TORONTO STAFF REPORT

June 17, 2004

To: Toronto West Community Council

From: Director, Community Planning, West District

Subject: Final Report
Rezoning Application 03 186454 W00 00 OZ
Applicant: Monarch Construction Limited
Architect: Graziani & Corazza Architects Inc.
58 Marine Parade Drive (formerly known as 2115 Lake Shore Boulevard West
Ward 6 - Etobicoke-Lakeshore

Purpose:

This report reviews and recommends the lifting of the Holding 'H' provisions from By-law No. 1994-149 to permit two 14-storey residential condominium towers (267 units) connected by a four storey podium, with associated retail space.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.



Recommendations:

(1) approve the application to lift the Holding 'H' provisions to permit the development of a 267 unit residential condominium subject to final Site Plan Approval, and signing of an Agreement with respect to special units for seniors, to the satisfaction of City Legal;

(2) authorize the Clerk to give notice of an intention to pass an amending By-law to remove the Holding symbol from By-Law No. 1994-149 and that the earliest possible date such by-law could be passed is July 20, 2004; and

(3) authorize the City Solicitor to forward to Council the By-law lifting the 'H' symbol from the property, subject to confirmation that the Holding provisions of By-law No. 1994-149 have been satisfied.

Background:

The site is located within the Humber Bay Shores Development Area (formerly the Motel Strip). The by-laws pertaining to Humber Bay Shores include the General By-law No. 1994-197 approved February 28, 1996, and the Central Site By-law No. 1994-149 approved December 22, 1996. The Site Specific Development Policy of Official Plan Amendment No. C-65-86, (15.10.0), and Central Place Policies (15.6.0), govern land use and policies for the Central Site which is the subject of this application.

The Site Plan Control application (File # 03 186440 W00 00 SA) is the subject of delegated approval and report.

A Community Consultation Meeting was held on February 24, 2004, to receive public input, and to review the project's compliance with the built-form guidelines set out in Appendix 'A' of the Official Plan. The results are detailed in the Community Consultation section of this report.

Comments:

(1) Proposal

On October 22, 2003, Monarch Construction Limited and Water View Corporation submitted an application to lift the 'H' Holding symbol from By-law No. 1994-149 to permit the final building related to its initial phase of development (Explorer). The applicant is proposing two, 14-storey, condominium apartment buildings, connected by a 4-storey podium, located on the north side of Marine Parade Drive, south of the off-ramp from the F.G. Gardiner Expressway. A total of 267 units are proposed to be constructed. The first two buildings of initial development (Voyager I and II) are under construction with occupancy expected this summer.

(2) Site Description

The subject property is presently vacant. To the north of the property is a municipal park, followed by a series of high-rise condominium apartment buildings. The residential units at-grade along the north wall of the development have walkout patios onto the park. To the east is Marine Parade Drive, followed by the Waterfront Public Amenity Area and Lake Ontario. To the west are the first two phases of Waterview (Voyager I & II), currently under construction. To the south is the future Village Court; a privately owned, publicly accessible amenity space that will combine soft and hard landscaping to serve as a meeting place for the residents and visitors of Humber Bay Shores.

The site data for the project area as follows:

Official Plan	Mixed Use (C-65-86)	
Zoning	Mixed Use Holding (MU-H) By-law No. 1994-149	
Site Area:	1.64 acres	6,637 square metres
Gross Floor Area		
Residential	27, 741 square metres	302,454 square feet
Retail	654 square metres	7,040 square feet
Total Number of Units	267	
Bachelor &1-bedroom	141	
2-bedroom	126	
Seniors	178	

44 metres (as per Minor Variance application A9/04E)

Parking	
Residential	320
Visitor	50
Retail	21

(3) Official Plan Policies

(3.1) Former City of Etobicoke Official Plan

The site is designated Mixed Use in the former City of Etobicoke Official Plan and is subject to the Motel Strip Secondary Plan and site specific development policies set out in Section 15.10.0, Section 15.6.0 and implemented by By-law No. 1994-149.

(3.2) New Toronto Official Plan:

At its meeting of November 26, 2002, City Council adopted the new Official Plan for the City of Toronto. The Minister of Municipal Affairs and Housing approved the new Plan, in part, with modifications. The Minister's decision has been appealed in its entirety. The Official Plan is now before the Ontario Municipal Board.

Once the Toronto Official Plan comes into full force and effect, it will designate the property as Mixed Use A (MU-A), under Chapter 6, Motel Strip Land Use Plan (11-1), which permits a combination of residential and commercial uses.

(4) Zoning

The site is designated Mixed Use Holding and subject to the provisions of By-law No. 1994-149. In particular, By-law No. 1994-149 currently permits Phase I, as based on the eight building concept approved by the Ontario Municipal Board, subject to binding resolution of commitments to achieve the waterfront amenity area and compliance with the Holding and implementation provisions, set out in Section 15.11.0 of the Official Plan. In this instance the applicant is proposing to proceed with the final component of the Phase 1 lands with a maximum of 267 units.

(5) Reasons for the Application (Holding Provisions):

The Central Site By-law, By-law No. 1994-149, provides for a number of conditions that must be fulfilled prior to the lifting of the Holding provisions/symbol for Phase 1 including:

(a) the assembly of the lands for the waterfront amenity park
(b) provision of warning clauses with respect to air quality; and,
(c) the details of seniors housing and approval of a site plan in this respect.

The details of these Holding provisions, and how they have been addressed are itemized below in Sections 6 to 9:

(6) Waterfront Amenity Area

As a part of the lifting of the Holding Symbol for the initial two buildings provided for in Phase 1 of this development (Voyager), binding commitments were entered into to achieve the waterfront public amenity area. No further conditions remain outstanding in this regard.

(7) Warning Clauses

As a part of the lifting of the Holding Symbol for the initial two buildings approved for Phase 1 of this development, the applicant provided for the appropriate air quality agreement to the satisfaction of Urban Development Services and the City Solicitor. The agreement was secured prior to the passage of the 'H' Holding By-law for Phase 1A. The agreement provides assurances that Nabisco Limited would not be responsible for any complaints from the abutting properties despite the inclusion of the proposed air quality mitigation measures in the design of the development. The appropriate warning clauses have also been provided to purchasers of this phase of development.

(8) Site Plan Control

An application for Site Plan Control was filed concurrently with the application to lift the Holding symbol (03 186440 W000 00 SA) and has been approved in principle, subject to conditions. The Site Plan application has been reviewed in accordance with the built form guidelines of the Official Plan.

(9) Special Units

The Central Site policies of the Motel Strip Secondary Plan allows for 662 conventional residential units in Phase 1. Voyager I & II combine for a total of 507 units (VI – 313; VII – 194). The current phase contemplates 267 units, for a combined total of 774 units for Phase 1. Section 15.10.2.4 permits 'Special Units' up to 245 in number to be substituted for conventional units on a 3:1 basis. The 'Special Units' are designed for occupancy of persons with special needs such as retired or semi-retired persons, with associated amenities to enhance their lifestyles. Of the 267 units proposed in the current application, 178 will be earmarked as 'Special Units'. The developer has entered into an agreement with the City to secure the provision and maintenance of these units, including their associated features and amenities, ensuring that the special units will address the criteria set out in the Official Plan and Zoning By-law. A summary of the details secured in the agreement is provided below:

(a) The special units have been equipped with attributes that help meet the needs of retired and semi-retired persons. Some of the associated attributes include lever door handles, paddle light switches, wider doorways, wheelchair accessibility into the suites, reinforced walls for grab bars, and heat pumps to allow for individual suite temperature control, among others. The majority of the special units have been located within the lower floors of the development to further enhance their accessibility to the indoor and outdoor amenity spaces;

(b) The applicant has further upgraded the elevators, entrances, corridors, underground garage, loading/drop-off areas and exterior walkways to ensure that a barrier free path of travel is maintained, while utilizing upgraded materials and oversized spaces;

(c) The development is equipped with a number of barrier-free, handicap accessible, amenity spaces to assist in providing an all-inclusive environment. These amenities include a party room for larger socializing, lounge area for casual reading, theatre for entertainment, fitness centre to promote physical health, pool, whirlpool and sauna for relaxation and physical health, dining room for larger socialization, billiards room for recreation, hobby room to facilitate hobbies in a more spacious environment and a cyber lounge for information access to the internet; and

(d) The Special Units Agreement will be registered on title to the development. Further, the condominium declaration will identify the units, their attributes and amenities, and will be registered on title to all units in the proposed condominium. This will ensure that the requirements of the agreement are maintained through subsequent purchasers. The agreement is currently being finalized in consultation with the City Solicitor.

(10) Community Consultation

In accordance with the review process set out in the Secondary Plan, a Community meeting was held on February 24, 2004. Approximately 60 people were in attendance. The main issues raised at the meeting related to traffic, parking requirements, retail space and pedestrian

accessibility. Specific concerns were raised with respect to the provision of public, pedestrian access along the private access road that connects Street 'A' to the municipal park, adjacent to the subject site. The applicant has agreed to provide a walkway easement along the road. The details of this will be secured with the City as a part of the site plan agreement.

(11) Other Matters

Although not a formal requirement of the Holding provisions of the By-law, a number of matters have been raised as a result of concurrent processing of a Site Plan application, and are being addressed through Site Plan approval.

(11.1) Development Agreement

The applicant and the City have signed a Development Agreement dated September 24, 2003 for Phase 1 of this multi-phased development. The agreement deals with site servicing (watermains, sanitary sewers and storm sewers), road improvements, land transfers and other financial obligations relating to Phase 1 of the lands.

(11.2) Village Court

The Official Plan provides for a central urban open space designated as the "Village Court", which is to be provided generally at the midpoint of the central site, extending towards Marine Parade Drive. The Village Court will include a special collection of soft and hard landscaping details that will provide a diverse and attractive outdoor space to serve the waterfront. The ground-related retail component of the Explorer development will front onto the Village Court to encourage pedestrian traffic. Staff have reviewed and approved the plan for the ultimate build-out of the Village Court. The space will remain within the ownership of the abutting condominium boards, but will be secured as a fully accessible, public space.

Although the Official Plan and Zoning By-law do not mandate the completion of the Village Court until Phase 2, the issue was raised at the community meeting. A certain level of interim construction will take place in order to facilitate the retail space proposed as a part of this development. The details of this are included in the proposed Interim Landscape Plan, considered as a part of Site Plan Approval.

As a result of continuous construction in the area, the Village Court will be built to completion as per the approved plans, following the second phase of development (Phase 2). The applicant will continue to provide pedestrian access from Lake Shore Boulevard West to Marine Parade Drive through the existing pedestrian connections adjacent to the sales trailer, and temporary public parking will provide further connection through the portion of the Village Court that will be constructed as a part of this phase.

(11.3) Undeveloped Blocks

As the build out of this substantial site is to occur over a number of years, it remains incumbent on the applicant to follow a phasing strategy with respect to securing the appropriate treatment

(i.e. landscaping) of the undeveloped blocks. A phasing strategy was provided by the developer and agreed to by the City as part of the site plan approval process for Phase1A. This ensures that the undeveloped lands will be maintained in an appropriate manner prior to development.

(11.4) Road Connections and Traffic

The Motel Strip Secondary Plan sets out a street and block pattern for Humber Bay Shores. The plan requires that new public roads be constructed in phases as development proceeds. The public road infrastructure for the Central site includes new north/south and east/west road connections, which assist in achieving the overall streets and block plan set out in the Secondary Plan. The applicant is currently constructing a portion of the overall road network to provide access into the approved buildings to the west of the site, as well as into the subject buildings. A new public road is being constructed as a part of Phase 1A, opposite the Gardiner Expressway ramp terminal to a point, approximately 100 metres east of Lake Shore Boulevard West (Right-of-Way 'A').

The Works and Emergency Services Department requires that a Traffic Impact Statement, including a traffic signal warrant analysis for the Lake Shore Boulevard West/F.G. Gardiner Expressway/ROW A; intersection be submitted as a condition of lifting the Hold. Although the requirement is not a formal condition to lifting the Hold, as per By-law No. 1994-149, a warrant analysis for the signal has been provided to the City and is currently under review.

(11.5) Built Form Guidelines

Staff have reviewed the proposal within the context of the built form guidelines set out in Appendix A of the Official Plan. The guidelines are intended to assist in establishing the deployment and massing of density and the condition in which higher building elements may occur, protecting the public realm from the impact of private development and defining the street structure to distinguish between public and private parts of the area. The guidelines are included as an Appendix to the Plan due to their technical nature and to permit a degree of flexibility while achieving the design objectives outlined in the Plan.

The project generally meets all of the key criteria set out in Appendix A of the Official Plan. The applicant is proposing a sky exposure that exceeds the permission of the built form guidelines. However, staff have been somewhat flexible in relation to the sky exposure for other buildings in Humber Bay Shores, and the proposed buildings are comparable to those already approved for the Central Site.

The applicant will be required to provide streetscape improvements along the Marine Parade Drive frontage including new sidewalks, street light standards and luminaries, and other upgrading of the boulevard in accordance with a streetscape design to be approved by City staff, or otherwise provide for financial guarantees to ensure the same. A portion of the Village Court will also be completed.

A detailed review of the site plan and landscape plans has been completed through the Site Plan Approval process. The relevant comments have been reflected in the conditions to approval of the site plan.

(11.6) Economic Development, Culture and Tourism

The owner shall ultimately be responsible for the design and construction of the proposed Village Court. The applicant shall receive credit for the Village Court towards their parkland dedication requirement, to be determined and agreed to by the City and applicant.

Although the Official Plan and By-law do not mandate the completion of this portion of the development until Phase II, the applicant has agreed to construct interim landscaping and pedestrian access from Street 'A' to Marine Parade Drive. The applicant will be required to post a Letter of Credit as security for the installation of the Village Court, to be determined and agreed to by the City and applicant.

(11.7) Toronto and Region Conservation Authority

The Toronto Region Conservation Authority advise that the applicant must obtain the necessary approvals under Ontario Regulation 158. The applicant has submitted the necessary materials to the TRCA, and have received approval to proceed with this phase. Any outstanding details have been secured through site plan approval.

(11.8) Schools

The general provisions in the Official Plan for the removal of the holding provisions provide for an assessment of the need to provide a school site at the time that a development application is received and implemented by the Holding mechanism in the By-law. The By-law permits schools in every zoning designation. All development applications are circulated to the School Boards for comment.

The site-specific provisions of the Official Plan and By-law do not specifically require the School Boards' assessment prior to the lifting of the holding symbol for Phase 1 of the Central Site. In Phase 2 of the development of the Central Site, the School Boards' comments remain a condition of the lifting of the holding symbol.

Conclusions:

The application to lift the Holding Symbol is recommended for approval, subject to the following conditions:

(1) Confirmation that Holding Provisions contained within By-law No. 1994-149, including site plan approval and the signing of a Special Units agreement have been finalized; and

(2) Approval by City Council of a By-law to lift the 'H' Symbol from the subject property.

Contact:

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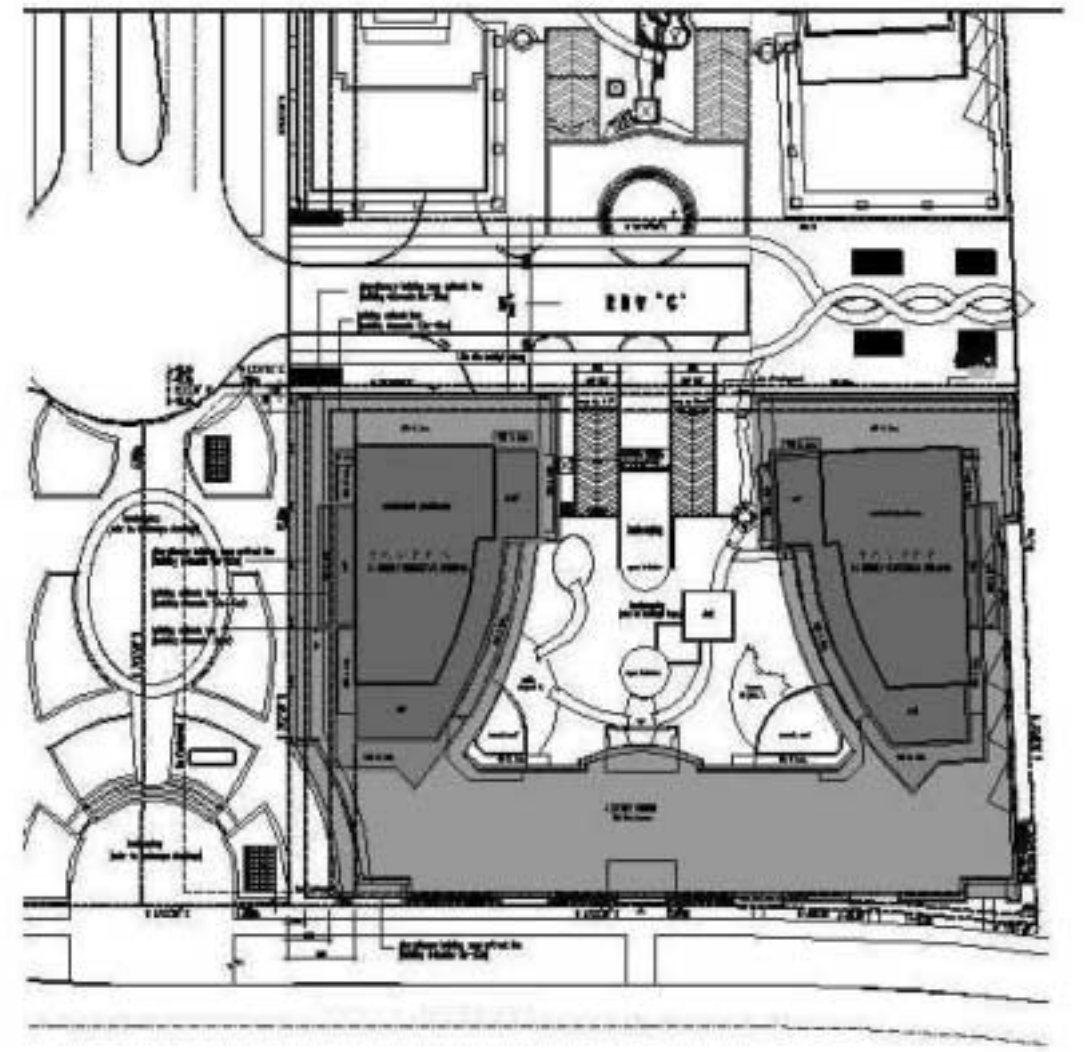
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Gary Wright, MCIP, RPP
Director, Community Planning, West District

List of Attachments:

Attachment 1: Site Plan
Attachment 2a: Elevations – North & South
Attachment 2b: Elevations – East & West
Attachment 3: Application Data Sheet
Attachment 4: Draft Zoning By-law Amendment

Attachment No. 1



Site Plan

Applicant's Submitted Drawing

Not to Scale
060804

2115 Lake Shore Boulevard West

File # 03_186440

Attachment No. 2a



NORTH Elevation



SOUTH Elevation

Elevations

Applicant's Submitted Drawing

Not to Scale
06/09/04

2115 Lake Shore Boulevard West

File # 03_186440

Attachment No. 2b



EAST Elevation



WEST Elevation

Elevations — **2115 Lake Shore Boulevard West**

Applicant's Submitted Drawing

Not to Scale
06/09/04

File # 03_186440

Attachment No. 3

APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	03 186454 W00 00 OZ
Details	Rezoning, Lifting the Hold	Application Date:	November 3, 2003

Municipal Address:	58 Marine Parade Drive
Location Description:	
Project Description:	Lifting of H to permit the development of two, 14 storey apartment buildings containing a total of 267 residential units (condo). The two towers will be linked by a 5-storey podium.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use	Site Specific Provision:	
Zoning:	MU-H	Historical Status:	
Height Limit (m):		Site Plan Control Area:	

PROJECT INFORMATION

Site Area (sq. m):	6 637	Height:	Storeys:	14
Frontage (m):	212		Metres:	42
Depth (m):	170			
Ground Floor GFA (sq. m):	2000			Total
Residential GFA (sq. m):	27 741	Parking Spaces:		400
Non-Residential GFA (sq. m):	1 583	Loading Docks		0
Total GFA (sq. m):	29 681			
Lot Coverage Ratio (%):	36			
Floor Space Index:	5.35			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	141
2 Bedroom:	126
3 + Bedroom:	0
Total Units:	267

FLOOR AREA BREAKDOWN

	Above Grade	**Below Grade**
Residential GFA (sq. m):	28098	0
Retail GFA (sq. m):	654	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	885	0

CONTACT: PLANNER NAME: Michael Mccart, Senior Planner
TELEPHONE: (416) 394-8228

Attachment No. 4

Authority: Toronto West Community Council Report No. ~, Clause No. ~,
as adopted by City of Toronto Council on ~, 2004
Enacted by Council: ~, 2004

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-2004

To amend Chapter 324 of the Etobicoke Zoning Code and to lift the Holding 'H' provisions on lands located within the Humber Bay Shore Development Area (formerly the Motel Strip), known municipally as 58 Marine Parade (formerly known as 2115 Lake Shore Boulevard West),(Etobicoke) ,

WHEREAS pursuant to Section 36 of the Planning Act, R.S.O. 1990, c.P.13, as amended, Council has imposed a Holding "H" symbol on the lands shown in striped lines on Schedule 'A' attached hereto; and

WHEREAS Council is satisfied that the conditions imposed by the Ontario Municipal Board in the Order dated December 22, 1995, relating to the lifting of the Holding 'H' symbol from the subject lands have now been satisfied and Council has given notice of its intention to lift the Holding 'H' symbol.

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

1. That By-law No. 1994-149, as amended, pursuant to an Ontario Municipal Board Order dated December 22, 1995, be further amended by deleting the Holding 'H' designation from the lands shown in striped lines on Schedule 'A' attached hereto so that the lands may be developed in accordance with the underlying Mixed Use (MU) zoning in accordance with the aforesaid By-law.

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

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
2004 2004	Lands located on the south side of Lake Shore Boulevard West, west of Palace Pier Court municipally known as 58 Marine Parade Drive.	To lift the Holding 'H' symbol from the easterly portion of the lands municipally known as 58 Marine Parade Drive.

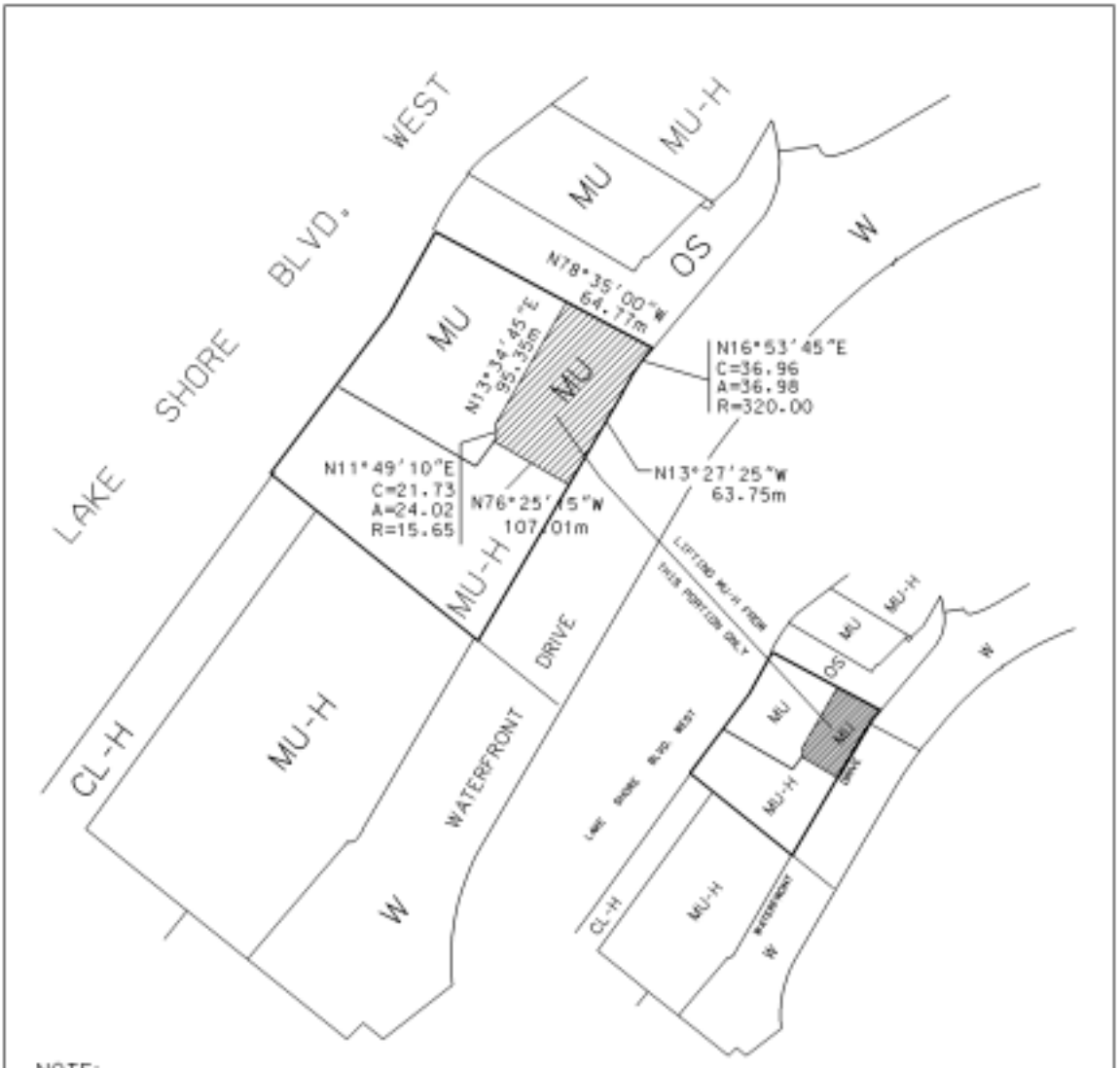
ENACTED AND PASSED this ~ day of ~, A.D. 2004.

DAVID R. MILLER,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

TORONTO Schedule 'A' BY–LAW



NOTE:
BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SURVEY BY R. AVIS SURVEYING INC.

INFORMATION TAKEN FROM PREVIOUS BY-LAW 1994-149

LANDS FROM WHICH HOLDING DESIGNATION TO BE LIFTED

2115 LAKE SHORE BLVD. W.

PART OF LOTS 27 AND 28, REGISTERED PLAN 1176 AND LOT 1 AND PART OF WATER LOT IN FRONT OF LOT 1 REGISTERED PLAN 1229 AND WATER LOT PATENTED TO ALEXANDER JAMES BURROWS CLOSE AUGUST 12, 1880 (CLS42807) PART OF WATER LOT CL 8985 (BEING A PART OF THE BED OF LAKE ONTARIO IN FRONT OF LOT E, RANGE D, AND IN FRONT OF LOTS 27 AND 28, REGISTERED PLAN 1176)

Applicant's Name:	MONARCH CONSTRUCTION			
Assessment Map B10	Zoning Code Map/s B10		scale: 0 80 160 m / 40 120	NORTH
File No. 03_186454	Drawing No. 03_186454a	Drawn By: K.P.		