

November 16, 2013

Our File No.: 13-0599

Via Email

Etobicoke York Community Council
Etobicoke Civic Centre
Main Floor, 399 The West Mall
Toronto, ON M9C 2Y2

Attention: Rosemary MacKenzie, Committee Secretariat

Dear Sirs/Mesdames:

**Re: Etobicoke York Community Council Item EY29.5
2183 Lake Shore Boulevard West**

We are solicitors for Empire Communities (2183 Lakeshore Blvd.), the owners of approximately 1.51 hectares of land known municipally as 2183 Lake Shore Boulevard West in the City of Toronto (the "Property"). We are writing to express our client's concerns regarding the staff report dated November 1, 2013 and to request that Etobicoke York Community Council ("EYCC") endorse a motion to implement the revisions outlined in the attached correspondence to City staff.

Background

On October 28, 2011, our client filed applications for an official plan amendment and zoning by-law amendment in respect of the Property. The City declared the applications complete as of October 28, 2011 by letter dated January 12, 2012. Since submission of the applications, our client has participated in a community consultation meeting (March 26, 2012), a presentation to the design review panel (January 23, 2013) and numerous meetings with City staff. Based on comments received, our client has undertaken extensive revisions to respond to various concerns. These revisions formed the basis of a revised application to the City, which was submitted on March 5, 2013.

The revised submission proposes two mixed-use residential towers with heights of 66 and 46 storeys. The towers are well-separated (at 55 metres) and relatively slender in size. The proposed podium has a height of 6 storeys, with terracing at various levels, and the proposed above-grade parking has been eliminated. The result is a modest increase in the number of units (to 1,285 units) and increased opportunity for commercial uses.

Discussion

The staff report fails to note that the revised submission was submitted after the presentation to the City's design review panel. The staff report also fails to note that the revised submission appropriately responds to the Precinct Plan adopted by City Council in June 2010. The proposed gross floor area is almost identical to the gross floor area in the Precinct Plan. While the heights of the proposed towers are taller than the 50-storeys set out in the Precinct Plan, the proposed design eliminates the three mid-rise buildings of approximately 10-12 storeys from the Precinct Plan and replaces them with an integrated podium design that transitions to the elegant and well-separated point towers.

In our client's view, as supported by extensive study and consultation, the proposal represents a more appropriate form of intensification for the Property than the intensification contemplated in the Precinct Plan approved by City Council in June 2010. In particular:

- The development represents appropriate intensification in proximity to transit service, as specifically recognized and encouraged by the Growth Plan for the Greater Golden Horseshoe, the 2005 Provincial Policy Statement and the City of Toronto Official Plan;
- The development conforms generally to the policies in the City of Toronto Official Plan, is compatible with the uses in the immediate area and will not cause any undue adverse impacts on the area;
- The design is of a high architectural quality, which fits well within the existing and emerging built form context and is in keeping with the urban design policies in the Official Plan and other urban design guidelines;
- The site can be developed within the existing and planned capacity of the City's hard and soft infrastructure and will not generate significant demands for infrastructure improvements;
- The proposal provides for an appropriate wind environment for pedestrians and does not result in shadowing which negatively impacts surrounding land uses; and,
- The proposal provides for a new public right-of-way and a well-designed landscaped courtyard, both of which will enhance the amenities of the surrounding area as well as facilitate the construction of a new public park.

However, our client has engaged in additional discussions with the local councillor and area residents regarding the proposed development. These discussions have resulted in our client's


Condominium Association for the proposed redevelopment. Our client's commitment to these further design changes is discussed in detailed in the attached correspondence to City staff.

We understand that the local councillor intends to introduce a motion to ensure that these revisions are implemented in any materials presented at the upcoming OMB hearing. We would respectfully request that EYCC recognize the support of the Humber Bay Shores Condominium Association and endorse the Councillor's motion.

Please also treat this letter as our formal request for notice of any decision regarding this matter.

Yours very truly,

Goodmans LLP

A handwritten signature in cursive script, appearing to read "D. Bronskill".

David Bronskill

DJB/

cc: Client

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WITHOUT

November 11th, 2010

Mr. Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District
2 Civic Centre Drive, 3rd Flr
Etobicoke, ON
M9C 5A3

Dear Mr. Cresswell:

Re: 2183 Lake Shore Boulevard West, Toronto
Empire Communities – Response to City Comments

Thank you for meeting with us and Councillor Grimes on October 23rd to discuss Empire's proposed 66 and 46 storey mixed-use residential condominium development ("Eau du Soleil") at 2183 Lake Shore Boulevard West.

The 1.5 hectare site is the largest remaining redevelopment opportunity in single ownership in the Humber Bay Shores residential community along Toronto's waterfront. In our opinion, the site's exceptional location and size presents a special opportunity to create a southern gateway to the Humber Bay waterfront that has been optimized through a striking, sculpted and highly articulated design by Zeidler Partnership/Richmond Architects and a major public park. In our opinion, the site complements the northern gateway to Humber Bay Shores marked by the two landmark Palace Pier and Place towers, linked to broader pedestrian and bike trails along the City's waterfront by the award-winning arch bridge.

As you know, Empire and its consultant team have been actively involved with an overall Landowners Group completing a Precinct Plan and Agreement for the remaining undeveloped lands in Humber Bay Shores. In 2010, City Council adopted a Precinct Plan with minor amendments which accommodated approximately 90,951 m² and 980 residential units on what is now the Empire site. This was based on the previous owner (Proudfoot) proposal for two 50-storey residential towers and three mid-rise buildings ranging in height from 10-12 storeys. So, as Empire proceeds with its proposal for this large site in Humber Bay, it is premised, in our opinion, on a redevelopment of the site.

We understand there has been strong support for a striking landmark development by Council. The development is adjacent to the waterfront and will be developed by the

Based on the discussions in our recent meeting, we are providing this response to highlight Empire's position and commitment with respect to ten (10) specific items that were raised as being an issue:

1. Humber Bay Shores Core Infrastructure/Service Agreement

- Final comments from Landowners are with the City for review;
- At a recent October 29th, 2013 meeting Landowners committed to sign the Agreement by Dec 15th, 2013;
- Landowners are committed to providing financial securities per the agreement;
- Empire has the biggest share (23%) of financial obligations based on site GFA; and
- Empire has expressed its commitment to fund its HBS financial obligations without its specific site planning approvals (OPA/ZBA/SPA).

2 HBS – Landowner Transportation Study (MMM/Aecom)

- Original Transportation Study (MMM/Aecom) submitted in 2009 for HBS Precinct generally accepted by City, subject to refinements;
- Final Transportation Study for HBS Precinct submitted to City October 30th, 2013;
- Study concludes entire HBS Precinct transportation needs and impacts are acceptable;
- Final study includes Empire's current development proposal for 1,285 units and 4,820m² of commercial space; and
- City Transportation and Technical Services acknowledged in May 30th, 2012 memo to Planning that Empire's 1,253 units and 1,344m² of commercial space proposed at that time was acceptable and could be accommodated without any negative level-of-service impacts, given the future road and signal improvements, subject to final SPA design details.

3. Density, Units & Height

- Empire's current proposal for 93,226m² is marginally higher (2.5%) than amount in original adopted Precinct Plan;
- Empire's current residential unit count of 1,285 is higher than original proposal and Precinct Plan but is accommodated and accepted by the Core Infrastructure Agreement and Transportation Study;
- Density on Empire's site when the Precinct Plan was adopted was 6.0;
- Density for the site was 6.15 in the July 2013 submission but has recently been reduced to 6.08 through design revisions;
- Higher densities have been approved for 2175 Lake Shore (6.42) and 2151 Lake Shore (6.3);
- Most of the recent hi-rise buildings built and approved throughout Humber Bay Shores and adjacent areas such as Lake Shore Blvd. and Park Lawn Road have building heights ranging from 30 to 56 storeys; and
- Empire's proposed 46 storey tower is clearly within this range and its 66 storey tower has been proposed given its prominent location in the centre of a very large site, well separated from adjacent buildings providing an appropriate opportunity to develop an iconic building with minimal impacts (beyond prevailing building heights in the area);
- The building heights have been reviewed and approved by NAV CANADA.

4 Wind Impacts (Empire Site and Future Public Park on TRCA/City Land)

- There are NO “uncomfortable” or “unsafe” wind conditions on site or in the adjacent future TRCA/City public park per wind study prepared by GmE for Empire;
- Since Empire’s wind study was submitted their design team has worked with GmE to further improve comfort conditions (ie. walking to standing/standing to sitting) in key areas:
 - Outdoor Amenity Terraces
 - Publicly Accessible Open Courtyard
 - Public Streets and Main Building Entrances
 - Public Walkway (south) adjacent future Park/Esso
 - Future Public Park on TRCA/City lands
- GmE has provided a memorandum that identifies mitigation measures that will provide “sitting” conditions in these key areas. (see attached memo)

5 Wind Impacts on Parkette North of Street D on 2175 Lake Shore Boulevard site

- OPA/ZBA approved Mixed Use Building at 2175 Lake Shore includes a public parkette;
- Current SPA Park Design reviewed with City Parks but not finalized (Figure 1);
- GmE’s wind study prepared for Empire identified two “uncomfortable” wind conditions in the spring and winter in the parkette;
- Empire’s proposed development DOES NOT contribute to the “uncomfortable” conditions in the parkette but in fact marginally improves conditions suitable for “walking” throughout the year;
- Empire’s consultants have identified mitigation measures (wind screens and plantings) that will improve wind conditions suitable for sitting in the parkette during the warmer months of the year; (see attached memo) and
- Empire has contacted the owner/developer of 2175 Lake Shore and it’s planning/design team to work cooperatively to discuss GmE’s suggested mitigation measures.

6 Port Cochere & “Archway”

- The port cochere and archway is an integral feature linking the two buildings which extends the view corridor from Street C into the future public park on the TRCA/City lands.
- Empire, since its July 2013 resubmission, has increased the height of the archway from 8.0m to 11.1m significantly increasing the view through the archway into the future park. (Figures 2 and 3)
- The archway is significant in width at 40m, comparable to the width of grand public streets like Spadina and University Avenue at Queen Street in Downtown Toronto and at 11m high, could accommodate a scale equivalent to a continuous row of 3 storey townhouse units. (Figure 4) – this is not a “small” or constrained opening or transition

7. Base Building (Podium)

- Revisions to the buildings base and podium were previously made in response to City comments and were summarized in a memo from Zeidler Architects and submitted to the City in April and May 2013. The revisions included:
 - Podium height lowered from 9 to 6 storeys;
 - Port Cochere (“archway”) height increased;
 - Balconies stretched 1.0m from ground to 5th floor to define podium base;
 - Intermittent colour introduced on 5th floor to further emphasize podium base;
 - Tower B was setback an additional 6m on Street D and “tiering” was removed to further define podium base;
 - Above ground public parking structure was eliminated and all parking placed underground;
 - A commercial/retail building (4 storey scale) replaced above-grade parking on Lake Shore;
 - Horizontal movement of white bands on commercial building on Lake Shore extended;
 - Residential lobbies pulled closer to public streets;
 - Courtyard drop-off driveway shortened ;
 - Retail/commercial space added along Street D and public walkway; and
 - New community facility (possible daycare) added under port cochere between landscaped courtyard and the future public park.

8 Transition to Typical Tower – Arched Tiering and Floorplates

- Additional revisions have been made to Tower A reducing the amount of “tiering” facing Street ‘D’ thereby further differentiating the base of the building from the tower portion. (Figure 5)
- In conjunction with space removed to increase the porte cochere, and the reduced commercial space on Lake Shore (discussed below), approximately 1,250m² of space was removed reducing the overall GFA of the development to 92,051m².
- With this reduction in GFA the density on the site is now 6.08.
- The overall design of the project is defined and carefully crafted by the following:
 - A strong 4-6 storey base building with retail fronting Lake Shore and Marine Parade;
 - Terraced and sculpted mid-rise transitions from the building base to typical tower floors (7th to 14/15th storeys)
 - Tall slender and well-separated point towers, typically 751m² in floor size, above the 15/16th storeys
- Empire’s design team believes it has positively responded to the intent of the Design Guidelines for Humber Bay Shores and the City’s Tall Building Design Guidelines. Its design elements are generally consistent with the Humber Bay Shores Design Guidelines that call for:
 - 3-5 storey base buildings directly fronting Lake Shore and Marine Parade Drive;
 - A mid-rise terrace buildings of 7 to 14 storeys, which may have slightly larger floorplates; and
 - Tall, slender and well-separated point towers with typical floorplates of 750m².

9. Shadows

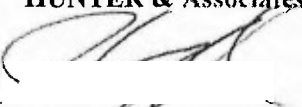
- In order to avoid any shadow impacts, specifically on the neighbouring parkette and waterfront public amenity area across Marine Parade Drive in the afternoon hours of the spring and fall seasons, development on the site would require significantly reduced tower heights resulting in a mid-rise building form. This is not a reasonable design solution in this context which includes other approved and planned tall buildings with comparable shadow impacts in Humber Bay Shores in our opinion. The two towers have a considerable separation between them thereby permitting sunlight at various points throughout the day throughout the year.

10. Public Walkway – Lake Shore Blvd. to Marine Parade Drive

- To increase the suitability of the public walkway extending from Lake Shore to Marine Parade Empire has reduced the size of the commercial space in the base of the building near Lake Shore and the Esso Station in order to provide a minimum walkway width of 5.75m over the length of the walkway. (Figure 6)
- The walkway comfortably accommodates 2 tree-lined walkway aisles of 1.8m with wood benches (Figure 7).

In our opinion, Empire and its consulting team have taken considerable time to address items and issues that were discussed at our meeting on October 23rd. Staff's opinions continue to be highlighted in its Request for Directions Report which is scheduled to be considered by Etobicoke York Community Council on November 19th, 2013. Should you wish to discuss these matters further, we remain open to doing so. Please do not hesitate to contact me at 416-444-8095 (x201) or by email at craig@hunterassociates.ca.

Yours truly,
HUNTER & Associates Ltd.



J. Craig Hunter, MCIP, RPP
 President

- c. D. Guizzetti, Empire Communities
 Empire Design Team
 D. Bronskill, Goodmans
 Councillor M. Grimes