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

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<th>Date:</th>
<th>February 11, 2008</th>
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<td>To:</td>
<td>Etobicoke York Community Council</td>
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<tr>
<td>From:</td>
<td>Director, Community Planning, Etobicoke York District</td>
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<td>Wards:</td>
<td>Ward 5 – Etobicoke-Lakeshore</td>
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<td>Reference Number:</td>
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**SUMMARY**

This report addresses a number of technical changes required to the Draft Official Plan and Zoning By-law Amendment attached to the Final Report, dated January 25th, 2008.

The changes were made to Sections 3 and 4 of the draft Official Plan Amendment and Section 5 and Schedule “B” of the draft Zoning By-law Amendment, as attached to this report.

**RECOMMENDATIONS**

The City Planning Division recommends that:

1. City Council adopt this report, replacing Attachment Nos. 9 and 10 of the Final Report for 21 Old Mill Road, dated January 25th, 2008 with Attachment Nos. 1 and 2 of this report.

2. City Council authorize the City Solicitor to make such stylist and technical changes to the draft Zoning by-law and Official Plan Amendments.
3. City Council deem that no further notice of Public Meeting be given.

COMMENTS
Community Planning forwarded a Final Report to the February 12th, Etobicoke York Community Council meeting regarding the proposed Official Plan and Zoning Amendment for the subject property. There are a number of technical changes required to the amendments. The Official Plan amendment explicitly describes the policies to be amended. The Zoning By-law amendment changes clarify wording respecting the size of the mechanical penthouse for the proposed development and permission for the location of a future temporary sales office.

The attached draft Official Plan and Zoning By-law Amendments contain those changes and will replace Attachment Nos. 9 and 10 of the original report dated January 25th, 2008.

CONTACT
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SIGNATURE

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

ATTACHMENTS
Attachment 1: Draft Official Plan Amendment
Attachment 2: Draft Zoning By-law Amendment
Attachment 1: Draft Official Plan Amendment

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

Enacted by Council: ~, 20~

CITY OF TORONTO

BY-LAW No.?

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

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

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

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

1. The attached Amendment No. 44 to the Official Plan is hereby adopted pursuant to the Planning Act, R.S.O. 1990, c.P. 13, as amended.

ENACTED AND PASSED this ??th day of??, A.D. 2008.

SANDRA BUSSIN, ULLI WATKISS
Speaker City Clerk
The following text and schedule constitute Amendment No.44 to the Official Plan for the City of Toronto.

OFFICIAL PLAN AMENDMENT

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

1. Map 2, Urban Structure, is amended by deleting the lands directly across (north) from the Old Mill on Old Mill Road from the Green Space System, as shown on the attached Map.

2. Map 14, Land Use Plan, is amended by redesignating a portion of the lands directly across (north) from the Old Mill on Old Mill Road from Parks and Open Space Areas - Natural Area to Apartment Neighbourhood, as shown on the attached Map.

3. Chapter 7, Site and Area Specific Policies, Site and Area Specific Policy No. 10 is deleted and replaced as follows:

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

A surface parking lot is permitted in conjunction with the restaurant use at 21 Old Mill Road.
4. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. 309 for the lands located north of Old Mill Road, West and South of Humber River, as follows:

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

   (a) Development is permitted within 10 metres of the top-of-bank of the valley and ravine.

   (b) Lands below the top-of-bank, may be used to calculated permissible density in the zoning by-law.

5. Map 25, Site and Area Specific Policies, is amended by amending the area affected by Site and Area Specific Policy No.10 as shown on the map above as Site and Area Specific Policy No. 10.
Attachment 2: Draft Zoning By-law Amendment

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

Enacted by Council: xx, 2008

CITY OF TORONTO

BILL NO. XXX-2008

TO AMEND THE ZONING CODE OF THE FORMER CITY OF ETOBICOKE, AS AMENDED, WITH RESPECT TO LANDS MUNICIPALLY KNOWN IN THE YEAR 2008 AS 21 OLD MILL ROAD.

1. By-law No. 1985-53 of the former City of Etobicoke is hereby repealed.

2. For clarity, the provisions of this By-law shall apply where any conflict exists between the provisions of this By-law and any provisions of By-law No. 14,160 of the former Township of Etobicoke, By-law No. 1981-117 of the former Borough of Etobicoke, and By-law Nos. 1985-54 and 1994-180 of the former City of Etobicoke.

3. The zoning map referred to in Section 320-5, Article II of the Zoning Code, is hereby amended by changing the classification of the portion of the Site from Private Open Space (POS) to Sixth Density Residential (R6), as shown on Schedule ‘A’ annexed hereto and forming part of this By-law.

4. Notwithstanding Sections 320-18A, 320-18B, 320C, 320-76 and 320-77 of the Zoning Code of the former City of Etobicoke, the following development standards, as set out in Sections 5 through 12 of this By-law, shall apply to the Site:

5. Permitted Uses

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

(a) Area II shall be used for, and only for, surface parking for the Old Mill Complex provided that ancillary landscaped features may also be provided in conjunction with the said parking;

(b) Area III shall be used for, and only for, the currently existing uses at the Old Mill Complex;

(c) Area I may be used for, and only for, an apartment building containing an underground parking garage that provides:
i) the required parking for the residents and visitors of the apartment building;

ii) a minimum of 99 parking spaces designated and used solely for the Old Mill Complex; and

iii) each parking space shall have a width of 2.6 metres and a depth of 5.6 metres and be serviced by an access drive isle having a width of at least 6 metres at all points.

(d) Notwithstanding subsection (c),

i) the following, and only the following additional uses shall be permitted within Area I as accessory uses to the apartment building and underground parking garage permitted within Area I by subsection (c): a covered ramp for the underground parking garage; television antennae; podiums; exterior stairs; garbage enclosures; stair enclosures; and ventilation shafts;

ii) a temporary sales office shall be permitted within Area I and Area II for the purpose of marketing and sales related to the apartment building permitted within Area I by subsection (c);

iii) the surface parking, existing as of January 1, 2008 for the Old Mill Complex, shall continue to be permitted on Area I until such time as the apartment building and underground parking garage permitted within Area I by subsection (c) is constructed.

6. Maximum Number of Residential Units

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

7. Gross Floor Area

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

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

9. Setbacks / Building Envelope

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

(a) below grade structures and ramps erected or provided within Area I; and

(b) Minor Projections.

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

(a) Bicycle Parking – a minimum 53 bicycle parking spaces shall be provided for the apartment building permitted within Area I by subsection 5(c);

(b) Residential – a minimum ratio of 1.2 parking spaces per dwelling unit for 2-bedroom units and 1.35 parking spaces per dwelling unit for units with three or more bedrooms. An additional 0.2 parking spaces shall be provided and reserved for the exclusive use of visitors;

(c) No part of Area I shall be used for surface parking; and

(d) In addition to parking required by subsection (a), a minimum of 99 parking spaces shall also be provided and maintained by and for the Old Mill Complex as follows:

(i) at least 99 parking spaces shall be provided and maintained in the underground parking garage to be constructed and provided within the apartment building permitted within Area I by subsection 5 (c); and

(j) any additional parking beyond the required 99 parking spaces may be provided within the surface parking lot permitted within Area II by subsection 5(a).

11. Landscape Open Space

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

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

13. Despite any existing or future severance, partition, or division of the site, the provisions of this by-law shall apply to the whole site as if not severance, partition or division occurred;

14. For the purposes of this by-law, the provisions of Section 304-3 Definitions of the Zoning Code of the former City to Etobicoke shall apply with the following changes:

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

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

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

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

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

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

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

“Mechanical Floor Area” – means a room or enclosed area, including its enclosing walls within a building or structure above or below grade that is used exclusively for the accommodation of heating, cooling, ventilating, electrical, mechanical (other than escalators), elevator shafts or telecommunications equipment that serves only such building.

“Minor Projection” – means minor building elements which may project from the main wall of the building into the required yards and Building Envelope setbacks, including roof eaves, window sills, railings, cornices, guard rails, balustrades and bay windows,
doors, including revolving doors, canopies, exterior stairs, wheelchair and covered ramps, parapets and vents to a maximum projection of 1.5 metres.

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

14. Pursuant to Section 37 of the Planning Act, the heights and density of development permitted by this exception are permitted subject to compliance with the conditions set out in this exception and in return for the provision by the owner of the Site of the facilities, services and matters set out in this Section, the provisions of which shall be secured by an agreement or agreements pursuant to Section 37(3) of the Planning Act and in a form satisfactory to the City with conditions providing for indexed escalation of financial contributions, no credit for development charges, indemnity, insurance, GST, termination and unwinding, and registration and priority of agreement. Upon execution and registration of an agreement or agreements with the owner of the Site, pursuant to Section 37 of the Planning Act, securing the provision of the facilities, services and matters set out herein, the Site is subject to the provisions of this exception, provided that in the event the said agreement(s) requires the provision of a facility, service or matter as a precondition to the issuance of a building permit, the owner may not erect or use such building until the owner has satisfied the said requirements. The owner of the Site, at the owner’s expense and in accordance with, and subject to the agreements referred to above, shall provide or fund the following facilities, services and/or matters on terms satisfactory to the City of Toronto, in order to permit the increase in gross floor area and height authorized under this exception regulation:

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

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

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

(d) any other condition to ensure the orderly development of the lands as required by the Chief Planner and Executive Director, City Planning;
(f) the securing of building materials for the proposed building, to the satisfaction of the Chief Planner and Executive Director, City Planning;

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

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

ENACTED AND PASSED this _____________day of_______________, A.D. 2008
DAVID R. MILLER,            ULLI
WATKISS
Mayor                         City Clerk
NOTE:
BEARINGS AND DIMENSIONS TAKEN FROM A PLAN OF SURVEY
(Job No.2667) SUBMITTED BY J. VINKLERS SURVEYING LTD.

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

Applicant's Name: SANTEK INVESTMENTS (2000) INC.
AREA OF MECHANICAL PENTHOUSE NOT TO EXCEED 50% OF THE 8TH FLOOR ROOF AREA NOR EXTEND MORE THAN 3.6m ABOVE 8TH FLOOR ELEVATION

MGE = MAXIMUM GEOIDIC ELEVATION

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

SANTEK INVESTMENTS (2000) INC.
PART OF LOTS 21 & 22 AND PART OF BLOCK ‘C’ REGISTERED PLAN M-385 AND PART OF LOT 1 REGISTERED PLAN M-416 AND PART OF LOTS 1 AND 2 CONCESSION 2 FROM THE BAY, HUMBER RANGE
CITY OF TORONTO

SANTEK INVESTMENTS (2000) INC.

File No. 06_197220
Drawing No. 06_197220_a03
Drawn By: K.P.