

**14 Strachan Ave, 39 - 51 East Liberty St and 19 Western Battery Rd – Rezoning, Subdivision Applications – Final Report**

<b>Date:</b>	May 10, 2010
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 19 – Trinity-Spadina
<b>Reference Number:</b>	09 115093 STE 19 OZ, 10 108633 STE 19 SB

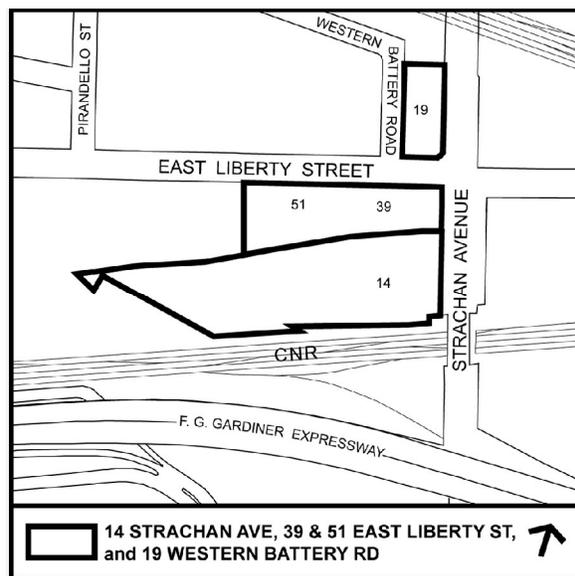
**SUMMARY**

This application was made on or after January 1, 2007 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to incorporate reserved lands from the former Inglis Manufacturing Facilities Lands into King Liberty Village to extend the zoning permissions already granted to that neighbourhood. The intent is to allow for the construction of three residential towers at 14 Strachan Avenue and 39 to 51 East Liberty Street. Two of the towers, both being 25 storeys in height, would share a common 4 storey podium on the south side of East Liberty Street; the third tower, also having a height of 25 storeys, would have a separate 4 storey podium on the south west corner of Strachan Avenue and East Liberty Street. As part of the application, a portion of the density will be transferred to the previously approved building at 19 Western Battery Road, increasing its height from 20 to 29 storeys.

This report reviews and recommends approval of the application to amend the Zoning By-law.

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## RECOMMENDATIONS

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### The City Planning Division recommends that:

1. City Council amend Zoning By-law 566-2000 substantially in accordance with the draft Zoning By-law Amendment for 14 Strachan Avenue, 39-51 East Liberty Street and 19 Western Battery Road attached as Attachment No. 11 to the report from the Director, Community Planning, Toronto and East York District dated May 10, 2010.
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.
3. City Council authorize the City Solicitor to amend the Phase II subdivision agreement for King-Liberty, registered as Instrument No. AT1373680 to:
  - i. Release those lands at the easterly boundary of the Phase II Subdivision for inclusion in the new Phase 2A East Subdivision, with the exception of phasing provisions relating to the completion of the Pirandello Extension; and
  - ii. Provide for the Pirandello Extension connection between East Liberty Street and any future Local Road and to revise the interim design treatment of the Pirandello Extension.
4. City Council authorize the City Solicitor to amend the Section 37 Agreement registered as Instrument No. CA681469 to exempt *Block 1A*, municipally known in 2010 as 39-51 East Liberty Street, 14 Strachan Avenue and 19 Western Battery Road, from the Public Art Program.
5. Prior to the introduction of the necessary Bills at City Council, City Council require the owner to enter into a Subdivision Agreement satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, for the lands known in 2010 as 14 Strachan Avenue and 39-51 East Liberty Street. Such agreements shall be registered on title to the lands in a manner satisfactory to the City Solicitor, to secure the following:
  - i. Conveyance and construction of a new local road, to the satisfaction of the Executive Director of Technical Services, generally as shown on Attachment 7 to the report from the Director, Community Planning, Toronto and East York District, dated May 10, 2010.
  - ii. Construction and maintenance, in perpetuity, of a crash wall along the CN and GO Transit Lake Shore Rail Corridor generally as shown on Attachment 7 to the report from the Director, Community Planning, Toronto and East York District, dated May 10, 2010.

- iii. A contribution of not less than one percent of the estimated gross construction costs for the above grade development on the lands known in 2010 as 14 Strachan Avenue and 39-51 East Liberty Street, including any density transferred to the lands known in 2010 as 19 Western Battery Road, to be used for the City's Percent for Public Art Program.
- iv. To improve the local road and laneway system in the neighbourhood and provide additional access to the Toronto Polices Services Building at 9 Hanna Avenue, as shown on Attachment 8 to the report from the Director, Community Planning, Toronto and East York District, dated May 10, 2010, Toronto Hanna Properties Limited ("THPL") agree to the following:
  - a. Release of the existing easements in Instrument No. AT1331272 and restrictive covenants in Instrument No. AT1331291 over the City-owned lands designated as Parts 1 to 14, inclusive, on Plan 66R-22662 that benefit lands currently owned by THPL.
  - b. Release of the existing easement in Instrument No. AT426406 over the City-owned lands designated as Parts 1 and 2 on Plan 66R-20451 that benefits lands currently owned by THPL.
  - c. Execution by THPL, as tenant under the existing Sign Lease for the signs in front of the building at 9 Hanna Avenue, of an amending agreement to release the tenant's access easement over Parts 1 to 7, inclusive, on Plan 66R-22704.
  - d. THPL to provide its covenant, as tenant under the Sign Lease, that it shall not object to the City agreeing to a reconfiguration of its existing easement across 5 Hanna Avenue, provided that continuous vehicular and pedestrian access to 9 Hanna Avenue is maintained on the same terms and conditions as the City's existing easement.
- v. As part of the Site Plan Approval process, the owner shall provide 1:50 scale drawings for the first, second, third and fourth storey portions of all building elevations with building materials labelled and the drawings having a sufficient level of detail to illustrate how the building will be perceived by pedestrians. The owner shall incorporate, in the construction of the apartment building, said exterior materials to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
- vi. The owner shall be encouraged to build in conformity with the Green Development Standard Checklist on file with the Chief Planner and Executive Director, City Planning Division, date-stamped as received April 8, 2009.

- vii. The owner shall provide and maintain an irrigation system, at the applicant's expense, for proposed trees within the public road allowances, including an automatic timer, designed to be water efficient by a Certified Landscape Irrigation Auditor (CLIA) and constructed with a back flow preventer to the satisfaction of the Executive Director, Technical Services Division, and requirements to maintain in good order and operation.
- viii. The owner shall provide a wind study and implement any mitigation measures required through the study satisfactory to the Chief Planner and Executive Director, City Planning Division

### **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

### **39-51 East Libert Street, 14 Strachan Avenue**

In August 2000 City Council approved a site specific Official Plan Amendment (OPA) (By-law 565-2000) governing the entire Inglis Lands. Zoning By-law 566-2000 was also approved, which implements the OPA over most but not all of the Inglis Lands. The amendment and the By-law converted the 3.0 times industrial density for the entire lands to residential/mixed-use and provided the planning tools to transform the Inglis Lands into a new mixed-use community referred to as King Liberty Village. To date, almost every development parcel in King Liberty Village has either been built out, obtained approval or has an application in for review.

While designated for development by the Official Plan Amendment (and the accompanying Draft Plan of Subdivision for the Inglis Lands), at the City's request, the implementing Zoning By-law excluded the lands south of East Liberty Street pending the resolution of issues related to the proposed Front Street Extension (FSE) and/or local road. The lands excluded from the Zoning By-law were referred to as the "reserve lands".

In July 2003 City Council enacted site specific Zoning By-law 684-2003 (amending By-law 566-2000) for the lands commonly known as Block 2A in King Liberty Village, municipally referred to as 39-59 East Liberty Street. The amending By-law established development permissions for Block 2A, which constituted a portion of the reserve lands fronting the south side of East Liberty Street. It was determined that 39-59 East Liberty Street (Block 2A) would not be required if the Front Street Extension or local road were to proceed. The development permission for the lands provided for residential and ancillary retail uses as well as maximum heights and gross floor area for the portion of released reserve lands. The City still required that the remaining portion of the reserve lands, municipally referred to as 14 Strachan Avenue, be excluded from the amending By-law as the lands were needed to secure the route of the Front Street Extension. A condominium is currently under construction at 59 East Liberty, leaving the east portion

of Block 2A, referred to municipally as 39-51 East Liberty, to remain as a vacant development site.

On January 28, 2009, City Council adopted a report to amend the Official Plan to delete the reference to Front Street West between Bathurst Street and the F.G. Gardiner Expressway, essentially eliminating any plans for the Front Street Extension. As a result, an application has been submitted to incorporate the remaining reserve lands (14 Strachan Avenue) into the balance of the King Liberty Village neighbourhood and obtain development permissions for the lands so that 39-51 East Liberty Street and 14 Strachan Avenue can be merged to create a larger development block.

### **19 Western Battery Road**

As part of the initial By-law approvals for the former Inglis Lands in 2000, the property, municipally referred to as 19 Western Battery Road, was included in Block 1 of the new King Liberty Village Neighbourhood. This site, located on the north east corner of what is now the intersection of East Liberty Street and Strachan Avenue, was approved with a footprint and height that would allow for a 55 metre tall building. As part of the 2003 amendment to the KLV lands (By-law 684-2003) the height was increased to 60 metres, which allows for approximately 20 storeys. The 3.0 times density permitted for all of the King Liberty Village lands allowed for the 20 storey building even though no specific gross floor area was assigned to this block.

## **ISSUE BACKGROUND**

### **Proposal**

#### **Original Proposal:**

On March 9, 2009 an application was submitted to include the parcel of land, municipally referred to as 14 Strachan, into the King Liberty Village neighbourhood and obtain the same range of uses and development permissions for the lands as is currently permitted on the adjacent lands, municipally referred to as 39-51 East Liberty Street.

The intent was to merge the lands to construct two residential buildings, consisting of four point towers, on the new development site. The first building, which will be referred to as Building A, would comprise of a 4 storey podium with three point towers arising from it fronting the south side of East Liberty Street. The buildings' development parcel would consist of the lands municipally referred to as 51 East Liberty Street and a portion of the 14 Strachan Avenue lands. Two of the three towers would be 20 storeys in height and be positioned along East Liberty Street. The third tower, proposed at 26 storeys in height, would be set towards the rear of the site, adjacent to the CN rail line. The building would have approximately 530 residential units with the total gross floor area being 56,222m<sup>2</sup>.

The second building, which will be referred to as Building B, is proposed to have a six storey podium located on the south west corner of East Liberty Street and Strachan Avenue with one point tower at 23 storeys arising from it. The development parcel

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would consist of lands municipally referred to as 39 East Liberty Street and a portion of the 14 Strachan Avenue lands. The building would have approximately 261 residential units with a total gross floor area of 24,353m<sup>2</sup>, 376m<sup>2</sup> of which is proposed to be attributed to retail/service space.

Both Building A and Building B totalled a proposed gross floor area of 80,575m<sup>2</sup>, which represents a density of 3.0 times the lot area of 39-51 East Liberty Street and 14 Strachan Avenue.

A total of approximately 904 parking spaces would be provided in a five level underground parking garage located under Building A that would have entrances off the local road on both the east and west side of the building. The five levels of underground parking would service both buildings. Access to the garage from Building B would be provided via an underground pedestrian tunnel. Servicing and loading would also occur off the local road.

The applicants intended to construct a 'U' shaped road around Building A extending south off East Liberty Street. The east arm of the U shaped road, aligned with Western Battery Road where it intersects East Liberty Street, would separate Building A and Building B. The west arm of the road would separate Building A from the approved development to the west. The road would have a 15 metre right-of-way and is intended by the applicants to be dedicated to the City to become the first phase of the potential local road that may extend west to Dufferin Street. A linear park is proposed to be located between the local road and CN rail corridor to the south.

### **Revised Proposal:**

The applicant submitted a revised proposal on February 24, 2010 that still proposes to construct two residential buildings but consists of a total of three point towers rather than four. The applicants, as a result of the elimination of one tower, propose to transfer some of the density from the subject lands to the property municipally referred to as 19 Western Battery Road, which would increase the height of the previously approved 20 storey building on that site.

The first building (Building A), still has a large 4 storey (16.0m) podium, but the number of point towers arising from it has been revised from three to two. The two towers are both 25 (76.0m) storeys in height; the first would be positioned towards the north-west corner of the podium, fronting East Liberty Street; the second is situated at the south-east corner of the podium, towards the rear of the site, fronting the new public road proposed to be created as part of this development. A 10 storey (31.0m) element would connect the two towers at the rear of the site, towards the south-west corner of the podium. The 4 storey podium has been notched out at the north-east corner to provide a landscaped plaza on the south side of East Liberty Street. The building would have approximately 700 residential units.

The second building (Building B), to be located on the south-west corner of Strachan Avenue and East Liberty Street, would see its podium height reduced from 6 to 4 storeys

(16.0m). The tower would have an overall height of 25 storeys (76.0m) that steps down to approximately 21 storeys (64.0m) towards East Liberty Street. The building would have approximately 333 residential units. Retail/service space is proposed at the ground floor of Building B, with a maximum non-residential gross floor area of 2,000m<sup>2</sup> permitted.

To eliminate the third tower on Building A the applicants have proposed to reallocate some of the density to the previously approved building at 19 Western Battery Road. The density transfer would result in an additional 9 storeys, increasing the height of the building from 20 to 29 storeys (88.0m). There are no changes to the building footprint as a result of the proposed transfer. Retail/service space is also proposed at the ground floor for 19 Western Battery Road, with a maximum non-residential gross floor area of 500m<sup>2</sup> permitted.

Building A, Building B and the density transferred to 19 Western Battery Road still totals a proposed gross floor area of 80,575m<sup>2</sup>, which represents a density of 3.0 times the lot area of 39-51 East Liberty Street and 14 Strachan Avenue.

A total of approximately 991 parking spaces are now to be provided in a five level underground parking garage located below Building A to satisfy the requirements for both Building A and B at 39-51 East Liberty Street and 14 Strachan Avenue. Of the 991 spaces, 124 are dedicated for visitor use. Access to the garage and loading/service areas will be located at the east and west side of Building A, off the new public road and private driveway respectively. A six storey underground garage containing 240 parking spaces is proposed for the 29 storey building at 19 Western Battery Road, 36 of the spaces are dedicated for visitor use. Access to the garage and loading/service area will be provided off Western Battery Road.

The new road will no longer be in a 'U' shape, but a reverse 'L' that will have a traffic bulb at the end to allow for a car turn around. The road will separate Building A and Building B and will intersect East Liberty Street so that it is aligned with Western Battery Road. The road will have a 16 metre right-of-way and will be dedicated to the City through an amendment to the King Liberty Village Draft Plan of Subdivision. The new road will become the first phase of the new local road that is intended to connect to Dufferin Street. A private driveway will be located to the west of Building A and will also connect the public road with East Liberty Street. The linear park between the new road and rail corridor is still provided.

## **Site and Surrounding Area**

The site municipally referred to as 39-51 East Liberty Street and 14 Strachan Avenue is located on the south west corner of East Liberty Street and Strachan Avenue. The irregularly shaped lot has an area of 1.69 hectares, with approximately 140 metres fronting East Liberty Street and 94 metres fronting Strachan Avenue. A two storey building, with two billboards extending from the roof, currently exists on site. The building and one of the billboards would be demolished. The applicants propose to

relocate the other billboard, being the original Inglis sign, to a location just west of Strachan Avenue, directly adjacent to the rail corridor.

The property municipally referred to as 19 Western Battery Road is located on the north-west corner of East Liberty Street and Strachan Avenue. The rectangular shaped lot has an area of 1,758.0 m<sup>2</sup>, with approximately 24.2 metres fronting East Liberty and approximately 63.7 metres fronting both Strachan Avenue and Western Battery Road. The site currently sits vacant.

Land uses surrounding the site are as follows:

- North: 3 storey stacked townhouse development
- South: CN and GO Transit Lakeshore rail corridor, the Gardiner Expressway with the Exhibition Place lands further south
- East: 1 storey commercial/industrial buildings across Strachan Avenue
- West: a condominium containing two towers having heights of 20 and 24 storeys that is currently under construction

## **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 subject property is located within an *Employment Districts* area on the Urban Structure Map (Map 2) and is designated *Employment Areas* on the Land Use Plan Map (Map 18).

*Employment Districts* are typically identified as lands that can accommodate substantial growth in jobs and will be protected and promoted exclusively for economic activity. They are usually large districts comprised exclusively of lands where the *Employment Areas* land use designation applies.

*Employment Areas* are identified as places of business and economic activity. Land uses provided for under this designation support the employment function, which consists of mainly office, manufacturing and warehouse type uses.

However, the Garrison Common North Secondary Plan applies to the site. Within the Secondary Plan the subject lands are located within the boundaries of Site Specific Policy Area 4, which is identified as the Inglis Lands and the Hanna Avenue Technology District. The area specific policies for this district, despite the Official Plan's general designation of these lands as *Employment District* and *Employment Areas*, provide for mixed use development. The subject site is included within Area C of the Inglis Lands District, which states that "on the lands shown as C, industrial, residential, office, community service and facilities, and street related retail and service uses are permitted". The site specific policies for the Inglis Lands District were created as a result of the site specific Official Plan Amendment (OPA) (By-law 565-2000) approved by City Council in August 2000.

The Toronto Official Plan is available on the City's website at:  
[www.toronto.ca/planning/official\\_plan/introduction.htm](http://www.toronto.ca/planning/official_plan/introduction.htm)

## **Zoning**

Under Former City of Toronto Zoning By-law 438-86 the subject site is zoned IC D3 N1.5 (Attachment 6). The IC zoning classification permits a wide range of industrial and commercial uses up to a total density of 3.0 times the area of the lot, of which a maximum of 1.5 times the area of the lot is permitted to be commercial. The maximum permitted height for the site is 18.0 metres.

In August 2000 City Council approved a site specific Zoning By-law 566-2000 (later amended by Zoning By-laws 684-2003, 600-2005 and 853-2005), which governs the former Inglis Lands, now referred to as King Liberty Village. The site specific By-law amended the maximum permitted heights on the newly created development blocks and allowed the 3.0 times total density to be developed as mixed-use and residential. This permitted a total gross floor area of 456,911m<sup>2</sup> to be built over the entire former Inglis Lands and resulted in a maximum gross floor area of 45,961m<sup>2</sup> to be permitted on the portion of the subject development site not reserved for the Front Street Extension (39-51 East Liberty St.). The height for the subject site was amended to range from a podium height of 16.0m to two towers being 60.0m and 67.0m tall respectively.

The reserve lands, or 14 Strachan Avenue, are still subject to the IC provisions of Zoning By-law 438-86.

## **Site Plan Control**

An application for Site Plan approval for 39-51 East Liberty Street and 14 Strachan Avenue will be required but has not yet been filed.

A Site Plan Application for a 20 storey building at 19 Western Battery Road was submitted on September 15, 2009. The application is currently under review by City staff but will require significant revisions should the subject application be approved.

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## **Plan of Subdivision Application**

A Subdivision Application, pertaining to 39-51 East Liberty Street and 14 Strachan Avenue, to amend the existing King-Liberty Subdivision Agreement to reintegrate the reserve lands (14 Strachan Avenue) was submitted on February 1, 2010.

In addition to reintegrating the reserve lands into the balance of the King-Liberty Subdivision, the application proposes to address the changes to the development parcel as proposed by the subject rezoning application by creating new lots consisting of:

- Two development parcels representing Building A and Building B;
- A new local road extending south off East Liberty Street proposed to be dedicated to the City of Toronto.

Staff have identified a number of recommendations in this report that will secure the following through the Subdivision Agreement to be registered on title:

- The new local road to be conveyed to the City will be constructed to City Standards;
- The crash wall required along the southern property line, adjacent to the CN and GO Transit Lakeshore rail corridor will be constructed by the applicant and continue to be owned and maintained by the owner;
- The owner will release the existing easements and restrictive covenants that they currently have over the east driveway lands, as outlined on Attachment 8, so the City can make any required improvements to the lands to allow Toronto Police Services to use the driveway to exit their 9 Hanna Avenue site and for the driveway to one day be dedicated as a public road; and

A copy of the Draft Agreement is currently being prepared by the City solicitor in consultation with the City Planning Division and other commenting divisions.

## **Reasons for Application**

The IC zoning classification does not permit residential uses. The applicant has also submitted an application to permit a building that exceeds the height limits for the IC zone (By-law 438-86) and Block 2A, as outlined in the site specific By-law (By-law 684-2003).

The rezoning application proposes to obtain the same range of uses and development permissions for the reserve lands as is permitted through site specific By-law 566-2000 (later amended by Zoning By-laws 684-2003, 600-2005 and 853-2005).

## **Community Consultation**

A Community Consultation Meeting was held on November 10, 2009 to present the original submission. Four people attended. Following presentations from the local Councillor, City staff and the applicant a number of issues were discussed, including:

- Concerns by the residents that there is too much vehicular traffic, especially during rush hour times and during the weekend.

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- Public transit in the area is insufficient. The King Streetcar is always full and the situation will only get worse as more condominiums are built in the area. Additional streetcars or a GO Transit station along the Georgetown line would help relieve the burden.
- The lack of reliable public transit forces people to drive more often, which increase the congestion in the neighbourhood.
- On street parking should be eliminated on East Liberty Street. With the volume of traffic on that street and the number of buses that use that route the on-street parking provides an additional obstacle in getting around the neighbourhood.
- There is no consistency in the architecture of the buildings. Some of the buildings have been constructed with poor materials and the warehouse character that was encouraged seems to have been abandoned. It should be ensured that these buildings will provide a strong gateway to the neighbourhood.
- The towers are not set back from the podium far enough and will appear to loom over the street.

### **Agency Circulation**

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

### **COMMENTS**

#### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the PPS and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

#### **Land Use**

Residential uses were always envisioned for these lands. The proposed application simply seeks to include the parcel of land once reserved for the Front Street Extension (14 Strachan Avenue) into the King Liberty Village neighbourhood and obtain the same range of uses and development permissions granted to that area. The additional properties subject to this application (39-51 East Liberty Street and 19 Western Battery Road) have already been granted residential permissions.

Site specific Official Plan Amendment (OPA) (By-law 565-2000) governing the entire former Inglis Lands, including 14 Strachan Avenue, permitted mixed commercial-residential uses for this neighbourhood. This site specific amendment was carried forward into the new City of Toronto Official Plan as part of the Garrison Common North Secondary Plan. The Secondary Plan allows for residential uses for the subject site. The zoning by-law was never amended to reflect the Official Plan permissions for residential uses on 14 Strachan Avenue because those lands were reserved for the Front Street Extension. Now that Council has eliminated the plans for the Front Street Extension, the lands can be incorporated in to the Site Specific Zoning By-law for the

former Inglis Lands and obtain the residential permissions always envisioned for the lands.

### **Density, Height, Massing and Shadow Impacts**

Similar to the land use permissions, the lands held in reserve for the Front Street Extension were envisioned to allow the 3.0 times industrial density to be developed as residential should the plans for the Front Street Extension be eliminated. The application simply seeks to now incorporate the reserved parcel into the former Inglis Lands zoning by-law to obtain the density permissions always intended for the lands.

The current submission, which was revised to eliminate the third point tower on Building A, was proposed as a result of staff's concerns over the massing impact that the three tower proposal would have on the neighbourhood. The three tower proposal represented a significant departure from the development pattern for East Liberty Street as the previous approvals on the south side have all been for residential towers ranging from 20 to 24 storeys that maintain a 25 metres separation distance from one another. Under the original proposal, the physical separation distance between the towers was only 15 metres, however, given the positioning of the towers, the separation distance would have actually appeared even closer than 15 metres when seen from the park space and townhouses on the north side of East Liberty Street. This would have broken the massing rhythm intended for East Liberty Street and reduce access to sunlight and sky view for residents on the north side of the street. The minimal separation distance between the proposed three towers would have also resulted in a more significant shadow impact for the park on the north-west corner of East Liberty Street and Western Battery Road.

The revised proposal has eliminated the third tower by reallocating the density across the 39-51 East Liberty Street/14 Strachan Avenue site and transferring some of it to the previously approved 20 storey residential building at 19 Western Battery Road. The current design provides the 25 metre separation distance between the remaining towers which will maintain a consistent pattern of development on the south side of East Liberty Street and improve the sunlight and sky views for residents to the north. The location of the second point tower on Building A has been shifted towards the south east corner of the podium, which, in combination with the 25 metre separation distance, will reduce the shadow impacts for the park space on the north side of the street. While the increase in height at 19 Western Battery Road will result in the second tallest building in the neighbourhood, the additional shadow impacts will fall on the rail corridor to the north for the majority of the day.

The current proposal represents a massing and height that represents a significant improvement to the original submission and minimizes the impacts of the 3.0 times density always envisioned for the site.

### **Traffic Impact, Access, Parking**

The applicants are proposing a total of 991 parking spaces to be located in a 5 storey underground parking garage located below Building A that would serve the parking needs of both Building A and Building B. Tunnels would connect Building A and Staff report for action – Final Report – 14 Strachan Ave & 39-51 East Liberty St, 19 Western Battery Rd

Building B at all five levels below grade. The vehicular entrance to the underground garage would be provided via the private road/internal service corridor running through the centre of Building A that is accessed from the east and west side off the new public road and private driveway respectively. Of the 991 parking spaces, 124 are to be dedicated as visitor parking and located entirely on the P1 level. The applicant is proposing that 50%, or 62 of the visitor spaces, be dedicated for exclusive use by visitors for Buildings A and B, but that the remaining 50% of the spaces be allowed to be used for commercial purposes to address a deficiency in commercial parking in this neighbourhood. These spaces would be available to visitors of the building or to the general public for a charge. The garbage, loading and service areas are also located off the internal private road/service corridor.

For the building at 19 Western Battery Road, the applicants are proposing a total of 250 parking spaces; 240 will be located in a 6 storey underground garage while 10 resident spaces will be provided off-site. Of the 250 spaces, 214 will be dedicated for residents, 36 for visitors. Access to the underground parking is provided from Western Battery Road. The loading and service area is located at the rear of the building with access also located off Western Batter Road. The 10 off-site resident parking spaces will be provided in the underground garage located below Building A at 39-51 East Liberty Street and 14 Strachan Avenue.

Transportation Planning and Works and Emergency Services (WES) staff have reviewed the revised application and have no concerns with the number of parking spaces being provided. Transportation has indicated they are fine with the traffic impacts in principle but are working with the applicant to make slight modifications to proposed new road to improve traffic circulation.

### **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 this application are in an area with 0.42 to 0.78 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Alternative Parkland Dedication By-law 1420-2007.

In consultation with staff of the Legal Department it was determined that the parkland dedication requirement had been established as being 5% for the residential component of this development.

The proposed development site would be 1.3455 hectares (13,455.4m<sup>2</sup>). This land calculation consists of the development site less the land to be conveyed to the City as the new public road. Based on a parkland dedication requirement of 5%, for the residential component, the parkland dedication requirement would be 0.06727 hectares (672.7m<sup>2</sup>).

The non residential component of the development is less than 1000m<sup>2</sup> and is therefore exempt from the parkland dedication requirements under section 165-7 of the former City

of Toronto Municipal Code (which remains in full force and effect) to implement Section 42 of the Planning Act RSO 1990, c.P.13.the Municipal Code.

Parks, Forestry and Recreation will be accepting a park land dedication for this site.

### **Streetscape**

The podium elements for each of Building A, Building B and 19 Western Battery Road have been designed to have a uniform height of 4 storeys. The heights of the podiums were inspired by the 4 storey height of the stacked townhouse complex on the north side of East Liberty to provide a visual balance and scale at the ground plane to enhance the public realm for this corner of the King Liberty Village neighbourhood. The towers have been set back at a distance from the podium to ensure their prominence at the street level. Each of the podiums, especially for the buildings fronting Strachan Avenue, will incorporate materials that reflect and complements the industrial character of the historic buildings in the neighbourhood.

The podium for Building A has been notched out of the north-east corner to provide for a landscaped plaza on the south side of East Liberty Street. The plaza mimics the length and scale of the existing gateway park on the north side of East Liberty. The applicants intend to locate the ground floor retail space in the podium of Building A to stimulate pedestrian activity in the plaza space.

The scale and design of the podiums in conjunction with the expansion of the gateway park space will provide a strong entrance to King Liberty Village from the east to complement the strong gateway provided for the neighbourhood from the north-west.

### **Metrolinx**

Metrolinx expressed concern regarding the approvals for the building at 19 Western Battery Road as any construction schedule for that building that overlapped with the construction timelines of the Strachan Avenue Road/Rail Grade Separation Project could pose time delays for the project and significantly disrupt traffic flow in the neighbourhood. The applicants have indicated that they are willing to work with Metrolinx to accommodate their construction timeline and potentially provide for a temporary realignment of Strachan Avenue over their 19 Western Battery Road lands for a portion of their schedule. Staff are working with the City Solicitor to determine whether a condition needs to be included in the Subdivision Agreement to secure the timing of the construction of the building at 19 Western Battery Road.

### **Toronto Green Standard**

The Green Development Standard contains performance targets and guidelines that relate to site and building design to promote better environmental sustainability of development in Toronto. Some of the targets the proposed development is intended to achieve include:

- Light coloured roofing materials installed for 75% of the roof
- 20% of materials harvested, manufactured and supplied will come from within 800km of the project;

- Secure bicycle storage for long-term parking and the provision of bicycle parking that meets the 0.75 spaces per dwelling unit;
- Zero use of CFC-based refrigerants and Halons in fire suppression;
- 45% of materials, including adhesives, sealants, paints, coatings, composite wood and agrifiber products are low emitting
- Compliance with all pedestrian infrastructure measures.

The applicant is encouraged to incorporate these standards into the development of these lands.

### **Development Charges**

It is estimated that the development charges for Building's A and B, located on 39-51 East Liberty Street and 14 Strachan Avenue, will be \$5,365,535.00. The estimated development charges for 19 Western Battery Road are anticipated to be \$1,687,439.00. These figures are an estimate. The actual charge is assessed and collected upon issuance of the building permit.

### **Conclusion**

Staff have reviewed the revised proposal with regard to the approved and emerging context of the area and the site's location within King-Liberty Village. The proposal provides the recommended separation distance between tall buildings, offers a strong gateway to King Liberty Village from the east and will contribute parkland and the first section of the new local road intended to improve vehicular circulation for the neighbourhood. In addition, the applicant has agreed to off-site improvements that will enhance the local street network and access to the City's Police Services building at 9 Hanna Avenue.

Overall, the project is acceptable within the intent of the policy framework and is consistent with the emerging area context.

### **CONTACT**

Jeff Markowiak, Planner  
Tel. No. (416) 397-4647  
Fax No. (416) 392-1330  
E-mail: jmarkow@toronto.ca

### **SIGNATURE**

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Raymond David, Director  
Community Planning, Toronto and East York District

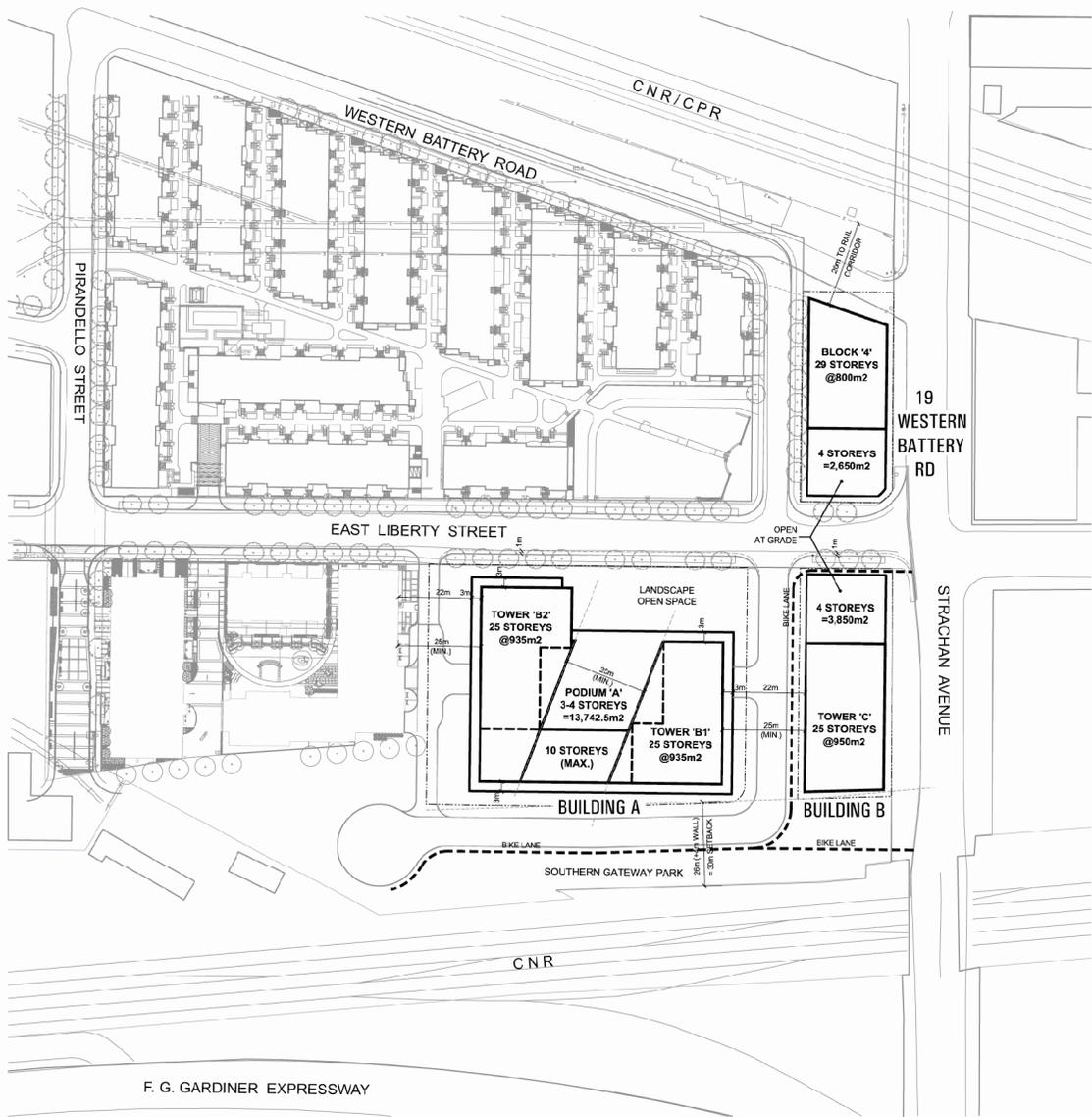
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Staff report for action – Final Report – 14 Strachan Ave & 39-51 East Liberty St, 19 Western Battery Rd

## **ATTACHMENTS**

- Attachment 1: Site Plan
- Attachment 2: Elevation/Section
- Attachment 3: Elevation/Section
- Attachment 4: Elevation/Section
- Attachment 5: Elevation/Section
- Attachment 6: Elevation/Section
- Attachment 7: Proposed Draft Plan of Subdivision Parcels
- Attachment 8: Proposed Draft Plan of Subdivision: Lands to be Conveyed
- Attachment 9: Zoning
- Attachment 10: Application Data Sheet
- Attachment 11: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



**Toronto** City Planning  
**Site Plan**

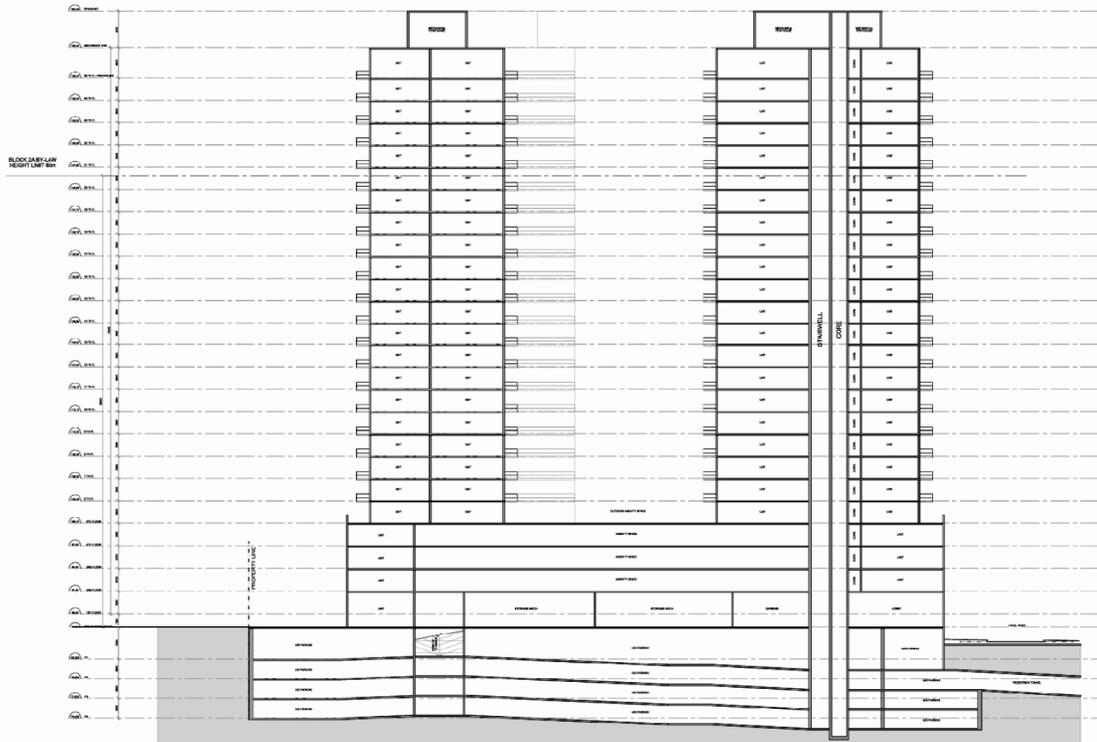
**14 Strachan Avenue, 39 & 51 East Liberty Street  
 and 19 Western Battery Road**

File # 09\_115093



Not to Scale  
 05/06/2010

## Attachment 2: Elevation/Section



SECTION - EAST WEST - BUILDING A as seen from East Liberty Street

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### Sections

14 Strachan Avenue, 39 & 51 East Liberty Street

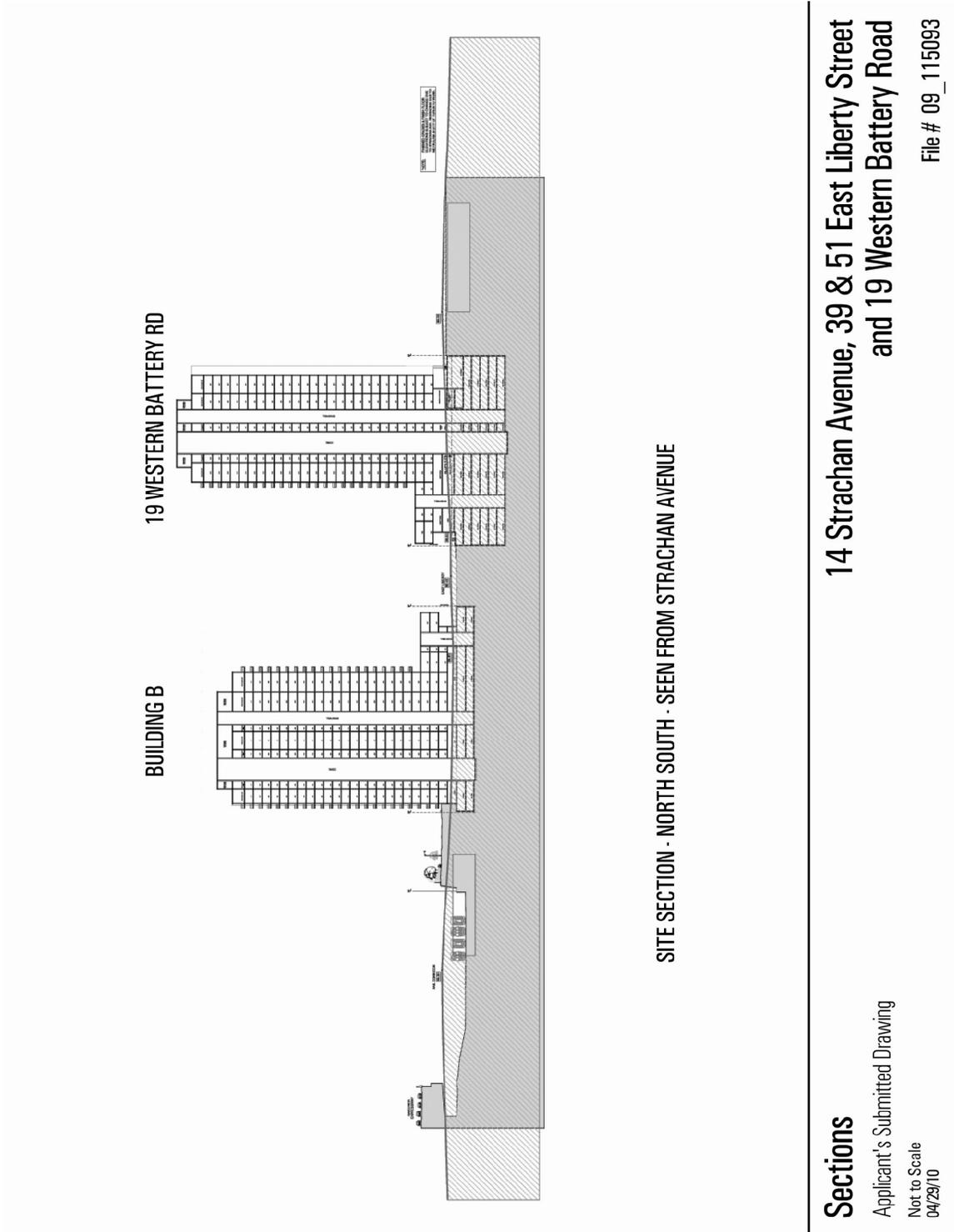
Applicant's Submitted Drawing

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04/29/10

File # 09\_115093

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### Attachment 3: Elevation/Section



### Sections

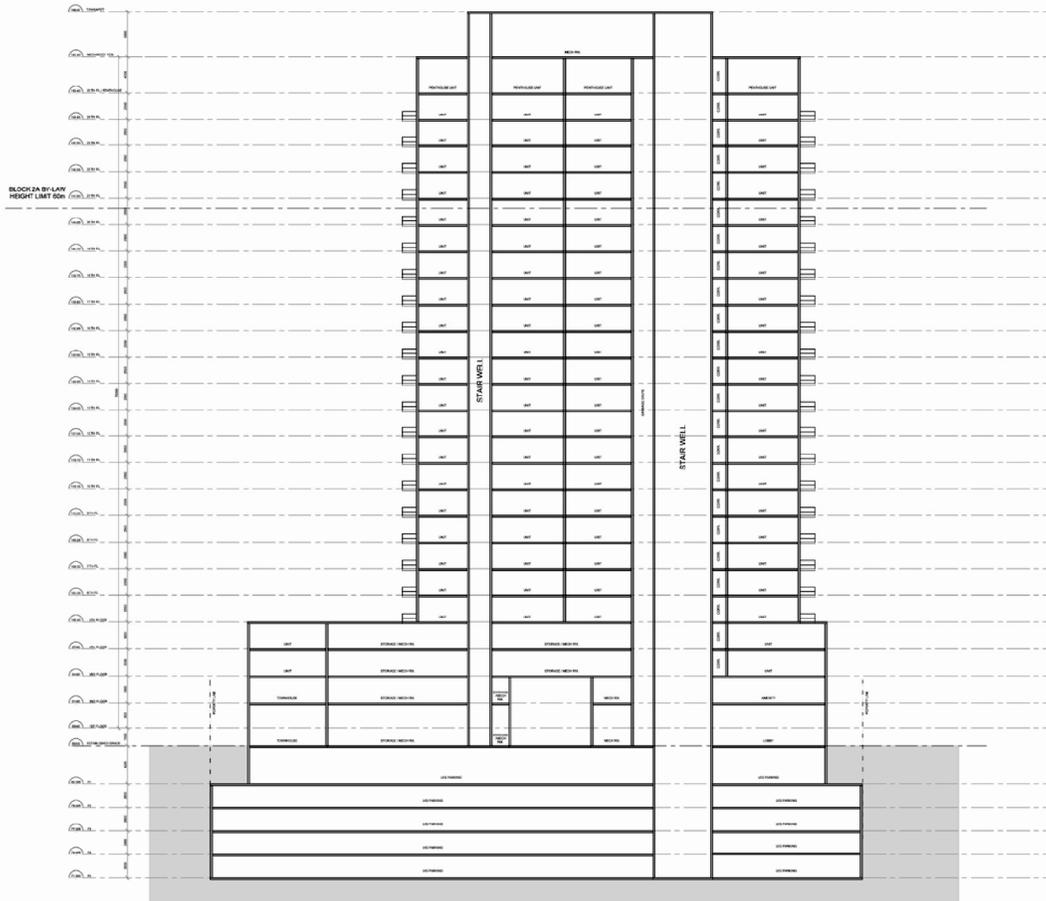
Applicant's Submitted Drawing

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04/29/10

14 Strachan Avenue, 39 & 51 East Liberty Street  
and 19 Western Battery Road

File # 09\_115093

## Attachment 4: Elevation/Section



SECTION - NORTH SOUTH - BUILDING A

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### Sections

14 Strachan Avenue, 39 & 51 East Liberty Street

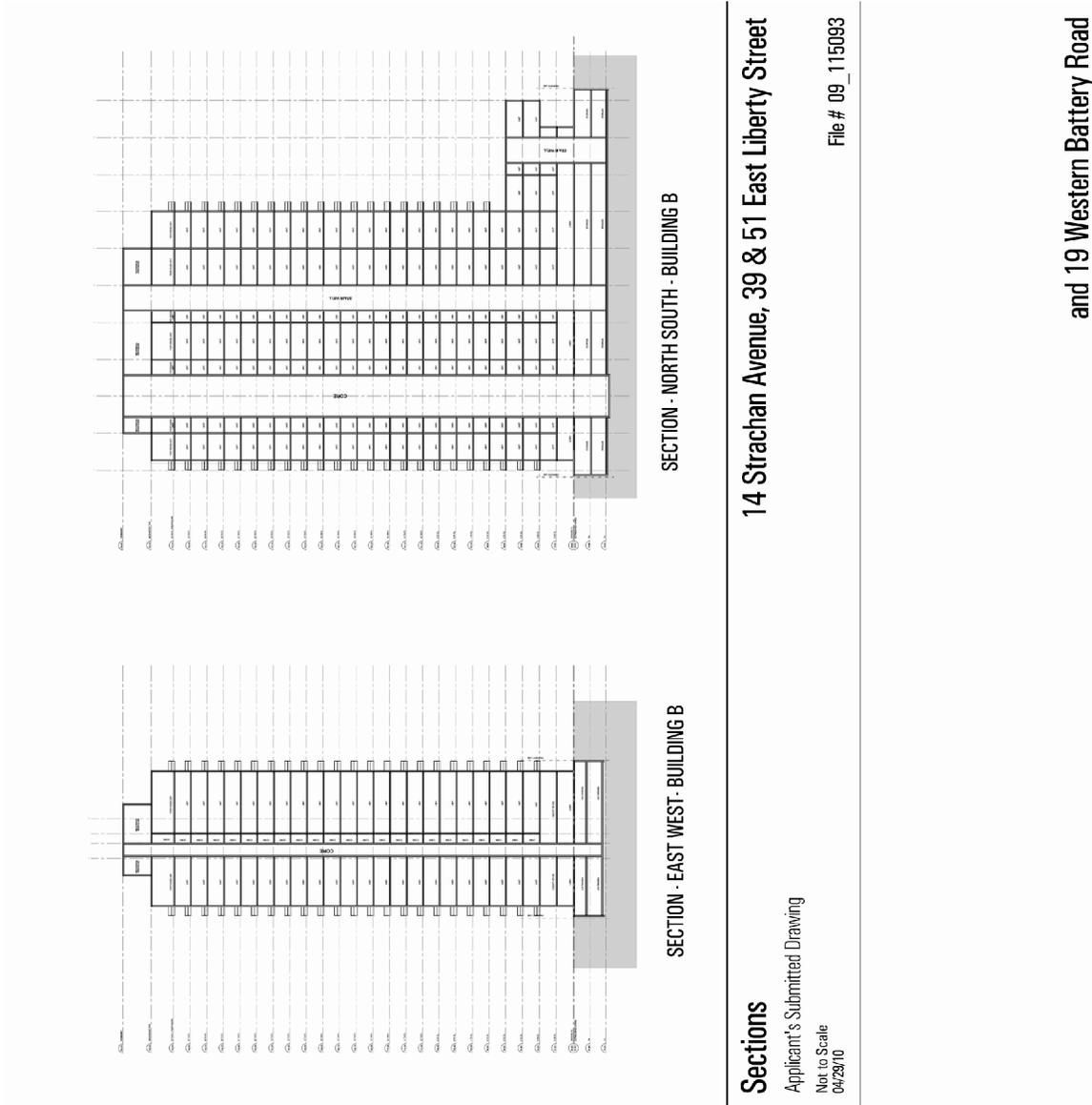
Applicant's Submitted Drawing

Not to Scale  
04/29/10

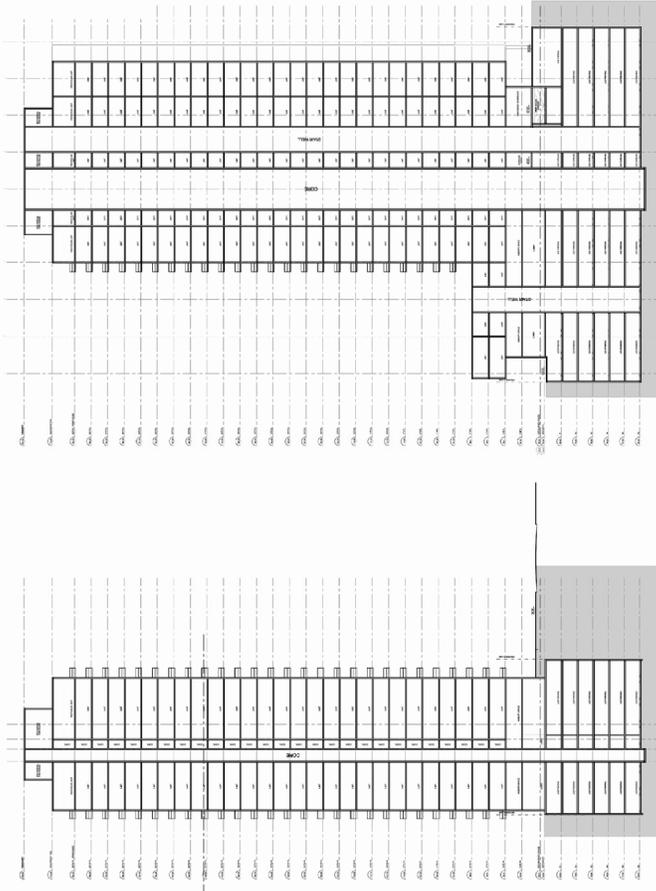
File # 09\_115093

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# Attachment 5: Elevation/Section



**Attachment 6: Elevation/Section**



SECTION - EAST WEST - 19 WESERN BATTERY RD

SECTION - NORTH SOUTH - WESTERN BATTERY RD

**Sections**

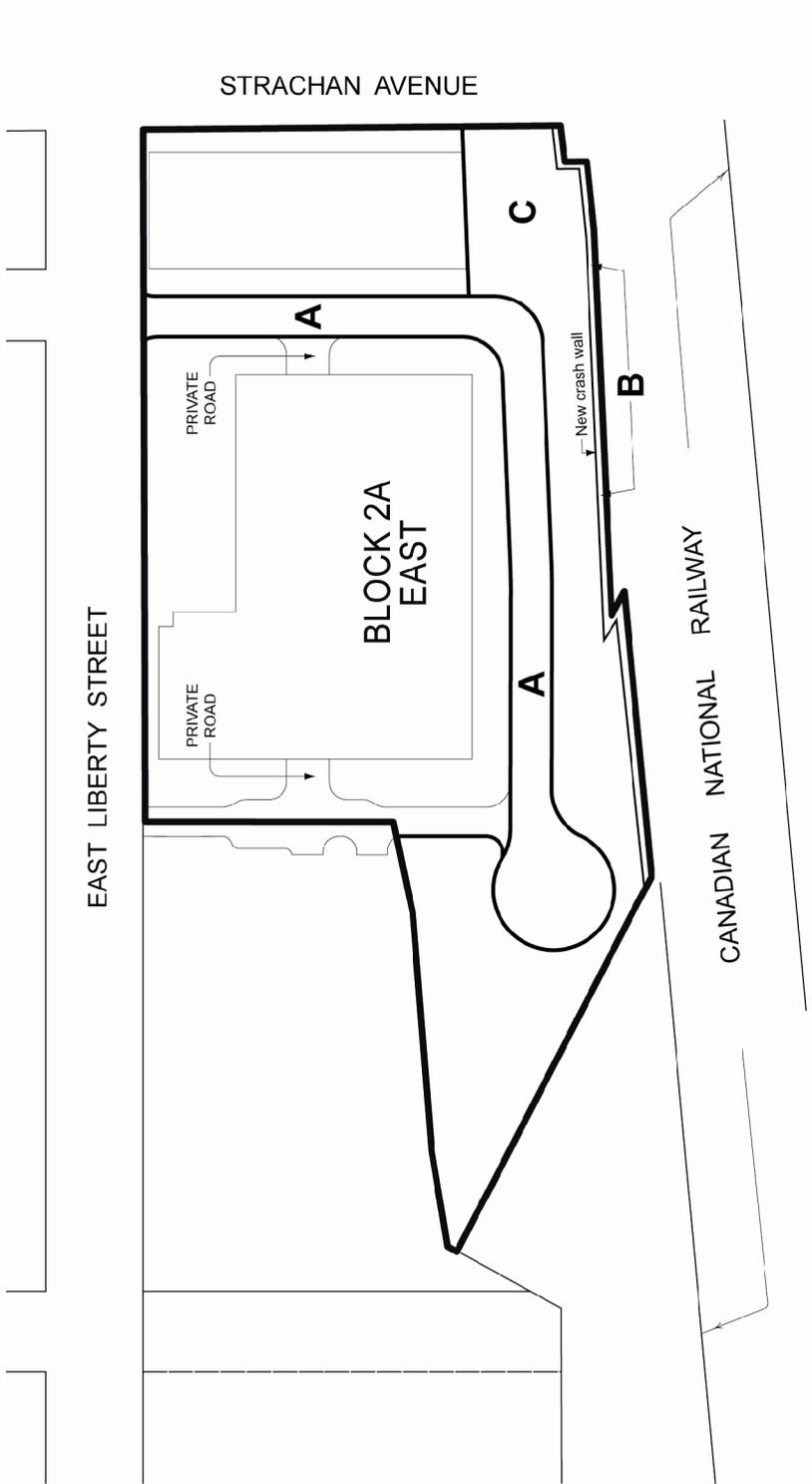
Applicant's Submitted Drawing  
 Not to Scale  
 04/29/10

**19 Western Battery Road**

File # 09\_115093

**and 19 Western Battery Road**

**Attachment 7: Proposed Draft Plan of Subdivision Parcels**



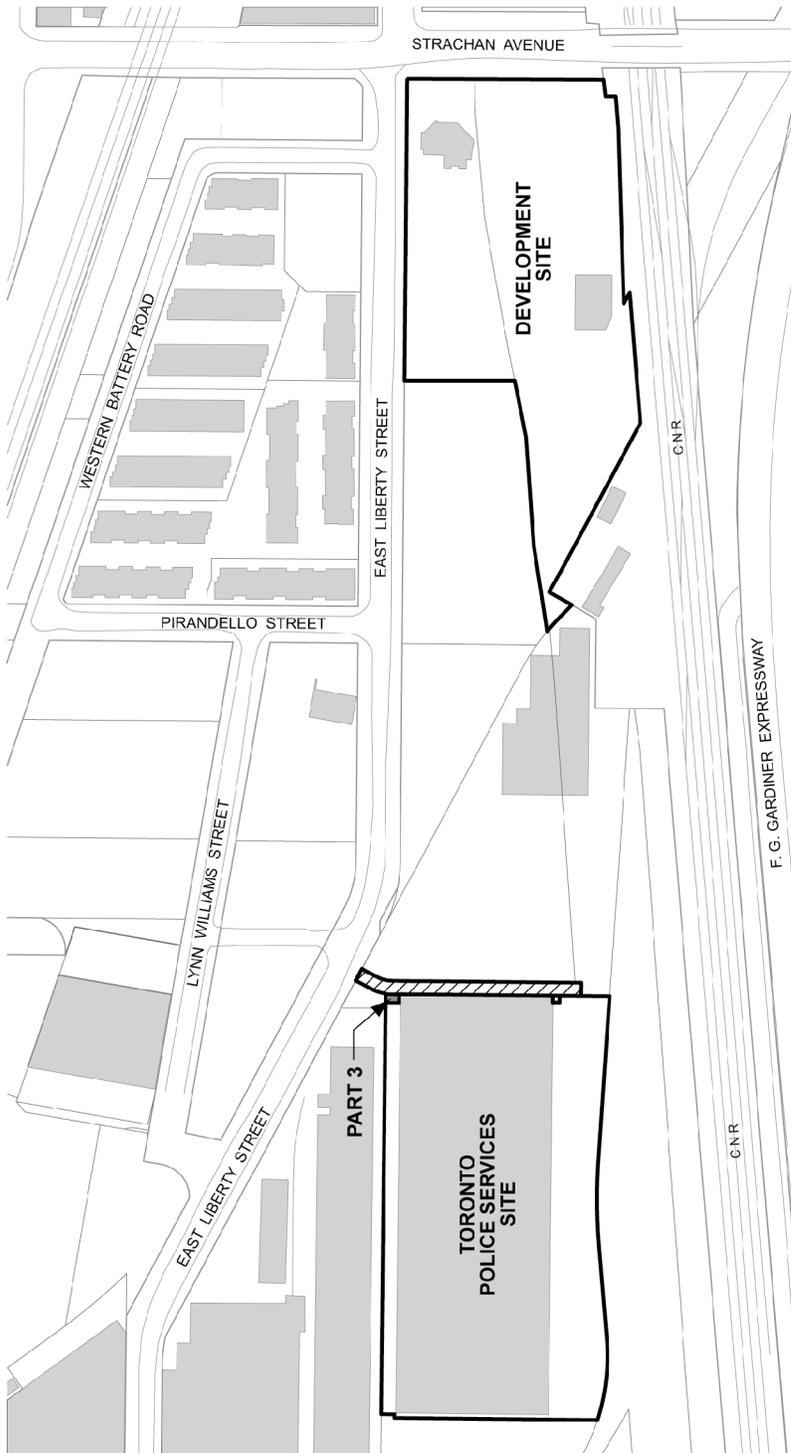
**Toronto** City Planning  
**Proposed Draft Plan of Subdivision Parcels**  
 14 Strachan Avenue and 39 & 51 East Liberty Street

File # 09\_115093

- A** New public road to be conveyed to the City
- B** New crash wall and land to be retained by owner
- C** Lands proposed for Parkland / Landscaped Open Space

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 Not to Scale  
 06/06/2010

**Attachment 8:  
Proposed Draft Plan of Subdivision: Lands to be Conveyed**

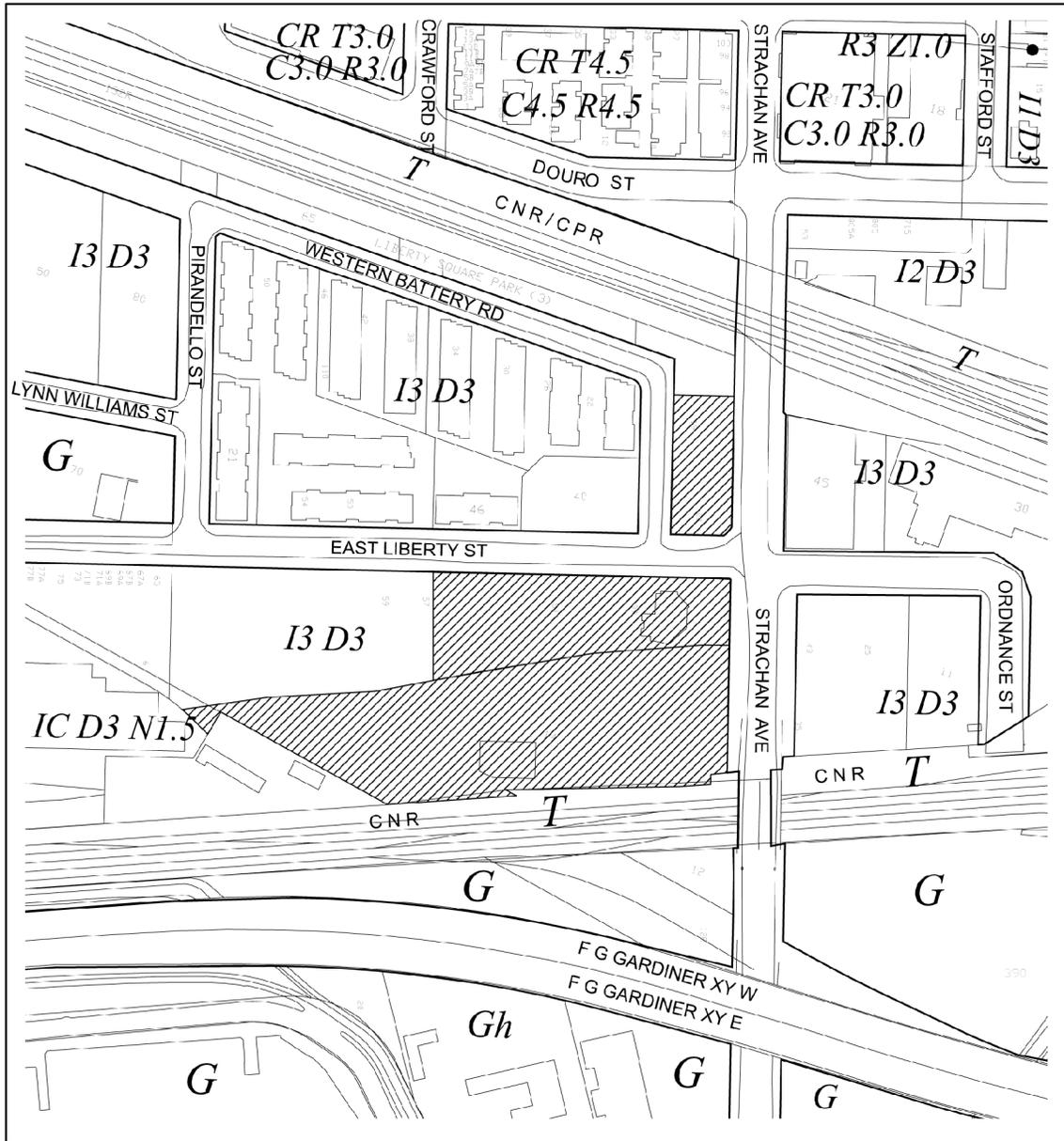


**Toronto** City Planning  
**Proposed Draft Plan of Subdivision:  
 Lands to be Conveyed**  
 14 Strachan Avenue and 39 & 51 East Liberty Street  
 File # 09\_115093



-  PART 3 to be conveyed to the City
-  East Driveway Lands - lifting of Easements and Restrictive Covenants

**Attachment 9: Zoning**



**14 Strachan Avenue, 39 & 51 East Liberty Street  
and 19 Western Battery Road**

File # 09\_115093

G	Parks District	I1	Industrial District
Gh	Parks District	I2	Industrial District
R3	Residential District	I3	Industrial District
CR	Mixed-Use District	IC	Industrial District
		T	Industrial District



Not to Scale  
Zoning By-law 438-86 as amended  
Extracted 05/19/09 - MH

## Attachment 10: Application Data Sheet

Application Type	Rezoning	Application Number:	09 115093 STE 19 OZ
Details	Rezoning, Standard	Application Date:	March 9, 2009

Municipal Address: 14 STRACHAN AVE, 39-51 EAST LIBERTY ST AND 19 WESTERN BATTERY RD  
 Location Description: PLAN ORDNANCE RES PT BLK 11 PLAN 1101 PT PARCEL 3 RP 66R22486 PARTS 10 11 12 \*\*GRID S1908  
 Project Description: CONSTRUCTION OF 3 NEW BUILDINGS (4 TOWERS IN TOTAL) WITH 1358 RESIDENTIAL CONDOMINIUM UNITS AND 2500 SQUARE METERS OF RETAIL SERVICE SPACE - 1164 PARKING SPACES – LOCATED IN TWO GARAGES, ONE 5 LEVELS, AND ONE 6 LEVELS BELOW GROUND

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
IBI GROUP	IBI GROUP	IBI GROUP	863880 ONTARIO LIMITED

### PLANNING CONTROLS

Official Plan Designation:	Employment Areas	Site Specific Provision:	Garrison Common North Secondary Plan
Zoning:	13 D3	Historical Status:	
Height Limit (m):	18	Site Plan Control Area:	

### PROJECT INFORMATION

Site Area (sq. m):	16900	Height:	Storeys:	25, 25, 25 and 29 storeys
Frontage (m):	140.12		Metres:	75, 75, 75 and 87.8 metres
Depth (m):	88.16			
Total Ground Floor Area (sq. m):	0			<b>Total</b>
Total Residential GFA (sq. m):	78,075		Parking Spaces:	1164
Total Non-Residential GFA (sq. m):	2,500		Loading Docks	2
Total GFA (sq. m):	80,575			
Lot Coverage Ratio (%):	0			
Floor Space Index:	4.77			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	176
1 Bedroom:	964
2 Bedroom:	218
3 + Bedroom:	0
Total Units:	1358

### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	78,075		0
Retail GFA (sq. m):	2,500		0
Office GFA (sq. m):	0		0
Industrial GFA (sq. m):	0		0
Institutional/Other GFA (sq. m):	0		0

**CONTACT: PLANNER NAME: Jeff Markowiak, Assistant Planner**  
**TELEPHONE: (416) 395-7130**

## Attachment 11: Draft Zoning By-law Amendment

Authority: Toronto and East York Community Council Item ~ [or Report No. ~, Clause No. ~] as adopted by City of Toronto Council on ~, 20~  
Enacted by Council: ~, 20~

Bill No.

### CITY OF TORONTO

### BY-LAW No.\_\_\_\_-2010

**To amend the General Zoning By-law No.438-86 of the former City of Toronto as amended by By-law No.566-2000, By-law No.684-2003, By-law No.600-2005 and By-law No.853-2005 with respect to the lands known as 39 East Liberty Street/14 Strachan Avenue; 51 East Liberty Street/14 Strachan Avenue; and 19 Western Battery Road being portions of the Garrison Common North Area, for the lands known as the *Inglis Lands*.**

WHEREAS authority is given to Council by Section of 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. By-law No.566-2000, is further amended as follows:

- (1) Section 2(1)(a) and (b) of By-law No.566-2000, as amended by By-law No.684-2003 and By-law No.600-2005 are replaced by the following:

“(a). On *block 1, block 1A, block 2A west, block 2A east, block 2B, block 11A, block 3, block 4, block 5, block 6, block 7, block 8 internet/computer technology use*, and any use permitted in an *IC or I3* district in Section 9(1)(f) of the aforesaid By-law No.438-86, as amended;

(b). On *block 1, block 1A, block 2A west, block 2A east, block 3, block 5, and block 7* any residential use permitted in section 8(1)(f)(a) of the aforesaid By-law 438-86; and”

- (2) Section 2(3)(a) is replaced by:

“(3) Maximum Floor Area

- (a) Despite Section 9(3) PART I of the aforesaid By-law No. 438-86, as amended, the total amount of *non-residential gross floor area, residential gross floor area* or any combination thereof, permitted in the *Inglis Lands* shall not exceed 496,741 square metres;”

- (3) Section 2(7) is further amended by the following:

“The amount of *non-residential gross floor area* used for *street-related retail and service uses* on each block as set out in Column A below, shall not exceed a *non-residential gross floor area* equal to the amount set out in the corresponding row in Column B;”

<b>COLUMN A</b>	<b>COLUMN B</b>
<b>BLOCK</b>	<b>MAXIMUM NON-RESIDENTIAL GROSS FLOOR AREA USED FOR STREET RELATED RETAIL OR SERVICE USES (m<sup>2</sup>)</b>
1	2,320
1A	500
2A west	2,000
2A east	2,000
2B	2,300
11A	4,980
3	4,650
4	14,000
6	3,050
8	2,400

- (4) Section 2(9) is amended by the following by adding new paragraphs (b) and (c):

“(9) Required Building Setback – Streets

- (b) By adding “no setback is required along the northern boundary of *block 1A*; and
- (c) By adding “no setback is required along the southern boundary of *block 2A east*;”

- (5) Section 2(10)(a) is amended by deleting “*block 2A*” and replacing it with “*block 1A*” and “*block 2A west*” and “*block 2A east*”;

- (6) Section 2(13) PARKING is further amended by adding the following provisions pertaining to (i) *block 1A* and (ii) *block 2A east*;

(i) “*Block 1A*

A total of 250 parking spaces are provided, of which 10 parking spaces may be located off-site within 300 metres of *block 1A*. Notwithstanding, all parking spaces dedicated for visitor use must be provided on-site;

In the case of a building or structure used for any of the uses set out in Column A of the following table on *block 1A*, parking spaces shall be provided and maintained at the rate set out in the corresponding row in Column B:

USE	REQUIRED PARKING (Spaces Per Unit)
Studio/bachelor dwelling unit	0.15
One bedroom dwelling unit	0.60
Two bedroom dwelling unit	1.00
Residential visitor parking	0.10

(ii) “*Block 2A East*”

A temporary at-grade vehicular parking facility on the lands currently municipally known as 39 East Liberty Street/14 Strachan Avenue can be operated to provide for the off-site vehicular parking spaces for *block 1A* only;

The resident and visitor vehicular parking for the building to be erected on the lands municipally known in 2010 as 39 East Liberty Street/14 Strachan Avenue may be located in the underground parking facility to be provided on the lands municipally known in 2010 as 51 East Liberty Street/14 Strachan Avenue;

The underground parking facility to be provided on the lands municipally known in 2010 as 51 East Liberty Street/14 Strachan Avenue may also be used to provide off-site parking for *block 1A*, except for visitors; and

A *commercial parking garage* as defined by By-law No.438-86, as amended is a permitted use on *block 2A east*;

Visitor parking on *block 2A east* will be provided as per the standard contained in By-law No.566-2000, as amended by By-law No. 684-2003, as amended by By-law No. 600-2005. 50% of the visitor parking spaces shall be provided for, and signed for, the exclusive use of visitors to the residential component of the project. Notwithstanding Section 4(4)(d) of By-law 438-86, the remaining 50% of the visitor spaces may be used for a *commercial parking garage* as defined by By-law No. 438-86, as amended, when these space are not being used by visitors;

- (7) Section 2(17) HEIGHT limits set out on Appendix “B” map 49G-322. The height limits applicable to a building or structure located on the *Inglis Lands*, is amended to provide for the height limits set out on Map 3A and Map 3B attached;

- (8) Section 2(18) AFFORDABLE HOUSING (defined by maximum unit sizes) as contained in By-law No.566-2000 is amended by By-law No. 684-2003 and by By-law No.600-2005 by altering this section to read as follows:

“Not less than 30 percent of the *dwelling units* within each of *block 1; block 1A; block 2A west and block 2A east combined; block 3; block 5; and block 7* and not less than 30 percent of the *live-work units* within *block 2B, block 11A, block 6 and block 8* shall comply with the size requirements for each of the unit types listed...;”

- (9) Section 2(19) is amended by inserting “*block 1A*” and “*block 2A east*”:

This section is further amended by adding a new section 2(19)(v) to read as follows:

“(v) On *block 1A* and *block 2A east* the maximum *height* of the *podium* shall be 16 metres measured from *grade* and the minimum height of the first *storey* above *grade* will be 4.0 metres measured from *grade*;”

- (10) Add a new Section 2(21) to read as follows:

“*Block 1A*

(i) Notwithstanding the definition of *front lot line* contained in Section 2 of By-law No.438-86 as amended, Western Battery Road is deemed to be the *front lot line* for *block 1A*;

(ii) Notwithstanding the definition of *grade* contained in Section 2 of By-law No. 438-86, as amended, the average grade for *block 1A* will be 86.15 metres as taken from Western Battery Road;

(iii) Notwithstanding Sections 2(10)(i) and (ii), the building on *block 1A* will provide a 3 metres setback above a height of 16 metres on East Liberty Street and Western Battery Road, only;

(iv) Notwithstanding Section 2(11)(E), the depth of balconies on *block 1A* may not exceed 1.5 metres;

(v) Notwithstanding section 4(16) of By-law 438-86, a hard surface driveway shall not be required to be located on site;”

- (11) Add a new Section 2(22) to read as follows:

“*Block 2A East*

(i) Notwithstanding the definition of *front lot line* contained in Section 2 of By-law No.438-86 as amended, East Liberty Street is deemed to be the *front lot line* for *block 2A east*;

- (ii) Notwithstanding the definition of *grade* contained in Section 2 of By-law No.438-86 as amended, the average *grade* for 39 East Liberty Street/14 Strachan Avenue will be 84.45 metres as taken from East Liberty Street;
  - (iii) Notwithstanding the definition of *grade* contained in Section 2 of By-law No. 438-86, as amended, the average *grade* for 51 East Liberty Street/14 Strachan Avenue will be 86.45 metres as taken from East Liberty Street;
  - (iv) Notwithstanding Sections 2(10)(i) and (ii), the buildings on *block 2A east* will provide a 3 metres setback above a height of 16 metres on East Liberty Street and Solidarity Way, only;
  - (v) Notwithstanding Section 2(11)(E), the depth of balconies on *block 2A east* may not exceed 1.5 metres;
  - (vi) Notwithstanding Section 4(16) of By-law 438-86, a hard surface driveway shall not be required to be located on the lands municipally known in 2010 as 39 East Liberty Street/14 Strachan Avenue;”
- (12) Section 5(2) is amended by inserting “*block 1A*”, “*block 2A west*”; and “*block 2A east*” and mean those lands respecting designated and shown as BLOCK 1A, BLOCK 2A WEST, and BLOCK 2A EAST on Map 2, appended hereto;”
- (13) Maps 1, 2, 3A, 3B, and 4 attached to By-law No.566-2000 as amended by By-law No.684-2003, by By-law No.600-2005 and by By-law No.853-2005 are replaced by Maps 1, 2, 3A, 3B, 4 attached to this By-law.

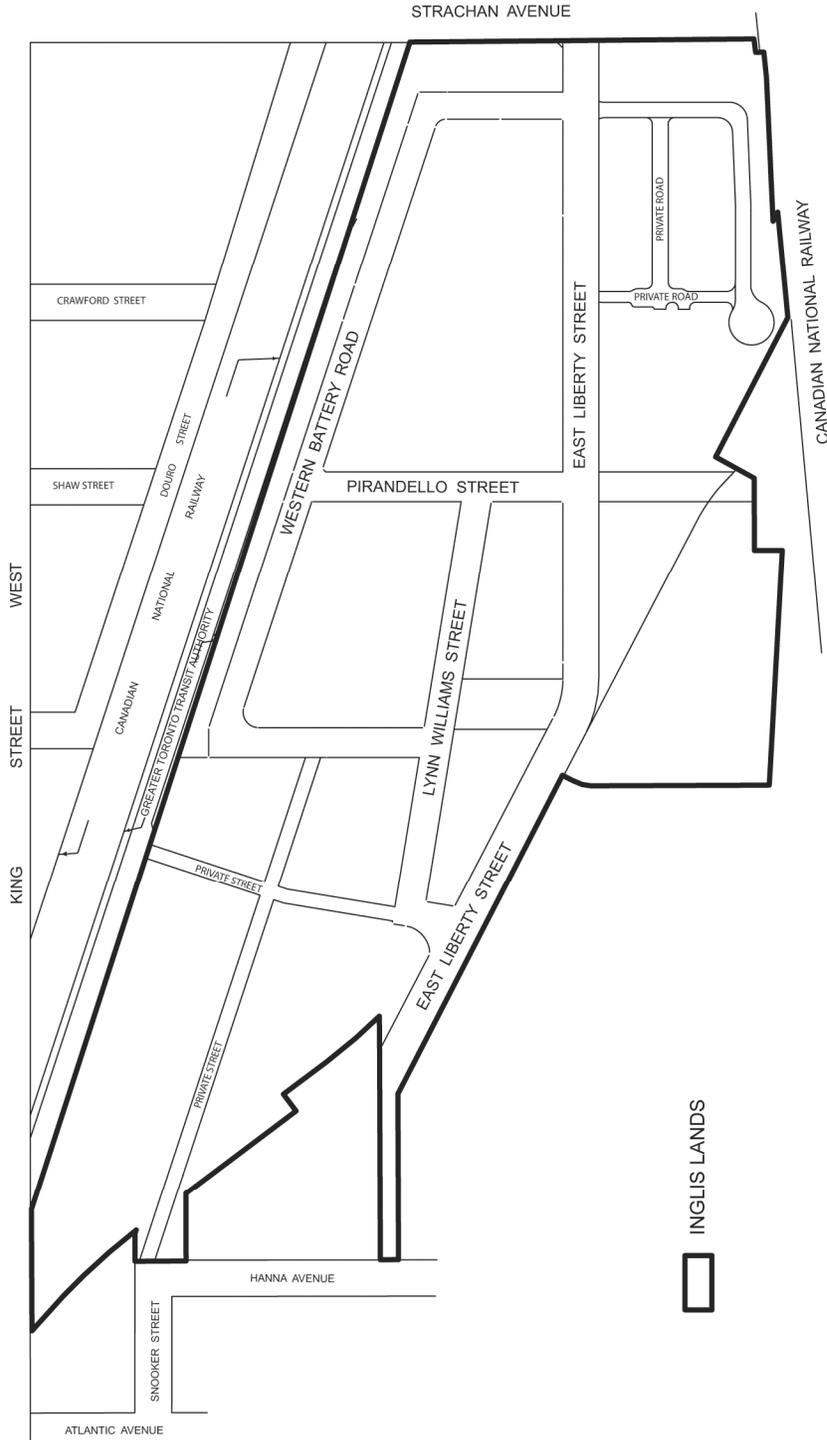
#### Definitions

- 2. All defined terms used in this By-law shall, unless expressly stated to the contrary, have the same meanings as in By-law No.438-86 as amended by By-law No. 566-2000, By-law No.684-2003 and By-law No.600-2005.
- 3. *Accessory* uses shall have the same meaning as in By-law No.438-86, as amended, but for the purposes of this By-law, *accessory* uses shall also include a *commercial parking garage*.

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

DAVID R. MILLER,  
Mayor

ULLI S. WATKISS,  
City Clerk



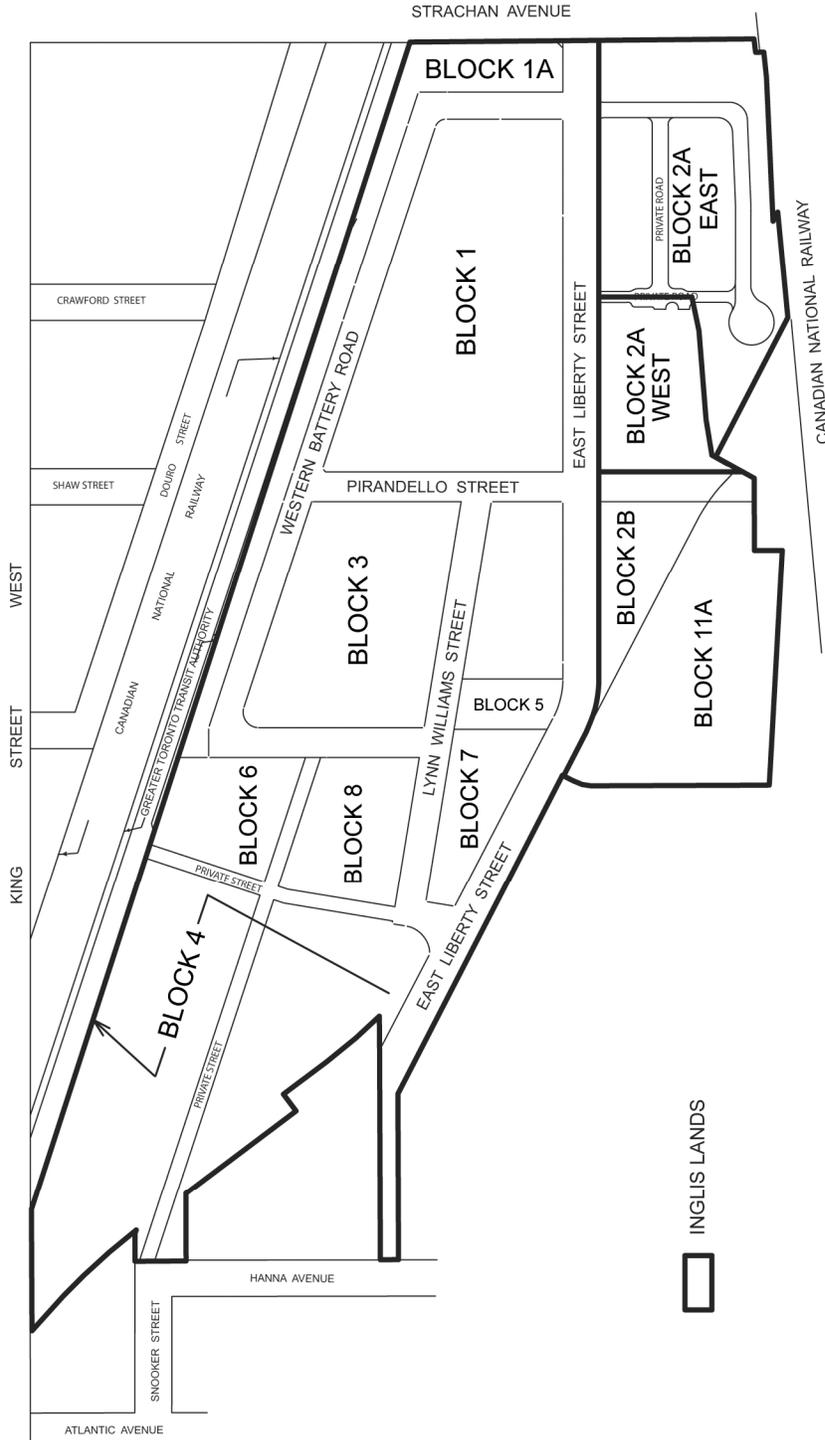
**Toronto** City Planning  
**Map 1** Boundary of Inglis Lands

**14 Strachan Avenue and 39 & 51 East Liberty Street  
 and 19 Western Battery Road**

File # 09\_115093

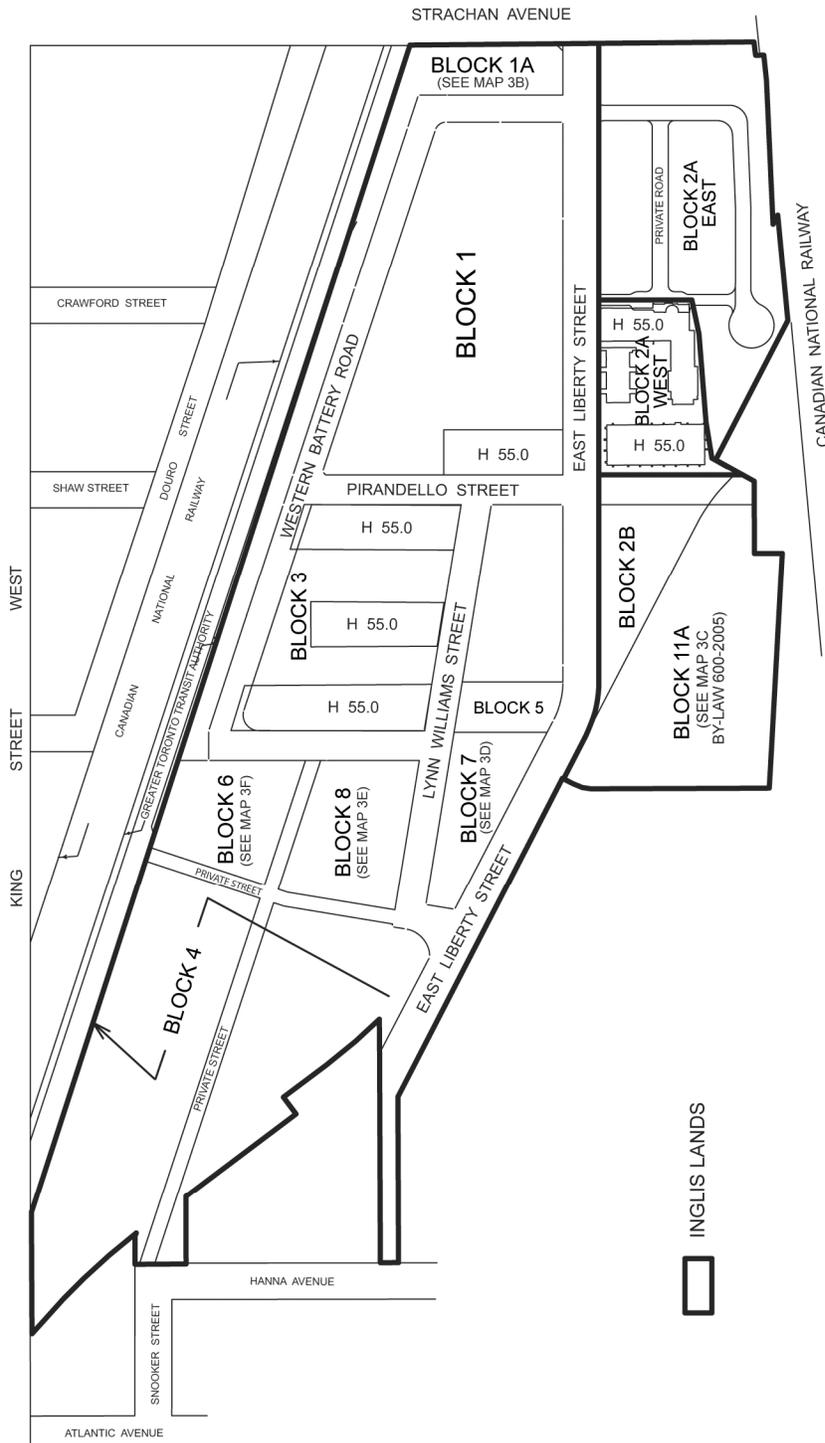


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**Toronto** City Planning  
**Map 2 Inglis Lands Blocks**  
 14 Strachan Avenue and 39 & 51 East Liberty Street  
 and 19 Western Battery Road  
 File # 09\_115093

Not to Scale  
 05/06/2010

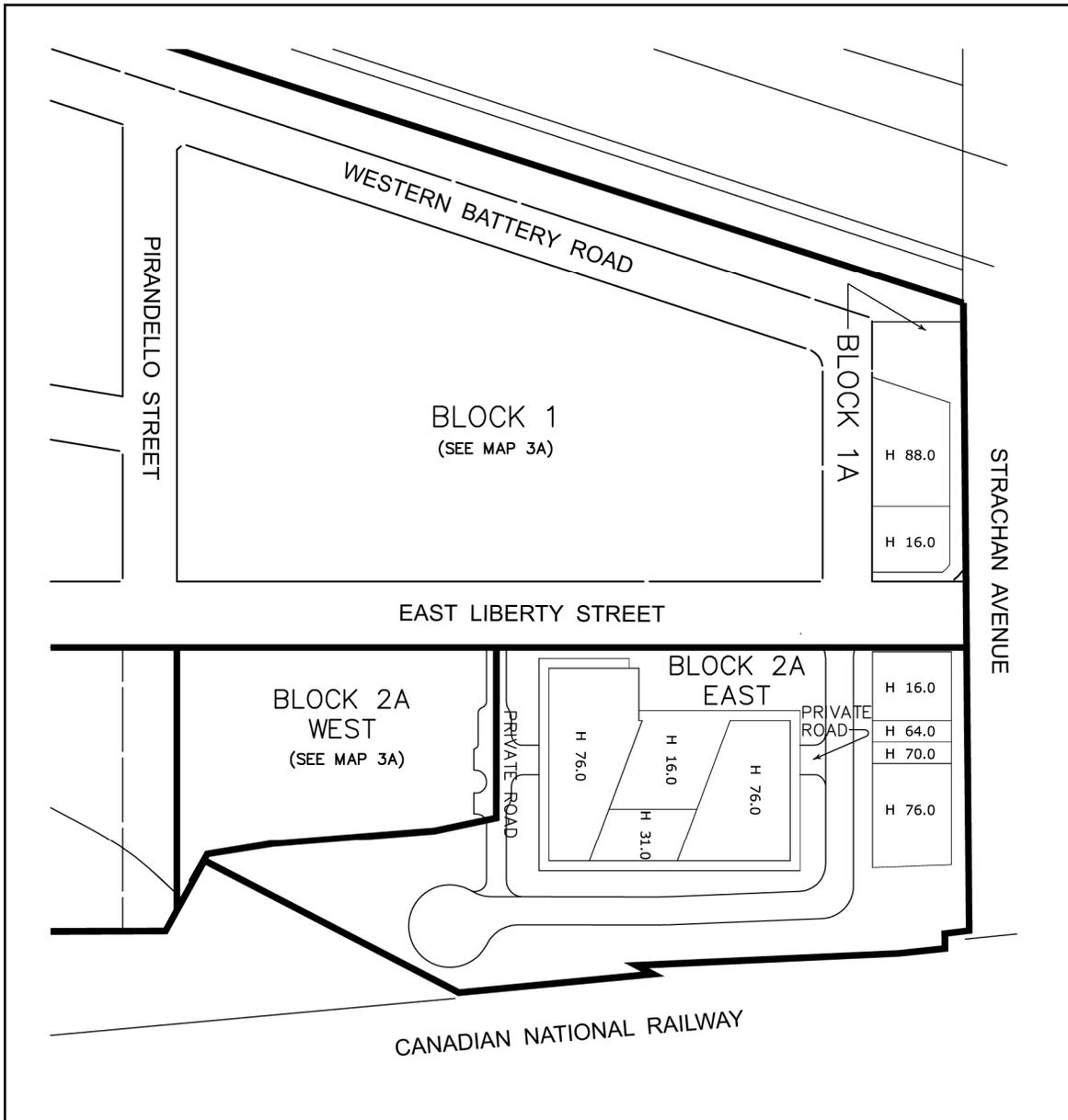


**14 Strachan Avenue and 39 & 51 East Liberty Street  
and 19 Western Battery Road**

File # 09\_115093

**Toronto** City Planning  
**Map 3A Inglis Lands Blocks**

North Arrow  
Not to Scale  
05/06/2010



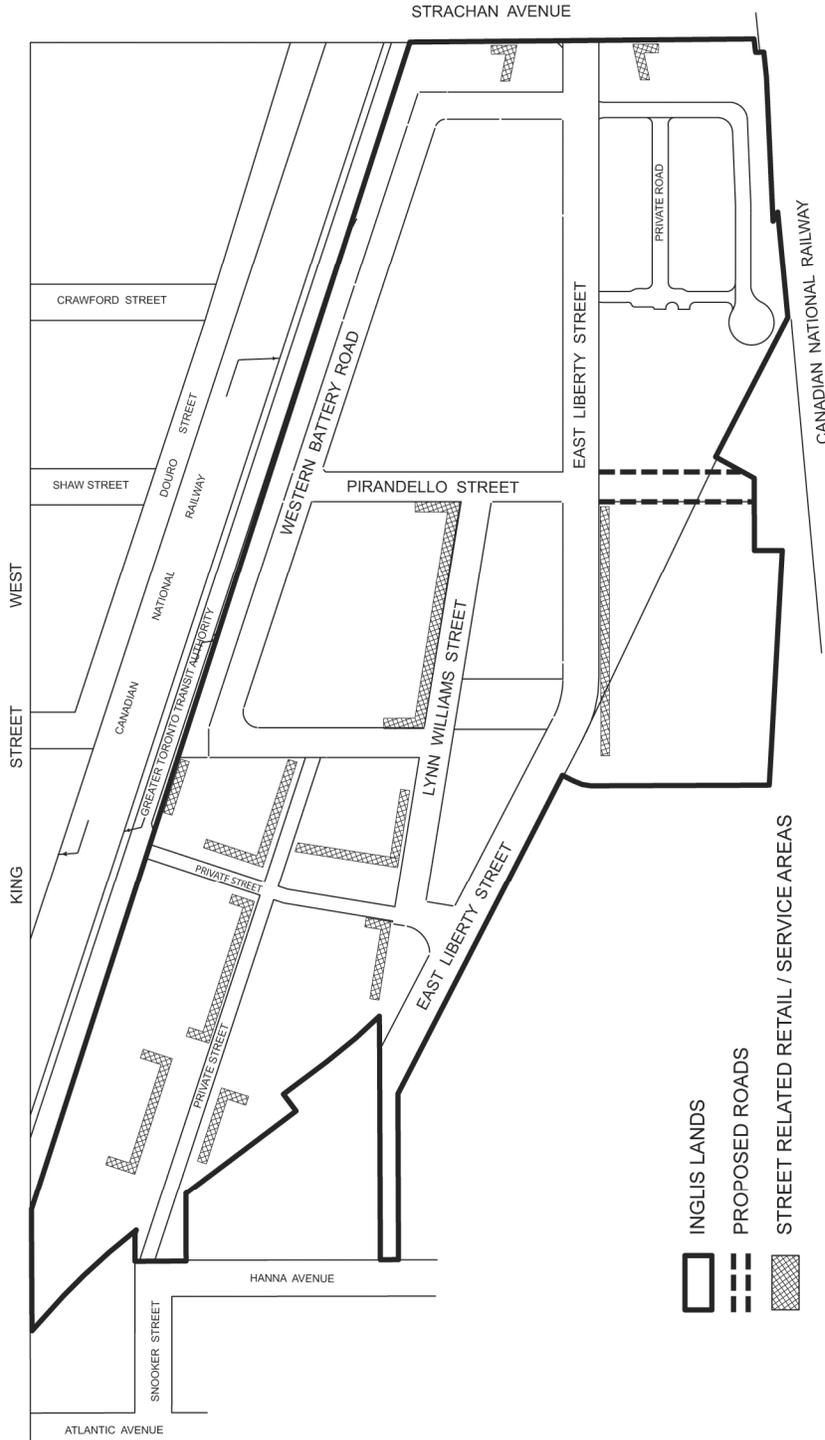
Map 3B Inglis Lands Blocks

14 Strachan Avenue and 39 & 51 East Liberty Street  
and 19 Western Battery Road

File # 09\_115093



Not to Scale  
05/06/2010



**14 Strachan Avenue and 39 & 51 East Liberty Street  
and 19 Western Battery Road**

File # 09\_115093

**Toronto City Planning  
Map 4 Inglis Lands Blocks**

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Not to Scale  
05/06/2010