



STAFF REPORT ACTION REQUIRED

215 Lake Shore Boulevard East – Application To Remove The Holding Symbol From Zoning By-law 674- 2019 (LPAT) - Final Report

Date: May 3, 2019

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 10 Spadina-Fort York

Planning Application Number: 18 - 234351 STE 28 OZ

Related Applications: 17-228459 STE 28 SA, 17-180289 STE 28 SB

Notice of Complete Application Issued: November 2, 2018

Anticipated City Council Meeting Date: June 18, 2019

Current Use(s) on Site: Vacant single storey former FedEx building.

SUMMARY

This application proposes to remove the Holding Symbol (H) from City of Toronto By-law No.674-2019 (LPAT), for lands that form the first phase of the FedEx North development proposal located at 215 Lake Shore Boulevard East which comprises approximately 1,174 residential units with at grade retail. City of Toronto Zoning By-law No. 674-2019 (LPAT), was issued on October 23, 2018, through Decision and Order by the Local Planning Appeal Tribunal (LPAT), and permits a maximum of 134,750 square metres of mixed-use development. The current proposal includes approximately 85,000 square metres of gross floor area with 1,174 residential units.

The subject site (FedEx North) is located at 215 Lake Shore Boulevard East, and is part of a larger block of land, which includes properties at 178-180 Queens Quay East (FedEx South), and 162 Queens Quay East. The FedEx North property is owned by Greenland Lakeside Development Company Ltd (Greenland).

The zoning by-law amendment application was filed by Greenland to remove the holding symbol (H) from Phase 1 of the development as identified on Schedule '1' of Attachment 1 of this report.

A related Draft Plan of Subdivision application was also submitted to create a new public road, two development blocks, and land dedications to be conveyed to the City for the reconfiguration of Lower Sherbourne Street.

The holding symbol (H) was placed on the lands as part of conditions of approval as set out in Ontario Municipal Board Minutes of Settlement, June 23, 2016, (OMB Case No.: PL101091; OMB File No.: PL030412, PL030514, PL060106, PL101091). Removal of the holding provision requires submission of supporting materials including a Housing Issues Report describing how affordable rental housing requirements will be met, and a Noise and Odour Study to demonstrate that appropriate mitigation measures will be implemented.

Greenland has satisfied all matters and conditions for removing the Holding Symbol from the Zoning By-law for lands within the first phase of the Plan of Subdivision.

This report recommends approval of the proposed Zoning By-law Amendment, which removes the 'H' as shown as Attachments No. 1 to the report (May 3, 2019) from the Chief Planner and Executive Director, City Planning and that no further public notice be required pursuant to Sections 34 of the Planning Act. All other conditions required for the adoption of the Bills by Council have been satisfied by the applicant. City Council may then proceed to enact the Bills as attached.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law No. 674-2019 (LPAT), for the lands within FedEx North, Phase 1 (215 Lake Shore Boulevard East), substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 1 to the report (May 3, 2019) from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

The Central Waterfront Secondary Plan (CWSP) was passed as Official Plan Amendment No. 257 by City Council on April 16, 2003. The Zoning By-law amendment for East Bayfront (By-law No.1049-2006) was enacted by City

Council on September 26, 2006. The final report on the zoning by-law amendment is available on the City's website at:
<http://www.toronto.ca/legdocs/2006/agendas/council/cc060925/te7rpt/cl017.pdf>

The East Bayfront – West Precinct Plan was approved by Council in October 2006. The Precinct Plan provides a planning framework and implementation strategy building on the principles and guidelines of the CWSP. At the same time, Council directed that prior to entering into any zoning approvals to permit residential development in the East Bayfront, the City enter into a binding agreement with Waterfront Toronto to secure the provisions of the East Bayfront Affordable Housing Delivery Strategy which includes the requirement of an equivalent of 20% of the new units to be affordable rental housing.

The owners of 215 Lake Shore Boulevard East and 178-180 Queens Quay East appealed both the CWSP and the East Bayfront By-law 1049-2006 to the Ontario Municipal Board (OMB). At its meeting on February 3, 2016, City Council adopted the report (January 28, 2016) from the City Solicitor, (Item CC12.13, Central Waterfront Secondary Plan – Further Request for Directions report), approving terms of settlement including built form, affordable rental housing, diversity of unit size, public art and the resolution of real estate issues.

On June 23, 2016, the Ontario Municipal Board approved the necessary zoning by-law and secondary plan provisions, on a settlement basis. The Minutes of Settlement included a Master Section 37 Agreement and a number of other terms and conditions related to the provision of affordable housing, noise and odour, a draft zoning by-law, and the transfer of lands for local infrastructure and network improvements.

On December 29, 2017 a Three Party Agreement pursuant to Section 37 of the Planning Act between the City, the owner, and Redpath was entered into dealing with matters respecting noise and odour studies to be undertaken in accordance with the Minutes of Settlement and the site specific Zoning By-law. The Three Party Agreement also outlines detailed terms related to study requirements, notification, confidentiality, information sharing, and warning clauses, among other matters.

A final Board Order was issued on October 23, 2018 (OMB File NOs. PL030514, PL030412, PL060106, PL101091, and PL170408) to permit the development on the subject lands to proceed in accordance with the executed Section 37 Agreement and City of Toronto Zoning By-law No. 674-2019 (LPAT). The By-law is in force and effect.

A related Site Plan Control application (Application No. 17 228459 STE 28 SA) was submitted on September 6, 2017, and a Draft Plan of Subdivision application (Application No. 17 180289 STE 28 SB) was submitted on June 15, 2017. Both of these applications are currently under review

ISSUE BACKGROUND

Application Description

This application proposes to remove the Holding Symbol (H) from the City of Toronto Zoning By-law No. 674-2019 (LPAT) for the lands that form the first phase of the FedEx North subdivision located at 215 Lake Shore Boulevard East. The removal of the "H" symbol from the lands will allow for the development of three mixed-use buildings ranging in height from 14 to 49-storeys with approximately 1,174 residential units and retail at-grade. Development of the site will also provide for a new north-south publically accessible privately-owned open space (POPS) and other public realm improvements. The development also provides Section 37 contributions towards affordable rental housing and public art.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Site and Surrounding Area

The 215 Lake Shore Boulevard East site is located within the East Bayfront area on the north side of Queens Quay East. It is bounded by Lake Shore Boulevard East to the north, Queens Quay East to the south, Lower Sherbourne Street to the east and Richardson Street to the west. The total site area is 1.35 hectares (including Phase 1 and Phase 2), is rectangular in shape and is generally flat. The total site (Phase 1 and Phase 2) has a frontage of approximately 191 metres along Lake Shore Boulevard East and a depth of about 74 metres. The site is occupied with the vacant single storey former FedEx building.

The application for removal of the (H) holding symbol is for Phase 1, which includes approximately 0.85 hectares of land.

Surrounding uses include:

North: The subject site fronts onto Lake Shore Boulevard East. Further north is the Gardiner Expressway, and the St. Lawrence Neighbourhood and Distillery District.

South: The southern portion of the block is made up of three properties, 162 and 178-180 Queens Quay East, and a City-owned and decommissioned rail spur. The southeast corner property located at 180 Queens Quay East contains a surface parking lot. The property at 178 Queens Quay East contains two single-storey commercial office buildings, along with a commercial parking lot toward the rear of the

site. The property at the southwest corner of the block at 162 Queens Quay East is a surface-level parking lot.

South of Queens Quay East are two development blocks that are zoned for mixed-use development. South of those development blocks are two recently completed 8-storey facilities: George Brown College's waterfront campus, featuring institutional and educational activities and Corus Quay, a commercial office building and headquarters for Corus Entertainment.

East: To the east is Sherbourne Common, which is a recently completed 1.5 hectare public park that extends south to the waterfront. Immediately east of Sherbourne Common is a recently constructed 44-storey mixed-use building.

West: 132 Queens Quay East is located directly west of the subject site and is presently being redeveloped by Daniels Corporation as part of a large scale mixed-use retail/office/institutional/residential complex. This approved development features four towers ranging from 11 to 45 storeys and includes 963 residential units.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2017) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Former Metropolitan Toronto Official Plan

As the guiding document for the former City of Toronto Official Plan, the former Metropolitan Toronto Official Plan remains in force for 215 Lake Shore Boulevard East. The Plan provides policy direction for attaining an urban structure that fosters liveability, focuses programs on sustainable community development, enhances the planning process and promotes effective collaboration.

Former Toronto Official Plan (1993)

The former City of Toronto Official Plan is in force for 215 Lake Shore Boulevard East. The Official Plan sets out a policy framework, including goals and objectives, for the waterfront in Chapter 14. This includes the primary goal for the waterfront as set out in Policy 14.2, which promotes increased and sustainable public enjoyment and use of the area by ensuring that future developments and

actions by both the public and private sectors will assist in achieving certain objectives including, improving public access to the waterfront; increasing the amount of public parkland across the entire waterfront; and enhancing the quality of the waterfront as a place, among other objectives.

City of Toronto Official Plan (2006)

The City of Toronto Official Plan was adopted by Council in 2002 and approved by the Ontario Municipal Board in 2006. The 2006 OMB Order only partially approved the Official Plan. The Central Waterfront Secondary Plan was an amendment to the former City of Toronto Plan. Due to various appeals, the current City of Toronto Official Plan is not in force for the subject site; however, it sets out the overall vision of the City's urban structure and future growth and has been considered in the review of this application. Under the 2006 Toronto Official Plan, the subject property is within the *Downtown and Central Waterfront* on Map 2 – Urban Structure and is designated *Regeneration Areas* on Map 18 – Land Use Plan.

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

Central Waterfront Secondary Plan

The site is situated in the Central Waterfront Secondary Plan Area. In April 2003, Toronto City Council adopted Official Plan Amendment 257 (“OPA 257”) as the Central Waterfront Secondary Plan. It was appealed in its entirety, and although parts of the Plan have been approved by the Local Planning Appeal Tribunal (LPAT – formerly the OMB), the Plan is not yet approved for the entirety of the Central Waterfront. Notwithstanding the above, the CWSP is used as the guiding policy document for waterfront redevelopment and policy implementation.

The Central Waterfront Secondary Plan (CWSP) is currently in force for 215 Lake Shore Boulevard East. It provides the policies, designations and mapping specific to the Central Waterfront Areas. The general intention of the Central Waterfront Secondary Plan is to create a framework for waterfront renewal that will assist the on-going revitalization and redevelopment process.

The Central Waterfront Secondary Plan provides a strategy for waterfront renewal built on four core principles.

- A. Removing Barriers/Making Connections
- B. Building a Network of Spectacular Waterfront Parks and Open Spaces
- C. Promoting a Clean and Green Environment
- D. Creating Dynamic and Diverse New Communities

The Secondary Plan includes a series of initiatives or “Big Moves” intended, along with implementing policies, to promote waterfront renewal.

The CWSP provides substantial guidance on creating new compact, complete, vibrant neighbourhoods along the waterfront through the regeneration and renewal of underutilized brownfield sites. The CWSP envisions multi-modal complete street design that prioritizes active modes of transportation, transit and the creation of a vibrant and well-designed public realm.

The public realm will be defined by a coherent framework of streets, parks, plazas, promenades and other open space elements, reflecting the exceptional waterfront setting of East Bayfront. Streets in the waterfront have been identified as places with distinct identities, including design approach, character, urban connectivity, high-quality urban design, landscaping and amenities.

The Secondary Plan for the site requires high quality design protecting views of the water, with predominantly mid-rise buildings and specified tower locations. In addition to the land use designation, the Secondary Plan reserves a north-south publicly accessible open space and walkway to connect to the waterfront promenade.

Policy 2.6 of the CWSP provides direction with respect to the use of the Holding Symbol "H" pursuant to sections 34 and 36 of the Planning Act. The policy contemplates a variety of conditions for the removal of the Holding Symbol from zoning by-laws to be completed or secured through appropriate legal agreements pursuant to the Planning Act or City of Toronto Act. Policy 2.6.1 specifically addresses the use of the Holding Symbol in the East Bayfront to prevent undue adverse impacts between the Redpath Sugars lands and new land uses.

As noted above, the CWSP was appealed by several private land owners, including the owners of the site. The CWSP Official Plan Amendment, which was part of the LPAT Minutes of Settlement for the subject site, provided new policies including, Policy P51 and P53 and Maps G1 and G2, which are specific to the East Bayfront Precinct, as approved by the LPAT Order, issued on October 23, 2018.

Policy P51

Secondary Plan Policy P51 was proposed as an addition to the Central Waterfront Secondary Plan, in relation to development compatibility with the existing Redpath facility. Among other matters, Policy P51 recognizes the Redpath facility as an important feature of the Toronto Waterfront that should be maintained, and that future developments should ensure that there are no undue negative impacts on Redpath's activities.

Policy 53

Policy P53 is a site specific policy that establishes a new urban structure for the FedEx North site that supports future development and better integrates the site into the comprehensive and coherent public realm in the East Bayfront, including:

- A maximum permitted combined residential and non-residential density of 134,750 square metres of gross floor area.
- 20% of all housing units, measured by a percentage of residential gross floor area, are affordable rental housing.
- General mid-rise building height permissions ranging from 25 to 66 metres, with two tall buildings permitted at heights of 120 and 150 metres, in tower zone locations identified in the site specific zoning by-law.
- A new east-west public street connecting Lower Sherbourne Street to Richardson Street.
- A new north-south publicly accessible open space and walkway connecting Lake Shore Boulevard East to Queens Quay East.
- A Master Section 37 Agreement, including commitments related to affordable rental housing, local infrastructure improvements, public art and publicly accessible open space.

East Bayfront Precinct Plan

Developed through the precinct implementation strategy outlined in the CWSP, the East Bayfront Precinct Plan was adopted by Waterfront Toronto and City Council in 2005 to cover a subsection of the Secondary Plan area, from Lake Shore Boulevard East to the north, Jarvis Street to the west and Parliament Street to the east along the City's waterfront. The intent of the Precinct Plan is to outline the development principles and guidelines that allow the City to move from Official Plan policies to zoning by-law provisions for the area. While the Precinct Plan is not a statutory document, it is considered as a basis for implementing development, informing future environmental assessments, development application decisions, regulatory documents and guidelines and contribution agreements.

The East Bayfront Precinct Plan led to the City-initiated Zoning By-law No. 1049-2006, which was approved by City Council on September 27, 2006.

Negotiated Minutes of Settlement (LPAT)

As described above, the negotiated settlement between the City of Toronto and the owner of the site included amendments to the CWSP and East Bayfront – West Precinct By-law, which were agreed to through Minutes of Settlement, dated June 23, 2016. This negotiated settlement resolved all outstanding matters, save and except for land use compatibility with Redpath.

The negotiated settlement anticipated a new Proposed Secondary Plan Policy P51 and P53 within the CWSP, as described above and zoning provisions that support development on the site.

On January 16, 2018, the LPAT approved the negotiated settlement that resolved the remaining land use compatibility issues at the site as they relate to Redpath. The decision brought into force Secondary Plan Policies P51 and P53 and approved revisions to Zoning By-law 1049-2006, in the form of site-specific By-Law 674-2019 (LPAT), as described below.

Zoning By-law No. 674-2019 (Land Use Planning Appeal Tribunal)

On September 27, 2006, City Council adopted By-law No. 1049-2006, an amendment to the General Zoning By-law No. 438-86 with respect to the East Bayfront – West Precinct. Zoning By-law No. 1049-2006 introduced development controls for the West precinct portion of East Bayfront, including zoning provisions related to the Redpath facility. Zoning By-law No. 1049-2006 includes permissions related to land use and built form, along with directions concerning Section 37 benefits.

Through the negotiated settlement described above a new site specific Zoning By-law 674-2019 was approved by the LPAT. Under site specific Zoning By-law 674-2019 (LPAT), the site is zoned CR(H) permitting a wide variety of residential and non-residential uses of up to 134,750 square metres with permission for residential uses being contingent on complying with the Section 37 agreement for the site.

While the holding symbol is in place, the uses on the property are limited to existing uses as well as CR uses within existing buildings or in small additions to an existing building.

A Holding Symbol (H) applies to the site and restricts development until the (H) symbol has been removed. The Holding Symbol (H) can be lifted when an application to amend the zoning by-law has been filed and conditions are fulfilled to the satisfaction of City Council including:

- An acceptable Site Plan Application to the satisfaction of the City and Waterfront Toronto;
- Execution of a phase specific Section 37 Agreement for the purpose of securing affordable rental housing requirements;
- Submission of supporting materials describing how affordable rental housing units will be provided; and
- The submission of a noise and odour study related to the Redpath Sugar facility.

These conditions must be satisfied and/or secured in an agreement or agreements pursuant to Section 37, 41, 51 and/or 53 of the Planning Act, as appropriate.

Section 37

The general provisions of the Section 37 Agreement are outlined in By-Law No. 674-2019 (LPAT (v) through (y) and include the following obligations.

- Enter into a Master Section 37 Agreement with the City, which must be registered on title to the lot, prior to the issuance of the first Building Permit for the site;
- Satisfy the provisions of the agreement, including any monetary payments and financial securities, prior to the issuance of the first Building Permit for the site;
- Provide the equivalent of 20% of all residential gross floor area as affordable rental housing, through the provision of one or a combination of two or more delivery options;
- Provide dwelling units according to a range of size restrictions; and
- Provide a 1% contribution of gross construction costs toward a combination of Public Art and Community Arts Initiatives.

Community Consultation

Under the Planning Act, for Zoning By-law Amendment applications to remove the Holding Symbol (H), a community consultation meeting is not required. Deputations, however, may be made at the Public Meeting at Toronto & East York Community Council.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

Reasons for the Application

The holding symbol (H) was placed on the lands as part of conditions of approval as set out in Ontario Municipal Board Minutes of Settlement, June 23, 2016, (OMB Case No.: PL101091; OMB File No.: PL030412, PL030514, PL060106, PL101091). Removal of the holding provision requires submission of supporting materials including a Housing Issues Report describing how affordable rental housing requirements will be met, and a Noise and Odour Study to demonstrate that appropriate mitigation measures will be implemented.

COMMENTS

The zoning by-law amendment application was filed by Greenland to remove the holding symbol (H) from City of Toronto By-law No. 674-2019 (LPAT) for Phase 1 of the development as outlined on Schedule '1' of Attachment 1 of this report. Development cannot proceed until the Holding Symbol is removed.

Zoning By-law No. 674-2019 (LPAT) outlines requirements to lift the holding symbol (H) including securing conditions through the execution and registration on title of an agreement or agreements pursuant to Section 37, 41 and/or 53 of the *Planning Act*. Most of the conditions will be secured through the executed Section 37 Agreement between the City of Toronto and the owner including conditions for: noise/vibration/odour studies and mitigation measures and warning clauses. The Section 37 Agreement also secures the provision of an equivalent of 20% of the total number of residential units for affordable rental housing.

The City and Waterfront Toronto have resolved substantive matters identified in the executed Master Section 37 Agreement. The applicant has now satisfied each of the conditions required to bring forward the Bills.

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of this report.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan as follows.

The PPS (2014) requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This policy for healthy, livable and safe communities is achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and support the use of public transit.

In planning to achieve the minimum intensification and density targets in the PPS and Growth Plan, municipalities are directed by Policy 4.7 of the PPS, which states that official plans shall identify provincial interests, and set out appropriate land use designations and policies to direct development in suitable places. This is echoed in Policy 5.2.5.6 of the Growth Plan which states that municipalities are to develop and implement urban design and site design Official Plan policies and other supporting documents that direct the development of a high quality public realm and built form.

The Growth Plan (2017) also contains policies related to setting minimum intensification targets throughout delineated built-up areas (Section 2.2.2.4). The proposed development conforms with Section 2.2.2.4.b) of the Growth Plan, as it represents an appropriate scale of development within the existing and planned context and is transit supportive.

The proposal is consistent with Official Plan policies relating to the pattern of development within the block, with street-related retail along street frontages, landscaped open space interior to the block and the provision of appropriate setbacks from the public realm. City Planning staff support the application as it is consistent with the PPS (2014) and conforms (and does not conflict) with the Growth Plan for the Greater Golden Horseshoe (2017).

Land Use

This application has been reviewed against the Official Plan policies described in the Issue Background section of this report as well as the policies of the Toronto Official Plan as a whole. The proposed development is consistent with the existing and the planned context for the subject property and the surrounding area.

The Zoning By-law Amendment application to remove the Holding Symbol (H) conforms with the Official Plan and complies with the Zoning By-law.

Site Plan Control

The site is subject to site plan control. A Site Plan application (17 228459 STE 28 SA) was submitted by Greenland on September 6, 2017, for the FedEx North

parcel (Phase 1), and is currently under review. The application is generally supportable and will receive Notice of Approval Conditions once outstanding technical matters are resolved.

Affordable Housing

An important policy of the Central Waterfront Secondary Plan is the provision of a full range of housing opportunities including affordable housing. One of the key goals for the Central Waterfront is for 25 percent of all housing units to be affordable rental housing and low-end-of-market housing. The East Bayfront Zoning By-law requires the provision of the equivalent of 20 percent of the total number of dwelling units as new affordable rental housing units.

Council has previously directed that prior to any zoning approvals to permit residential development in the East Bayfront, the City enter into a binding agreement with Waterfront Toronto to secure the provisions of the East Bayfront Affordable Housing Delivery Strategy. This agreement was executed on March 19, 2013. Among other matters it sets out how Waterfront Toronto and the City will work together to achieve the 20 percent affordable rental housing on public lands in East Bayfront.

As described above, the approved Minutes of Settlement (2016) for the FedEx lands include requirements, which among other matters, provide for the option of the owner meeting the 20 percent requirement through the provision of a combination of land, cash-in-lieu, and affordable rental housing units.

The development permissions for the FedEx North lands permit a maximum 134,750 square metres of gross floor area over two phases. Development proposed in the first phase of FedEx North includes approximately 85,000 square metres of gross floor area with 1,174 residential units. Phase 2 would include approximately 48,197 square metres of gross floor area.

The applicant has submitted a Housing Issues Report, which has been reviewed by staff. The owner proposes to satisfy its affordable rental housing obligations on the lot by providing 7,230 square metres of residential gross floor area to be provided in Phase 2. A contribution of approximately \$3,304,205 for affordable rental housing cash-in-lieu will be satisfied in Phase 1. A balance of approximately 9,639 square metres of residential gross floor area will be satisfied through affordable rental housing cash-in-lieu contribution in Phase 2. The Housing Issues Report and the proposed delivery approach of affordable rental housing units and cash-in-lieu contribution have been reviewed and is acceptable to staff.

Noise and Odour

The applicant submitted a noise, vibration and odour study in support of the proposal. The study notes that the noise levels generated by the Gardiner

Expressway and nearby rail corridor require building envelope components to have appropriate control measures to limit noise transmitted into buildings at acceptable levels. The measures include air conditioning, insulation, upgraded building facades (window, walls and doors) and warning clauses. Warning clauses are recommended to advise residents of future road traffic noise, and potential noise and vibration from the rail corridor.

The report also indicates that the moderate levels of noise generated by Redpath Sugar located southwest of the development are not anticipated to adversely impact the future buildings on the FedEx North (Phase 1) site under Class 4 limits.

The study has been peer reviewed by the City's peer reviewer (Golder Associates) who concurred with the findings of the reports. The peer reviewer indicates that the noise and vibration assessment methodologies meet the general requirements of the Three Party Agreement.

The proposed mitigation measures are acceptable to staff. Further details on the specific mitigation measures will be reviewed and secured through the Site Plan review process for this development. Further conditions through the Draft Plan of Subdivision process will require the owner to implement the necessary recommendations such as warning clauses, among other matters.

Conclusion

As a condition of removing the Holding Symbol (H), City of Toronto Zoning By-law 674-2019 (LPAT) requires that a number of matters be secured before the holding symbol (H) is lifted including the submission of a Site Plan Application; the execution of a Section 37 Agreement; submission of a Housing Issues Report identifying how affordable rental housing requirements will be met; and the provision of a Noise and Odour Study that demonstrates that appropriate mitigation measures will be implemented.

The applicant has submitted the required reports identifying how the requirements and obligations will be satisfied to lift the (H) holding symbol from the subject site. The City has completed its review of the required studies, and as a result, the conditions related to lifting the (H) have been met. Staff are therefore recommending that City Council amend City of Toronto site specific

Zoning By-law No. 674-2019 (LPAT), for Phase 1 of the development located at 215 Lake Shore Boulevard East to remove the Holding Symbol (H).

CONTACT

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SIGNATURE

Lynda H Macdonald, MCIP, RPP, OALA
Director, Community Planning, Toronto and East York District

ATTACHMENTS

Attachment 1: Draft Zoning By-law Amendment

Attachment 1: Draft Zoning By-law Amendment for "H" Removal

Authority: ~ Community Council Item No. ~,
as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. --20~

To amend Zoning By-law No. 674-2019 (LPAT), with respect to lands forming Part of Block 13, Registered Plan 694-E, on the south side of Lake Shore Boulevard East, east of Lower Sherbourne Street, to remove the holding symbol (H) with respect to the lands known municipally in the year 2018 as 215 Lake Shore Boulevard East.

WHEREAS authority is given to Council by Section 34 and Section 36 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to impose the holding symbol (H) and to remove the holding symbol (H) when Council is satisfied that the conditions relating to the holding symbol have been satisfied; and

Whereas Council is satisfied that the conditions relating to the holding symbol have been satisfied in order to lift the holding symbol in relation to that portion of the lands to which it applies; and

WHEREAS Council has provided notice of the intent to pass this By-law;

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

1. By-law No. xxx-2019 is amended by removing the holding symbol (H) from the lands shown on the attached Schedule '1'.

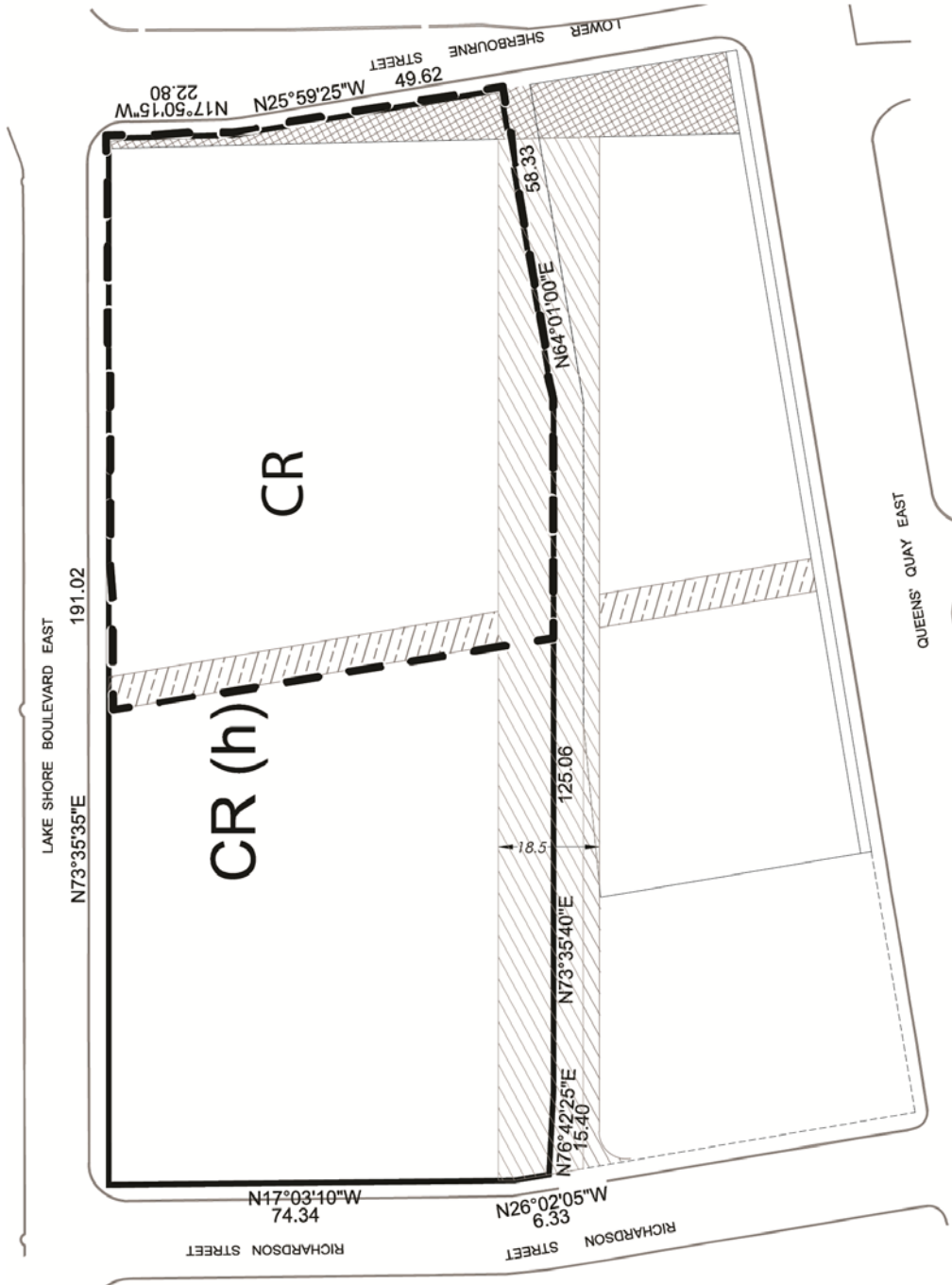
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

Schedule '1'



Zoning By-law and Area where "H" is to be removed **215 Lake Shore Boulevard East**

Not to Scale
02/11/2019

File # 18 234351 STE 28 0Z