Old Mill Subway Station and make better use of existing public infrastructure.

The proposal includes 53 bicycle parking spaces. Bicycle parking spaces will be secured in the Zoning By-law amendment. They will be provided for both residents and visitors in convenient locations including at grade.

Flood Plain Considerations

A small portion of the proposed building encroaches into the Regulatory Floodplain Area. The applicant submitted a Floodplain Considerations Report that describes and

recommends a strategy to deal with the encroachment. The area of encroachment is associated with the proposed parking structure and occurs in the northeast corner of the proposed building. The area involved is approximately 60 square metres and would result in a loss of floodplain storage of 15 cubic metres.

The report recommends a balanced cut and fill strategy, whereby excavation in the vicinity of the northwest corner of the building could be carried out to offset the proposed fill. The study contends that implementing the cut and fill strategy will ensure the development proposal will not have any upstream or downstream impacts.

TRCA staff have reviewed the recommendations of the report and agree with them in principle. Details of the implementation of the cut and fill strategy will be dealt with at the Site Plan Control stage.

Slope Stability

The applicant submitted a Slope Stability Investigation Report prepared by McClymont & Rak Engineers, Inc. The Report concludes that the existing slopes are safe in the long-term and there is no potential for an adverse impact of the proposed development on the existing slopes. TRCA staff have reviewed the recommendations of the report and agree with it in principle.

Heritage and Preservation Services

Archaeology

Heritage and Preservation Services (HPS) have reviewed the archaeological assessment report completed by Archaeological Services Inc., entitled “Stage 1 Archaeological Resource Assessment of the Old Mill Residential Development, 21 Old Mill Road, City of Toronto, Ontario” dated August 2006.

The report concludes that although no previously-registered archaeological sites are located within the limits of the current subject property, the area has had a long and complex history of occupation and use. Due to extensive development of the property during the nineteenth and twentieth centuries there is little potential for any precontact archaeological deposits.

Further, any nineteenth century archaeological resources that may have survived within the subject property are likely to take the form of subsurface structural features such as foundations, privies, cisterns, etc. associated with the development of the community of Milton Mills. While there is almost no information as to the distribution of the various structures that made up the community, the remains of any such features would represent important sources of insight into the life of a small nineteenth-century industrial settlement centre.

Heritage and Preservation Services staff concur with the finding of the consultant’s report that there is potential for the presence of nineteenth century archaeological resources. A

Stage 2 archaeological assessment must be undertaken prior to the release of any building permits.

Should the Stage 2 archaeological assessment result in the identification of significant archaeological resources, appropriate mitigative measures must be undertaken such as protection and avoidance, test or mitigative excavation, archaeological monitoring of construction activities or a combination of such approaches.

The applicant will be required to submit a Stage 2 archaeological assessment at the Site Plan approval Stage of this application. Depending on the results of the Stage 2 assessment, Heritage and Preservation Services staff will work with the applicant to determine the best alternatives to deal with any significant archaeological resources that may be found on site.

Cultural Heritage

The site of the Old Mill is an important heritage landmark within the City and is designated under Part IV of the Ontario Heritage Act. As a historic mill site, the Old Mill's primary relationship is with the Humber River. The development proposal will create a physical barrier between the designated Old Mill and the Humber River to the north.

The Provincial Policy Statements (PPS, 2005) contains a policy (2.6.3) for development and site alteration on adjacent lands to protected heritage property. It states that mitigative measures or alternative development approaches may be required to conserve Heritage attributes of a protected heritage property.

The heritage issues related to this application have been addressed in a number of ways.

First, an evaluation of the proposed height, massing and built form of the original proposal condominium building resulted in changes to the revised proposal which were more compatible with the existing neighbourhood and the Old Mill. The setbacks from the Old Mill Road ensure that the proposed building does not overpower the Old Mill and, in fact, makes the Old Mill more of a focal point. The additional stepbacks provided on the west end of the building also alleviate some of the building's impacts on the neighbouring building to the west and allow the greatest heights of the building to be pushed towards the east end of the site, which is at a relatively lower slope.

Second, staff worked with the applicant to initiate building material selection to be used for the construction of the proposed building. Given the sensitivity of the site, staff will continue to work with the applicant to ensure that the building materials that are used are representative and respectful of the character of the area with special regard for the Old Mill. In addition, the building has been designed to provide for "through units" and a central foyer that will be a full two-storeys in height. It will provide a clear (through glass) view of the river valley from the street and the outer pedestrian areas of the Old Mill. This allows for a more transparent building that improves the relationship of the

Old Mill structure and the public street with the Humber River its valley compared to the original proposal.

The applicant has also agreed to provide a financial contribution in the amount of \$100,000.00 to be put towards Heritage Improvements/Initiatives for the area in and around the Old Mill in close proximity to the development. For example, The Société d'histoire de Toronto (SHT) in consultation with the TRCA is working on a proposal for the development of a historical park along the Humber River, South of Dundas Street West to Lake Ontario. The park would showcase historical sites important to the three founding peoples of Canada (The First Nations, French and English), would include interpretive signage for educational and recreational purposes and would help protect the rich ecological system along the Humber River in the long-term.

SHT with Ontario Trillium Foundation funding is undertaking this project to inform the community about the park, create a strategic plan to implement this project and enter in collaboration with various partners to develop the park. The \$100,000.00 will be directed towards heritage improvements arising from this project or other initiatives in proximity to the development that celebrate the rich heritage of the area and will be secured in the Section 37 Agreement.

Finally, given that this development was in part developed in order to provide additional parking for the Old Mill, staff believes that it is appropriate to ensure that the Old Mill continues to exist and thrive. The draft zoning by-law will include the Old Mill property and will cap the zoning permission for the Old Mill for the uses currently existing. This ensures that if the Old Mill property is ever considered for redevelopment in the future, staff and the community understand the rationale behind this proposal and the appropriate evaluation for any future development is undertaken.

Servicing

Technical Services staff advise that the existing municipal services and public infrastructure is sufficient to accommodate this development. No further upgrades are required.

Parkland

The Parks, Forestry and Recreation Division has recommended that this development be subject to a 5 percent cash-in-lieu of parkland dedication payment which will be payable at the time of building permit issuance.

The applicant is also proposing a number of restoration strategies on both their private property and public lands along the Humber River, all as outlined above in the Natural Environment section of this report.

Streetscape

The proposed development will result in an improvement to the existing streetscape on Old Mill Road. The applicant proposes to landscape the frontage of the site along Old

Mill Road and build a new sidewalk along the frontage of the site. The details of the landscaping and sidewalk work will be dealt with at the site plan review stage.

The revisions to the façade of the building along Old Mill Road also address the downward slope of the street (Attachment 3). Staff will continue to work with the applicant through the Site Plan Approval application to resolve any other issues related to streetscape.

Toronto Green Development Standard

Staff will be encouraging the applicant to review sustainable development opportunities by utilizing the City's Green Development Standards (GDS) adopted by Council in July 2006, including the measures referenced above to achieve a net environmental gain.

Site Plan Control

The proposed development is subject to site plan control. There are a number of issues that must be addressed and finalized at Site Plan review stage, including:

- Stage 2 Archaeological Resource Assessment and mitigation measures to deal with any significant heritage resources that may be found onsite;
- Building materials and overall design of the proposed condominium building such that the finished building will be considerate and respectful of the Heritage character of the area;
- Landscaping of the condominium lands and associated existing surface parking lot to the north of the proposal including utilizing the green parking lot guidelines;
- Review of the proposed development in light of the Council adopted Green Development Standards;
- Finalization of the details of the Compensation Plan;
- Finalization of the details regarding the proposed cut and fill strategy within the floodplain area; and
- Full consideration of all other standard site plan control requirements of the City.

Section 37

Section 37 of the Planning Act authorizes a municipality with appropriate approved Official Plan provisions to pass by-laws involving increases in the height or density otherwise permitted by the Zoning By-law in return for the provision of community benefits by the applicant.

The Official Plan provides for the use of Section 37 of the Planning Act to secure the provision of community benefits in return for an increase in height and/or density of

development if the increases are first determined to represent good planning. Community Planning staff have discussed matters regarding a Section 37 Agreement with the owner and local councillor.

The community benefits recommended to be secured in the Section 37 agreement are as follows:

1. Contribution of \$500,000.00 to the City for park improvements within the vicinity of the subject site including Kings Mill Park, Etienne Brule Park and Park Lawn Park such as play areas, water play, running track and amenities such as pathways, seating, trash bins, etc., at the discretion of the General Manager, Parks, Forestry and Recreation Division, in consultation with the Ward Councillor, to be paid prior to the issuance of the first above-grade building permit; and
2. Contribution of \$100,000.00 to the City for heritage improvements along the Humber River Valley in the vicinity of the site, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Parks, Forestry and Recreation and the Ward Councillor, to be paid prior to the release of the first above-grade building permit; and
3. All such payments shall be made, together with any increases to reflect increases in the Construction Price Statistics between January 1, 2008 and the delivery of each such payment.

The following matters are also recommended to be secured in the Section 37 agreement as a legal convenience to support development:

1. the securing of building materials for the proposed building, to the satisfaction of the Chief Planner and Executive Director, City Planning;
2. the fulfillment through the site plan approval process and agreement of all ravine and valley lands remediation work and environmental matters to the satisfaction of the General Manager, Parks, Forestry and Recreation in consultation with the Chief Planner and Executive Director, City Planning; and
3. streetscape improvements to Old Mill Road to the satisfaction of the Executive Director of Technical Services and the Chief Planner and Executive Director, City Planning.

Development Charges

It is estimated that the development charges for this project will be approximately \$452,800.00. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

CONTACT

Pedro Lopes, Planner

Tel. No. (416) 394-2608

Fax No. (416) 394-6063

E-mail: plopes2@toronto.ca

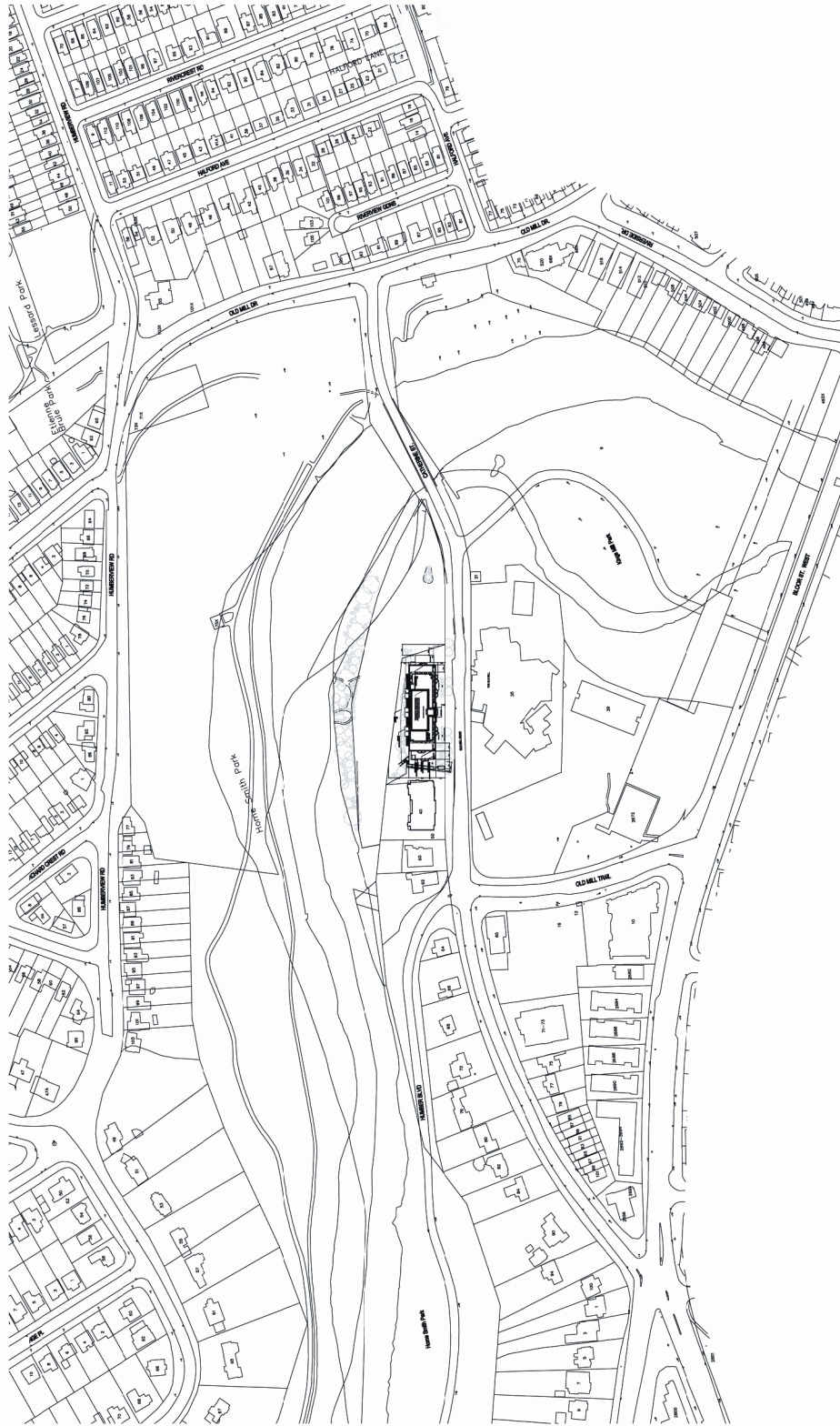
SIGNATURE

Gregg Lintern, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

- Attachment 1: Context Plan
- Attachment 2: Site Plan
- Attachment 3: South Elevation
- Attachment 4: North Elevation
- Attachment 5: East Elevation
- Attachment 6: West Elevation
- Attachment 7: Zoning Map
- Attachment 8: Official Plan
- Attachment 9: Draft Zoning By-law Amendment
- Attachment 10: Draft Official Plan Amendment
- Attachment 11: Application Data Sheet
- Attachment 12: Section 37 – Community Benefits

Attachment 1: Context Plan



21 Old Mill Road

File # 06_197220

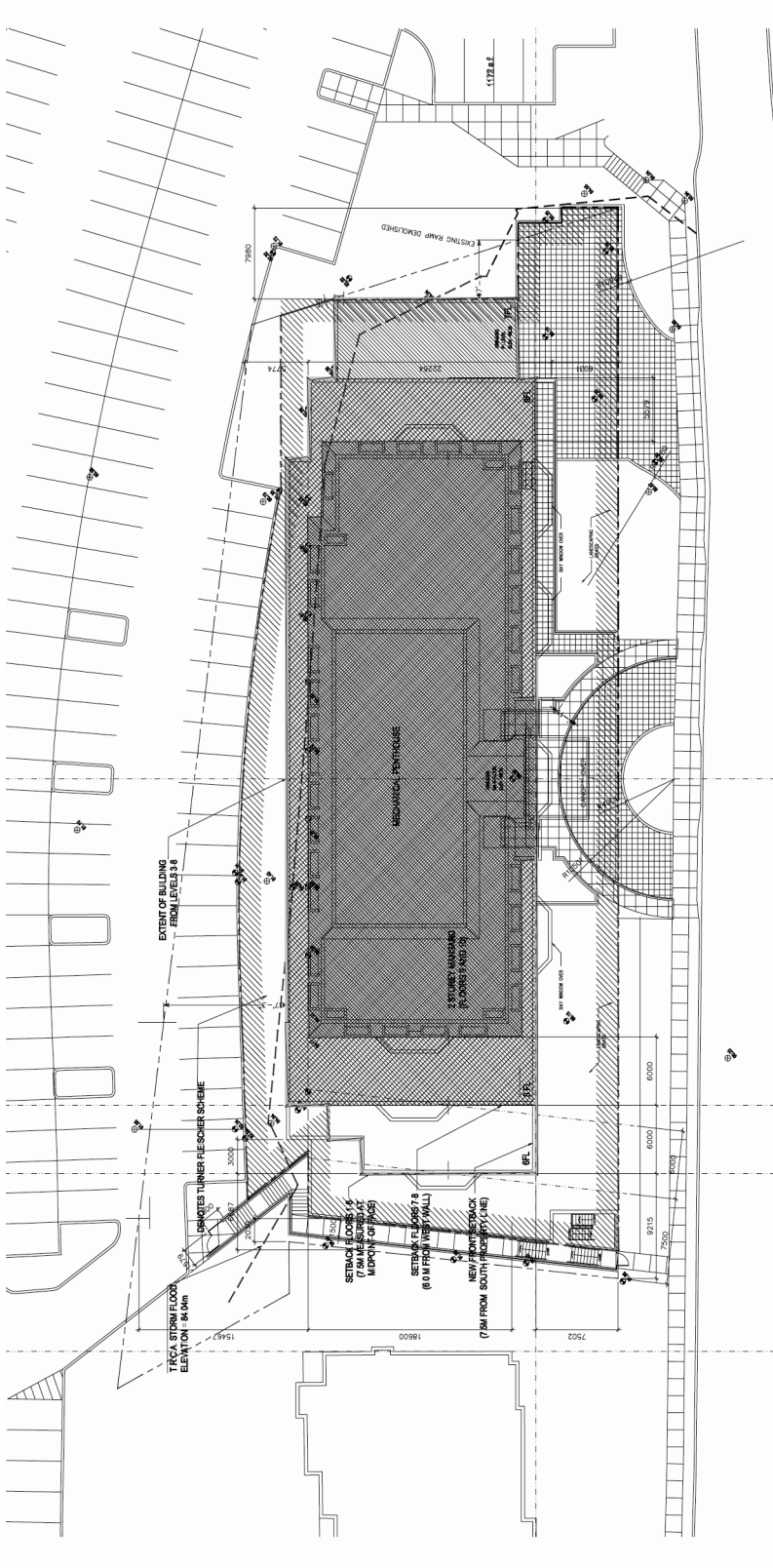
Context Plan

Applicant's Submitted Drawing

Not to Scale
01/22/07



Attachment 2: Site Plan



21 Old Mill Road

File # 06 197220

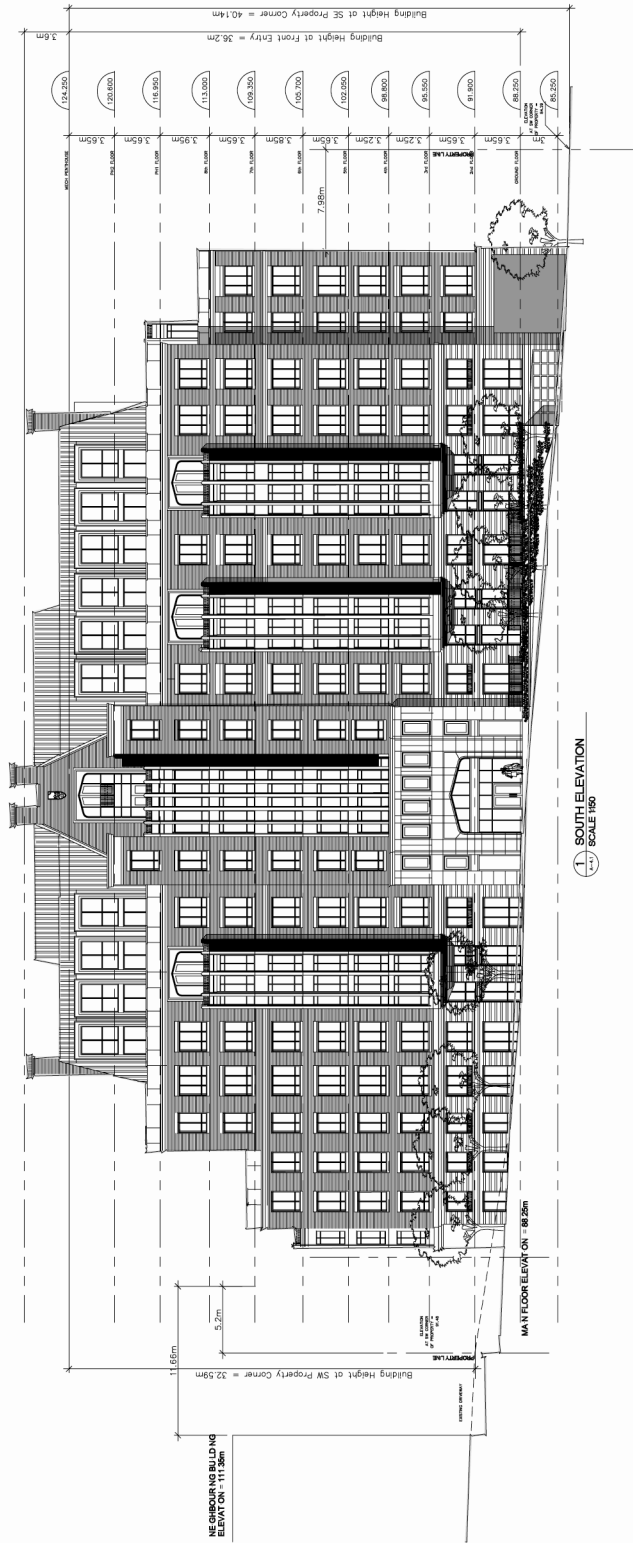
Site Plan

Applicant's Submitted Drawing



Not to Scale
01/22/08

Attachment 3: South Elevation



Elevations - South

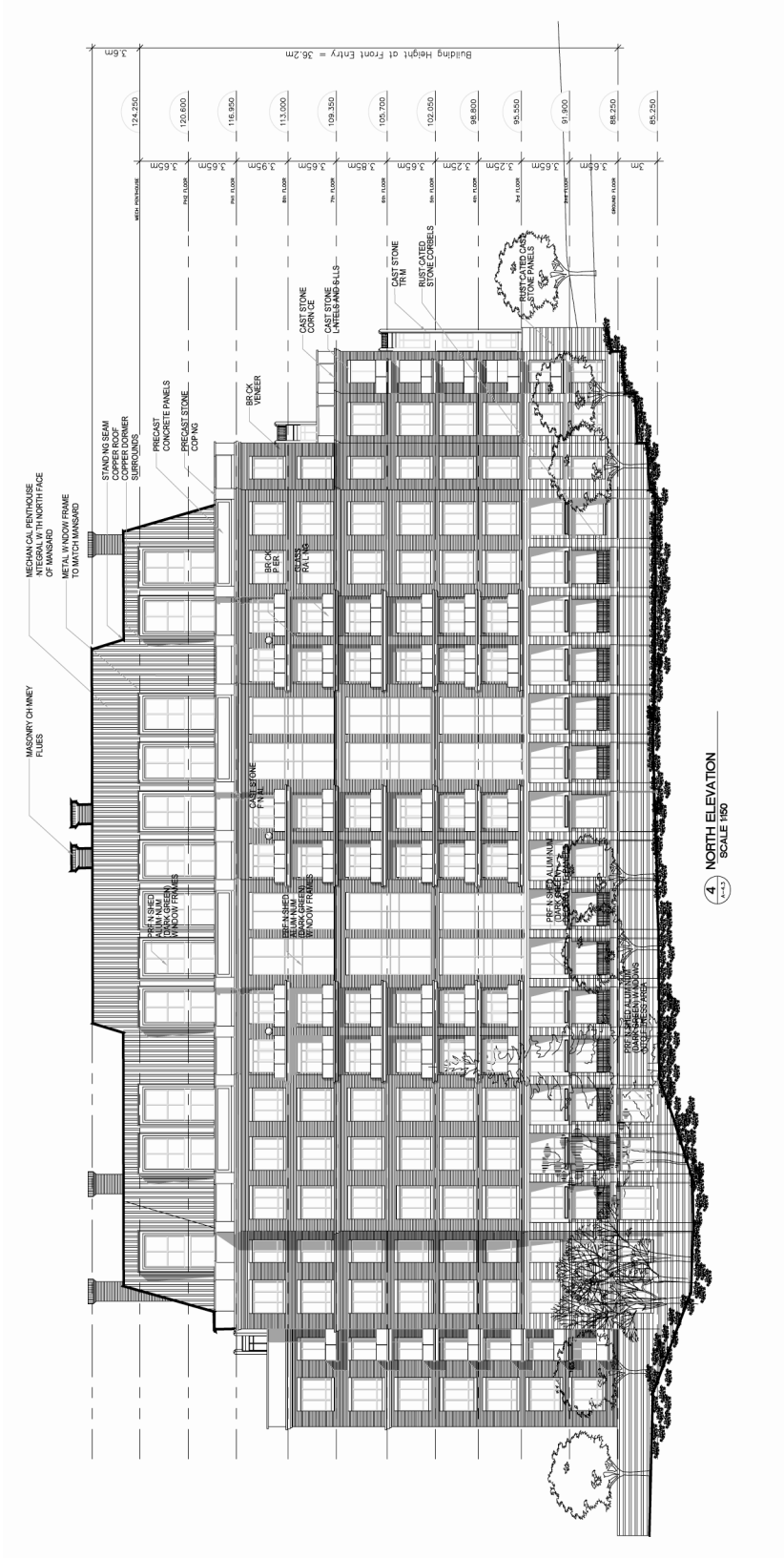
Applicant's Submitted Drawing

Not to Scale
01/22/08

21 Old Mill Road

File # 06_197220

Attachment 4: North Elevation



21 Old Mill Road

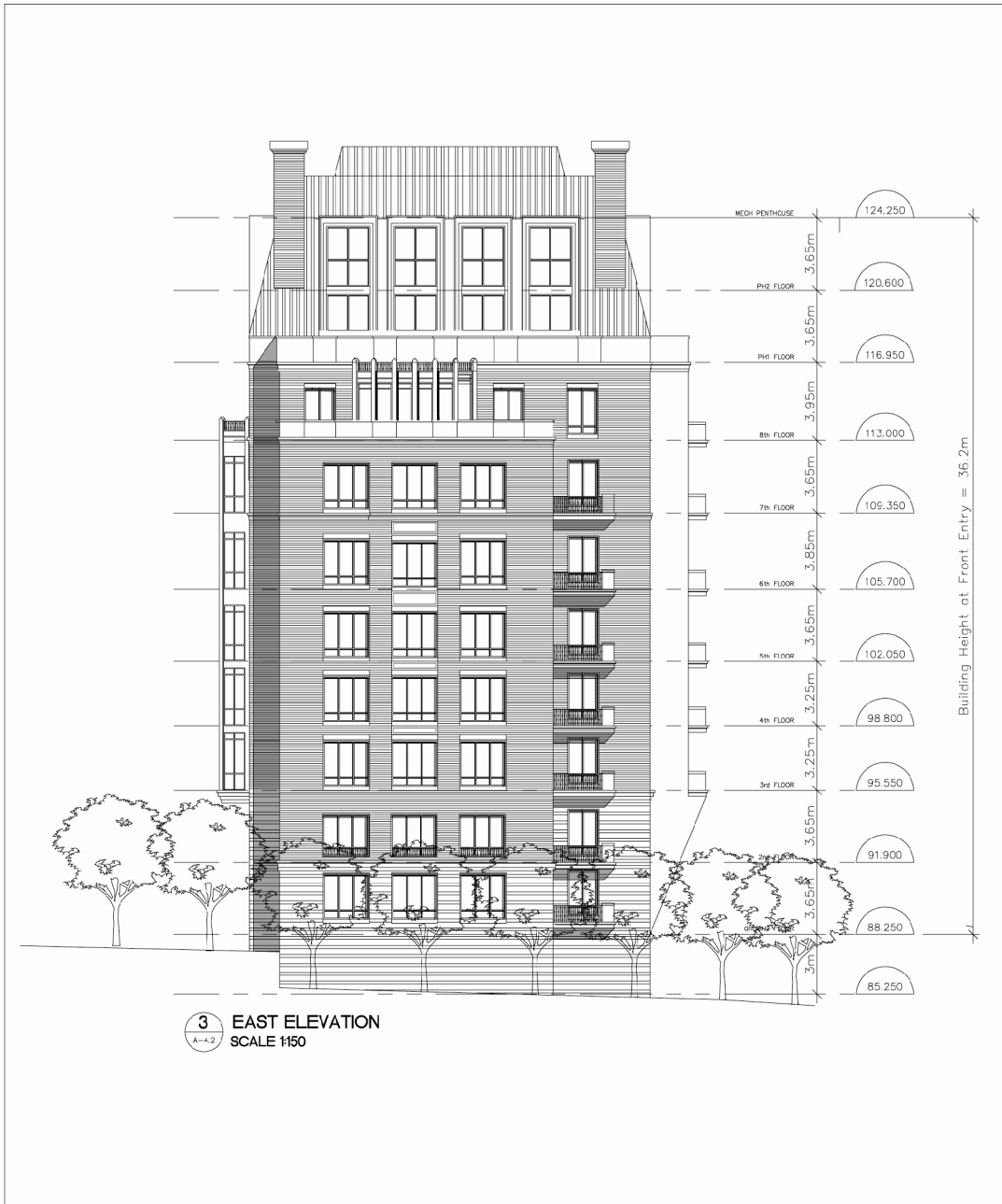
File # 06 19720

Elevations - North

Applicant's Submitted Drawing

Not to Scale
01/22/08

Attachment 5: East Elevation



Elevations - East

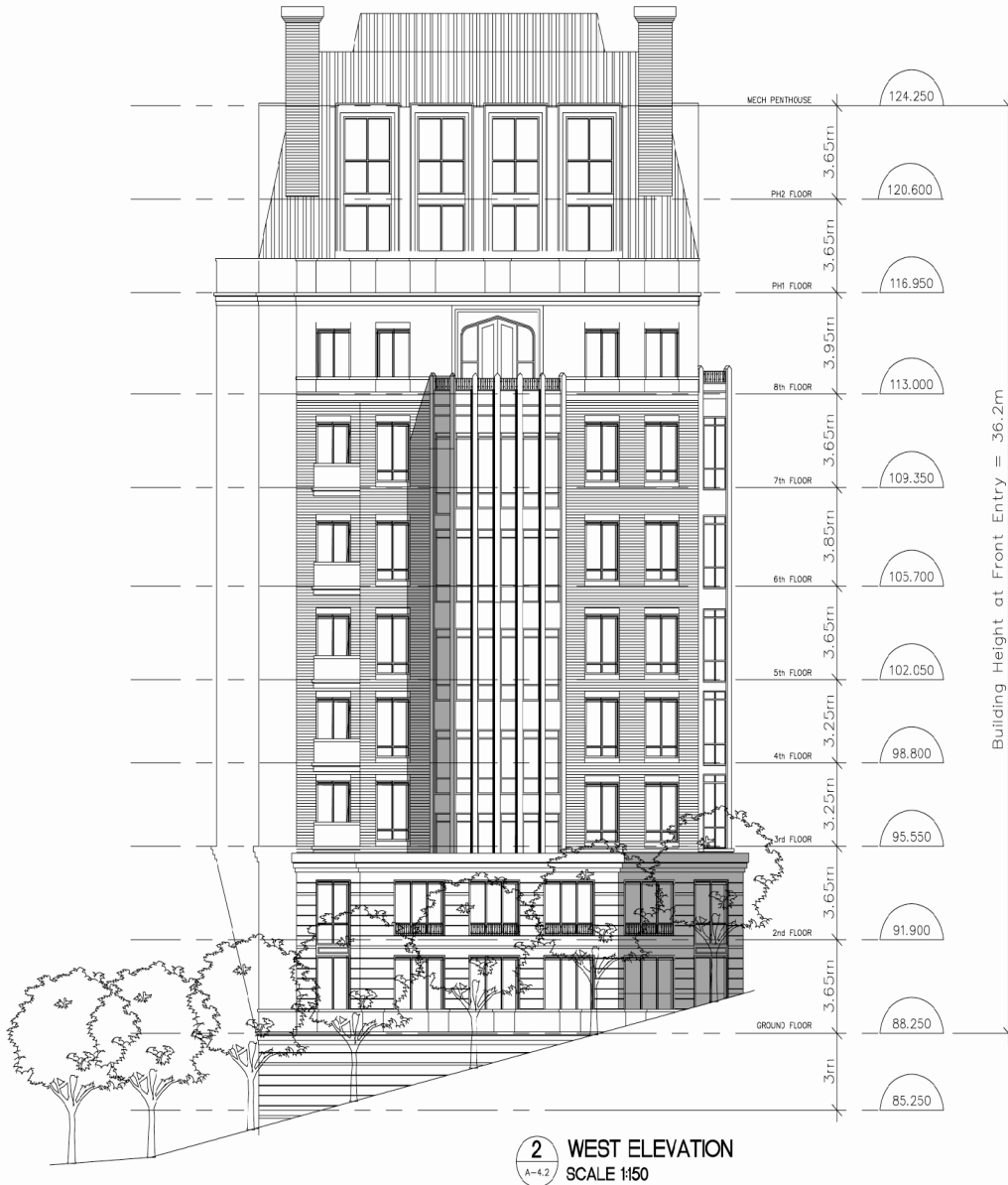
Applicants Submitted Drawing

Not to Scale
01/22/08

21 Old Mill Road

File # 06_197220

Attachment 6: West Elevation



Elevations - West

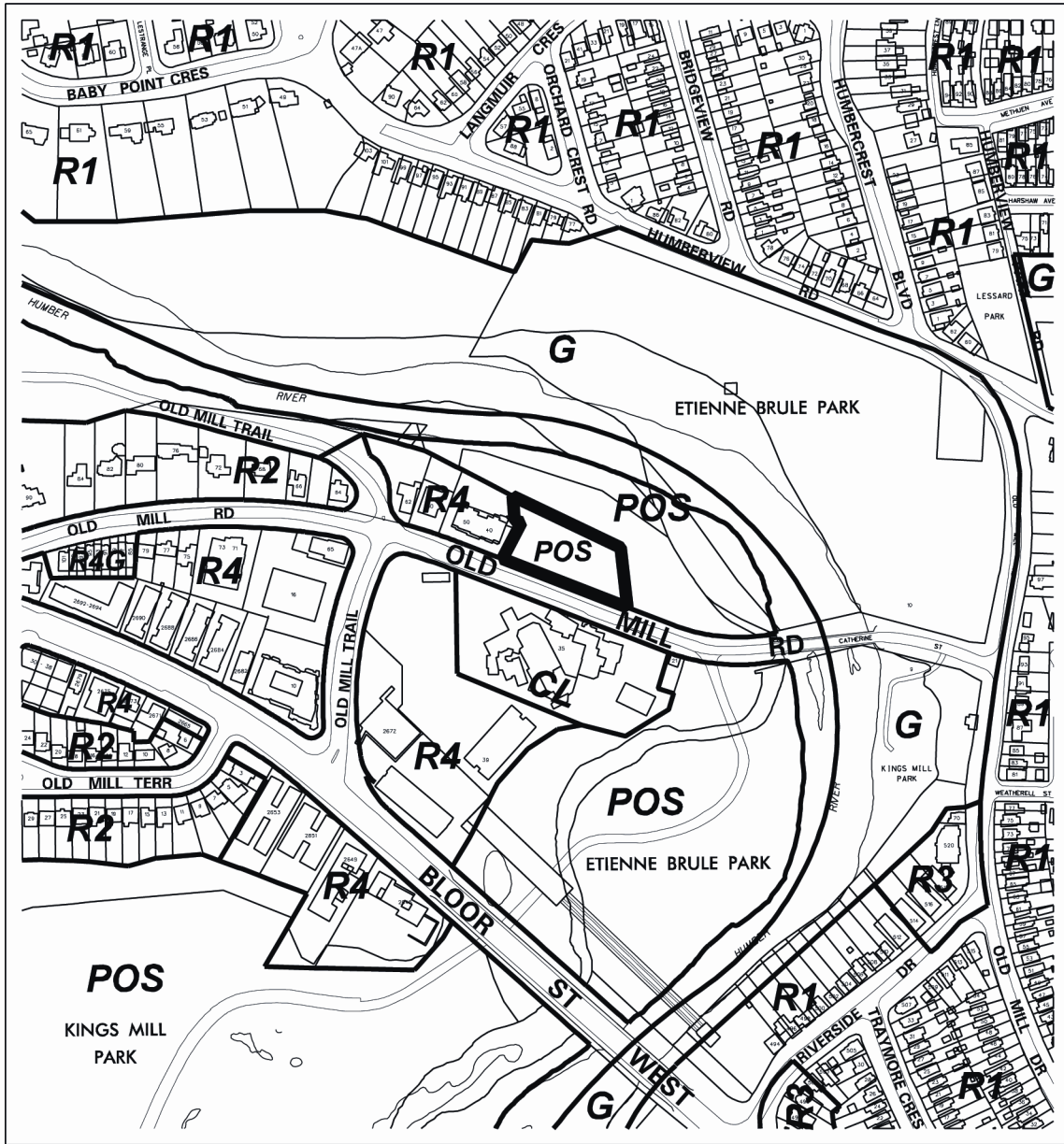
Applicants Submitted Drawing

Not to Scale
01/22/08

21 Old Mill Road

File # 06_197220

Attachment 7: Zoning Map



21 Old Mill Road

File # 06_197220

Former Etobicoke By-law 11,737

Former York Zoning By-law 1-83

R2 Residential Second Density
 R4 Residential Fourth Density
 CL Commercial Limited

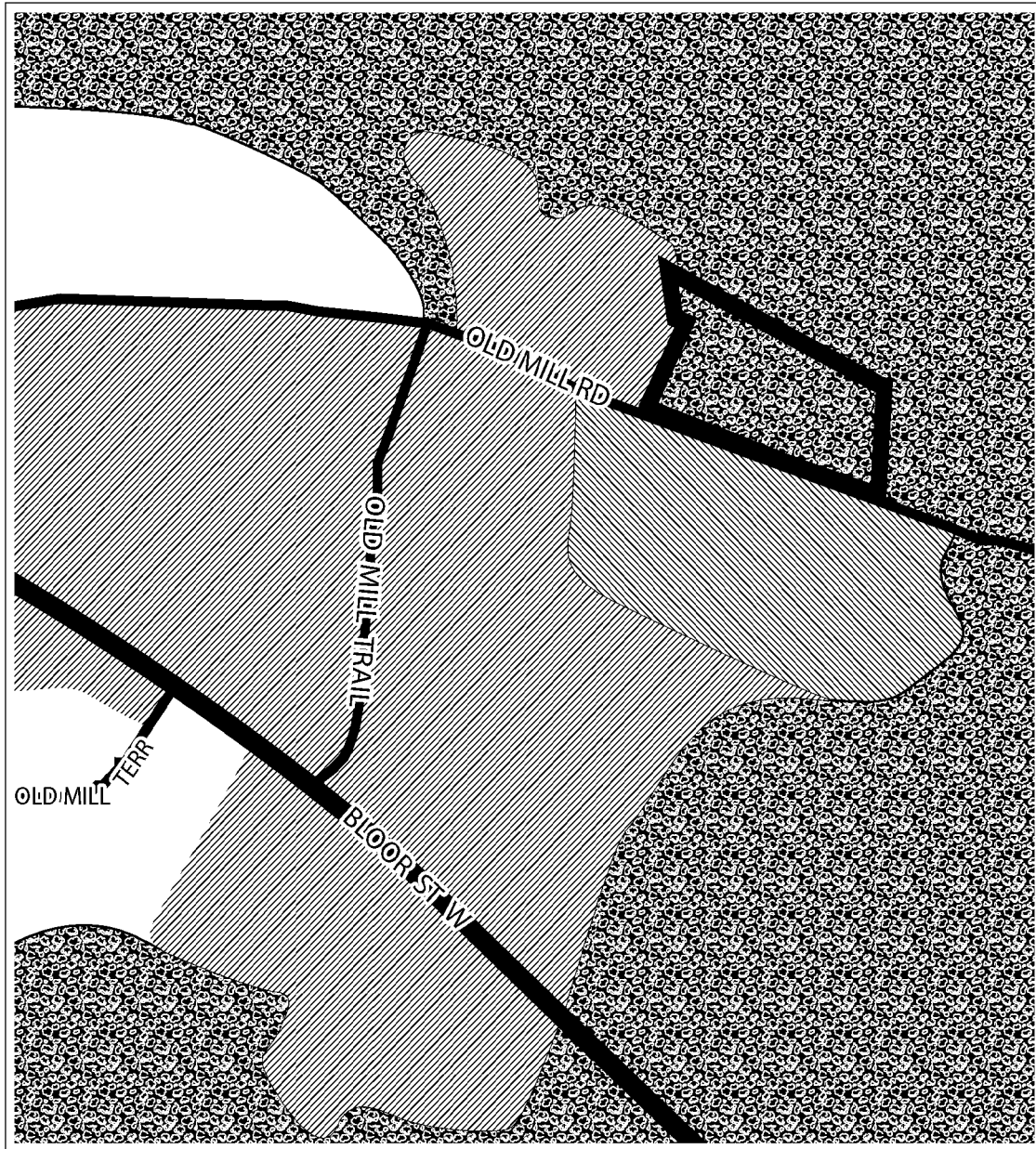
POS Private Open Space

R1 Residential Zone
 R3 Residential Zone
 G Green Open Space



Not to Scale
 Zoning By-laws 11,737 & 1-83 as amended
 Extracted 01/22/07 - MH

Attachment 8: Official Plan



- | | |
|--|---|
|  Site |  Mixed Use Areas |
|  Neighbourhoods |  Natural Areas |
|  Apartment Neighbourhoods | |

 **TORONTO** City Planning
Official Plan

Not to Scale 
 01/23/07

21 Old Mill Road

File # 06_197220

Attachment 9: Draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Item X, as adopted by City of Toronto Council on X and X, 2008

Enacted by Council: xx, 2008

CITY OF TORONTO

Bill No.

BY-LAW No. xxx-2008

To amend the Zoning Code of the former City of Etobicoke, as amended, with respect to lands municipally known in the year 2008 as 21 Old Mill Road.

1. By-law No. 1985-53 of the former City of Etobicoke is hereby repealed.
2. For clarity, the provisions of this By-law shall apply where any conflict exists between the provisions of this By-law and any provisions of By-law No. 14,160 of the former Township of Etobicoke, By-law No. 1981-117 of the former Borough of Etobicoke, and By-law Nos. 1985-54 and 1994-180 of the former City of Etobicoke.
3. The zoning map referred to in Section 320-5, Article II of the Zoning Code, is hereby amended by changing the classification of the portion of the Site from Private Open Space (POS) to Sixth Density Residential (R6), as shown on Schedule 'A' annexed hereto and forming part of this By-law.
4. Notwithstanding Sections 320-18A, 320-18B, 320C, 320-76 and 320-77 of the Zoning Code of the former City of Etobicoke, the following development standards, as set out in Sections 5 through 12 of this By-law, shall apply to the Site:
 5. Permitted Uses

No building or structure shall be erected or used on the Site except for the following uses:

- (a) Area II shall be used for, and only for, surface parking for the Old Mill Complex provided that ancillary landscaped features may also be provided in conjunction with the said parking;
- (b) Area III shall be used for, and only for, the currently existing uses at the Old Mill Complex;
- (c) Area I may be used for, and only for, an apartment building containing an underground parking garage that provides:

- i) the required parking for the residents and visitors of the apartment building;
- ii) a minimum of 99 parking spaces designated and used solely for the Old Mill Complex; and
- iii) each parking space shall have a width of 2.6 metres and a depth of 5.6 metres and be serviced by an access drive isle having a width of at least 6 metres at all points.

(d) Notwithstanding subsection (c),

- i) the following, and only the following additional uses shall be permitted within Area I as accessory uses to the apartment building and underground parking garage permitted within Area I by subsection (c): a covered ramp for the underground parking garage; television antennae; podiums; exterior stairs; garbage enclosures; stair enclosures; and ventilation shafts;
- ii) a temporary sales office shall be permitted within Area I for the purpose of marketing and sales related to the apartment building permitted within Area I by subsection (c);
- iii) the surface parking, existing as of January 1, 2008 for the Old Mill Complex, shall continue to be permitted on Area I until such time as the apartment building and underground parking garage permitted within Area I by subsection (c) is constructed.

6. Maximum Number of Residential Units

A maximum of 84 dwelling units shall be permitted within the apartment building permitted within Area I by subsection 5(c).

7. Gross Floor Area

A maximum Gross Floor Area of 16,000 square metres shall be permitted within the apartment building and underground parking garage permitted within Area I by subsection 5(c).

8. Maximum Height

The maximum height of the apartment building and underground parking garage permitted within Area I by subsection 5(c) shall be as shown on Schedule “B”, annexed hereto and forming part of this By-law.

9. Setbacks / Building Envelope

No part of the apartment building and underground parking garage permitted within Area I by subsection 5(c) shall be located other than within the Building Envelope shown on Schedule “B”, with the exception of:

- (a) below grade structures and ramps erected or provided within Area I; and
- (b) Minor Projections.

10. Parking and Loading Requirements for the apartment building and the Old Mill Complex:

- (a) Bicycle Parking – a minimum 53 bicycle parking spaces shall be provided for the apartment building permitted within Area I by subsection 5(c);
- (b) Residential – a minimum ratio of 1.2 parking spaces per dwelling unit for 2-bedroom units and 1.35 parking spaces per dwelling unit for units with three or more bedrooms. An additional 0.2 parking spaces shall be provided and reserved for the exclusive use of visitors;
- (c) No part of Area I shall be used for surface parking; and
- (d) In addition to parking required by subsection (a), a minimum of 99 parking spaces shall also be provided and maintained by and for the Old Mill Complex as follows:
 - (i) at least 99 parking spaces shall be provided and maintained in the underground parking garage to be constructed and provided within the apartment building permitted within Area I by subsection 5 (c); and
 - (j) any additional parking beyond the required 99 parking spaces may be provided within the surface parking lot permitted within Area II by subsection 5(a).

11. Landscape Open Space

A minimum of 30% of Area I shall be reserved for Landscape Open Space.

12. Indoor Amenity Space

A minimum of 2.5 square metres of Indoor Amenity Space shall be provided for each dwelling unit, within the apartment building permitted within Area I by subsection 5(c).

13. Despite any existing or future severance, partition, or division of the site, the provisions of this by-law shall apply to the whole site as if not severance, partition or division occurred;
14. For the purposes of this by-law, the provisions of Section 304-3 Definitions of the Zoning Code of the former City to Etobicoke shall apply with the following changes:

“Area I”, “Area II” and “Area III” shall each mean respectively those portions of the Site as delineated and identified as “Area I”, “Area II” and “Area III” on Schedule “C” annexed hereto.

“Building Envelope” – means a Building Envelope as delineated on Schedule “B” annexed hereto.

“Old Mill Complex” – means the restaurant, banquet hall, chapel, hotel and spa facilities located within Area III on January 1, 2008.

“Grade” – shall be geodetic elevation of 88.85 metres.

“Gross Floor Area” – shall be the total area of all floors in a building between the outside faces of the exterior walls, except for parking areas for motor vehicles, mechanical floor area, indoor amenity areas, unenclosed balconies and storage rooms where the floor level is at least 0.6 metres below grade.

“Height” – means the vertical distance between the geodetic Grade of the building and the highest point of the roof surface of the building, but shall exclude mechanical equipment, mechanical penthouses, parapets, architectural elements, stairs and stair enclosures located on the roof of such building provided the maximum height of the top of such elements, excluding decorative features, is no higher than 3 metres above the height limit otherwise applicable to the said building.

“Site” – shall mean the lands described in Schedule “A” annexed hereto

“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, ventilating, electrical, mechanical (other than escalators), elevator shafts or telecommunications equipment that serves only such building.

“Minor Projection” – means minor building elements which may project from the main wall of the building into the required yards and Building Envelope setbacks, including roof eaves, window sills, railings, cornices, guard rails, balustrades and bay windows,

doors, including revolving doors, canopies, exterior stairs, wheelchair and covered ramps, parapets and vents to a maximum projection of 1.5 metres.

“Indoor Amenity Area” – means a common area or areas which are provided for the exclusive use of residents of a building for recreational or social purposes.

14. Pursuant to Section 37 of the Planning Act, the heights and density of development permitted by this exception are permitted subject to compliance with the conditions set out in this exception 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(3) of the Planning Act and in a form satisfactory to the City with conditions providing for indexed escalation of financial contributions, 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 exception, 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 exception regulation:

(a) Contribution of \$500,000.00 to the City for park improvements within the vicinity of the subject site including Kings Mill Park, Etienne Brule Park and Park Lawn Park such as play areas, water play, running track and amenities such as pathways, seating, trash bins, etc., at the discretion of the General Manager, Parks, Forestry and Recreation Division, in consultation with the Ward Councillor, to be paid prior to the issuance of the first above-grade building permit; and

(b) Contribution of \$100,000.00 to the City of Toronto to be applied, as determined by the Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Parks, Forestry and Recreation and the Ward Councillor, for Heritage improvements along the Humber River from Dundas Street to Lake Ontario, at the discretion of the, to be paid prior to an occupancy permit

(c) costs of new municipal infrastructure and improvements and upgrades to existing municipal infrastructure to support the development as required by and satisfactory to the Executive Director, Technical Services;

(d) any other condition to ensure the orderly development of the lands as required by the Chief Planner and Executive Director, City Planning;

(f) the securing of building materials for the proposed building, to the satisfaction of the Chief Planner and Executive Director, City Planning;

(g) the fulfilment of all environmental matters to the satisfaction of the General Manager, Parks, Forestry and Recreation in consultation with the Chief Planner and Executive Director, City Planning; and

(h) streetscape improvements to Old Mill Road to the satisfaction of the General Manager of Technical Services and the Chief Planner and Executive Director, City Planning.

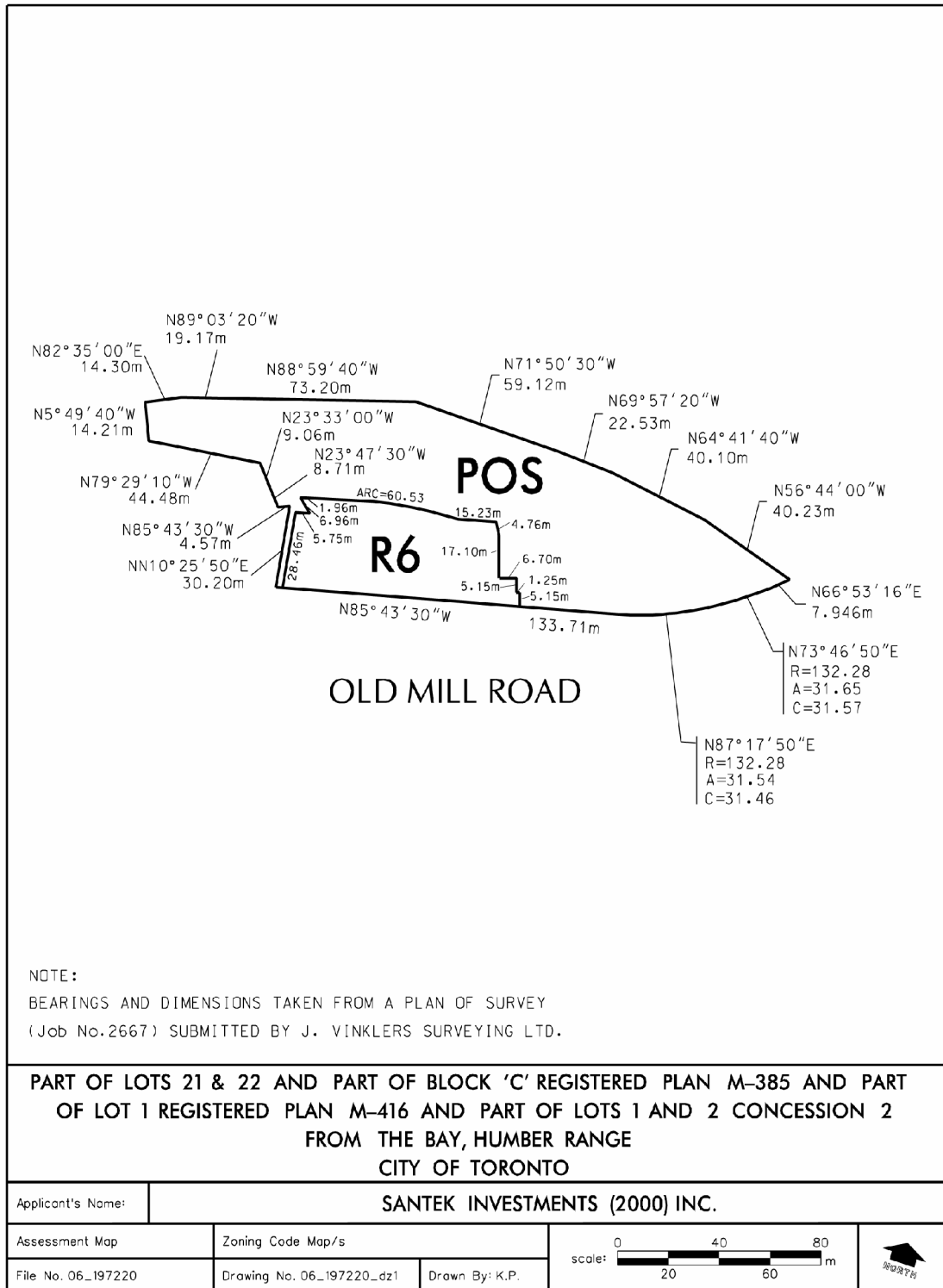
ENACTED AND PASSED this _____ day of _____, A.D. 2008

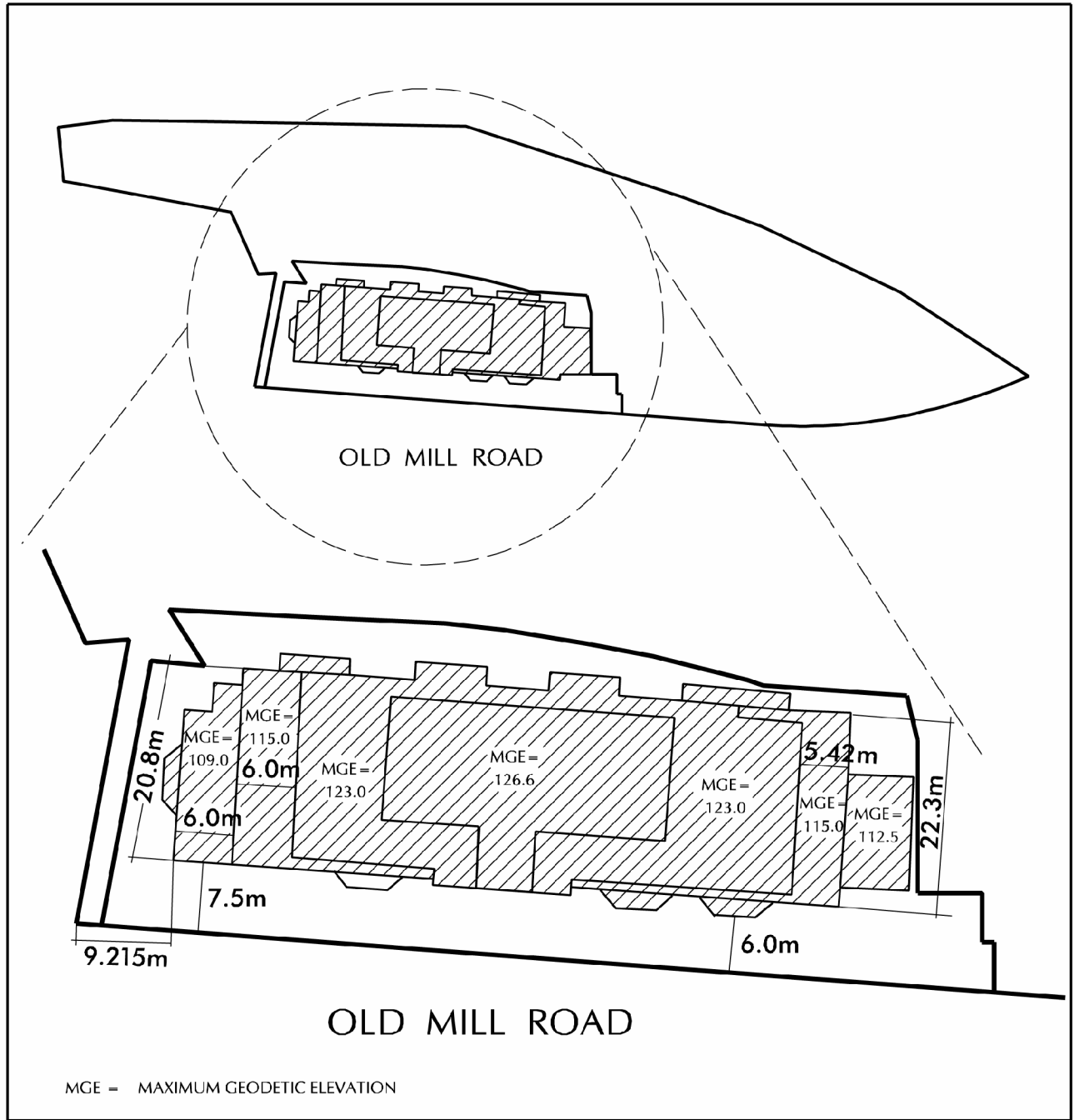
DAVID R. MILLER,
WATKISS

Mayor

ULLI

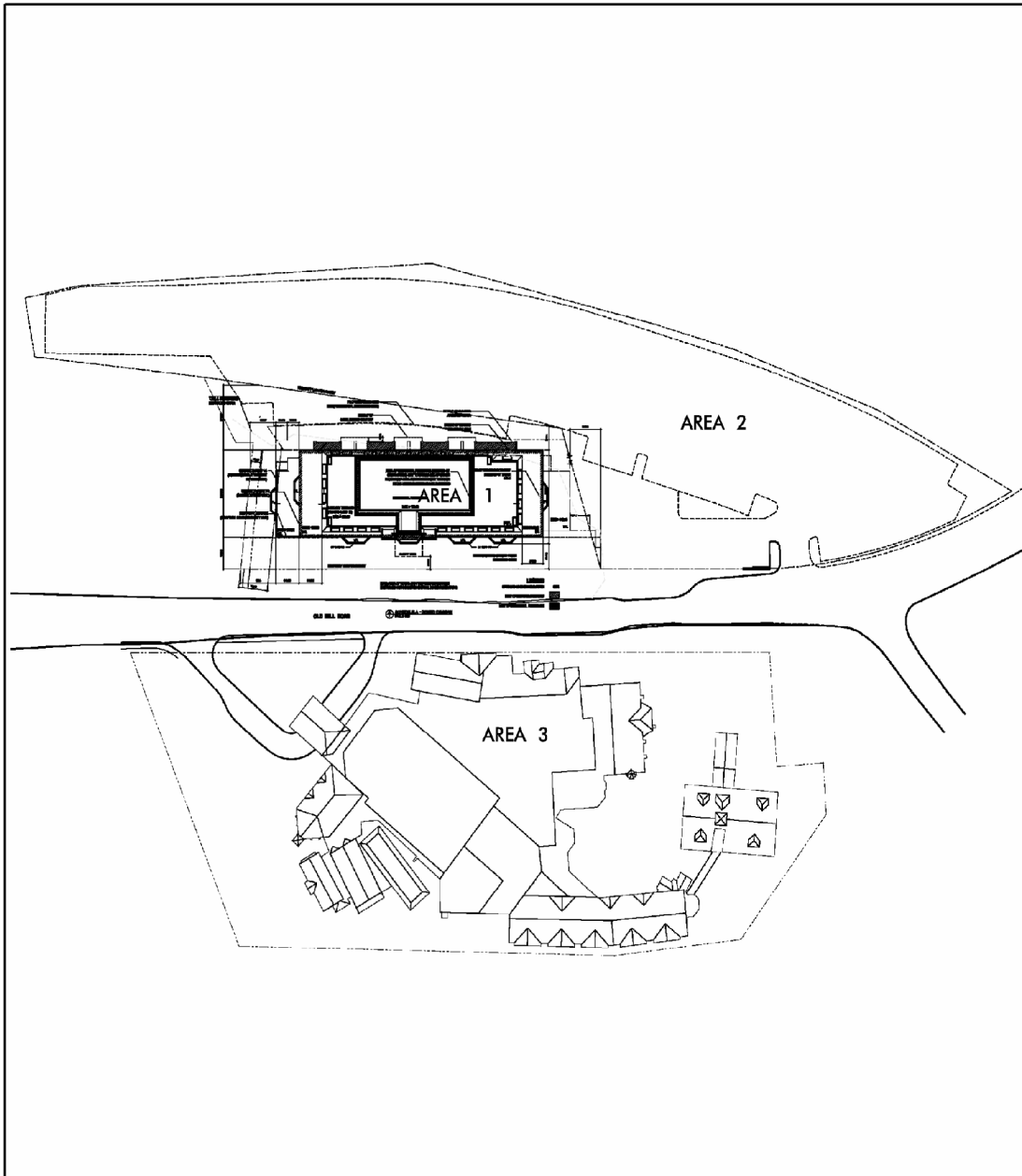
City Clerk





PART OF LOTS 21 & 22 AND PART OF BLOCK 'C' REGISTERED PLAN M-385 AND PART OF LOT 1 REGISTERED PLAN M-416 AND PART OF LOTS 1 AND 2 CONCESSION 2 FROM THE BAY, HUMBER RANGE CITY OF TORONTO

Applicant's Name:		SANTEK INVESTMENTS (2000) INC.	
Assessment Map D10	Zoning Code Map/s D10		scale:
File No. 06_197220	Drawing No. 06_197220_dz2	Drawn By: K.P.	



PART OF LOTS 21 & 22 AND PART OF BLOCK 'C' REGISTERED PLAN M-385 AND PART OF LOT 1 REGISTERED PLAN M-416 AND PART OF LOTS 1 AND 2 CONCESSION 2 FROM THE BAY, HUMBER RANGE CITY OF TORONTO

Applicant's Name:		SANTEK INVESTMENTS (2000) INC.	
Assessment Map D10	Zoning Code Map/s D10	scale:	
File No. 06_197220	Drawing No. 06_197220_dz3		

Attachment 10: Draft Official Plan Amendment

Authority: Etobicoke York Community Council Item ~ [or Report No.~. Clause No.~] as adopted by City Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

BY-LAW No.?

To adopt Amendment No. 44 to the Official Plan for the City of Toronto respecting a portion of the lands immediately north of the Old Mill located on Old Mill Road.

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. The attached Amendment No. 44 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 ??th day of??, A.D. 2008.

SANDRA BUSSIN,
Speaker

ULLI WATKISS
City Clerk

The following text and schedule constitute Amendment No.44 to the Official Plan for the City of Toronto.

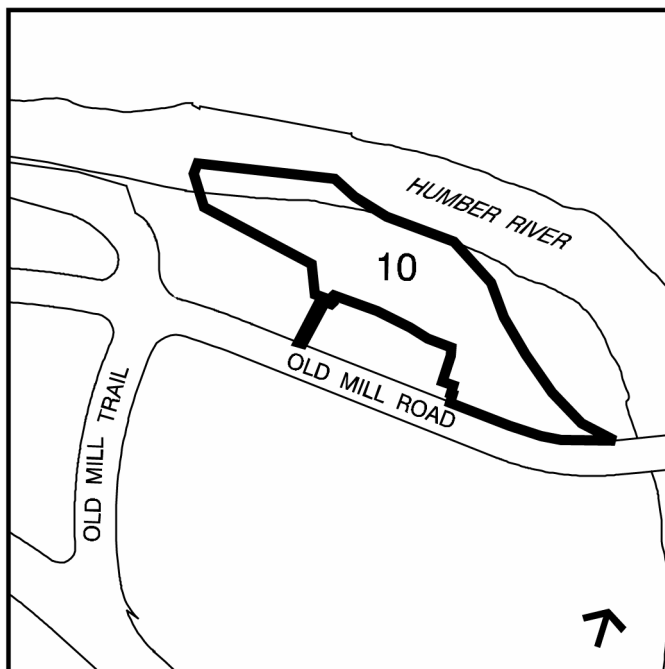
OFFICIAL PLAN AMENDMENT

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

1. Map 2, Urban Structure, is amended by deleting the lands directly across (north) from the Old Mill on Old Mill Road from the Green Space System, as shown on the attached Map.
2. Map 14, Land Use Plan, is amended by redesignating a portion of the lands directly across (north) from the Old Mill on Old Mill Road from *Parks and Open Space Areas - Natural Area* to *Apartment Neighbourhood*, as shown on the attached Map.
3. Chapter 7, Site and Area Specific Policies, Site and Area Specific Policy No. 10 is deleted and replaced as follows:

10. North of Old Mill Road, West and South of Humber River

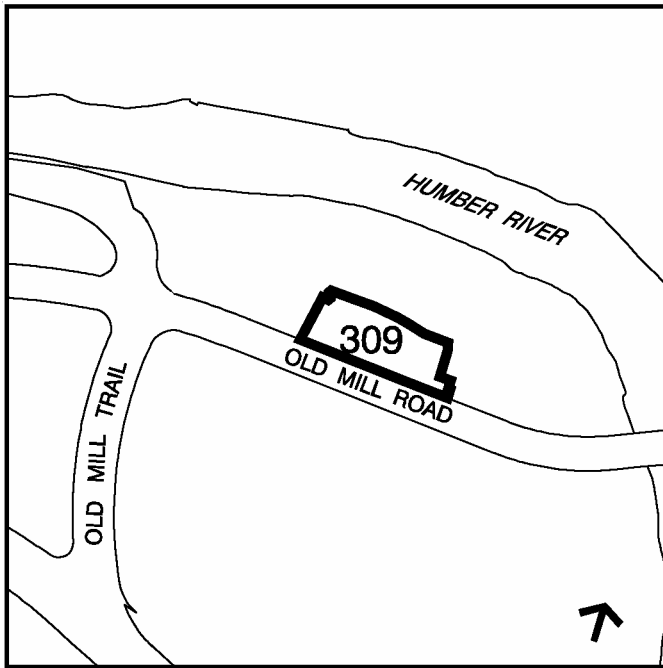
A surface parking lot is permitted in conjunction with the restaurant use at 21 Old Mill Road.



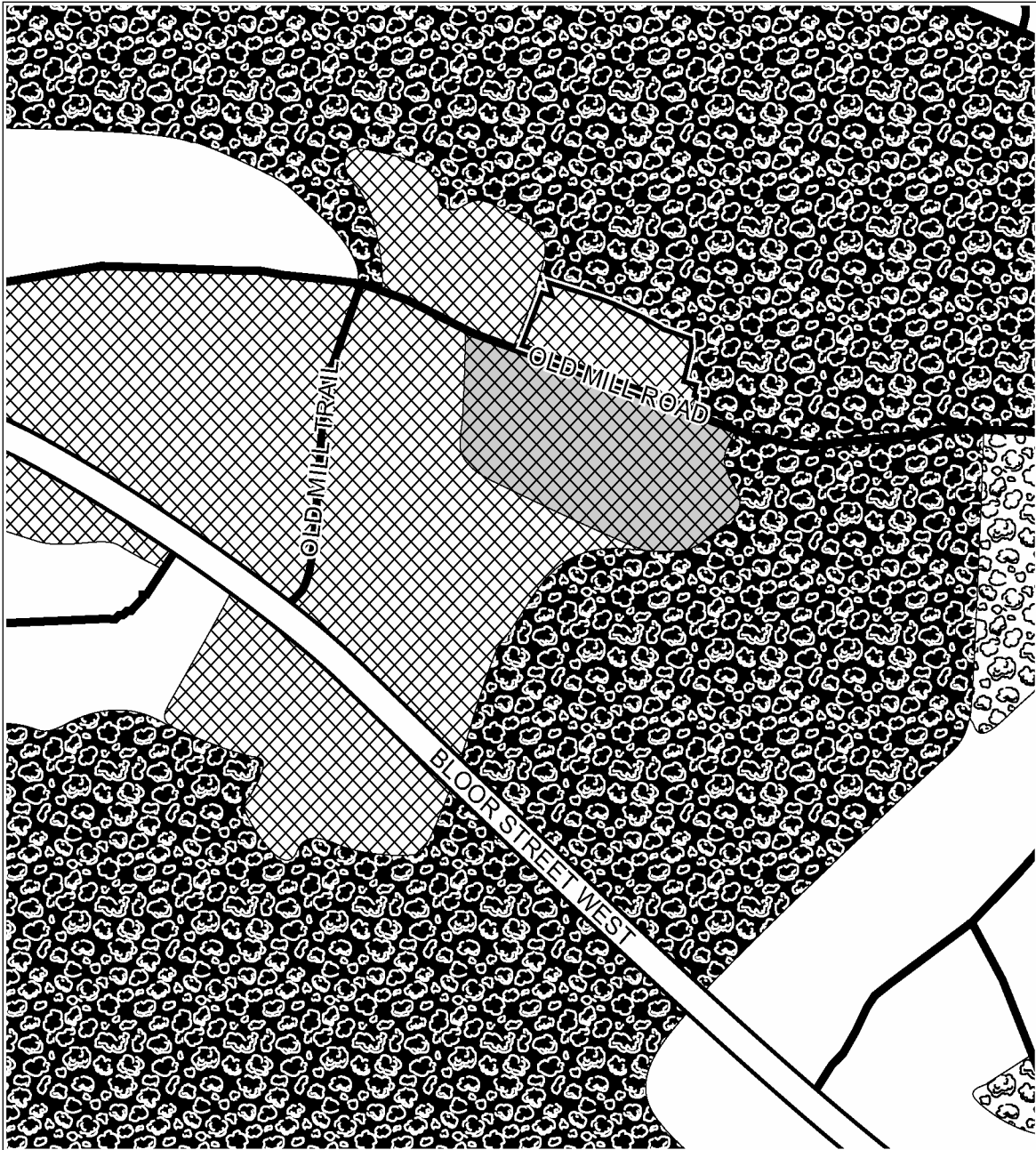
- Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 309 for the lands known as (describe the area – be as specific as you can), as follows:

309. North of Old Mill Road, West and South of Humber River

All development is to be set back a minimum of 10 metres from the top-of-bank of the adjacent valley, except for the northwest corner of the proposed building.



- Map 27, Site and Area Specific Policies, is amended by amending the area affected by Site and Area Specific Policy No.10 as shown on the map above as Site and Area Specific Policy No. 10.



Official Plan Amendment #44

Land Use Map 14 is amended by redesignating a portion of the lands directly across from the Old Mill on the north side of Old Mill Road from Parks and Open Space Areas - Natural Area to Apartment Neighbourhood

Urban Structure Map 2 is amended by deleting the lands directly across from the Old Mill on the north side of Old Mill Road from the Green Space System

File # 06_197220

 Site Location	 Mixed Use Areas
 Neighbourhoods	 Natural Areas
 Apartment Neighbourhoods	 Parks

↑
Not to Scale
01/24/08

Attachment 11: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	06 197220 WET 05 OZ
Details	OPA & Rezoning, Standard	Application Date:	December 11, 2006

Municipal Address: 21 OLD MILL RD N/S, TORONTO ON
 Location Description: PL M385 PT LTS 21 22 PT BLK C PL M416 PT LT1 RP R1662 PT 3 PT PT 1 RP 66R13337 PTS 2 3 **GRID W0503
 Project Description: Ten storey condominium (84 unit) apt. building with a four storey underground garage containing 218 parking spaces

PLANNING CONTROLS

Official Plan Designation:	Parks and open Space Area	Site Specific Provision:	Private open Space 9 site specifics 14, 160,1981-117,1985-54(f)
Zoning: Private Open Space		Historical Status:	
Height Limit (m): N/A		Site Plan Control Area:	yes

PROJECT INFORMATION

Site Area (sq. m):	11,930	Height:	Storeys:	10
Frontage (m):	irregular		Metres:	36.3
Depth (m):	irregular			
Total Ground Floor Area (sq. m):	1542			Total
Total Residential GFA (sq. m):	16,000		Parking Spaces:	218
Total Non-Residential GFA (sq. m):			Loading Docks	1
Total GFA (sq. m):	16,579			
Lot Coverage Ratio (%):	12			
Floor Space Index:	1.38			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	0
2 Bedroom:	45
3 + Bedroom:	39
Total Units:	84

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	16,000	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: Pedro Lopes, Planner
TELEPHONE: (416) 394-2608

Attachment 12: Section 37 – Community Benefits

The community benefits recommended to be secured in the Section 37 agreement are as follows:

1. Contribution of \$500,000.00 to the City for park improvements within the vicinity of the subject site including Kings Mill Park, Etienne Brule Park and Park Lawn Park such as play areas, water play, running track and amenities such as pathways, seating, trash bins, etc., at the discretion of the General Manager, Parks, Forestry and Recreation Division, in consultation with the Ward Councillor, to be paid prior to the issuance of the first above-grade building permit; and
2. Contribution of \$100,000.00 to the City for heritage improvements along the Humber River Valley in the vicinity of the site, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the General Manager, Parks, Forestry and Recreation and the Ward Councillor, to be paid prior to the release of the first above-grade building permit; and
3. All such payments shall be made, together with any increases to reflect increases in the Construction Price Statistics between January 1, 2008 and the delivery of each such payment.

The following matters are also recommended to be secured in the Section 37 agreement as a legal convenience to support development:

1. the securing of building materials for the proposed building, to the satisfaction of the Chief Planner and Executive Director, City Planning;
2. the fulfillment through the site plan approval process and agreement of all ravine and valley lands remediation work and environmental matters to the satisfaction of the General Manager, Parks, Forestry and Recreation in consultation with the Chief Planner and Executive Director, City Planning; and
3. streetscape improvements to Old Mill Road to the satisfaction of the Executive Director of Technical Services and the Chief Planner and Executive Director, City Planning.