

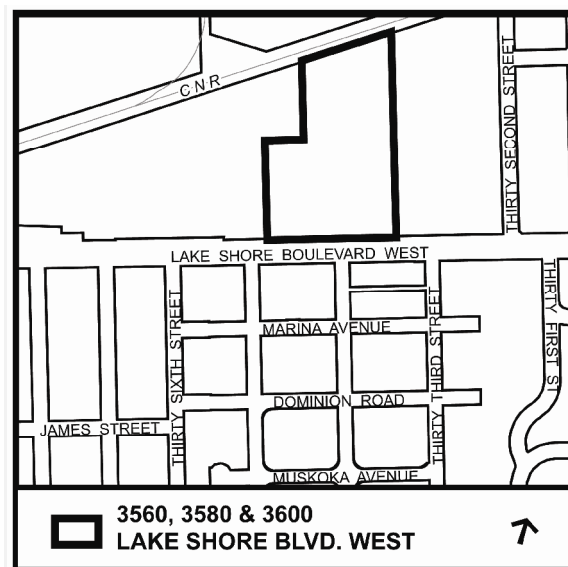
**3560, 3580 and 3600 Lake Shore Boulevard West
Official Plan Amendment, Zoning By-law Amendment
and Draft Plan of Subdivision Applications – Final
Report**

Date:	November 1, 2013
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 6 – Etobicoke-Lakeshore
Reference Number:	10 193543 WET 06 OZ & 12 290917 WET 06 SB

SUMMARY

These applications propose the comprehensive redevelopment of former industrial properties at 3560, 3580 and 3600 Lake Shore Boulevard West into a mixed use community. The applications propose an eight storey mixed use mid-rise building and a single storey commercial building on separate parcels fronting Lake Shore Boulevard West. The interior of the site would consist of three and four storey townhouse and stacked townhouse blocks organized around a new public street network and a public park.

The proposal would redevelop a brownfield site in a manner that is compatible with adjacent existing industrial uses and consistent with the objectives of Official Plan Site and Area Specific Policy 23 (SASP 23) which applies to the subject lands and the larger block between Thirty Third Street and Browns Line. An appropriate level of intensification and mix of land uses along an identified transit corridor would be provided with a range of building types. The proposal is also consistent with the vision of the Lake Shore



Boulevard West Avenue Zoning By-law in providing appropriately massed mid-rise development and streetscaping improvements that enhance the pedestrian realm within the former Village of Long Branch.

This report reviews and recommends approval of the application to amend the Official Plan and former City of Etobicoke Zoning Code. This report also advises that the Chief Planner and Executive Director, City Planning, may approve the Draft Plan of Subdivision subject to the conditions presented in Attachment 10 to this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 3560, 3580 and 3600 Lake Shore Boulevard West substantially in accordance with the draft Official Plan Amendment attached as Attachment 8 to this report.
2. City Council amend the former City of Etobicoke Zoning Code substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 9 to this report.
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 for enactment, City Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* to secure the following matters as a legal convenience to support development:
 - a. The owner shall file applications for Site Plan Control Approval that clearly include the following at-receptor mitigation measures identified in the Environmental Noise Update, prepared by Valcoustics Canada Limited, dated May 27, 2013:
 - i. No rooftop amenity areas on Block 11 and the mid-rise apartment building (Block B4);
 - ii. All rooftop amenity areas on Block 10 and 14 shall be protected with a 1.5 m high acoustic barrier; and
 - iii. No sensitive receptors (bedroom, living/dining room or kitchen windows, balconies or terraces) located on the west facing facades of Blocks 10 and 11.
 - b. The owner shall include a noise and odour warning clause indicating the proximity of the subject lands to the Wakefield Canada Inc. manufacturing and warehouse facility located at 3660

Lake Shore Boulevard West in:

- i. any agreement of purchase and sale and/or lease of the site;
 - ii. any disclosure statement in respect to any sale of condominium units proposed to be developed on the site; and
 - iii. any declaration in respect of any condominium corporation to be created for any portion of the site.
- c. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009.
5. In accordance with the delegated approval under By-law 229-2000, as amended, City Council be advised that the Chief Planner and Executive Director, City Planning, intends to approve the Draft Plan of Subdivision as generally illustrated on Attachment 3 to this report subject to:
- a. The conditions as generally listed in Attachment 10 to this report, which except as otherwise noted must be fulfilled prior to the release of the Plan of Subdivision for registration; and
 - b. Any such revisions to the proposed subdivision plan or any such additional modified conditions as the Chief Planner and Executive Director, City Planning may deem to be appropriate to address matters arising from the on-going technical review of this development.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A Preliminary Report was adopted by Etobicoke York Community Council at its August 17, 2010 meeting authorizing staff to conduct a community consultation meeting. The decision of Community Council and the Preliminary Report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.EY39.18>

At its meeting of July 16-19, 2013, City Council approved the rezoning of the lands at 3560 Lake Shore Boulevard West to permit the construction of a single storey commercial building. The rezoning of this parcel is the initial phase of the redevelopment of the lands subject to this report. The Commercial (C1) zoning on the site was enacted through By-law 1023-2013. The decision of City Council and a copy of the Final Report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.EY25.6>

ISSUE BACKGROUND

Proposal

The applications for Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Approval propose the comprehensive redevelopment of a brownfield site along Lake Shore Boulevard West. The original June 2010 submission did not include the existing Beer Store property at 3580 Lake Shore Boulevard West and proposed taller buildings and a limited public street network. In December 2012, the applications were significantly revised to incorporate the 3580 Lake Shore Boulevard West property which allowed for the comprehensive redevelopment of the lands to be organized around a new public street network and a centrally located public park. The revised applications also proposed reduced building heights for the mid-rise building along Lake Shore Boulevard West and an overall reduction in development densities as described below (see Attachment 1: Context Plan and Attachment 2: Site Plan).

A total gross floor area of 53,951 m² is proposed which results in a density of 1.4 times the area of the lands net of those lands that would be conveyed for municipal streets and parks. The applications propose 525 residential units in various building types and would incorporate non-residential uses into the ground floor of buildings fronting Lake Shore Boulevard West. A 30 m setback from the rail corridor to the proposed residential units would be provided containing a reinforced landscaped berm as required for residential developments adjacent to Metrolinx rail corridors. Additional information is presented in the Application Data Sheet (Attachment 7).

A new public street is proposed to extend north from the existing intersection of Long Branch Avenue and Lake Shore Boulevard West through the subject lands to a cul-de-sac adjacent to the rail corridor. An intersecting east-west public street would run parallel to Lake Shore Boulevard West and would provide opportunity to connect to public streets on adjacent sites and achieve the integrated public street system required by SASP 23. A 0.26 ha public park is proposed at the eastern limits of the lands which presents an opportunity to continue or connect to public park land on adjacent sites as envisioned by SASP 23.

The public street network proposed would divide the larger development site into smaller development parcels identified as Blocks A, B and C on the proposed draft Plan of Subdivision (Attachment 3).

Block A1 would contain 6 four-storey blocks of stacked townhouse units and one four-storey block of standard townhouses for a total of 210 dwelling units. The proposed stacked townhouse blocks on Block A1 would sit above a shared underground parking garage located near the northern portion of the site and accessed from a driveway at the end of the north-south public road. The block of standard townhouses along the west property line would be accessed via a private driveway extending from the east-west

public street and parking spaces would be provided in an integrated garage access from the back of the proposed units.

Block A2 would contain 4 blocks with a total of 114 dwelling units divided between 2 three-storey blocks of back to back townhouses and 2 four-storey blocks of stacked townhouses. Parking for the dwelling units within Block A2 would be provided within a garage below each townhouse block and would be accessed by a private driveway along the east property line accessed from the north-south road.

All the proposed grade-related units in Blocks A1 and A2 would be accessed from the public streets via pedestrian walkways through landscaped areas between the proposed blocks. The back to back units within Block A2 would also have private access from the below grade parking spaces. Private amenity areas would be provided for each unit via patios, balconies, porches or roof terraces depending on unit type. In addition to the individual private amenity spaces, landscaped areas would be provided within the 30 m rail setback as part of a network of driveways and pedestrian walkways along the landscaped berm.

An eight storey (26.5 m) mid-rise building containing 133 dwelling units and three 3.5 (12.5 m) storey stacked townhouse blocks containing 68 dwelling units are proposed for Block B. The mid-rise building would contain non-residential uses at grade fronting Lake Shore Boulevard West and a publicly accessible private open space at the intersection of the Lake Shore Boulevard West and the proposed north-south public street. The proposed mid-rise building would step up from four and five storeys around the proposed open space on the east side of the block to its maximum height of eight storeys and be articulated with additional step backs along its north and south elevations. The stacked townhouse units would be oriented back-to-back within the block and each unit would be two storeys tall. The lower units would be slightly below grade while the upper units would have access to a roof terrace. Vehicular access to the block would be taken from the proposed east-west public street to a two level underground parking garage containing 243 parking spaces that would be shared between the proposed uses.

The parcel to the east of the proposed north-south street fronting Lake Shore Boulevard West (Block C) was recently rezoned to permit a single storey commercial building that would contain a Beer Store and other commercial tenants.

Site and Surrounding Area

The development site is located on the north side of Lake Shore Boulevard West east of Browns Line in the former Village of Long Branch. The subject lands have a frontage of 194 m on Lake Shore Boulevard West and an area of 4.81 ha. The site is generally sloped from north to south with the greatest grade change occurring adjacent to the rail corridor along the north property line. The lands at 3560 and 3600 Lake Shore Boulevard West were the site of the former Arvin Meritor spark plug manufacturing facility. The industrial facility was demolished in 2010 and the site has been undergoing significant environmental remediation. An existing Beer Store at 3580 Lake Shore Boulevard West

will remain in operation until it is relocated into the new commercial building along the front portion of 3560 Lake Shore Boulevard West.

Other adjacent land uses beyond the broader development parcel are as follows:

- North: Across the Metrolinx Lakeshore West Rail Corridor, numerous industrial land uses.
- East: Automobile dealership at 3526 Lake Shore Boulevard West (Lakeshore Honda). These lands are currently subject to applications for Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Approval to permit the construction of 89 residential units on the northern portion of the lands with the existing automobile dealership building to remain along the Lake Shore Boulevard West frontage. A Preliminary Report on those applications is being presented to the Etobicoke York Community Council at the same meeting as the subject applications.
- South: Across Lake Shore Boulevard West, mixed use development including a recently approved seven storey mid-rise building under construction at 3567 Lake Shore Boulevard West (The Watermark).
- West: Manufacturing and warehouse facility operated by Wakefield Canada Inc.

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.

Official Plan

The development site is subject to multiple land use designations in the Official Plan and is also located within the boundaries of Site and Area Specific Policy 23 (SASP 23) which provides additional specificity to the policy framework for the lands between Lake Shore Boulevard West, the CNR/Metrolinx Rail Corridor, Browns Line and lands to the east up to a line generally aligned with Thirty-Third Street.

Lands fronting Lake Shore Boulevard West are designated *Mixed Use Areas* on Map 15 – Land Use Plan as a focus for redevelopment along an *Avenue* identified by Map 2 –

Urban Structure. *Avenues* are corridors along major streets intended for incremental reurbanization to create new residential, commercial and retail opportunities while improving the overall pedestrian environment and creating animated districts along transit routes that provide opportunities to rely less on private automobile trips. Development in *Mixed Use Areas* along *Avenues* is to frame streets and provide an attractive, comfortable and safe pedestrian environment. Map 5 – Surface Transit Priority Network identifies Lake Shore Boulevard West as a Transit Priority Segment demonstrating the intention of maintaining and improving transit service along this corridor over the short and long term. Lands along the rail corridor are also designated *Mixed Use Areas* by the Official Plan, and the development criteria for these lands is further refined by SASP 23 as outlined below.

Lands to the north of those designated *Mixed Use Areas* fronting Lake Shore Boulevard West are designated *Parks and Open Space Areas*. *Parks and Open Space Areas* comprise the open space network for the City and provide for a number of recreational and cultural opportunities.

Between the *Parks and Open Space Areas* and the *Mixed Use Areas* designations, portions of the subject lands are designated *Neighbourhoods*. The Official Plan provides policy direction to infill development in *Neighbourhoods* on lots that vary from the local pattern of lot sizes and configuration or orientation to add to the quality of *Neighbourhood* life by filling in gaps and extending streets and paths. These policies provide for infill development in *Neighbourhoods* that front onto existing or newly created public streets and have heights, massing and scale appropriate for the site and compatible with adjacent and nearby residential properties.

Policies found in Chapter 3 of the Official Plan provide guidance on the creation of new city blocks and streets with an emphasis on the quality of the public realm. Policy 3.1.1.14 provides for new streets to be public streets and used to provide connections with adjacent neighbourhoods while dividing larger sites into smaller development blocks. These development blocks will be appropriately sized and configured in relation to the requested land use and scale of development and allow for phasing to be properly undertaken. Development lots within these blocks are to be street oriented and provide adequate room within the block for parking and servicing needs. These policies also provide for co-ordinated landscape improvements within building setbacks to create attractive transitions from the private to public realms.

Policies in Chapter 3 also provide strategies for the acquisition and location of new parkland as a condition of new development, taking into account a range of factors including the amount of existing parkland, characteristics and quality of the land to be dedicated, opportunity for programming and opportunities to link parks and open spaces. The Official Plan requires land to be conveyed for parks purposes to be sufficiently visible from adjacent public streets and consolidated or linked with adjacent parks and open spaces where possible.

SASP 23 provides for the evolution of the area into a residential and mixed use community reusing lands previously occupied by industrial uses and sets out additional refinements to the policy framework and development criteria discussed above. SASP 23 provides for up to 2,200 residential units and a mix of uses along Lake Shore Boulevard West as well as new parks and a public street network to be implemented through redevelopment of the lands. A minimum of three north-south public streets from Lake Shore Boulevard West is required by SASP 23, Policy (i) to access the interior of the lands, appropriately located opposite existing streets on the south side of Lake Shore Boulevard West, with the possibility that two other public street or access locations may also be required. At least one east-west public street through the lands is also required.

Along the Lake Shore Boulevard West frontage, a maximum six storey building height and density of 3.0 times the area of the lot is provided for by SASP 23. Buildings are encouraged to be located within 1.5 m of Lake Shore Boulevard West and have a continuous built form at the minimum setback for at least 70% of the property frontage. Employment uses, including light industry and technology uses, are provided for in development for *Mixed Use Areas* along the rail corridor to a maximum density of 3.0 times the area of the lot, or 2.5 times the area of the lot if the development contains a residential component. Low-rise apartment buildings on lands designated *Neighbourhoods* are provided for to a height of six storeys. Although SASP 23 provides for residential uses, existing non-residential uses are permitted to continue. New non-industrial development will be required to address potential impacts on existing industrial uses.

Zoning

On May 9, 2013, City Council enacted a new City-Wide Zoning By-law (By-law 569-2013), which is now under appeal to the Ontario Municipal Board. The subject lands do not form part of By-law 569-2013 and remain subject to the former City of Etobicoke Zoning Code as the subject applications were submitted prior to the enactment of this By-law.

The majority of the subject lands are zoned I.C1 (Industrial Class 1) under the former City of Etobicoke Zoning Code (see Attachment 6). This zoning permits a limited range of light industrial and ancillary uses. The lands at 3580 Lake Shore Boulevard West are zoned Commercial (C1) and a portion of 3560 Lake Shore Boulevard West was recently rezoned by City Council to Commercial (C1) through the enactment of By-law 1023-2013. The C1 zoning broadly permits a number of non-residential, commercial, and retail uses and limited residential uses if they are associated with a commercial use on the property. By-law 1023-2013 restricts the development of the front portion of 3560 Lake Shore Boulevard West to non-residential uses only.

The subject lands were studied as part of the "Lake Shore Boulevard West Avenues Study". However, City Council did not include lands within the SASP 23 area, including the subject lands, in the resultant Commercial-Avenues Zoning (C1-AV) implemented for the Study Area by By-law 1055-2004 as SASP 23 was determined to provide an

appropriate comprehensive development vision for this portion of Lake Shore Boulevard West. Lands on the south side of Lake Shore Boulevard West are zoned C1-AV under By-law 1055-2004 which permits redevelopment with a mix of uses within buildings having heights of four to six storeys.

Site Plan Control

The application is subject to Site Plan Control. The applicant has submitted an application for the proposed single storey commercial building which is currently under review. The applicant has not submitted a Site Plan Control application for the remainder of the proposed development.

Reasons for the Applications

An application for Official Plan Amendment (OPA) is required as the height of the proposed mid-rise building fronting Lake Shore Boulevard West exceeds the six storey limit provided for by SASP 23. An OPA is also required to provide for flexibility in the location of the proposed park and other development blocks within SASP 23.

An application to rezone the subject lands is required as the proposed residential and commercial uses are not permitted by the I.C1 (Industrial Class 1) zoning that applies to the north portion of 3560 and 3600 Lake Shore Boulevard West and residential uses are not permitted by the C1 (Commercial) zoning that applies to the south portion of 3560 and 3580 Lake Shore Boulevard West. A rezoning is also necessary to establish appropriate performance standards to facilitate the proposal.

An application for Draft Plan of Subdivision Approval is required to establish the proposed development blocks, as well as future streets and parkland to be conveyed to the City upon registration.

Community Consultation

A Community Information Meeting was hosted by the Ward Councillor shortly after the application was submitted on June 28, 2010 at St. Ambrose Catholic School and attended by approximately 115 members of the community, the applicant and City staff.

Comments at the meeting, as well as correspondence filed after the meeting, related to the need to revitalize the former industrial site in a manner that contributed to the evolution of the former Village of Long Branch into a vibrant mixed use corridor. Concern was raised over the limited access to the site being proposed and the disjointed Lake Shore Boulevard West frontage in the absence of the Beer Store property at 3580 Lake Shore Boulevard West in the redevelopment proposal. A number of questions were raised with respect to the location of parkland and the proposed tenure of the residential units. There were also concerns raised with respect to the height of the twelve storey residential buildings being proposed at that time and there was an expressed desire for retail uses at grade, particularly independent retail along this stretch of Lake Shore Boulevard West.

A Community Consultation Meeting on the revised redevelopment proposal was held on April 11, 2013 at the Assembly Hall and attended by the Ward Councillor, the applicant,

City staff and 50 members of the community. The revised proposal reflected the inclusion of the 3580 Lake Shore Boulevard West property into the development, as well as modifications to building height, built form and the location of the public park. The revised proposal was generally well received as an improvement on the initial proposal with positive commentary related to the reduced building heights, continuous frontage on Lake Shore Boulevard West and the incorporation of retail uses in the ground floor of the mid-rise building. A number of comments addressed the increased public permeability of the site achieved by the modifications to the public street network and the location of the park and the desire to see animated public streets through the lands that could be extended to connect to adjacent development parcels, perhaps in multiple locations to extend the existing community into the site. There was also support for a high quality streetscape treatment along Lake Shore Boulevard West and support for the proposed square at the intersection of the proposed north-south public street with Lake Shore Boulevard West. This proposed privately accessible public open space was seen as an opportunity for an expression of the historic Village of Long Branch with the industrial heritage of the site either through a landscape feature or public art. There remained some concern related to the eight storey height of the mid-rise building, but there was commentary these concerns could be addressed through step backs in the massing from Lake Shore Boulevard West.

In addition to submissions from adjacent residents, a number of submissions have been made on behalf of local industrial landowners. Concerns were raised over the compatibility of the proposed residential uses with the existing industrial uses and their impact on future operations or expansion of these facilities. The submissions sought assurances that the applications would be reviewed based on the applicable Ministry of Environment guidelines for land use compatibility from a noise and air quality perspective as well as the planning framework provided for by the City's Official Plan, particularly SASP 23. Concern was also raised with respect to the extent of the initial application for Official Plan Amendment which went beyond the applicant's landholding for redevelopment. These submissions lead to an ongoing dialogue between industrial landowners, the applicant and City staff and has included the Ministry of Environment, which has jurisdiction over the regulation of industrial impact on sensitive land uses under the *Environmental Protection Act* as discussed below.

Agency Circulation

The applications were circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the applications and to formulate appropriate Zoning By-law standards and conditions of Draft Plan of Subdivision Approval.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal is consistent with the PPS. It proposes the redevelopment of an underutilized brownfield site and facilitates the intensification of lands in a designated

growth area. The proposed development would provide a compact development pattern that provides an efficient use of land in proximity to available infrastructure and resources while accommodating an appropriate range and mix of uses. The development is appropriately designed, buffered and separated from surrounding industry to minimize adverse effects created by land use conflicts.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. It focuses intensification of a brownfield site along an intensification corridor. The proposal is transit supportive, increasing density along an existing transit route and supports opportunities for cycling and walking for day to day activities. The proposed development would further the Growth Plan objective of achieving a complete community through the proposed range and mix of uses, housing types and provision of public open space.

Land Use

The proposed land uses are provided for by the *Mixed Use Areas* and *Neighbourhoods* designations applying to the subject lands. The proposed mid-rise building would incorporate non-residential uses in the ground floor of the building along Lake Shore Boulevard West as provided for by the *Mixed Use Areas* designation. The residential-only townhouse blocks are appropriate infill development as provided for by the policies of the *Neighbourhoods* designation. The recommended Official Plan Amendment adjusts the boundaries of the *Parks and Open Space Areas* designation to the limits of the proposed public park. The adjustment of these boundaries to coincide with the eastern portion of the development site provides an opportunity to connect and extend the future parkland onto the adjacent development parcel.

Compatibility with Surrounding Industrial Uses – MOE Guideline D-6

The lands north of the rail corridor are part of an *Employment District* identified on Map 2 – Urban Structure Plan and are designated *Employment Areas* by Map 15 – Land Use Plan. The *Employment Districts* policies require development adjacent to or nearby the *Employment Districts* to be appropriately designed, buffered or separated from industries as necessary to mitigate the adverse effects from noise, vibration and other contaminants.

The Ministry of the Environment (MOE) publishes a series of land use planning guidelines to provide guidance for land use planning authorities to ensure compatibility between new industrial or residential development with existing land uses. The D-6 Guidelines (Compatibility Between Industrial Facilities and Sensitive Land Uses) classifies industrial uses based on their impact.

The lands north of the rail corridor are zoned Employment Industrial (E) by Zoning By-law 569-2013 (under appeal) and I.C1 by the former City of Etobicoke Zoning Code. The most impactful use permitted by these zones fall within the Class II classification of Guideline D-6 which requires a 70 m separation distance between the industrial and sensitive uses. Significant employment activity north of the rail corridor within this

Employment District includes the Chrysler Canada Etobicoke Casting Plant (Chrysler ECP) which has made submissions to the City that they should be considered a Class II facility based on the characteristics of their operations as approved by the Ministry of the Environment (MOE). As there is in excess 140 m distance between the development site and the eastern boundary of the Chrysler ECP property, this separation distance protects for expansion opportunities for the facility based on Chrysler ECP's existing Zoning By-law permissions.

In addition to the Chrysler ECP facility, there are a number of warehouses and enclosed light manufacturing uses fronting Akron Street to the north that would be considered Class I uses under Guideline D-6. This class of use requires a 20 m separation distance which is met as the rail corridor running between these industrial properties and the subject lands is 30 m wide. However, there is potential for a Class II use to develop on the lands based on the existing Zoning By-law permissions. The 70 m separation distance needed for Class II uses can be achieved based on the required 30 m setback for residential uses in the proposed Zoning By-law Amendment for the subject lands, the width of the rail corridor (30 m) and setbacks to the rail corridor on the employment sites themselves.

Based on the above, the sensitive uses proposed by this application are appropriately separated from the existing and permitted uses within the *Employment District* north of the rail corridor as required by the Official Plan and in accordance with the MOE D-6 Guidelines.

Compatibility with Surrounding Industrial Uses – Noise Impacts

Guideline D-6 recognizes that it may not be possible to achieve the required minimum separation distances in areas where infilling, urban redevelopment or transition to mixed use is taking place and sets out a number of considerations for development when uses cannot be separated by distance. The subject lands are immediately adjacent to an existing industrial use operated by Castrol Wakefield Inc. and there are a number of industrial and commercial uses north of the rail corridor as described above. The applicant submitted noise and air quality studies to evaluate the feasibility of the proposal relative to the adjacent Castrol Wakefield Inc. operations from a land use compatibility perspective. The submitted studies reviewed the anticipated adverse impact of the adjacent industrial use and determined if mitigation was required to lessen any impact on the proposed sensitive uses as it relates to applicable MOE guidelines.

On October 21, 2013, the MOE enacted Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning (NPC-300). The NPC-300 document replaces four separate Guidelines (LU-131, NPC-205, NPC-232 and Noise Assessment Criteria in Land Use Planning; Requirements, Procedures and Implementation, 1997) previously used and is intended to clarify relationships and harmonize requirements for land use planning authorities making decisions on the approval of new sensitive uses and MOE approvals related to industrial operations. NPC-300 also provides flexible

approaches to facilitate new infill and brownfield residential development while preserving the viability of existing industry. This is accomplished by the formalization of procedures encouraging the proponent of a new sensitive use to work together with an industrial owner in a combined mitigation effort to ensure compliance with noise criteria.

As part of the harmonization of the previous guidelines, NPC-300 introduces a Class 4 Area of noise receptors defined as an area intended for development for new noise sensitive uses in proximity to existing, lawfully established stationary noise sources. Existing noise sensitive land uses cannot be classified as Class 4 Areas. The land use planning authority must formally confirm the Class 4 Area classification through the land use planning process.

Prior to the enactment of the NPC-300 Guideline, the MOE had been involved in discussions on the application with the applicant, Wakefield and the City to provide clarity on the applicability of the NPC-300 Class 4 Area provisions to the unique circumstances of the proposed brownfield redevelopment. Through these discussions, the City has confirmed that the policy framework in place for the subject lands via SASP 23 provides for an evolution of the lands from industrial uses to a mix of uses, with existing industrial uses permitted to remain, provided new non-industrial uses address any potential impacts on the existing industry. Given this policy framework, the subject lands are appropriately classified under the NPC-300 Guidelines as a Class 4 Area. The noise study submitted by the applicant and peer reviewed by a third party retained by the City indicates the following mitigation measures are required to meet the Class 4 Areas noise criteria:

- At source mitigation on the Wakefield property, including screening of HVAC units, silencers on exhaust fans and changes to a truck washing operation;
- A limitation on the location of rooftop amenity areas on Block 11 and the mid-rise apartment building;
- 1.5 m high sound barrier for rooftop amenity areas along the west façade of the stacked townhouse blocks nearest the Wakefield property (Blocks 10 and 14 on Attachment 2); and
- No bedroom, living/dining room or kitchen windows, or balconies/terraces on the west facing facades of Blocks 10 and 11.

The applicant and the adjacent industrial landowner have entered into an agreement to secure the mitigation measures on the Wakefield property as provided for by the NPC-300 Guidelines. For mitigation measures required on the subject lands, staff recommend they be secured through the Section 37 Agreement as a legal convenience. MOE staff have indicated they will accept this approach as provided for in the new NPC-300 Guideline.

Prior to the enactment of the NPC-300 Guideline, Chrysler ECP also filed correspondence indicating concern over the potential for impacts on their existing operations and their ability to expand in the future. Although the subject lands are

adequately separated from the Chrysler ECP property according to Guideline D-6 as described above, they are still within the area of influence of the ECP facility. Representatives of Chrysler ECP and City staff have been engaged in a dialogue on the proposal and the additional sensitive uses within their area of influence. With the recent enactment of the NPC-300 Guideline, Planning Staff intend to correspond with the MOE to affirm the previous position that the SASP 23 lands are appropriately classified as a Class 4 Area to address the concerns of Chrysler ECP.

Compatibility with Surrounding Industrial Uses – Odour Impacts

The applicant also submitted an Air Quality Study in support of the proposed development to examine the possibility of odour impacts from the adjacent industrial uses. The study concludes that odours on the proposed residential development would be infrequent and unlikely to be intense enough to result in complaints. Further, the expected odour concentrations at the proposed residential development would remain similar to those levels found acceptable by the MOE for existing residential uses in the area. These conclusions were based on a review of MOE issued Certificates of Approval for key neighbouring industries, including Castrol Wakefield and Chrysler ECP, site observations and complaint records. Some mitigation measures were identified related to the location of air intakes adjacent to the west property line, the use of physical barriers, as well as the inclusion of a warning clause in the agreement of purchase and sale for the proposed residential units. The City retained a third-party consultant to peer review the submitted Air Quality Study. The peer reviewer concurred with the overall results of the study and supported the conclusions of the report that significant odour impacts are not expected.

Subdivision, Streetscape and Built Form

The proposed public streets and park organize the proposal into appropriately sized development blocks for the proposed land uses as provided for by the Official Plan. The public street network would provide a north-south connection from Lake Shore Boulevard West for the entire depth of the site providing public access and address to the townhouse blocks in Blocks A1 and A2. An east-west street proposed north of Lake Shore Boulevard West would provide access to the stacked townhouses on Block B and, more importantly, would provide for a connection to potential public streets on future developments to the east and west, thereby protecting for the creation of a public street network through the lands as required by SASP 23. The location of the east-west street provides an appropriate depth for the development blocks fronting Lake Shore Boulevard West. This block depth allows for a mixed use mid-rise building along the *Avenue* with lower scaled buildings fronting the interior east-west street that can serve as a transition from the mid-rise parcel to the lands designated *Neighbourhoods* to the north.

The location of the proposed public park along the east property line also provides the opportunity for its expansion to the east through any future redevelopment of the lands to the east, in accordance with the objectives of SASP 23.

The redevelopment of the subject lands would revitalize this portion of the Lake Shore Boulevard West streetscape and enliven the public realm on the north side of this arterial street. The proposed mid-rise building would contain non-residential uses at grade and is massed to frame a publicly accessible open space at the intersection of Lake Shore Boulevard West, the proposed north-south public street and Long Branch Boulevard. This open space would extend the public realm onto the mid-rise site, and could be a local gathering place, enlivened by active non-residential uses such as a restaurant or café on the ground floor of the proposed apartment building. The provision of public streets through the subject lands ensures there is adequate space for the planting of street trees and sidewalks within the boulevard. The local residential streets provide convenient and safe pedestrian access through the site, and landscaping on private lands would be easily integrated with the City's streetscape standards for public streets. A pedestrian connection adjacent to the rail corridor is provided through a walkway that can be extended onto adjacent sites as they redevelop.

The proposed mid-rise building fronting Lake Shore Boulevard West is appropriately articulated through multiple step backs and setbacks. A four storey wing and five storey portion of the building would frame the publicly accessible private open space adjacent to the signalized intersection. Additional step backs at the 5th and 7th storey of the building would further break down the mass along the length of the development parcel. The proposed 5 m height of the ground floor would provide for non-residential uses with direct access to the sidewalk and open space to enliven the public realm and create a positive pedestrian experience.

The townhouse and stacked townhouse blocks would front new public streets or the new public park providing access and address to the residential units. Where the side of a block is to be located along a public street, appropriate treatments are proposed to present an active façade (see Attachment 4). The blocks are separated by at least 13 m which would accommodate the necessary walkways, landscaping and stairwell access to the proposed residential units. All the proposed residential units in the townhouse or stacked townhouse blocks would contain a balcony or terrace for private outdoor amenity space, in addition to landscaped areas that would be provided in a number of locations throughout the site.

Sun and Shadow

A sun and shadow analysis was submitted by the applicant indicating that the proposed mid-rise building would not shadow the proposed public park during the spring and autumnal equinoxes.

Traffic Impact, Transit, Access and Parking

The applications propose a public street network which would organize the development site into appropriate sized blocks and also establish a framework for the street network to be extended onto adjacent lands in the future. The north-south public street would have a 20 m wide right of way between Lake Shore Boulevard West and the proposed east-west street and have a 16.5 m wide right of way north of the public street to operate as a local

street. The east-west public street would function as an intermediate local street and have an 18.5 m wide right-of-way to provide opportunities for connections to adjacent development parcels. The proposed public streets would be designed according to the City's Development Policy and Infrastructure Standards (DIPS) with the exception of the proposed cul-de-sacs which have been accepted to be designed with a reduced diameter turning basin as per Ontario Provincial Standard Drawing 500.02. This 18 m diameter turning basin provides for an interim condition at the ends of the proposed east-west street prior to future extension onto adjacent development sites and the ability to avoid grading conflicts between the turning basin and the required reinforced landscaped berm adjacent to the rail corridor. The detailed design, review and approval of these public streets would be secured through the Draft Plan of Subdivision Approval conditions.

Transit stops servicing both directions of the Lake Shore Boulevard West/Long Branch portion of the 501 Queen streetcar line currently exist at the intersection of Lake Shore Boulevard West and Long Branch Avenue. The proposal is oriented to provide appropriate pedestrian access to these transit stops. The platforms are located in the middle of Lake Shore Boulevard West and can be accessed via existing pedestrian crossings that would be maintained with the reconstruction of the intersection to include the proposed north-south public street.

The applicant has submitted a Traffic Impact Assessment that indicates sufficient capacity exists in the local street network to accommodate the increased traffic flow generated by the proposal. Vehicular access to the development sites would be minimized to reduce the potential for vehicular and pedestrian conflicts while facilitating the required movement of cars, service and emergency vehicles. The small number of curb cuts and below grade parking provides for a pedestrian friendly streetscape along all of the proposed public streets.

The transportation study also identified appropriate parking standards for the proposed land uses, which have been reviewed and accepted by Transportation Services staff. All required parking, including visitor parking, is to be provided on site and largely below grade. The proposed draft Zoning By-law Amendment includes a provision allowing a maximum of 10 visitor parking spaces to be provided above grade adjacent to the rail corridor. Along Lake Shore Boulevard West, there is existing pay-and-display on street parking which will remain with a possible reduction of the number of spaces when the lands fronting Lake Shore Boulevard are redeveloped. The configuration and implementation of these parking and streetscape details will be determined through the review of subsequent applications for Site Plan Control approval.

Servicing

The applicant has submitted a functional servicing report examining the local tributary area and identifying the impacts of the proposed development on the downstream infrastructure. The servicing report indicated that there is sufficient capacity in the existing sanitary infrastructure between the development site and the trunk sewer to accommodate the proposed development.

The stormwater portion of the servicing analysis indicated that the proposal meets the City's Wet Weather Flow Master Plan in terms of quantity and quality of stormwater management flows. The report also indicated that the increased permeability of the lands when redeveloped from a mostly paved industrial facility to a residential community utilizing modern stormwater management techniques may reduce the overall stormwater flow from the site into municipal stormwater sewers from the existing condition.

Engineering and Construction Services have reviewed the Functional Servicing Report and discussed its analysis and findings with the applicant's consultant. Engineering and Construction Services has requested further analysis to address matters raised by the ongoing technical review of the report to determine whether improvements will be required on-site, off-site or a combination thereof. This matter will be addressed as a condition of Draft Plan of Subdivision approval.

Environmental

The site has undergone significant environmental remediation in the two years since the demolition of the former Arvin Meritor industrial facility. The remediation process is complete and the owner is in the process of obtaining a Record of Site Condition from the Ministry of the Environment acknowledging the lands are appropriate for residential use. In addition to this process, lands which are to be conveyed to the City for right of way or parks purposes must meet City standards to the satisfaction of the Executive Director, Engineering and Construction Services. Through the final approval of the Draft Plan of Subdivision, the applicant will be required to file appropriate documentation for peer review and concurrence by a third party prior to registration.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of these applications are in an area with 1.57-2.99 ha of parkland per 1,000 people. The subject lands are in the second highest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1020-2010.

The application proposes 525 residential units on a site area of 4 ha (site area net of public road requirements). At the alternative rate of 0.4 ha per 300 units, the parkland dedication would equal 0.7 ha or 17.5% of the net site area. Sites with an area greater than 1 ha and less than 5 ha are subject to a maximum cap of 15% of the total residential land area and 2% of the commercial land area. The current proposal would therefore require a dedication of 0.6 ha.

The applicant intends to satisfy this parkland dedication requirement via a combination of land dedication and cash-in-lieu. The proposed 0.26 ha park has public street frontage on two sides and is fronted by a townhouse block along its north edge. The proposed location adjacent to the eastern property line provides an opportunity to extend the park

onto the adjacent development site, which is currently under application for Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Approval. The extension of this park across development sites is encouraged by SASP 23 and would connect the development parcels with public infrastructure in addition to the required street network.

The proposed public park would form part of an open space network for the development that includes a publicly accessible private square at the northwest corner of the proposed north-south street and Lake Shore Boulevard West as well as a publicly accessible pedestrian walkway over private lands adjacent to the rail corridor that could be extended onto adjacent development sites.

The co-ordination of infrastructure required to service the proposed development on an interim basis and the ability to co-ordinate the proposed open spaces and pedestrian routes with similar features on lands to the east will be secured through the review and approval of forthcoming Site Plan Control approval applications and Draft Plan of Subdivision Approval.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. The draft Zoning By-law Amendment would secure performance measures for the following Tier 1 development features: Automobile Infrastructure and Cycling Infrastructure. Tier 1 development features that would be secured through the Subdivision Approval process include: Construction Activity and Stormwater Retention. Other applicable TGS performance measures that would be secured through the Site Plan Approval process include: Urban Heat Island Reduction; Appropriate Tree Planting; Stormwater Retention and Water Quality; and Automobile Infrastructure and Cycling Infrastructure.

Section 37

As provided for by Policy 5.1.1.3 of the Official Plan, SASP 23 contains explicitly stated base values from which increased height and density may be permitted in return for certain capital facilities pursuant to Section 37 of the *Planning Act*. The subject lands are proposed to be developed at a density below the provisions of SASP 23 and therefore are not required to provide capital facilities pursuant to Section 37 of the *Planning Act*. However, the following matters are recommended to be secured in a Section 37 Agreement as a legal convenience to support development:

1. The owner shall file applications for Site Plan Control Approval that clearly include the following at-receptor mitigation measures identified in the Environmental Noise Update, prepared by Valcoustics Canada Limited, dated May 27, 2013:
 - a. No rooftop amenity areas on Block 11 and the mid-rise apartment building (Block B4);
 - b. All rooftop amenity areas on Blocks 10 and Block 14 shall be protected with a 1.5 m high acoustic barrier; and
 - c. No sensitive receptors (bedroom, living/dining room or kitchen windows, balconies or terraces) located on the west facing facades of Blocks 10 and 11.

2. The owner shall include a noise and odour warning clause indicating the proximity of the subject lands to the Wakefield Canada Inc. manufacturing and warehouse facility located at 3660 Lake Shore Boulevard West in:
 - a. any agreement of purchase and sale and/or lease of the site;
 - b. any disclosure statement in respect to any sale of condominium units proposed to be developed on the site; and
 - c. any declaration in respect of any condominium corporation to be created for any portion of the site.

3. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009.

CONTACT

Christian Ventresca, Senior Planner
Tel. No. 416-394-8230
Fax No. 416-394-6063
E-mail: cventre@toronto.ca

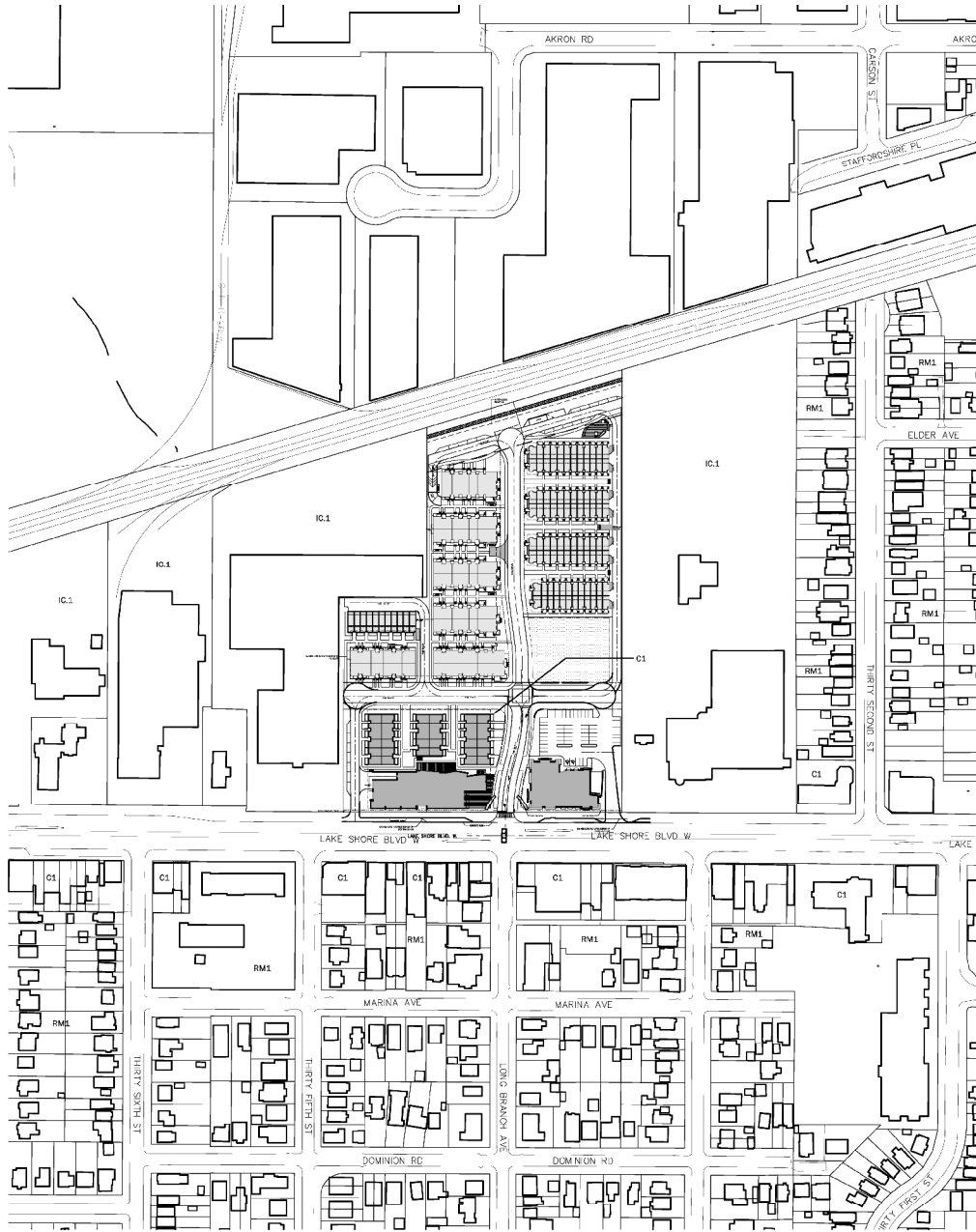
SIGNATURE

Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

- Attachment 1: Context Plan
- Attachment 2: Site Plan
- Attachment 3: Draft Plan of Subdivision
- Attachment 4a: Typical Elevations Block A1 and A2 Townhouses
- Attachment 4b: Block B Elevations (Stacked Townhouses)
- Attachment 4c: Block B Elevations (Apartment Building)
- Attachment 5: Official Plan
- Attachment 6: Zoning
- Attachment 7: Application Data Sheet
- Attachment 8: Draft Official Plan Amendment
- Attachment 9: Draft Zoning By-law Amendment
- Attachment 10: Conditions of Draft Plan of Subdivision Approval

Attachment 1: Context Plan



Context Site Plan

Applicant's Submitted Drawing

Not to Scale

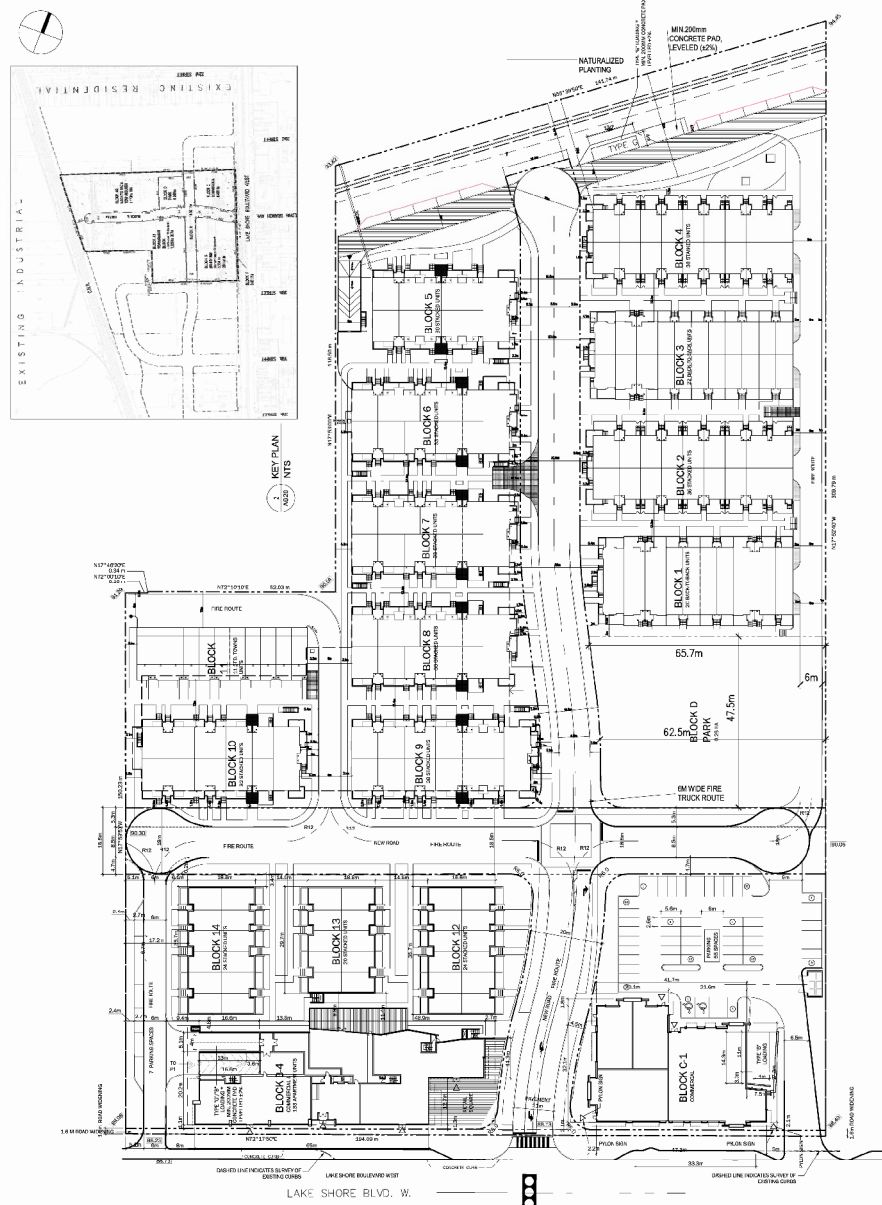
10/16/2013



3560, 3580 & 3600 Lake Shore Blvd. West

File #13 193543 WET 06 0Z

Attachment 2: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale

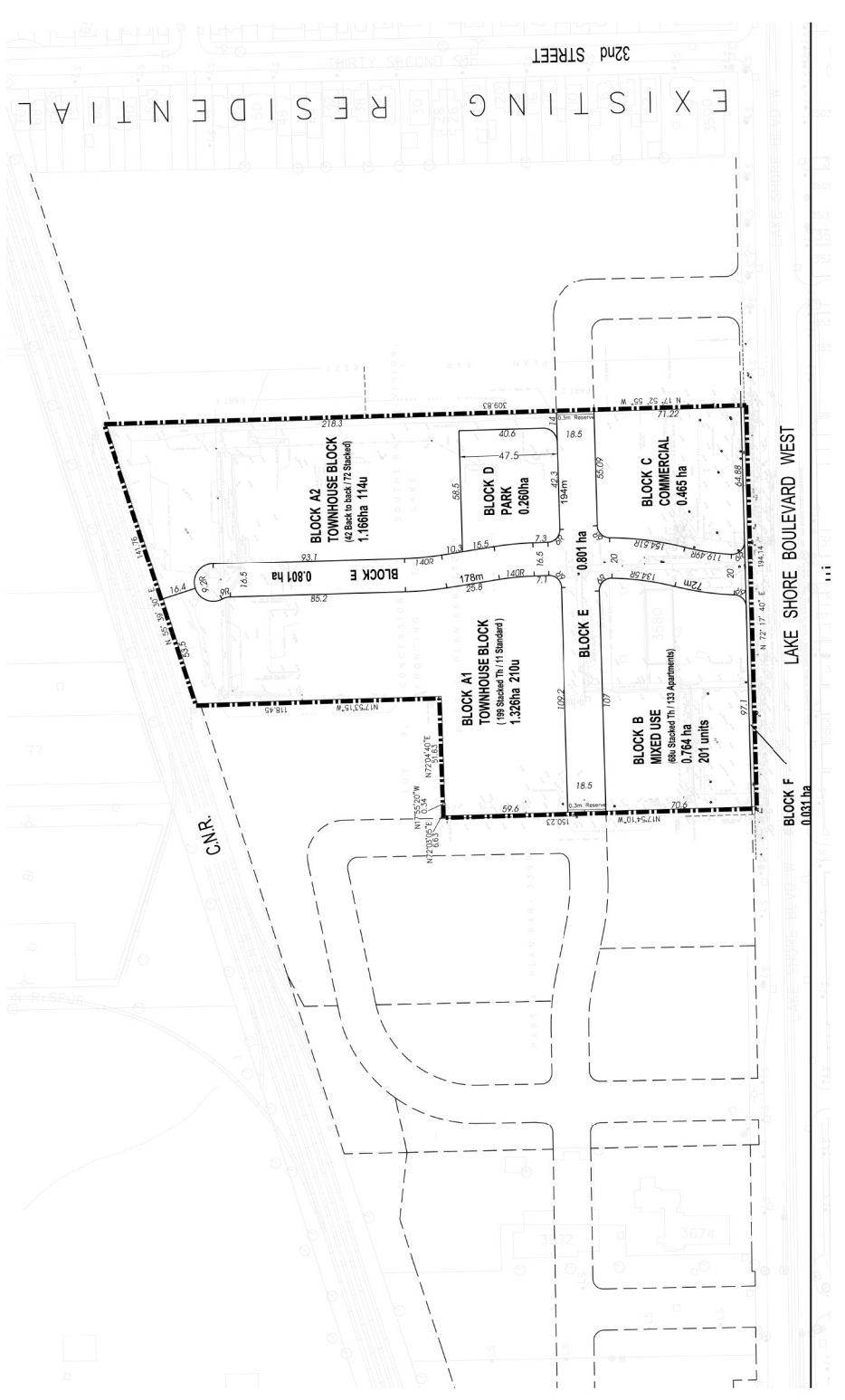
10/16/2013



3560,3580 & 3600 Lake Shore Blvd. West

File #13 193543 WET 06 0Z

Attachment 3: Draft Plan of Subdivision



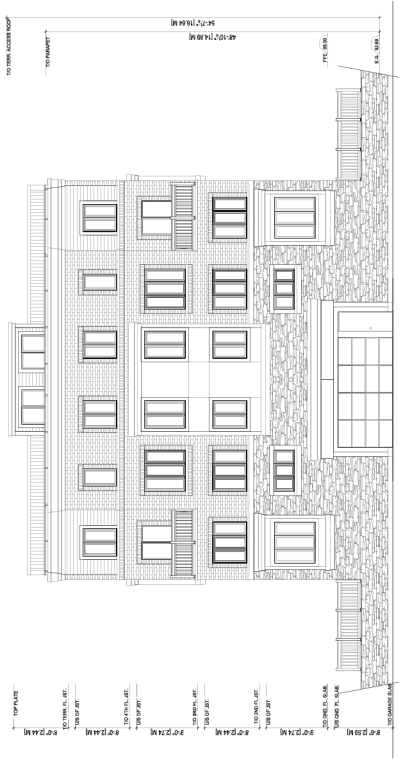
3560, 3580 & 3600 Lake Shore Boulevard West

Plan of Subdivision
 Applicant's Submitted Drawing

File #10 193543 WET 06 OZ
 File #12 290917 WET 06 SB

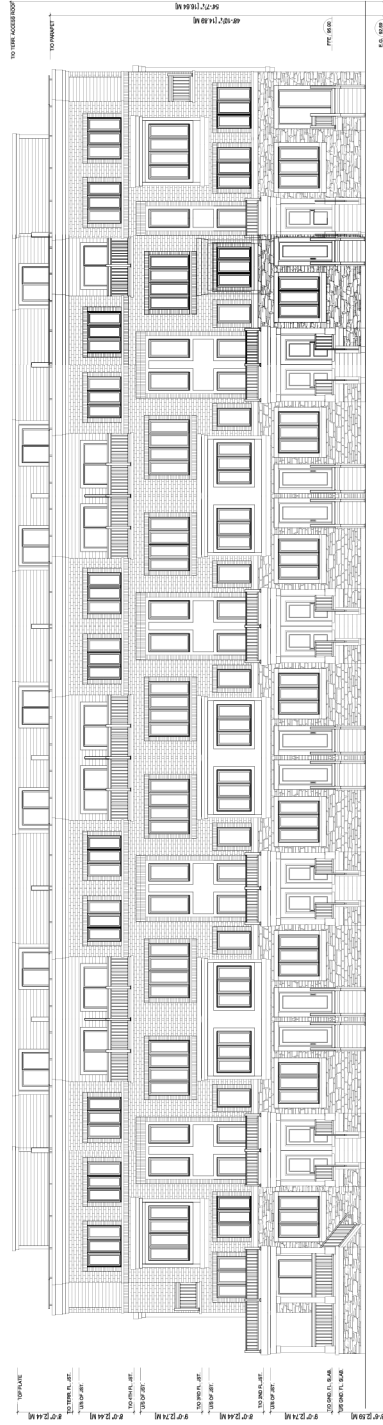
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BLOCK 4

East Elevation



BLOCK 4

South Elevation

Typical Elevations - Block A1 and A2 Townhouse

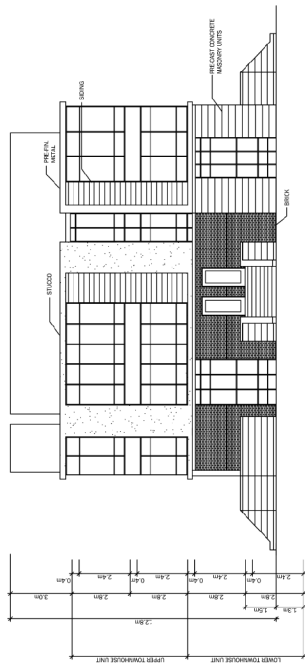
3560, 3580 & 3600 Lake Shore Boulevard West

Applicant's Submitted Drawing

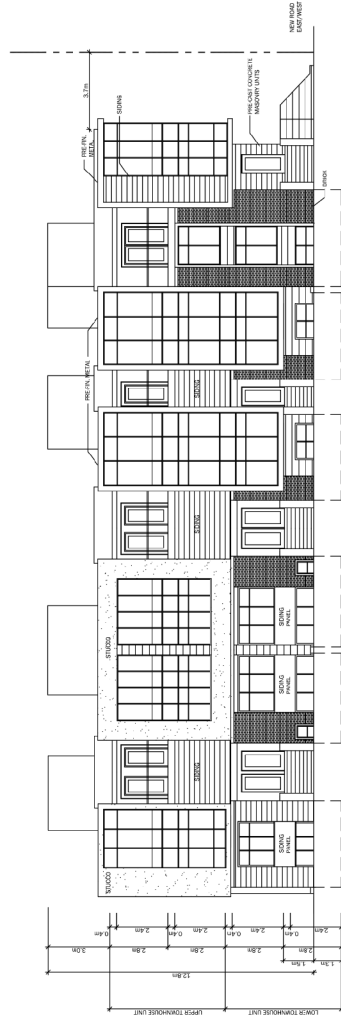
Not to Scale
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File #10 193543 WET 06 0Z
File #12 290917 WET 06 SB

Attachment 4b: Block B Elevations (Stacked Townhouses)



North Elevation



East and West Elevation Similar (Reversed)

Typical Elevations - Block B Stacked Townhouse 3560, 3580 & 3600 Lake Shore Boulevard West

Applicant's Submitted Drawing

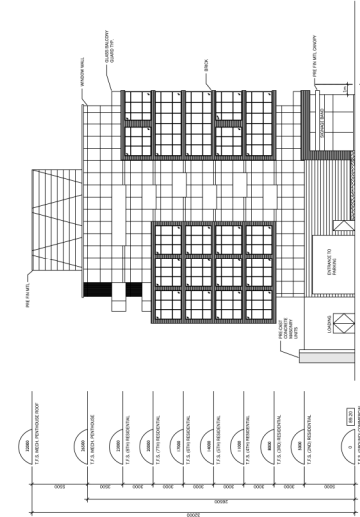
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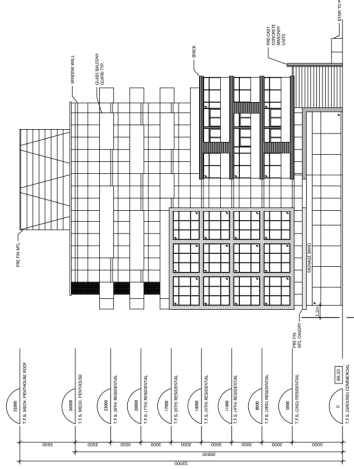
File #10 193543 WET 06 0Z

File #12 290917 WET 06 SB

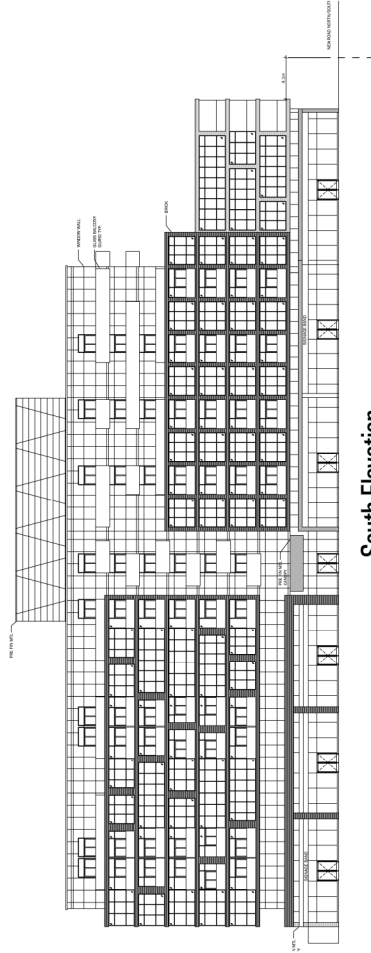
Attachment 4c: Block B Elevations (Apartment Building)



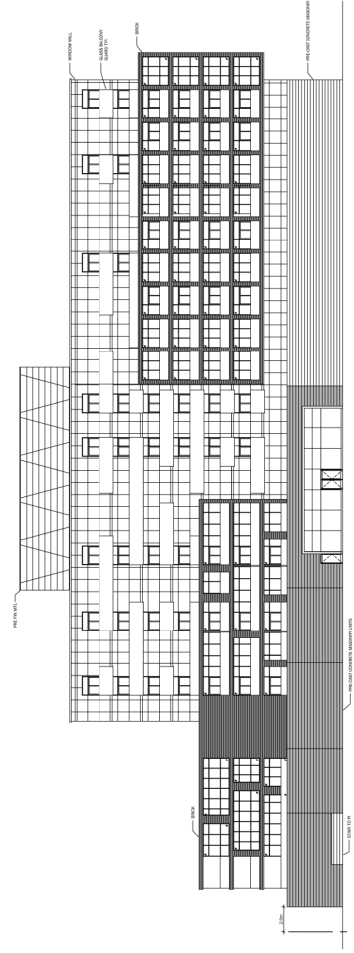
West Elevation



East Elevation



South Elevation



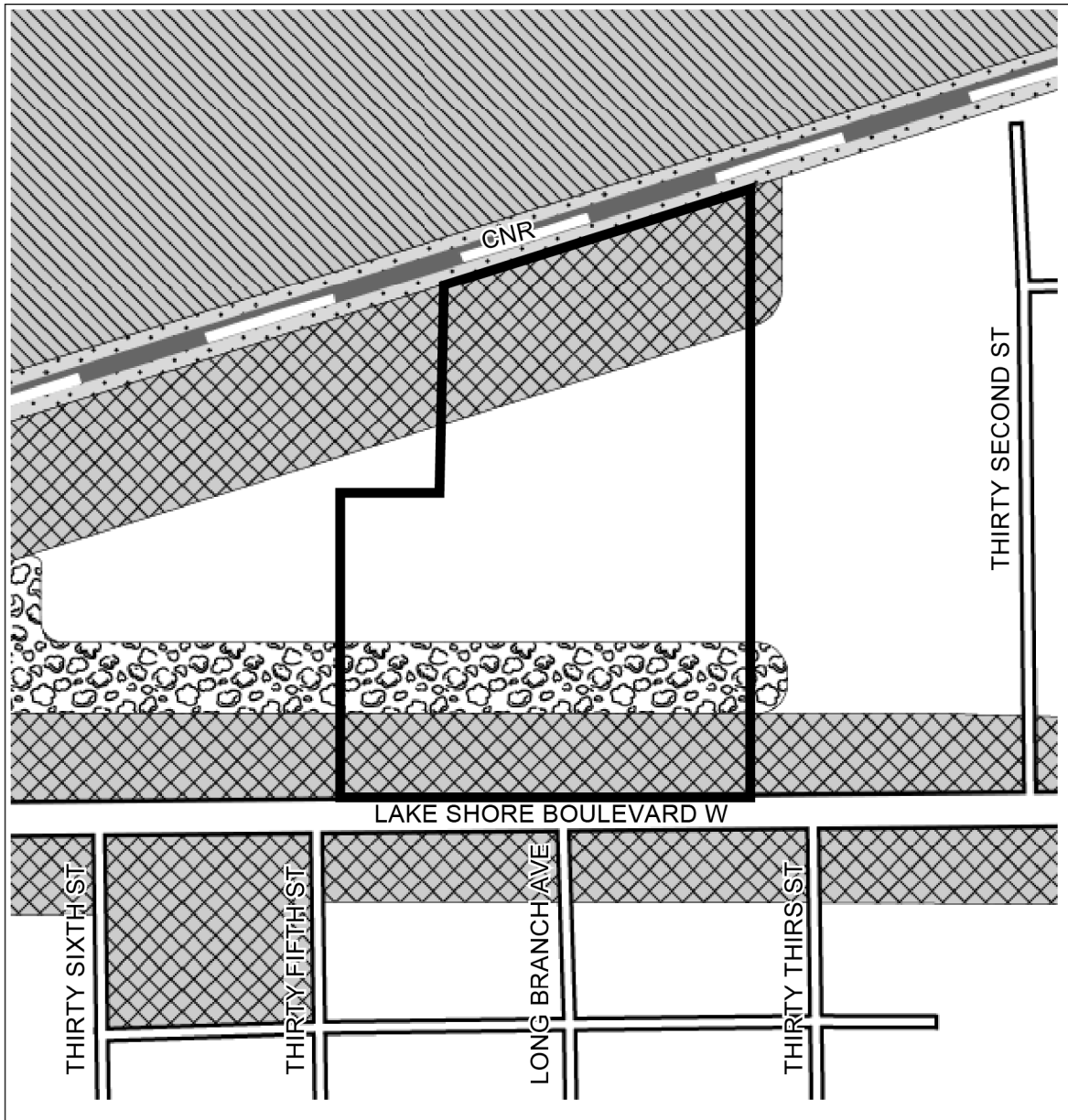
North Elevation

3560, 3580 & 3600 Lake Shore Boulevard West

Applicant's Submitted Drawing
 Not to Scale
 10/18/13

File #10 193543 WET 06 02
 File #12 290917 WET 06 SB

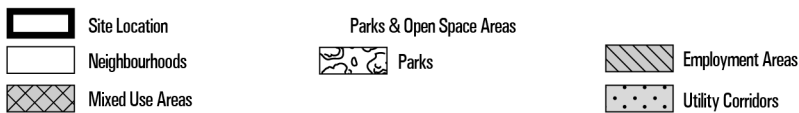
Attachment 5: Official Plan



TORONTO City Planning
Official Plan

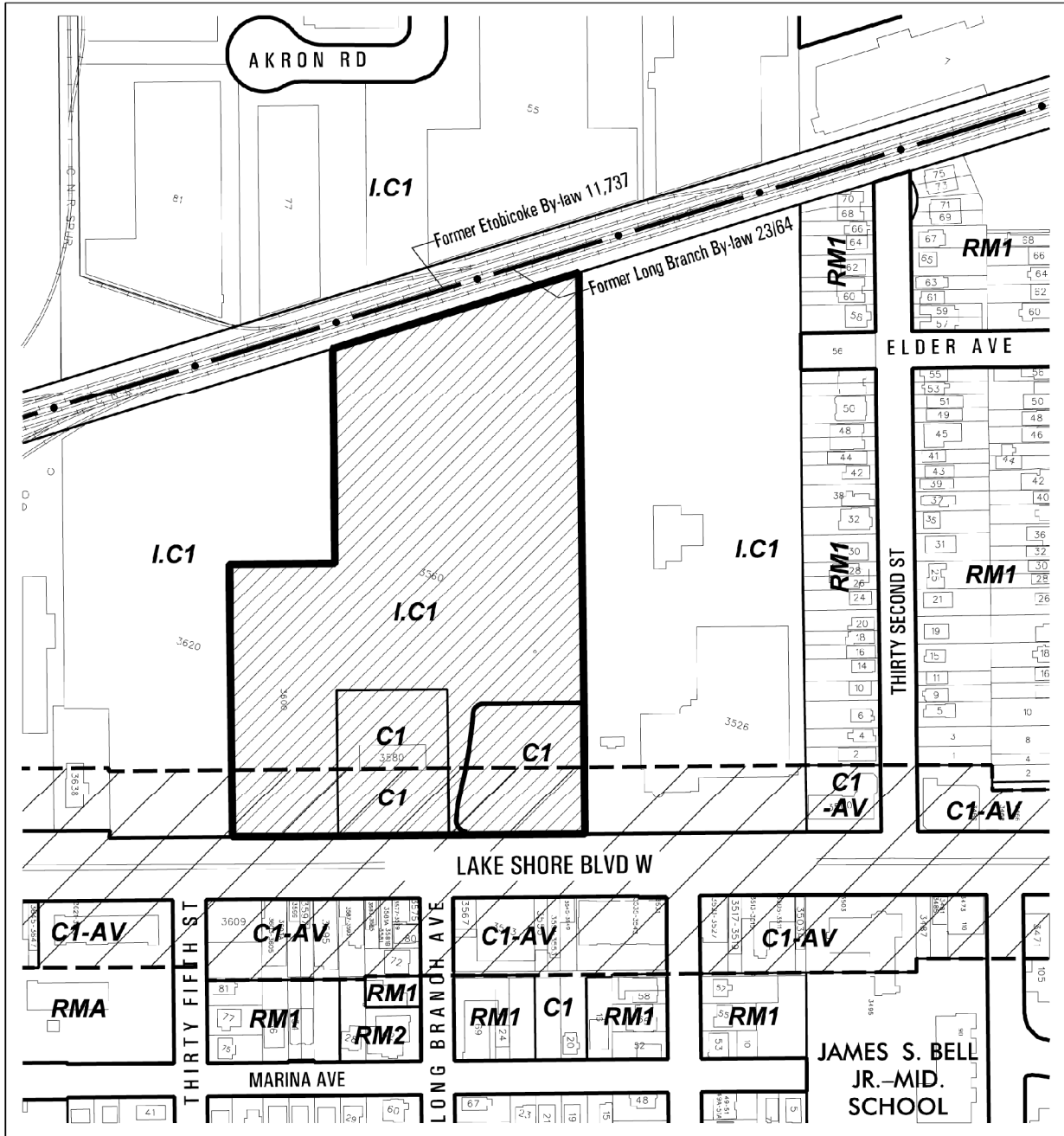
3560, 3580 & 3600 Lake Shore Boulevard West

File # 10 193543 WET 06 OZ
 File # 12 290917 WET 06 OZ



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 10/18/2013

Attachment 6: Zoning



3560, 3580 & 3600 Lake Shore Boulevard West

File # 10 193543 WET 06 02
File # 12 290917 WET 06 02

Former Long Branch By-law 23/64
RM1 Residential Multiple
RM2 Residential - Other
RMA Residential Multiple Apartments

C1 Commercial
I Industrial

Former Etobicoke By-law 11,737
I.C1 Industrial Class 1
AV Limited Commercial - Avenues



Not to Scale

Extracted:10/16/2013

Attachment 7: Application Data Sheet

Application Type Official Plan Amendment & Rezoning Application Number: 10 193543 WET 06 OZ
 Details OPA & Rezoning, Standard Application Date: June 10, 2010

Municipal Address: 3600 LAKE SHORE BLVD W
 Location Description: CON 1 FTL PT TWP LOT 9 RP 64R3390 PARTS 1 & 2 **GRID W0605
 Project Description: Proposed amendments to the Official Plan and Zoning By-law to permit a mixed-use residential development (apartments and townhouses) organized around a public road network and a public park.

Applicant: 2226704 ONTARIO INC.
Agent:
Architect:
Owner: LAKESHORE EMPC TWO LIMITED

PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas, Parks and Open Space, Neighbourhoods C1, I.C1 Site Specific Provision: SASP 23
 Zoning: C1, I.C1 Historical Status:
 Height Limit (m): 0, 0, 0 Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq. m): 48138 Height: Storeys: 8
 Frontage (m): 194 Metres: 26.5
 Depth (m): 308.6
 Total Ground Floor Area (sq. m): 0 **Total**
 Total Residential GFA (sq. m): 51583 Parking Spaces: 682
 Total Non-Residential GFA (sq. m): 2368 Loading Docks 0
 Total GFA (sq. m): 53951
 Lot Coverage Ratio (%): 30
 Floor Space Index: 1.11

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m): 51583	0
Bachelor:	0	Retail GFA (sq. m): 2368	0
1 Bedroom:	170	Office GFA (sq. m): 0	0
2 Bedroom:	250	Industrial GFA (sq. m): 0	0
3 + Bedroom:	105	Institutional/Other GFA (sq. m): 0	0
Total Units:	525		

PLANNER NAME: Christian Ventresca, Senior Planner
CONTACT: 416-394-8230

Attachment 8: Draft Official Plan Amendment

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands known municipally in the year 2013, as
3560, 3580 and 3600 Lake Shore Boulevard West

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

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. 232 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

FRANCES NUNZIATA,
Speaker

ULLI S. WATKISS,
City Clerk

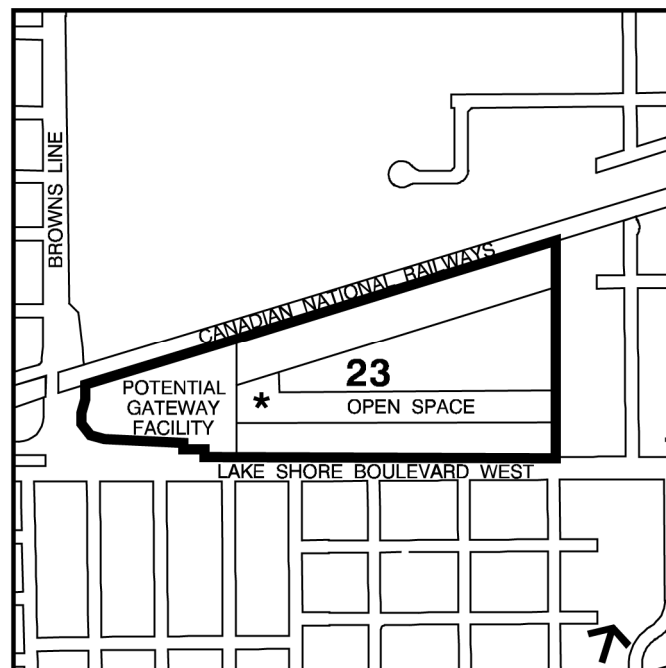
(Corporate Seal)

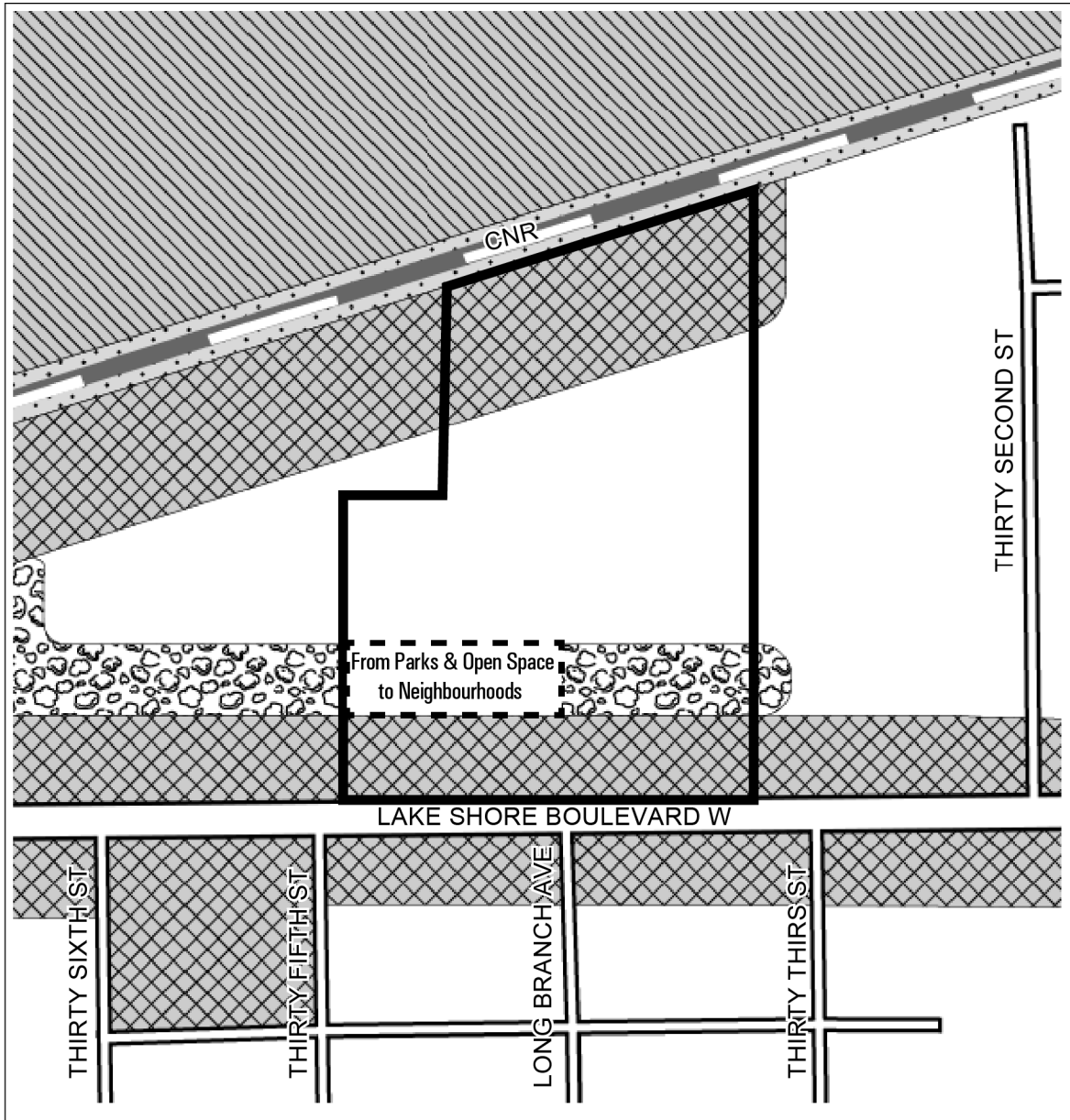
AMENDMENT NO. 232 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2013 AS 3560, 3580 and 3600 LAKE SHORE BOULEVARD WEST

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

1. Map 15, Land Use Plan, is amended by re-designating a portion of the lands known municipally as 3560, 3580 and 3600 Lake Shore Boulevard West from *Parks and Open Space Areas* to *Neighbourhoods*, as shown on the attached Schedule 1.
2. Chapter 7, Site and Area Specific Policies, is amended by adding the following to Site and Area Specific Policy No. 23 for lands known municipally in 2013 as 3580 and 3600 Lake Shore Boulevard West:
 - " (j). An 8-storey, mixed-use apartment building is permitted within the *Mixed Uses Areas* designation on the southern portion of 3580 and 3600 Lake Shore Boulevard West, providing building heights do not exceed 6-storeys at the build-to line and the additional height is stepped back from the street."





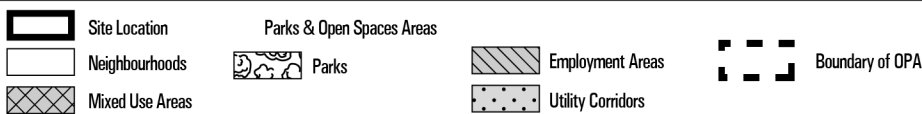
3560, 3580 & 3600 Lake Shore Boulevard West

Official Plan Amendment # 232

Revisions to Land Use Map 15 to Redesignate lands from Parks & Open Space to Neighbourhoods

File # 10 193543 WET 06 0Z

File # 12 290917 WET 06 0Z



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Not to Scale
10/18/2013

Attachment 9: Draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto
Council on ~, 2013
Enacted by Council: ~, 2013

CITY OF TORONTO

Bill No. ~

BY-LAW No. --2013

**To amend former the City of Etobicoke Zoning Code, as amended,
with respect to the lands municipally known as
3560, 3580 and 3600 Lake Shore Boulevard West**

WHEREAS Council of the City of Toronto has the authority pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law;

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*;

WHEREAS the Official Plan for the City of Toronto contains such provisions relating to the authorization of increases in height and density of development;

WHEREAS pursuant to Section 37 of the *Planning Act*, a by-law under Section 34 of the *Planning Act*, may authorize increases in the height or density of development beyond those otherwise permitted by the by-law and that will be permitted in return for the provision of such facilities, services or matter as are set out in the by-law;

WHEREAS subsection 37(3) of the *Planning Act* provides that where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, a municipality may require the owner to enter into one or more agreements with the municipality dealing with the facilities, services and matters;

WHEREAS the owner of the aforesaid lands has elected to provide the facilities, services and matters hereinafter set out;

WHEREAS the increase in height and density permitted beyond that otherwise permitted on the aforesaid lands by the former City of Etobicoke Zoning Code, as amended, is permitted in return for the provision of the facilities, services and matters set out in this By-law which is secured by one or more agreements between the owner of the land and the City of Toronto.

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The Zoning Map referred to in Section 330-2 Article II of the former City of Etobicoke Zoning Code, originally attached to Village of Long Branch By-law 23/64, as amended, is hereby amended by changing the classification of the lands located in the former Village of Long Branch as described in Schedule A attached hereto from Class 1 Industrial (I.C1) and Commercial (C1) to Residential Multiple - 1 (RM-1), Greenspace (G) and Commercial-Avenues (C1-AV).
2. For the purposes of this By-law:
 - A. "Townhouse dwelling units" shall mean multiple dwellings consisting of a series of attached dwelling units each having a direct access from the outside;
 - B. "Established Grade" shall mean the point at the intersection of a line extended from the mid-point of the Building Envelope with the property line abutting the nearest public right of way. Where a Building Envelope is adjacent to two public right of ways, Established Grade shall be taken from the mid point of the shorter side of the Building Envelope.
 - C. "Height" shall mean the vertical distance between Established Grade and the highest point of the roof surface of the building or the point halfway up the surface of a pitched roof, but shall exclude mechanical equipment, mechanical penthouses, stairs, stair enclosures, parapets, rooftop balcony guards and landscape features located on the roof of the building;
 - D. "Building Envelope" shall mean the building area permitted within the setbacks established on the attached Schedule "B";
 - E. "Outdoor Amenity Space" shall mean space provided for private outdoor enjoyment in the form of balconies, porches, patios or common landscaped areas.
3. Notwithstanding Sections 330-23, 330-26, 330-32 and 330-40, 330-41 and 330-42, the following development standards shall be applicable to the lands described by Schedule "A" attached hereto:
 - A. A maximum of 530 dwelling units shall be permitted;
 - B. A total gross floor area of 54,000 m² is permitted;
 - C. On lands zoned RM-1, the only permitted uses shall be Townhouse Dwelling Units;
 - D. On lands zoned C1-AV, the uses permitted shall be those permitted in the C1-AV Zone of Zoning By-law 1055-2004 and Townhouse Dwelling Units provided they are located more than 30m from Lake Shore Boulevard West;

- E. A minimum non-residential gross floor area of 600m² shall be provided on lands zoned C1-AV.
4. Development on lands zoned Commercial-Avenues (C1-AV) on Schedule "A" attached hereto shall be in accordance with Zoning By-law 1055-2004 with the following exceptions:
- A. Notwithstanding Section 3.A. of By-law 1055-2004, no portion of any above grade structure erected or used on lands zoned C1-AV lands shall extend beyond the heavy lines on Schedule "B" attached hereto except for box out porches, pilasters, decorative columns, rooftop balcony guard, and other Minor Projections as defined by By-law 1055-2004;
 - B. Notwithstanding Section 3.F. of By-law 1055-2004, the maximum building height excluding the mechanical penthouse permitted on lands zoned C1-AV shall be as indicated on Schedule "B" attached hereto;
 - C. Section 3.H.(3) of By-law 1055-2004 shall not apply;
 - D. Notwithstanding Section 3.H.(4) and (5) of By-law 1055-2004, indoor and outdoor amenity space for apartment dwelling units shall be provided at a rate of 1.2m² per unit;
 - E. Notwithstanding Section 4.A. of By-law 1055-2004 parking spaces for residential uses shall be provided in accordance with the following minimum ratios:
 - i. Bachelor apartment dwelling Units at 0.70 parking spaces per dwelling unit;
 - ii. One-bedroom apartment dwelling units at 0.8 parking spaces per dwelling unit;
 - iii. Two-bedroom apartment dwelling units at 0.9 parking spaces per dwelling unit;
 - iv. Apartment dwelling units with three or more bedrooms at a rate of 1.10 parking spaces per dwelling unit; and
 - v. Residential visitor parking at 0.15 parking spaces parking per dwelling unit.
 - F. Notwithstanding Section 4.A. of By-law 1055-2004, parking for permitted commercial uses shall be provided at a minimum parking ratio of 2.5 spaces per 93m² of gross floor area.
 - G. Notwithstanding Section 4.A. of By-law 1055-2004, parking spaces required for residential visitor parking are permitted to be shared with commercial parking

- requirements for on the same lot provided the total number of residential visitor and commercial parking spaces provided is the greater of the requirement for residential visitor parking or the requirement for commercial parking.
- H. A minimum of 1 loading space shall be provided with a minimum dimension of 13.0 metres by 4.0 metres with an unencumbered vertical dimension of 6.1 metres.
 - I. Notwithstanding Section 4.B. of by-law 1055-2004, a minimum of 115 bicycle parking spaces shall be provided.
5. Notwithstanding Sections 330-23, 330-26, 330-32 and 330-40, 41 and 42, the following development standards shall be applicable to the lands zoned Residential Multiple (RM-1) on Schedule "A" attached hereto:
- A. Permitted accessory uses include garbage storage buildings and private amenity areas;
 - B. No portion of any above grade structure erected on the lands or used on the land shall extend beyond the building envelope delineated by the heavy lines on Schedule "B" attached hereto except for the following:
 - i. access stairs and railings to underground parking, underground vents, terraces, uncovered steps to grade and patios, balconies, covered and uncovered porches having a maximum projection of 2.8 metres from the exterior wall of a Building Envelope towards any street line or internal driveway, provided the projection is set back 0.2 metres from any street line or internal driveway;
 - ii. access stairs and railings to underground parking, underground vents, terraces, uncovered steps to grade and patios, balconies, covered and uncovered porches having a maximum projection of 3.8 metres from the exterior wall of a Building Envelope towards another Building Envelope;
 - iii. underground garage ramps and structures, transformers, vents; garbage chutes and storage buildings, mail kiosks, and meter boxes;
 - iv. eaves, bay windows, window boxes or other projections extending a maximum of 0.8 metres from any exterior wall of a building provided they are located a minimum of 1.0 metre from any street line or internal driveway.
 - C. The maximum permitted building height shall be as indicated on the attached Schedule "B".

- D. No habitable building or structure above grade shall encroach within the 30m setback from the north property line as shown on Schedule "B" attached hereto.
 - E. A minimum of 35% of the lands zoned RM-1 on Schedule "A" shall be landscaped open space.
 - F. A minimum of 3.5m² of Outdoor Amenity Space per dwelling unit shall be provided in a location adjoining or directly accessible from each dwelling unit.
 - G. Notwithstanding Section 330-9B of the Zoning Code parking spaces for residential uses shall be provided in accordance with the following minimum ratios:
 - i. Bachelor apartment dwelling Units at 0.70 parking spaces per dwelling unit;
 - ii. One-bedroom apartment dwelling units at 0.8 parking spaces per dwelling unit;
 - iii. Two-bedroom apartment dwelling units at 0.9 parking spaces per dwelling unit;
 - iv. Apartment dwelling units with three or more bedrooms at a rate of 1.10 parking spaces per dwelling unit ;
 - v. Standard Townhouse Dwelling Units at 1.0 parking spaces per dwelling unit; and
 - vi. Residential visitor parking at 0.15 parking spaces parking per dwelling unit.
 - H. All required residential parking spaces shall be provided below grade, with the exception of visitor parking spaces of which a maximum of 10 parking spaces may be provided above grade.
 - I. A minimum of 60 bicycle parking spaces shall be provided; and
 - J. A minimum of 1 loading space shall be provided with a minimum dimension of 13.0 metres by 4.0 metres with an unencumbered vertical dimension of 6.1 metres.
6. Where the provisions of this By-law conflict with the provisions of the former City of Etobicoke Zoning Code or Zoning By-law 1055-2004, the provisions of this By-law shall apply.
7. Notwithstanding any severance, partition or division of the lands shown on Schedule "A", the regulations of this By-law shall continue to apply to the whole of the said lands as if no severance, partition or division had occurred.

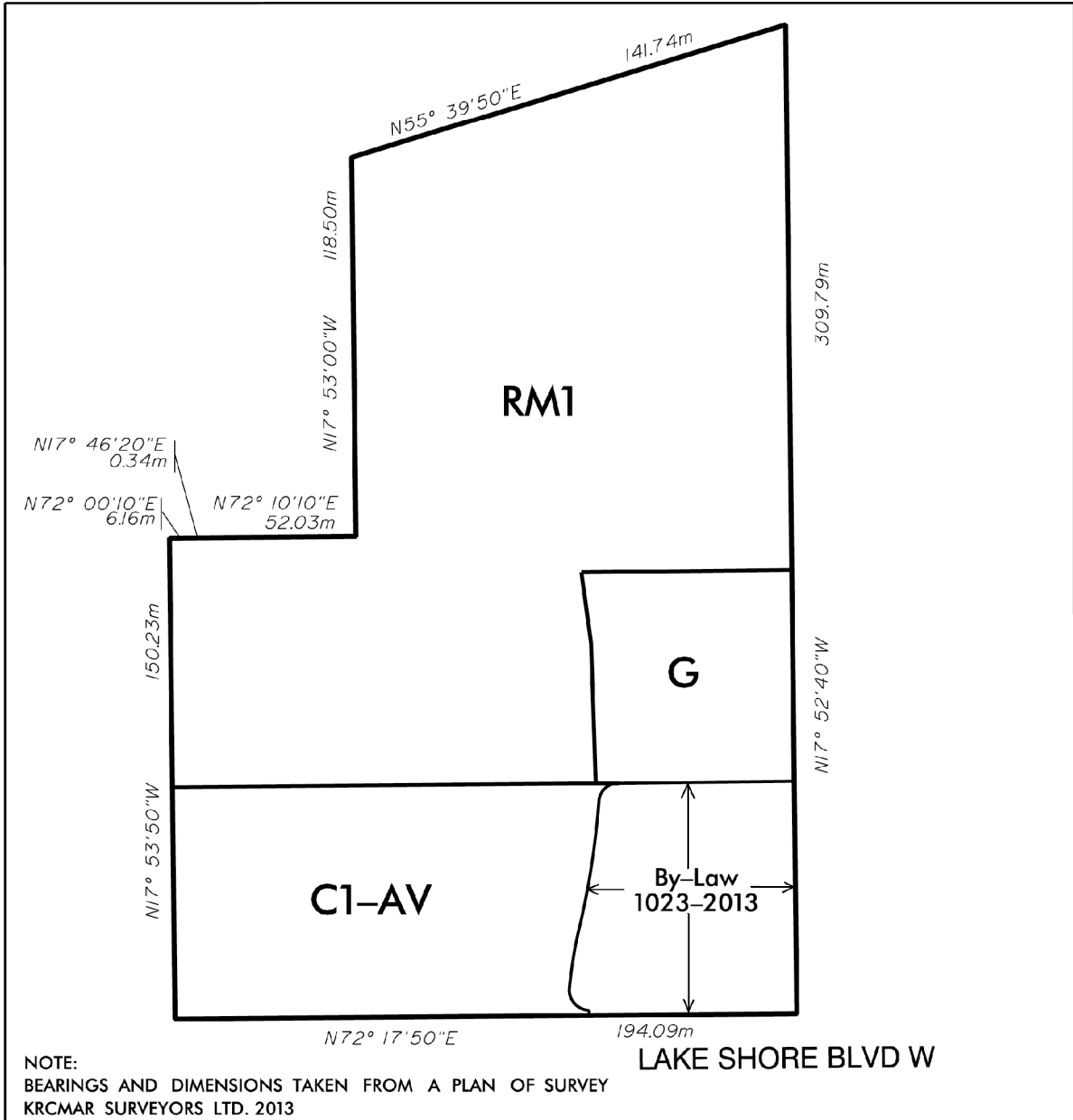
8. Pursuant to Section 37 of the *Planning Act* and subject to compliance with this By-law, the increase in height and density of development on the lot contemplated herein is permitted in return for the owner's election to provide, at the owner's expense, the facilities, services and matters set out in Schedule "C" hereof which are secured by one or more agreements pursuant to Section 37(3) of the *Planning Act* that are in a form satisfactory to the City Solicitor and registered on title to the Lands.
9. Where Schedule "C" of this By-law requires the owner to provide certain facilities, services or matters prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of the same.
10. The owner shall not use, or permit the use of, a building or structure erected with an increase in height and density pursuant to this By-law unless all provisions of Schedule "C" are satisfied.
11. Within the lands shown on Schedule "A" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
 - (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
XXXX-2013 _____, 2013	Lands located on the north side of Lake Shore Boulevard West at its intersection of Long Branch Avenue known municipally as 3560, 3580, and 3600 Lake Shore Boulevard West.	To rezone the lands from Class 1 Industrial (I.C1) and Commercial (C1) to Residential Multiple 1 (RM-1), and Commercial Avenues (C1-AV) and Parks (G) to permit townhouses, apartment dwelling units and a public park subject to site-specific development standards.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

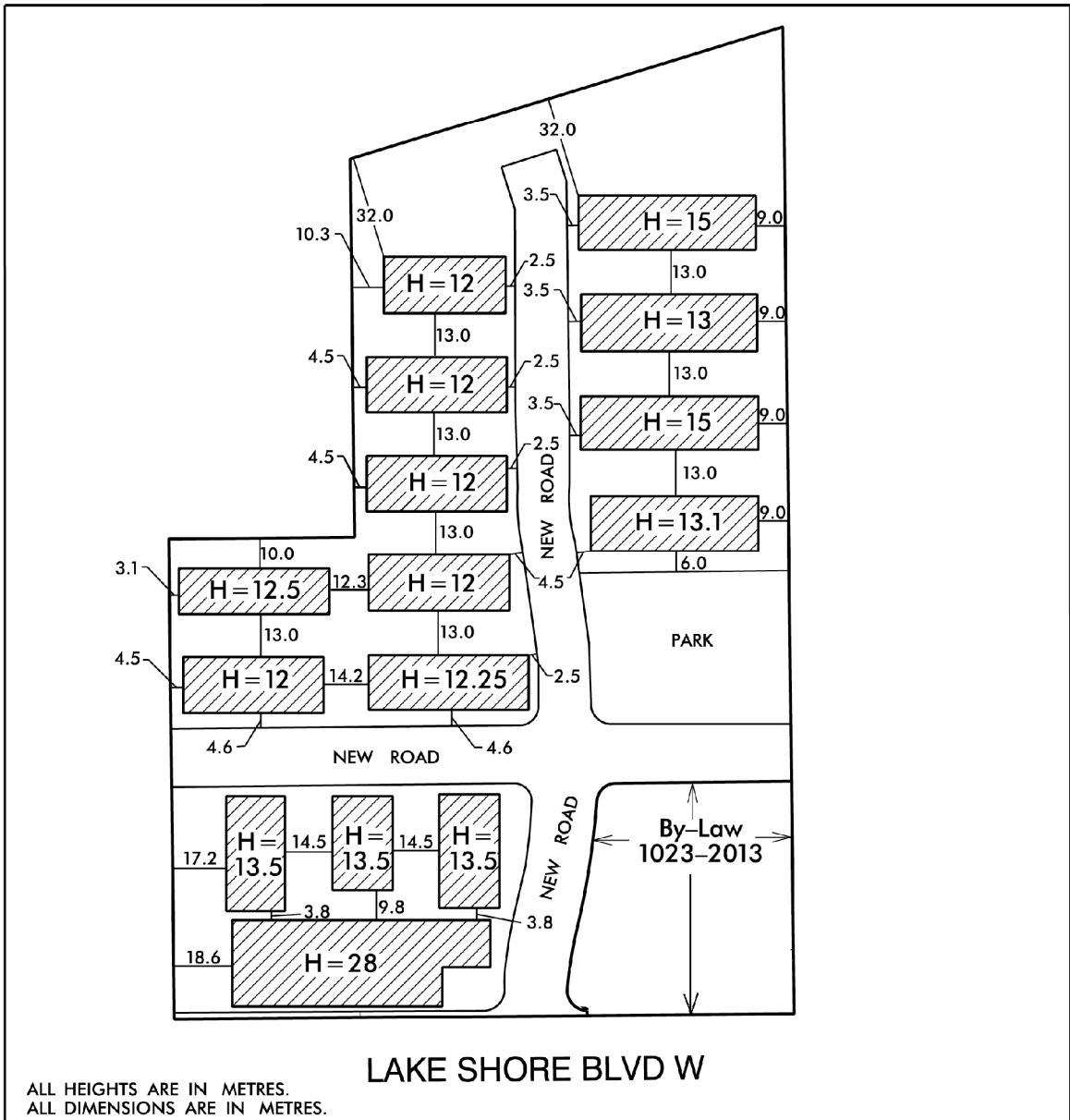
FRANCES NUNZIATA,
Speaker
(Corporate Seal)

ULLI S. WATKISS,
City Clerk



**PART OF LOT 9, CONCESSION 1, SOUTHERN DIVISION
CITY OF TORONTO**

Applicant's Name:	DIAMONDCORP		
Assessment Map LB	3560, 3580 & 3600 Lake Shore Blvd W	scale:	
File No. 10 193543 WET 06 02	Dwg No. 10_193543_dz1A		



**PART OF LOT 9, CONCESSION 1, SOUTHERN DIVISION
CITY OF TORONTO**

Applicant's Name:	DIAMONDCORP		
Assessment Map LB	3560, 3580 & 3600 Lake Shore Blvd W	scale:	0 40 80 20 60 m
File No. 10 193543 WET 06 OZ	Dwg No. 10_193543_dz2A		

SCHEDULE "C"

Section 37 Provisions

The facilities, services and matters set out below are required to be provided to the City at the owner's expense in return for the increase in height and density of the proposed development on the lot and secured in an agreement or agreements under Section 37(3) of the *Planning Act* whereby the owner agrees as follows:

- (1) the owner shall provide the following to support the development of the lot;
 - A. The Owner shall file applications for Site Plan Control Approval that clearly articulates the following at-receptor mitigation measures identified in the Environmental Noise Update, prepared by Valcoustics Canada Limited, dated May 27, 2013:
 - i. No rooftop amenity spaces on Blocks 11 and the midrise building (Block B4);
 - ii. All rooftop amenity spaces on Blocks 10 and 14 shall be protected with a 1.5m tall acoustic barrier; and
 - iii. No sensitive receptors (plane of a bedroom, living/dining room or kitchen window, balconies or terraces) located on the west facing facades of Block 10 or 11.
 - B. The Owner shall include a noise and odour warning clause indicating the proximity of the subject lands to the Wakefield Canada Inc. manufacturing and warehouse facility located at 3660 Lake Shore Boulevard West into:
 - i. any agreement of purchase and sale of the site;
 - ii. any disclosure statement in respect to any sale of condominium units proposed to be developed on the site; and
 - iii. any declaration in respect of any condominium corporation to be created for any portion of the site.
 - C. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of item PG32.3 of the Planning and Growth Committee.

Attachment 10: Conditions of Draft Plan of Subdivision Approval

The following conditions, except as otherwise noted, must be fulfilled prior to the release of the plan of subdivision for registration.

1. The owner shall enter into the City's standard Subdivision agreement and satisfy all of the pre-registration conditions contained therein.
2. The owner shall provide to the Director of Community Planning, Etobicoke York District, confirmation via statement of account or Tax Clearance Certificate that the taxes have been paid in full.
4. If the subdivision is not registered within 5 years of the date of draft plan approval, then this approval shall be null and void and the plans and drawings must be resubmitted to the City of Toronto for approval.
5. The owner will be required to finalize the technical details of the storm sewer infrastructure, and make satisfactory arrangements for any municipal infrastructure upgrades which may be required as indicated in an accepted Functional Servicing Report, all to the satisfaction of the Executive Director, Engineering and Construction Services and the General Manager of Toronto Water.
6. The owner will be required to secure the construction of all municipal services required to service the subdivision with financial securities for the servicing, all to the satisfaction of the Executive Director of Engineering and Construction Services.
7. The owner will prepare all documents to convey lands in fee simple and easement interests to the City for nominal consideration, such lands to be free and clear of all physical and title encumbrances to the satisfaction of the Executive Director of Engineering and Construction Services in consultation with the City Solicitor.
8. Prior to the registration of the Plan of Subdivision, the owner shall submit for approval, a draft Reference Plan describing the turning circles at the east and west terminus of Street B and pay all costs for the preparation and deposit of the plan on title to the property.
9. Prior to the registration of the Plan of Subdivision, the Owner shall enter into a Turning Circle Agreement for the lands described as Parts(s) on Draft Reference Plan prepared by an Ontario Land Surveyor and referenced with a job number.

10. Submit a draft Reference Plan of Survey to the Executive Director of Engineering and Construction Services, for review and approval, prior to depositing it in the Land Registry Office. The plan should:
 - i. be in metric units and integrated to the 1983 North American Datum (Canadian Spatial Reference System and the 3 degree Modified Transverse Mercator Projection);
 - ii. delineate by separate PARTS the lands to be conveyed to the City, the remainder of the site and any appurtenant rights-of-way and easements; and
 - iii. show the co-ordinate values of the main corners of the subject lands in a schedule on the face of the plan;
11. The applicant is required to pay all costs for preparation and registration of reference plan(s).
12. The owner is required to convey the lands shown as Block E on the submitted Draft Plan of Subdivision to the City for road purposes.
13. In addition to the conveyances required for the proposed public roads (Block E), the owner is required to convey a 1.60-metre wide strip of land shall be conveyed across the Lake Shore Boulevard West frontage of the subject property to secure the minimum 36-metre road allowance width specified by the Toronto Official Plan for this section of Lake Shore Boulevard West.
14. The owner is required to convey the corner triangles/roundings and road widening as shown on the Plan to the City for road allowance purposes.
15. The owner is required to convey a public access easement from the end of the proposed north –south public street across lands adjacent to the rail corridor, to enable pedestrian and cycling connections to the to the satisfaction of the Chief Planner and Executive Director, City Planning.
16. The owner is required to convey a public access easement over the open space at the northwest corner of the intersection the proposed north-south street and Lake Shore Bouelvard West.
17. The owner is required to apply storm water management techniques identified in the accepted Functional Servicing Report in the development of this subdivision to the satisfaction of Engineering and Construction Services.

18. The owner is required to conduct an environmental site assessment for lands to be conveyed to the City in accordance with the terms and conditions of the standard subdivision agreement, including providing payment for a peer reviewer and submission of a Record of Site Condition.
19. The owner is required to pay engineering and inspection fees in accordance with the terms and conditions of the standard subdivision agreement.
20. The owner is required to submit financial security in accordance with the terms of the standard Subdivision agreement.
21. Provide certification to the Executive Director of Technical Services by the Professional Engineer who designed and supervised the construction, that the site servicing facilities have been constructed in accordance with the accepted drawings.
22. The Owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009 through the adoption of PG32.3 of the Planning and Growth Committee.