

**2169-2173 Lake Shore Boulevard West – Official Plan
Amendment and Zoning By-law Amendment Application -
Final Report**

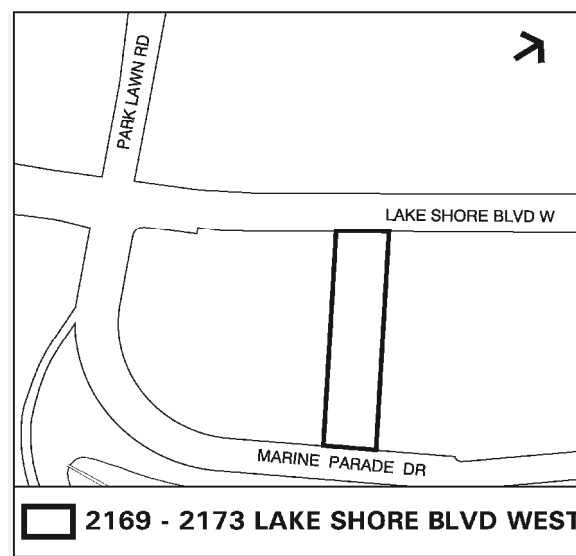
Date:	June 2, 2014
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 6 – Etobicoke-Lakeshore
Reference Number:	12 142290 WET 06 OZ

SUMMARY

This application proposes to amend the Official Plan and Site Specific Zoning By-law 1994-197 for the lands at 2169-2173 Lake Shore Boulevard West to permit a 2-storey commercial building fronting Lake Shore Boulevard West, a 6-storey residential building on the central block of the development site, and a 41-storey residential tower with ground-floor retail uses fronting Marine Parade Drive. A total of 540 units are proposed with 568 parking spaces in three levels of underground parking. A publicly accessible private open space area between the proposed commercial building and the 6-storey residential building is proposed. The proposal would provide a new future public road (Street "C") in the centre of the site and a new laneway at the rear of the commercial building; both of which would connect with road alignments on adjacent sites.

The proposal and its implementing site-specific amendments to the Official Plan and Zoning By-law are consistent with the 2014 Provincial Policy Statement and conform to the Provincial Growth Plan.

The proposed development conforms to the general intent and principles of the Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan.



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

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 2169-2173 Lake Shore Boulevard West substantially in accordance with the draft Official Plan Amendment attached as Attachment 9 to this report.
2. City Council amend Zoning By-law 1994-197 for the lands at 2169-2173 Lake Shore Boulevard West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 10 to this report.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
4. Before introducing the necessary Bills to City Council for enactment, the owner be required to enter into an Agreement pursuant to Section 37 of the *Planning Act* satisfactory to the Chief Planner and Executive Director, City Planning, and the City Solicitor, such Agreement to be registered on title to secure the following facilities, services and matters from the owner at its expense:
 - A. A cash contribution towards parks and local improvements in the Humber Bay Shores area, as determined by the Ward Councillor and the Chief Planner and Executive Director, City Planning, including but not limited to the design and construction of the public park at 2175 Lake Shore Boulevard West.
 - B. Require that any cash amount identified in A. above to be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.
 - C. In the event the cash contribution referred to in A. above has not been used for the intended purpose within three years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor and the TRCA, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the property.

- D. The following is also recommended to be secured in the Section 37 Agreement, as a legal convenience to support development:
 - i. The owner shall construct and maintain the development in accordance with the Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009.
 - ii. The owner to provide for appropriate public access to the private open space between Building "C" and Street "C" to the satisfaction of the Chief Planner and Executive Director, City Planning.

- 5. Before introducing the necessary Bills to City Council for enactment, the owner be required to:
 - A. Revise the loading spaces to the satisfaction of the Executive Director, Engineering and Construction Services;
 - B. Submit results of hydrant flow tests that indicate the existing watermain system can support the proposed development to the satisfaction of the Executive Director, Engineering and Construction Services;
 - C. Provide acceptable wind mitigation measures for the park at 2175 Lake Shore Boulevard West to the satisfaction of the General Manager, Parks, Forestry and Recreation; and
 - D. Complete the requirements and related approvals process of the City's Tree By-laws to the satisfaction of Manager, Tree Protection and Plan Review, Urban Forestry.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The site is located within the Humber Bay Shores Development Area (also known as the Motel Strip). The site is governed by the Motel Strip Secondary Plan and Humber Bay Shores Site Specific Zoning By-law 1994-197. Both governing documents establish land uses and development standards, and the By-law contains Holding Provisions that must be satisfied prior to the lifting of the Holding (H) symbol to allow the underlying land use and zoning to come into effect.

In July 2008, City Council adopted the Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan. These guidelines address built form relationships of taller

buildings to the public realm, local streets and block patterns. This document can be found at:

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-13991.pdf>

In June 2009, City Council directed staff to undertake a City-initiated Official Plan Amendment to incorporate the changes to the internal road system recommended in the Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan. Further, a “Precinct Plan” was developed in consultation with the land owners and the City to ensure co-ordinated road networks, streets and blocks, servicing and grading for the area.

A Final Report endorsing the Precinct Plan was presented to Etobicoke York Community Council on May 25, 2010 and adopted by City Council on June 8, 2010. This document can be found at:

<http://www.toronto.ca/legdocs/mmis/2010/ey/bgrd/backgroundfile-30012.pdf>

At its meeting of November 27, 2012 City Council directed staff to undertake a Comprehensive Transportation Masterplan for the Park Lawn Road/Lake Shore Boulevard West area, given the announcement by Mondelez Canada that it would close the Mr. Christie plant in the third quarter of 2013. Public Works and Infrastructure Committee received a staff report outlining the scope of work and budget for this initiative in September 2013. This study will review, among other matters, opportunities to relieve traffic operational issues at the Park Lawn Road/Lake Shore Boulevard West intersection. It is anticipated this study will be initiated in the third quarter of 2014. This document can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PW25.8>

At its meeting of January 15, 2014 Etobicoke York Community Council considered and adopted a staff report recommending lifting the Holding (H) symbol for six properties in the Humber Bay Shores area including the subject property. The lifting of the Holding (H) symbol will allow the underlying residential permissions to come into effect and development to proceed. This document can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.EY30.3>

ISSUE BACKGROUND

Proposal

This application seeks to amend the Motel Strip Secondary Plan and Site Specific By-law 1994-197 to permit the redevelopment of this site with a mixed use development consisting of a 2-storey commercial building with retail uses at grade fronting Lake Shore Boulevard West, a 6-storey residential building in the centre of the site, and a 41-storey residential tower with retail uses at grade fronting Marine Parade Drive (see Attachment 1 – Site Plan). The development would contain a total of 540 residential units and a total of 35,700 m² representing a floor space index of 3.18 times the area of the lands.

The proposal would create two new roadways. Central to the site is proposed Street “C”, which would be a north/south public street separating the 41-storey residential building

("Building A") from the 6-storey residential building ("Building B"). Proposed Laneway "E" would separate the 2-storey commercial building ("Building C") from the proposed publically accessible private open space adjacent to "Building B". The proposed roads would connect with roads on adjacent properties to create a continuous roadway network through the Humber Bay Shores area. In addition, the redevelopment would provide a road widening along Lake Shore Boulevard West to create a 36 m wide right-of-way, consistent with Map 3 Right-of-Way Widths of the Official Plan.

The proposed commercial building fronting Lake Shore Boulevard West would include retail space at grade and offices above. The 2-storey building would have a height of 9.8 m and a total non-residential gross floor area (GFA) of 1,339 m². Vehicular access to "Building C" would be from the new Laneway "E" at the rear of the building.

The proposed 6-storey residential "Building B" would be 17.05 m in height (including mechanical) and would occupy the centre portion of the development lands, between new Street "C" and new Laneway "E". This building would contain a total of 63 residential units and have 3,967 m² of residential GFA.

The proposed 41-storey residential "Building A" would take its main pedestrian and vehicular access from Street "C" with a secondary pedestrian access from Marine Parade Drive. This tower would have a total height of 124.9 m (including mechanical), contain 477 residential units and have a total GFA of 30,404 m² (excluding amenity space).

A landscaped publicly accessible private open space is proposed mid block on the development site between "Building B" and the 2-storey commercial "Building C". This open space would include a decorative walkway, benches and a variety of plantings, and would provide a public pedestrian connection between Laneway "E" and Street "C" and access to the public open space at 2175 Lake Shore Boulevard West.

On-site parking, servicing and the pick-up/drop-off areas are proposed to be accessed from Street "C" and Laneway "E". Vehicular access to on-site parking and loading facilities becomes possible once the Phantom development (2175 Lake Shore Boulevard West) completes its portion of Street "C" and Laneway "E". This would allow the development to connect to Street "B", which will run east-west between Lake Shore Boulevard West and Marine Parade Drive.

A total of 568 parking spaces are proposed in 3 levels of underground parking.

The Application Data Sheet in Attachment 8 provides additional information on the proposal.

Site and Surrounding Area

The subject site is rectangular in shape, and has an approximate frontage of 41.4 m on both Lake Shore Boulevard West and Marine Parade Drive with an average depth of 178 m and a total lot area of 1.12 ha. The site slopes gently downwards from Lake Shore Boulevard West to Marine Parade Drive.

Surrounding land uses include:

- North: 2161-2165 Lake Shore Boulevard West, a vacant parcel of land owned by Monarch Developments Inc. An application for Official Plan and Zoning by-law Amendment has been submitted for a mixed use development consisting of two residential towers of 49 and 14 storeys and a four storey commercial building fronting onto Lake Shore Boulevard West. This application is currently under review.
- East: Across Marine Parade Drive, is Lake Ontario with a public park and trail system linked to Humber Bay Park.
- South: 2175 Lake Shore Boulevard West, an approved mixed-use project consisting of a 3-storey commercial building adjacent to Lake Shore Boulevard West, and a 34-storey residential tower further south in the centre of the block. This project is known as Phantom.
- West: Across Lake Shore Boulevard West is the Mondelez property, referred to as the Mr. Christie's Bakery site, and its related parking and loading areas. There is also a small commercial building containing a bank on the northwest corner of Park Lawn Road and Lake Shore Boulevard West.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. The key objectives include: building strong, healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. 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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The Official Plan designates the property as *Mixed Use Areas* on Map 15 – Land Use Plan. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses, in either single use or mixed use buildings. Development in *Mixed Use Areas* will create a balance of high quality residential, commercial and open space uses that will meet the needs of the local community. Key development criteria for mixed use areas include:

- create a balance of high quality commercial, residential, institutional and open space uses; provide for new jobs and homes;
- locate and mass buildings to provide transition between areas of different development intensity and scale;
- locate and mass new buildings so as to limit shadow impacts on adjacent *Neighbourhoods*;
- locate and mass buildings to frame the edges of streets and parks;
- provide an attractive, comfortable and safe pedestrian environment;
- provide good site access and parking; and
- take advantage of nearby transit services.

Chapter Three, Section 3.1.2 Built Form of the Official Plan contains policies that provide direction on matters related to site design and layout including organization and fit of new development into its planned context, organization of access, parking and service areas, design of new streets and the provision of amenities.

The Lake Shore Boulevard West frontage is identified as an *Avenue* on the Urban Structure Map (Map 2) of the Official Plan. *Avenues* are important corridors along major streets where re-urbanization is anticipated and encouraged to create new housing and job opportunities, while improving the pedestrian environment, the look of the street, shopping opportunities and transit service for community residents.

Motel Strip Secondary Plan

The site is also subject to the Motel Strip Secondary Plan (Chapter 11), as amended. This Secondary Plan establishes local development policies to guide growth and change in its defined area with respect to building heights, number of units, total permitted floor area, road networks and public realm conditions. The minimum right-of-way width of Internal Road No. 7 (Street "C") is 23 m on Map 11-2 of the Secondary Plan.

The maximum density provided for in the Motel Strip Secondary Plan (*Mixed Use Area "A"*) is 3 times the area of the lot (2.5 times the area of the lot and 165 units per hectare when combined with a residential component). The maximum residential density provided for is 2 times the lot area and 165 units per hectare. There are also density transfers that can be utilized where development sites involve original and qualifying water lots. The subject site was previously a water lot and the density transfer resulted in a net developable potential of 6 times the area of the lot.

The proposed central ("Building B") and east ("Building A") blocks are designated *Mixed Use Areas "A"*, which permits a diversity of waterfront recreational, commercial, residential, institutional, cultural, entertainment and open space uses.

The proposed non-residential block fronting Lake Shore Boulevard West is designated *Mixed Use Areas "B"*. The maximum density provided for is 3.0 times the lot area. *Mixed Use Areas "B"* is intended to provide for a range of commercial uses as an area of transition between the existing industrial use north of Lake Shore Boulevard West and residential uses within *Mixed Use Areas "A"*. Uses within *Mixed Use Areas "B"* will be compatible with

the industrial use through land uses and the use of building design, orientation and landscape features.

Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan

In July 2008, City Council adopted the Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan. This document replaced the former Kirkland Urban Design Guidelines for the Motel Strip, and recommended new initiatives that are more in keeping with Council endorsed policies such as the Design Criteria for the Review of Tall Building proposals. Among many directives, these guidelines address built form relationships of taller buildings to the public realm, local streets and block patterns. This document can be found at:

<http://www.toronto.ca/legdocs/mmis/2008/ey/bgrd/backgroundfile-13991.pdf>

City-Wide Tall Building Design Guidelines

In May 2013, City Council adopted the updated City-wide Tall Building Design Guidelines and directed Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The City-wide Guidelines are available at:

<http://www.toronto.ca/planning/tallbuildingdesign.htm>

Zoning

The site is subject to two zoning categories in the former City of Etobicoke Zoning Code (see Attachment 6). The majority of the site is zoned Mixed Use (MU) which permits apartment residential uses as well as hotels and motels and outdoor cafes. The lands fronting Lake Shore Boulevard West are zoned Limited Commercial (CL), which permits a broad range of commercial uses, including retail shops and services, restaurants, offices and various institutional uses.

On May 9, 2013, City Council enacted new City-wide Zoning By-law (By-law 569-2013) which is under appeal to the Ontario Municipal Board. A transition protocol identifies categories and types of properties that are not included in the new zoning by-law, and includes lands within a Secondary Plan area, governed by an area based zoning by-law, and/or subject to a complete development application.

The subject lands are within the Motel Strip Secondary Plan area which is subject to implementing Zoning By-law 1994-197 and do not form part of the City's new harmonized Zoning By-law 569-2013.

Site Plan Control

The proposed development is subject to site plan control. An application for Site Plan Approval has been submitted and is under review.

Tree Preservation

A total of 10 private trees were identified on the subject lands by the applicant's arborist. An application for the removal of these trees was submitted to Urban Forestry in June 2013. Urban Forestry staff advises that the applicant has not fulfilled the required conditions to receive permits for removal. Additionally, Urban Forestry staff advises that there may be additional trees that require applications that have not been submitted. As such, Urban Forestry staff have requested that the requirements and related approval process of the City's Tree By-laws be completed to the satisfaction of the Manager, Tree Protection and Plan Review, Urban Forestry prior to the introduction of the necessary Bills to City Council for enactment.

Reasons for the Application

Amendments to the Motel Strip Secondary Plan are required as follows:

1. An amendment to Chapter 6, Section 11 Motel Strip Secondary Plan is required to provide for the proposed additional building height, density, number of residential units and floor area.
2. An amendment to Chapter 6, Section 11, Motel Strip Secondary Plan, Map 11-2 is required to reduce the required right-of-way width of Internal Road No. 7 from 23 m to 18.5 m.

An amendment to Site Specific Zoning By-law 1994-197 is required to provide for the proposed additional building height, number of residential units and floor area and to amend the vehicle and bicycle parking, building setbacks and amenity space standards of the current by-law.

Community Consultation

A Community Consultation Meeting was held on September 18, 2012 and was attended by 14 residents. Issues raised at the meeting and submitted on comment sheets included:

1. Concerns about access and additional traffic on Lake Shore Boulevard West and how this road can accommodate additional traffic; and
2. Concerns about servicing to accommodate the additional population proposed in the area.

These servicing and transportation related matters are addressed below.

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

Consistency with Provincial Policy Statement and Provincial Plans

The proposal is consistent with the 2014 Provincial Policy Statement. As a residential infill project, it supports the policy objectives of focusing growth in existing settlement areas (intensification). The development promotes efficient land use, reduces land consumption related to residential development and utilizes existing services and infrastructure.

City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe. In this case, Section 2.2.2 of the Growth Plan states that population and employment growth will be accommodated by directing a significant portion of new growth to the built-up areas of the community through intensification. As this site is located in a built up area, and the proposal is intensifying the use of land for housing, the proposal conforms and does not conflict with the Growth Plan.

Land Use

The site is designated *Mixed Use Areas* in the Official Plan and the Motel Strip Secondary Plan. Staff are of the opinion the development proposal conforms to the *Mixed Use Areas* designation and its development criteria. The residential use of this land is appropriate as it would be compatible with its existing and future planned context and built form. The commercial building fronting Lake Shore Boulevard West would also meet the objectives of providing an adequate buffer and transition between the existing industrial property to the west and residential uses to the east, and supports the vision of increasing commercial and retail uses for area residents along Lake Shore Boulevard West.

Density, Height and Massing

The Official Plan requires redevelopment in *Mixed Use Areas* to demonstrate an appropriate built form and provide transition in terms of height, density and urban design to ensure the general amenity of the existing area is not negatively affected. Factors to be considered include light, shadows, views, privacy, traffic and parking, among other matters. The Official Plan requires new development to frame existing streets, provide an entrance that is visible and accessible from the street, and to minimize the impact of parking, service areas, access roads, wind and shadows on future residents of the proposed development and its neighbours.

The proposed 41 storey mixed use tower fits with the scale of taller buildings built, approved or emerging in the Humber Bay Shores area. The proposed 6 storey building also fits within the developing context of the Humber Bay Shores area. The proposed residential buildings promote appropriate design and supports diversity of building forms within the Humber Bay Shores area.

The overall development density of the proposal is 3.18 times the lot area. The proposal includes a total of 540 residential units, and would provide approximately 1,712 m² of non-residential space for retail, commercial and office uses. The height of proposed "Building A" responds to the Tall Building Design Guidelines which envision slender and less-bulky buildings that improve massing and provide for a better public realm. The proposal also

meets the Tall Building Design Guidelines limiting tower floor plate sizes to 750 m². The proposed density is similar to the densities approved for lots in Humber Bay Shores further north.

The Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan have been adopted by City Council and provide guidance on built form relationships of taller buildings to the public realm, local streets and block patterns. The Guidelines also indicated locations for tower buildings in order to increase views toward the lake, increase separation distances between towers, minimize shadow impacts and create a striking skyline. The placement of the residential tower is consistent with the Humber Bay Shores Urban Design Guidelines Update.

Design Review Panel

A preliminary development plan was submitted to the City's Design Review Panel on March 19, 2012 for review and comments. The Panel provided suggestions for refining the design related to loading areas and operations, continuous streetwall to the north and south, the massing of "Building B" and overhang elements on Marine Parade Drive. Many of these suggestions were incorporated into the revised design.

Sun, Shadow and Wind

Section 3.1.3 (Built Form – Tall Buildings) and Policies 4.5.2(d) and (e) of the Official Plan require tall buildings to minimize the negative impact of shadows on adjacent streets, parks and open spaces and locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

The applicant submitted a Shadow Analysis that indicates the proposed 41-storey and 6-storey buildings would introduce some additional shadow impacts on the neighbouring properties designated *Mixed Use Areas* and *Parks*. However, existing buildings located north and northwest of the subject property currently cast similar shadows on other existing buildings and on Humber Bay Shores Park.

Planning staff are of the opinion the shadow impacts of the proposal on the adjacent sites in Humber Bay Shores and on Humber Bay Shores Park would be acceptable as the proposed shadows largely overlap shadows from existing buildings.

There is also a proposed publicly accessible private open space area located internal to the site. The publicly accessible private open space area will be shadowed by the proposed and adjacent buildings throughout the day. Staff have worked with the applicant to redesign "Building B" to reduce some of the shadow impacts on this open space. Staff will continue to work with the massing and design of abutting proposals to reduce shadows on this open space.

A Pedestrian Level Wind Study was submitted and concludes that wind conditions at ground level within the development site will be acceptable for pedestrian uses. The study indicated that unacceptable wind conditions would occur at the proposed public park to the

south at 2175 Lake Shore Boulevard West. The park is surrounded by three developments, 2169 Lake Shore Boulevard West, 2175 Lake Shore Boulevard West and 2183 Lake Shore Boulevard West. Planning staff have met with the owners of the three developments to ensure that an acceptable wind mitigation solution is found that will achieve acceptable wind conditions in the park for all planned uses. While many mitigation measures can be secured through the site plan approval process, some mitigation measures may affect building envelopes. As such, staff recommend the necessary Bills not be introduced to City Council for enactment until Planning staff have resolved this issue to ensure mitigation measures are appropriate to increase pedestrian comfort in the park.

Traffic Impact, Access, Parking and Loading

In June 2009, City Council directed staff to undertake a City-initiated Official Plan Amendment to incorporate the changes to the internal road system recommended in the Humber Bay Shores Urban Design Guidelines Update and Public Realm Plan. Additionally, the implementing Precinct Plan and Core Infrastructure Agreement provide for the dedication of local roads, the widening of Lake Shore Boulevard West and the timely delivery of infrastructure to serve this community.

The Precinct Plan and Core Infrastructure Agreement are based, in part, on a Traffic Impact Study for the Humber Bay Shores Precinct, originally prepared in 2009 by AECOM and MMM Group on behalf of the Humber Bay Shores Land Owner's group. The study by MMM/AECOM considers the transportation implications of the proposed Precinct Plan development program. Successive updates to the Precinct Plan (accounting for specific project proposals, coordination with the Mondelez site and evolving servicing parameters) have necessitated updates to the traffic analysis.

Streets

The Precinct Plan and Core Infrastructure Agreement require the applicant to construct and dedicate its portion of Street "C" (running north-south and bisecting the subject lands), as well as its portion of Laneway "E" (running between and parallel to Street "C" and Lake Shore Boulevard West) to the City. The Core Infrastructure Agreement legally secures the timing and phasing of the required dedication, environmental review and construction of the roads. These matters will be at the owner's expense, in conjunction with other matters secured through the Core Infrastructure Agreement.

Parking/Loading

A total of 568 parking spaces would be provided in three levels of underground parking. Eighty-two parking spaces are shared visitor/commercial parking and 486 spaces are provided for residential uses. Consistent with Site Specific Zoning By-law 1994-197 provisions, the underground parking structure for the proposed development would extend beneath Street "C" and Laneway "E". As well, 420 bicycle parking spaces are to be provided.

The applicant is proposing one Type G loading facility with "Building A" accessed from Street "C" and one loading space for the commercial building to be accessed from Laneway "E". Transportation Services staff have requested that an additional loading space for

"Building B" be provided and that appropriate drawings be submitted for review to ensure there is sufficient manoeuvring room provided for solid waste vehicles to enter and exit the loading area. Transportation Services staff further advise that service vehicles must be able to exit onto Street "C" in a cab-forward manner. As a result, staff recommend the necessary Bills not be introduced to City Council for enactment until the applicant has designed the loading facilities to accommodate the required manoeuvres to the satisfaction of the Executive Director, Engineering and Construction Services.

Street "C" Right of Way Width and Setbacks

Transportation Services staff have advised that the proposed right-of-way width of 18.5 m for Street "C" (Internal Road No. 7 in the Motel Strip Secondary Plan) is acceptable and complies with the approved right-of-way requirements for adjacent developments north and south of this site. As noted previously, this necessitates an amendment to Map 11-2 of the Motel Strip Secondary Plan. Transportation Services staff further advise that the above and below grade building setbacks will be measured from the revised Lake Shore Boulevard West right-of-way and will be secured through the site plan approval process.

Transit

The area is currently served by surface transit routes on Park Lawn Road and Lake Shore Boulevard West. The 66D Prince Edward bus travels along Park Lawn Road between Old Mill Station on the Bloor Danforth Subway line and Humber Bay Shores. In addition, the 145 Downtown/Humber Bay Express service runs along Lake Shore Boulevard West between Kipling Avenue and downtown during the morning and afternoon peak periods.

The 501 Queen Streetcar operates along the Lake Shore Boulevard West corridor in proximity to this development. It is intended that the Humber Streetcar loop will be relocated to Park Lawn Road to improve streetcar frequency and service to the Humber Bay Shores community. The timing for the implementation of the Park Lawn Road loop is unknown at this time.

Servicing

A Functional Servicing Report was submitted with this application. Service connections must be taken from the existing watermain, sanitary sewer and storm sewer along Marine Parade Drive to service the proposed commercial and residential buildings. The report indicated that there was sufficient capacity to service the development. The Functional Servicing Report has been reviewed and accepted by Engineering and Construction Services staff.

Engineering and Construction Services staff have requested that the applicant provide hydrant flow tests to illustrate that current flows in the existing water distribution system are adequate to service the proposed development. Engineering and Construction Services staff recommend the necessary Bills not be introduced to City Council for enactment until the applicant has submitted the hydrant flow tests to the satisfaction of the Executive Director, Engineering and Construction Services.

The applicant, together with the Humber Bay Shores Landowners group ("landowners") submitted a functional servicing report for the area which was incorporated in the Core Infrastructure Agreement which has been executed by the landowners group. The Core Infrastructure Agreement outlines a proportionate cost sharing arrangement between the landowners for the cost of municipal roads, road improvements, services and any upgrades required to support the development within the Humber Bay Shores area. The municipal works are based on the Precinct Plan which has been accepted by Engineering and Construction Services staff.

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/C of the Toronto Official Plan shows local parkland provisions across the City. The site is in the second highest quintile of current provision of parkland, as per Map 8B/C of the Official Plan. The site is in a parkland priority area, as per Alternative Parkland Dedication Rate By-law 1020-2010.

Parks, Forestry and Recreation staff have advised that the development site is subject to the alternate rate park levy. The owner proposes to satisfy the parkland dedication requirement by cash-in-lieu. Parks, Forestry and Recreation staff advise this is acceptable. The actual amount of cash-in-lieu to be paid would be determined by Facilities and Real Estate staff at the time of issuance of the building permit.

An integral component of the development is the publicly accessible private open space located in the centre block adjacent to "Building B". This space would not only provide an amenity for the residents of "Building B" but would also provide an open space for the area and a connection through the site to the lake. As such, it is important that this private open space be available for use by the public, as well as the residents of "Building B". Planning staff recommend the necessary Bills not be introduced to City Council for enactment until appropriate public access to this private open space is secured in the Section 37 Agreement, as a legal convenience, to the satisfaction of the Chief Planner and Executive Director, City Planning.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance standards with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS, which is proposed to be secured in the Section 37 Agreement as a legal convenience.

The site specific by-law will secure performance measures for Tier 1 development features related to Automobile Infrastructure, Cycling Infrastructure and Storage and Collection of Recycling and Organic Waste. Other applicable TGS performance measures will be secured through the site plan approval process.

Tenure

The proposed development is intended to be a common element condominium. The applicant will be required to submit an application for a common element condominium should this application be approved.

Section 37

Section 37 of the *Planning Act* authorizes a municipality, with appropriate approved Official Plan provisions, to pass by-laws increasing the height or density otherwise permitted by a Zoning By-law in return for the provision of community benefits by the applicant.

In consultation with the Ward Councillor, staff at this time are negotiating the Section 37 contribution with the applicant. Staff are recommending this cash contribution be put towards parks and local improvements in the Humber Bay Shores area, including but not limited to the design and construction of the proposed public park at 2175 Lake Shore Boulevard West, once the proposed wind mitigation measures are determined once the amount of the contribution has been agreed to. A further report would be submitted to City Council.

It is therefore recommended that before introducing the necessary Bills for enactment, City Council require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* as follows:

- A. A cash contribution to be paid to the City prior to the issuance of the first above-grade permit, towards parks and local improvements in the Humber Bay Shores area, as determined by the Ward Councillor and the Chief Planner and Executive Director, City Planning, including but not limited to the public park at 2175 Lake Shore Boulevard West:

The cash contribution identified in A. above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.

In the event the cash contribution referred to in A. has not been used for the intended purpose within three years of the By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor and the TRCA, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the property.

- B. The following is also recommended to be secured in the Section 37 Agreement, as a legal convenience to support development:

- i. The owner shall construct and maintain the development in accordance with the Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009.
- ii. The owner to provide for appropriate public access to the private open space between Building "C and to Street "C" to the satisfaction of the Chief Planner and Executive Director, City Planning.

Conclusion

The proposed development would provide a mixed use development for this site that implements the principles of the Motel Strip Secondary Plan to achieve a waterfront community. The proposed building heights and density are appropriate as the massing of the buildings are consistent with the Humber Bay Shores Urban Design Guidelines and appropriate in the existing and planned context for the area. An active pedestrian streetscape would be achieved with retail uses fronting Lake Shore Boulevard West and Marine Parade Drive. The provision of publicly accessible private open space would add to the amenity of the area and provide connections to the lake. Staff are therefore recommending that the application to amend the Official Plan and Zoning By-law be approved by City Council.

CONTACT

Kathryn Thom, Senior Planner
Tel. No. (416) 394-8214
Fax No. (416) 394-6063
E-mail: kthom@toronto.ca

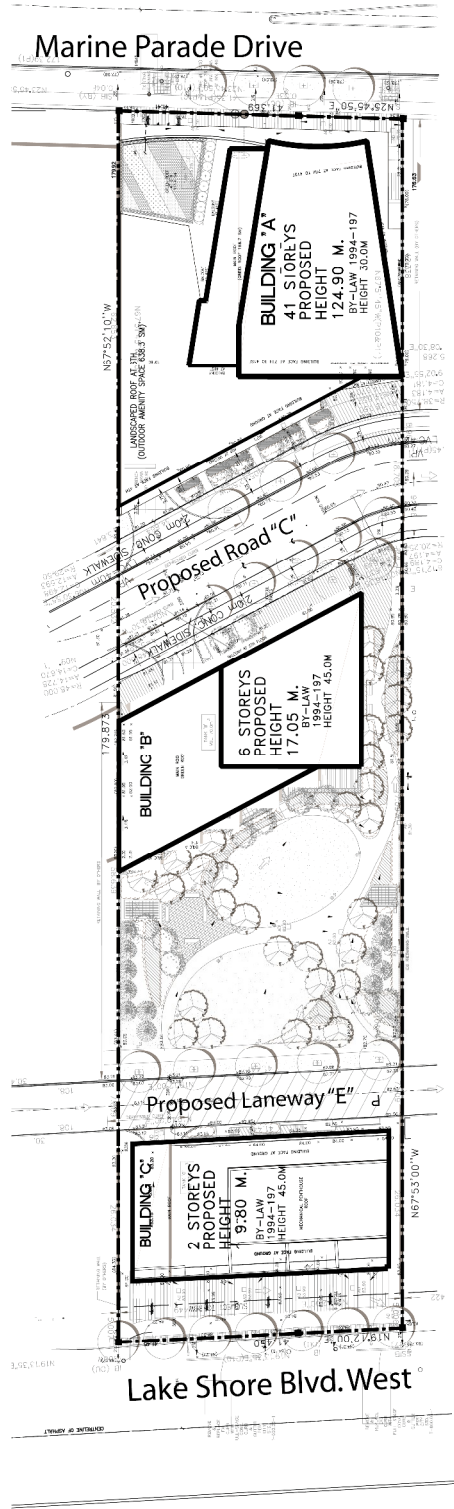
SIGNATURE

Neil Cresswell, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Elevations-North
- Attachment 3: Elevations-South
- Attachment 4: Elevations-East
- Attachment 5: Elevations-West
- Attachment 6: Zoning
- Attachment 7: Official Plan
- Attachment 8: Application Data Sheet
- Attachment 9: Draft Official Plan Amendment
- Attachment 10: Draft Zoning By-law Amendment

Attachment 1: Site Plan



2169 - 2173 Lake Shore Blvd. West

File # 12 142290 WET 06 0Z

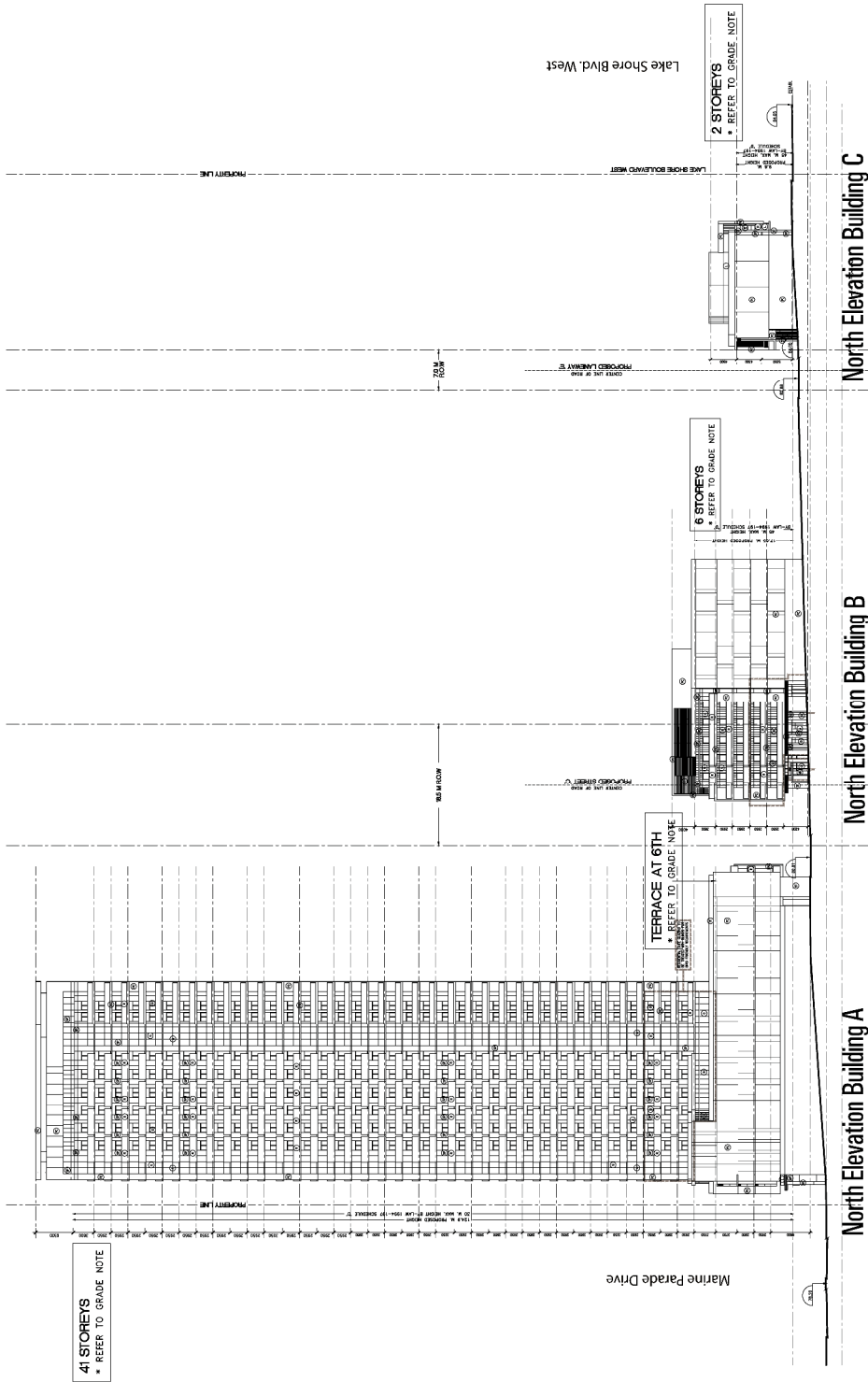
Site Plan

Applicant's Submitted Drawing

Not to Scale
04/25/2012



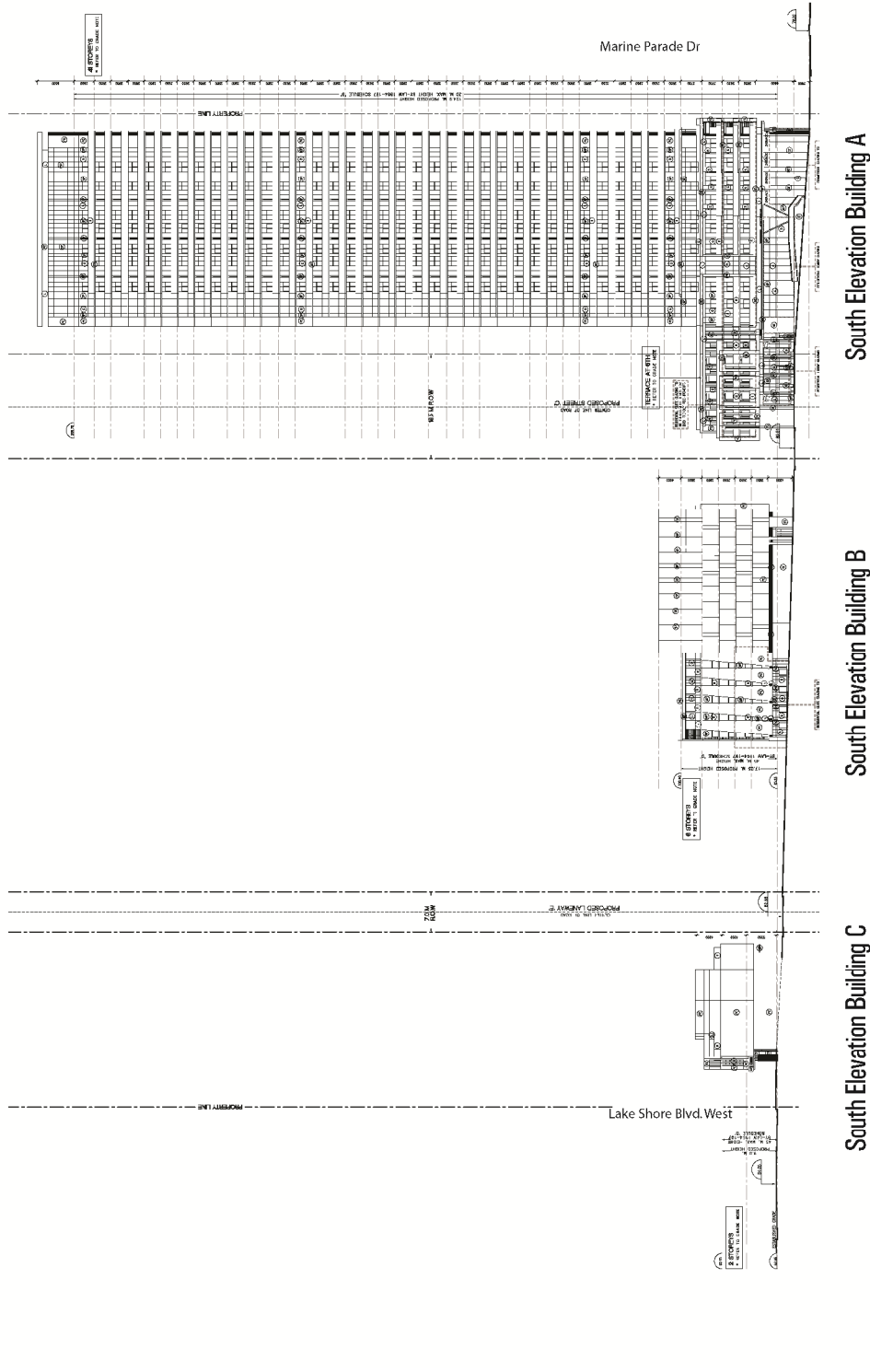
Attachment 2: Elevations - North



Elevations
 Applicant's Submitted Drawing
 Not to Scale
 05/27/2014

2169 -2173 Lake Shore Blvd. West
 File # 12 142290 WET 06 0Z

Attachment 3: Elevations - South

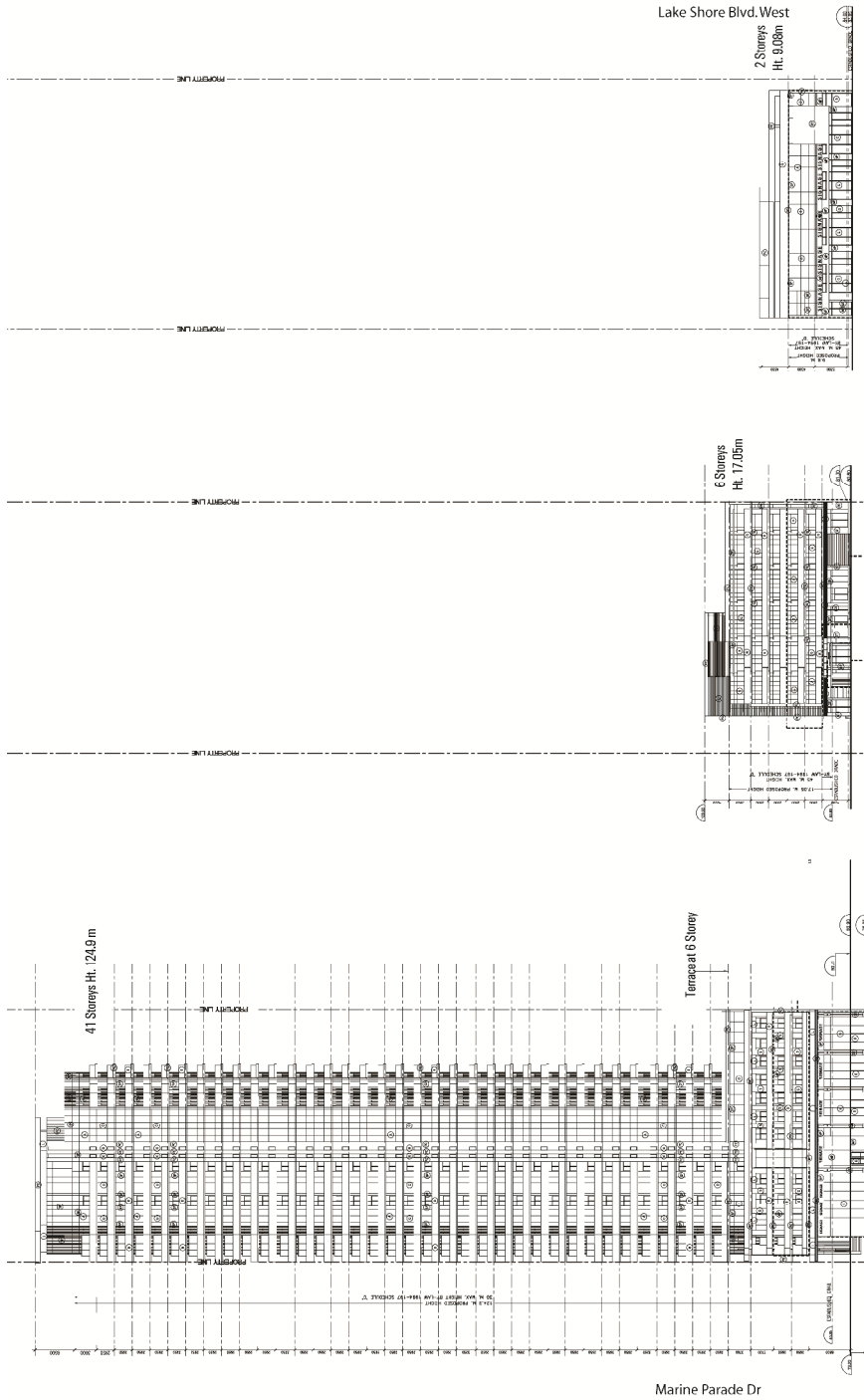


Elevations
 Applicant's Submitted Drawing
 Not to Scale
 05/27/2014

South Elevation Building A
2169 to 2173 Lake Shore Boulevard West
South Elevation Building B
South Elevation Building C

File # 12 142290 WET 06 02

Attachment 4: Elevations - East



East Elevation Building A
East Elevation Building B
East Elevation Building C

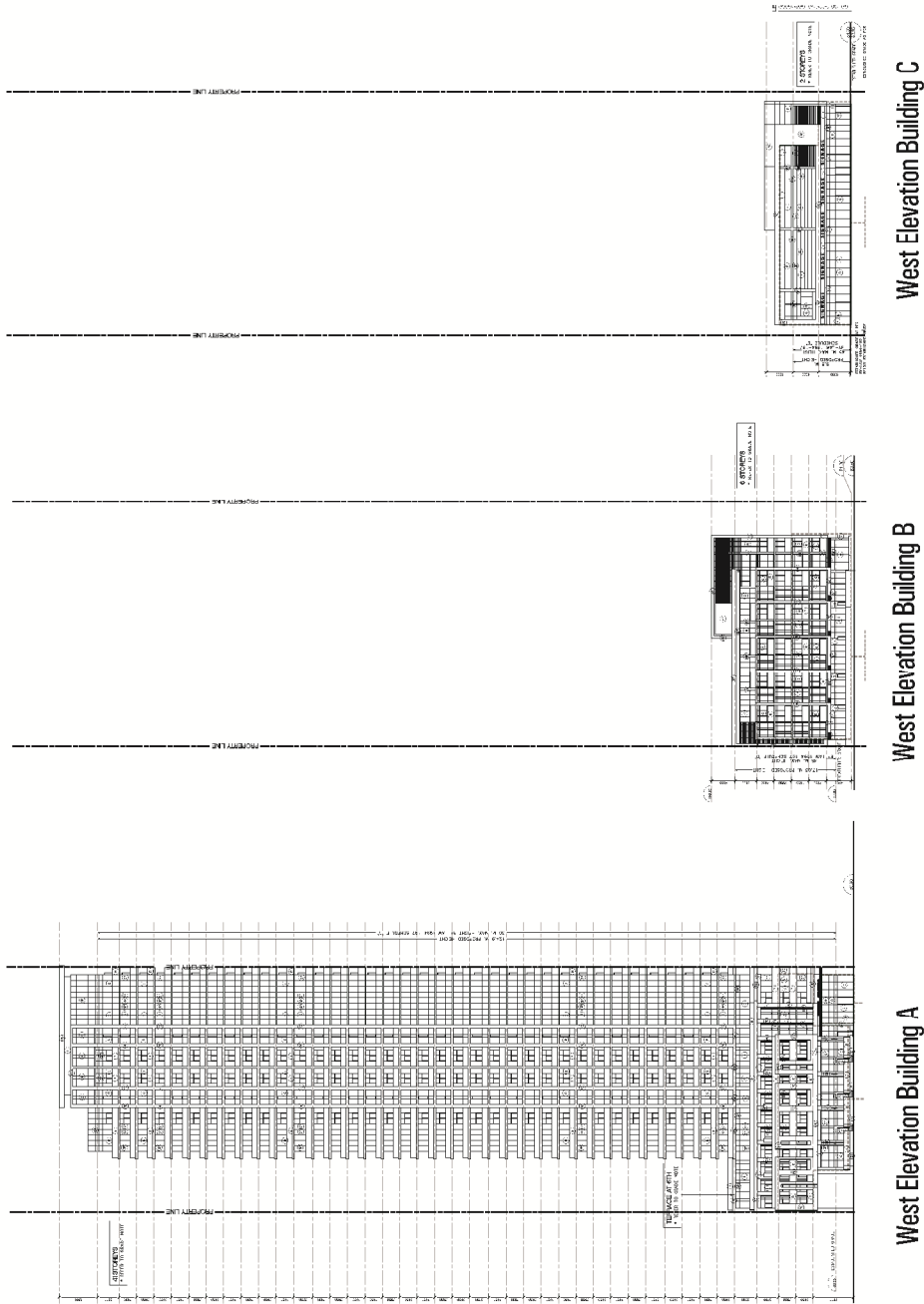
Elevations
Applicant's Submitted Drawing
Not to Scale
05/27/2014

2169 to 2173 Lake Shore Boulevard West

File # 12 142290 WET 06 0Z

East Elevation Building A

Attachment 5: Elevations - West

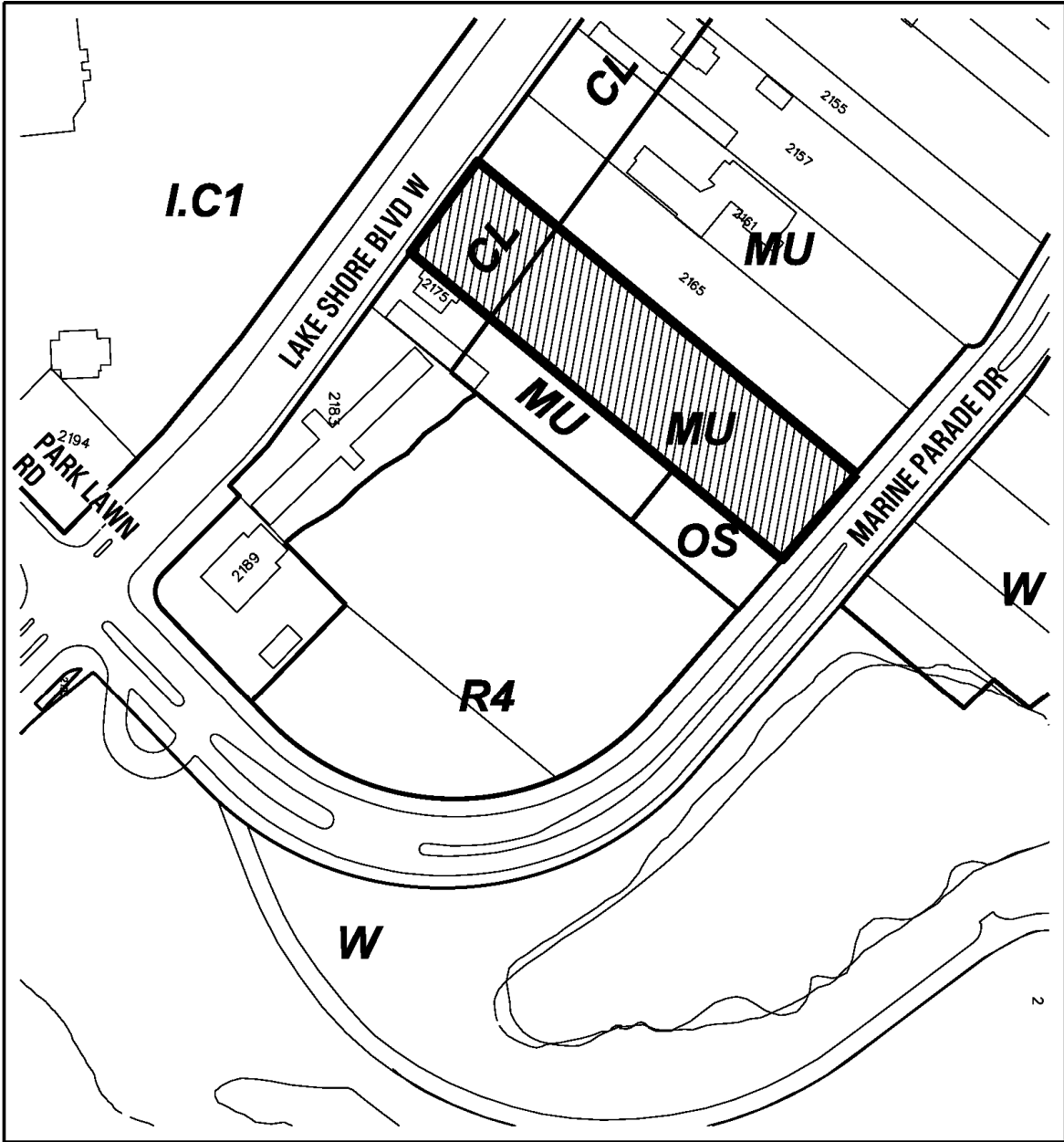


Elevations
 Applicant's Submitted Drawing
 Not to Scale
 05/27/2014

2169 to 2173 Lake Shore Boulevard West

File # 12 142290 WET 06 0Z

Attachment 6: Zoning



TORONTO City Planning
Zoning

2169 - 2173 Lake Shore Blvd. West

File # 12 142290 WET 06 02

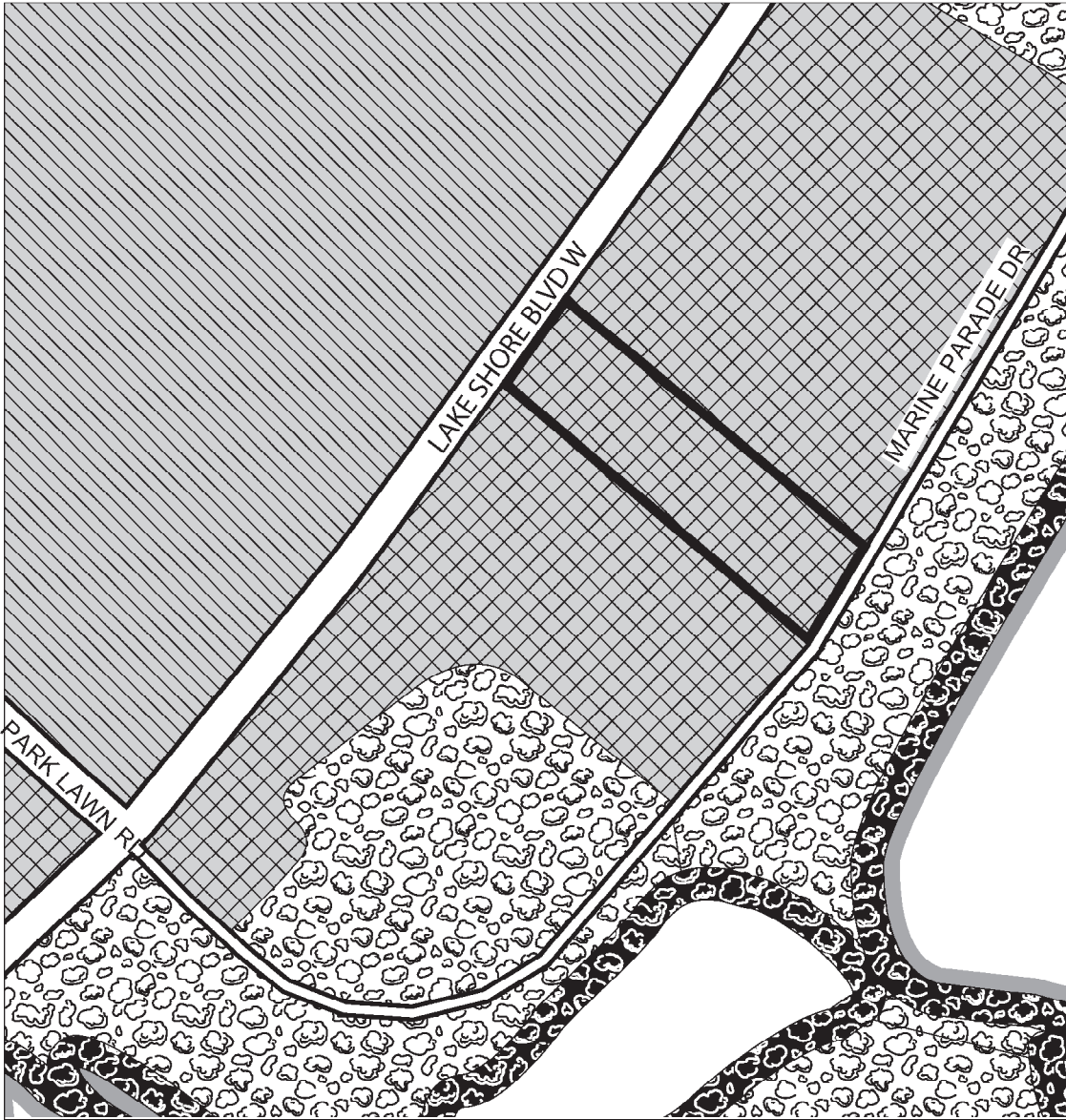
R4 Residential Fourth Density
CL Commercial Limited
MU Mixed Use
I.C1 Industrial Class 1

W Waterfront
OS Public Open Space
(H) Holding Symbol



Not to Scale
Former Etobicoke By-law 11,737
Extracted 05/30/2014

Attachment 7: Official Plan



TORONTO City Planning
Official Plan

2169 - 2173 Lake Shore Blvd. West

File # 12 142290 WET 06 0Z

- | | |
|--|---|
|  Site Location | Parks & Open Space Areas |
|  Employment Areas |  Natural Areas |
|  Mixed Use Areas |  Parks |


 Not to Scale
 04/24/2012

Attachment 8: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	12 142290 WET 06 OZ
Details	OPA & Rezoning, Standard	Application Date:	March 23, 2012

Municipal Address: 2169 - 2173 LAKE SHORE BOULEVARD WEST

Location Description: PLAN 1176 PT LOT 29 PLAN 1229 LOTS 15 16 PT WATER LOTS PT LOC CL3668 RP 66R17042 PARTS 5 TO 7 LAKE ONTARIO **GRID W0608

Project Description: Proposed two storey commercial building, six storey residential building and forty one storey residential with commercial at grade building having a combined total of 540 units, 568 parking spaces and total floor area of 35,710m².

Applicant:	Agent:	Architect:	Owner:
PMG PLANNING CONSULTANTS	Peter Swinton	E.I. Richmond Architects	KINGBIRD DEVELOPMENTS INC.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	CL and MU	Historical Status:	
Height Limit (m):	30m and 45m	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	11246	Height:	Storeys:	41
Frontage (m):	41.4		Metres:	124.9
Depth (m):	178.2			
Total Ground Floor Area (sq. m):	3144			Total
Total Residential GFA (sq. m):	34370		Parking Spaces:	568
Total Non-Residential GFA (sq. m):	1340		Loading Docks	2
Total GFA (sq. m):	35710			
Lot Coverage Ratio (%):	27.9			
Floor Space Index:	3.18			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:		Residential GFA (sq. m):	34370	0
Bachelor:	0	Retail GFA (sq. m):	1712	0
1 Bedroom:	422	Office GFA (sq. m):	0	0
2 Bedroom:	115	Industrial GFA (sq. m):	0	0
3 + Bedroom:	3	Institutional/Other GFA (sq. m):	0	0
Total Units:	540			

CONTACT:	PLANNER NAME:	Kathryn Thom, Senior Planner
	TELEPHONE:	(416) 394-8214

Attachment 9: Draft Official Plan Amendment

AMENDMENT NO. 252

TO THE CITY OF TORONTO OFFICIAL PLAN

To adopt Amendment No. 252 to the Official Plan for the City of Toronto with respect to lands municipally known as 2169-2173 Lake Shore Boulevard West.

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. 252 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 XXXX day of XXXX, A.D. 2014.

ROB FORD,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

AMENDMENT NO. 252 TO THE OFFICIAL PLAN
OF THE CITY OF TORONTO
2169-2173 LAKE SHORE BOULEVARD WEST

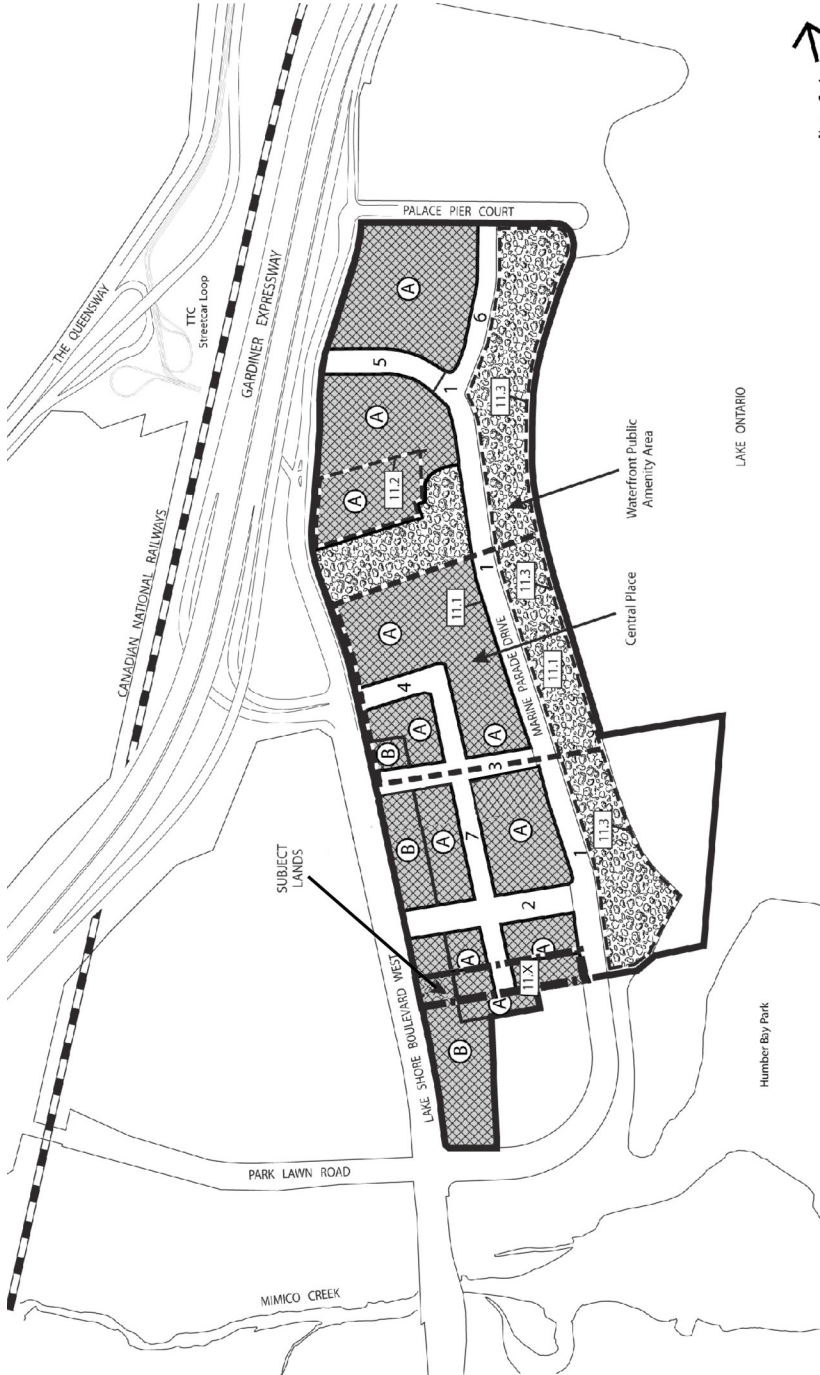
The following text and schedule constitute Amendment No. 252 to the Official Plan for the City of Toronto.

OFFICIAL PLAN AMENDMENT

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

1. Chapter 6, Section 11, Motel Strip Secondary Plan, is amended by adding Site and Area Specific Policy X to Sub-Section 11.10 as follows:
 - "X. Notwithstanding Sections 2.4, 3.2, 4.1, 4.2, 7.2, 8.5 and 8.6, the subject lands within *Mixed Use Areas 'A' and 'B'* shall be developed for a mixed use project and shall be subject to the following policies:
 - i. A minimum lot frontage of 40 metres.
 - ii. A maximum of 540 residential units on the subject lands to be located entirely within *Mixed Use Area 'A'*.
 - iii. The maximum density within *Mixed Use Area 'A'* and *Mixed Use Area 'B'* shall be 3.18 times the gross lot area. The gross lot area of the site is 11,246 square metres.
 - iv. The maximum building height permitted in *Mixed Use Area 'A'*, between Internal Road 7 and Marine Parade Drive, as shown on Map 11-1, shall be 125.5 metres measured above an elevation of 83.85 metres asl.
 - v. The value of cash-in-lieu for park land dedication shall not exceed ten percent of the value of the development site, net of any conveyances for public road, public park, or public recreational purposes.
2. Chapter 6, Section 11, Motel Strip Secondary Plan, Map 11-1 is amended by adding Site and Area Specific Policy 11.X as shown on the attached map.
3. Chapter 6, Section 11, Motel Strip Secondary Plan, Map 11-2 is amended by reducing Internal Road No. 7 from 23 metres to 18.5 metres as shown on the attached map.

**AMENDMENT No. 252 TO THE OFFICIAL PLAN
OF THE CITY OF TORONTO**



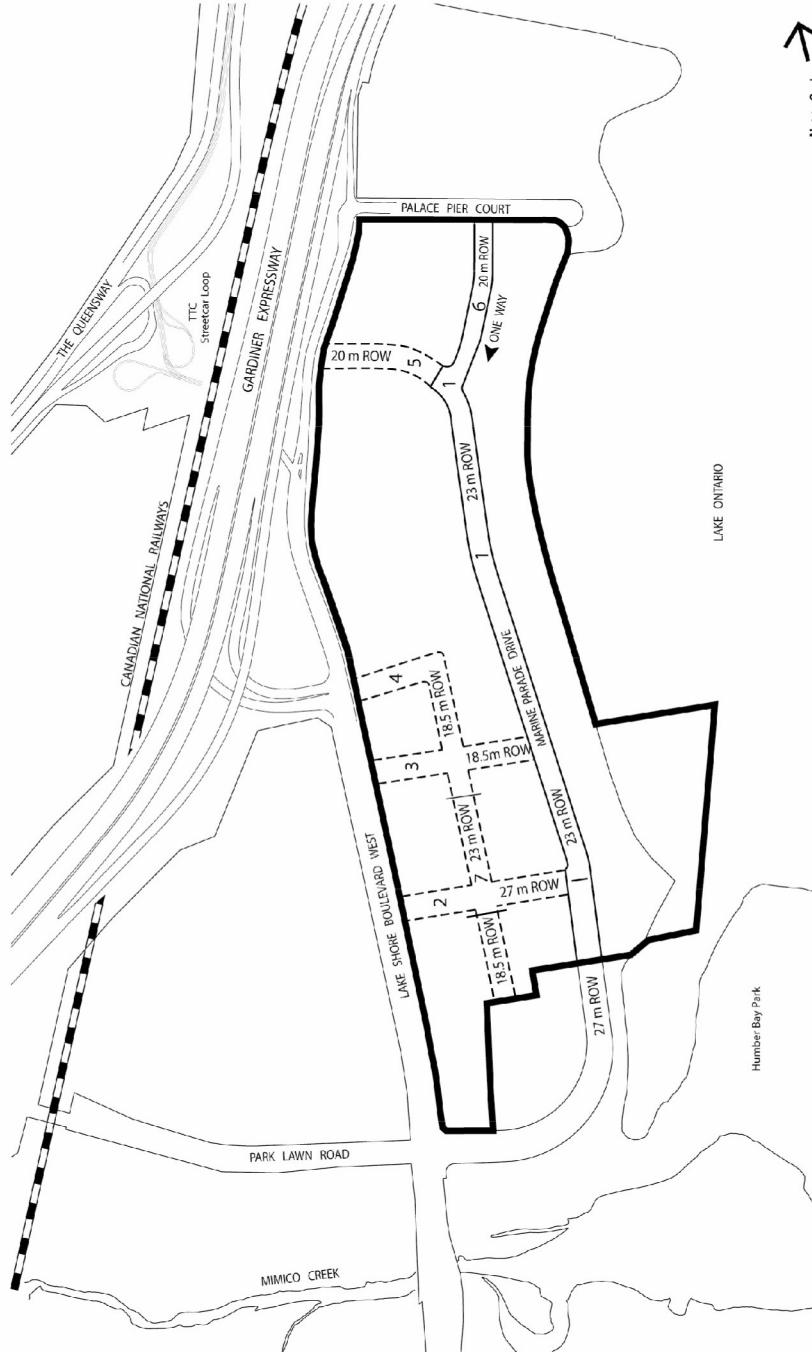
Motel Strip Secondary Plan
MAP 11-1 Land Use Plan



- Secondary Plan Boundary
- 1-7 Internal Roads
- ▨ Mixed Use Areas
- ▨ Parks and Open Space Areas
- - - Site and Area Specific Policies

Site and Area Specific Policies 11.X

**AMENDMENT No. 252 TO THE OFFICIAL PLAN
OF THE CITY OF TORONTO**



Not to Scale
↗

Motel Strip Secondary Plan
MAP 11-2 Internal Public Roads System



- Secondary Plan Boundary
- 1-7 Internal Public Roads

Attachment 10: Draft Zoning By-law Amendment

Authority: Etobicoke York Community Council Item XXXX, adopted as amended,
by City of Toronto Council on XXXXXXXX, 2014
Enacted by Council: XXXXXX, 2014

CITY OF TORONTO

BY-LAW No. XXXX-2014

To amend Zoning By-law No. 1994-197, as amended, with respect to the lands municipally known as 2169-2173 Lake Shore Boulevard West.

WHEREAS authority is given to Council by Section 34 and 37 of the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Section 5.1.1 of the City of Toronto Official Plan contains provisions relating to the authorization of increases in height and density of development; 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*; and

WHEREAS pursuant to Section 37 of the *Planning Act*, the Council of a municipality may, in a By-law passed under Section 34 of the *Planning Act*, authorize increases in the height and density of development otherwise permitted by the By-law that will be permitted in return for the provision of such facilities, services and matters as set out in the By-law; and

WHEREAS subsection 37(3) of the *Planning Act*, provides that, where an owner of land elects to provide facilities, services and matters in return for an increase in the height or density of development, the Municipality may require the owner to enter into one or more agreements with the Municipality dealing with the facilities, services and matters; and

WHEREAS the owners of the lands referred to herein have elected to provide the facilities, services and matters as hereinafter set forth; and

WHEREAS the increase in height and density of development permitted hereunder, beyond that otherwise permitted on the aforesaid lands by the By-law, as amended, is to be permitted in return for the provision of the facilities, services and matters set out in this By-law, which are to be secured by one or more agreements between the owners of such lands and the City of Toronto;

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

Notwithstanding By-law 1994-197, as amended pursuant to an Ontario Municipal Board Order dated July 18, 1996, the following development standards apply to the lands zoned "MU" and "CL" attached hereto:

1. Definitions

The provisions of Section 304-3 Definitions of the Zoning Code, as amended, shall apply unless inconsistent with the provisions of this By-law or otherwise expressly defined herein. For the purposes of this By-law the following definitions will apply:

"Building Envelope" — means the building area permitted within the setbacks established in this By-law.

"Grade" — as defined by By-law No. 1994-197, as amended, pursuant to an Ontario Municipal Board Order dated July 18, 1996, Section 11(h), shall be the geodetic elevation of 83.85 metres above sea level at Lake Shore Boulevard West.

"Height" — means, with respect to a building erected on the Lands, the vertical distance between the "Grade" of the Lands as defined in this By-law and the highest point of the roof surface of the building, but excludes mechanical equipment, mechanical penthouses, elevator rooms, parapets, and architectural elements, which is permitted at a maximum height of 7 metres above the maximum permitted height.

"Residential Amenity Space" — means a common area or areas within the Lands which are provided for the exclusive use of residents of a building for recreational or social purposes.

"Lands" — shall mean the lands outlined by heavy lines on the attached Schedule 'A-2' attached hereto.

"Lot" — means the Lands as identified by a heavy black line on Schedule "A".

"Minor Projections" — means the minor structure or building elements which may project from a structure or building or part thereof into required yards, including roof eaves, window sills, railings, cornices, guard rails, canopies, balconies, exterior stairs and covered ramps, parapets to a maximum projection of 2.5 metres.

2. That By-law No. 1994-197, as amended, pursuant to an Ontario Municipal Board Order dated July 18, 1996, be further amended by substituting Schedule 'C' annexed hereto, in order to permit an increase in the number of residential units on Parcels 5 and 30.

3. That By-law No. 1994-197, as amended pursuant to an Ontario Municipal Board Order dated July 18, 1996, be further amended by substituting Schedule 'D-2' annexed hereto, in order to permit an increased maximum height on portions of Parcels 5 and 30 classified Mixed-Use (MU).

4. Notwithstanding By-law 1994-197, the provisions of Schedule "C" save and except as it applies to parcels 5 and 30 does not apply.

5. Height

Notwithstanding By-law No. 1994-197, Schedule 'D', as amended pursuant to an Ontario Municipal Board Order dated July 18, 1996:

- (a) The Height of Building "A", adjacent to Marine Parade Drive, as measured from the established grade of Lake Shore Boulevard West, shall not exceed the height of 125 metres shown on Schedule 'D-2'.
- (b) The Height of Building "B", located within the centre of the site, and as measured from the established grade of Lake Shore Boulevard West, shall not exceed the height of 17.4 metres as shown on Schedule 'D-2'.
- (c) The Height of Building "C", adjacent to Lake Shore Boulevard West, and as measured from the established grade of Lake Shore Boulevard West, shall not exceed the height of 10.0 metres as shown on Schedule 'D-2'.

6. Permitted Uses

In addition to the provisions of Sections 5, 6, 7, 8, 9 of By-law No. 1994-197, as amended pursuant to an Ontario Municipal Board Order dated July 18, 1996, the following uses shall also be permitted:

- (a) On Lands designated Limited Commercial (CL):
 - (i) pedestrian walkways, fencing, underground parking garages, bicycle parking spaces at and below grade.
- (b) On Lands designated Mixed Use (MU):
 - (i) An Apartment Building, live-work units, recreational amenity areas, pedestrian walkways, fencing, underground parking garages, and bicycle parking spaces at and below grade.
- (c) Ventilation shafts are prohibited to be located within the public right-of-way and pedestrian walkway locations.

7. Gross Floor Area

Notwithstanding Subsections 3 and 11 of By-law No. 1994-197, as amended pursuant to an Ontario Municipal Board Order dated July 18, 1996, the following provisions shall more specifically apply to Parcels 5 and 30 as described in Schedules 'B' and 'C' attached hereto:

- (a) Commercial Development Site shall mean the area of a parcel of land designated as (CL) on Schedule 'A and A-2' attached hereto. For the purposes of density calculation, the Commercial Development Site shall be deemed to include the area shown on Schedule 'C' attached hereto.
- (b) Mixed Use Development Site shall mean the area of a parcel of land designated as (MU) on Schedule 'A and A-2' attached hereto. For the purposes of density calculation, the Mixed Use Development Site shall be deemed to include the area shown on Schedule 'C' attached hereto.
- (c) The Floor Space Index ('FSI') permitted shall be 3.18, and shall be calculated on the basis of the area of the Lands of 11,246 square metres which is the combined land areas of Parcel 5 and 30 as shown on Schedule 'C' of By-law No. 1994-197, as amended.
- (d) For the purpose of calculating the gross floor area permitted on the Lands described in Schedule 'A-2', Residential Amenity Space shall be excluded from gross floor area.
- (e) For the purpose of calculating the gross floor area permitted on the Lands as outlined in Schedule 'A-2', commercial floor space at grade on the MU portion of the Lands shall be excluded from gross floor area.
- (f) The residential gross floor area of the Building 'A' and Building 'B' building erected on the MU portion of the Lands shall not exceed 34,380 square metres.
- (g) The non-residential gross floor area of the building erected on the CL portion of the Lands shall not exceed 1,350 square metres.
- (h) The combined residential and non-residential gross floor area of the building erected on the Lands shall not exceed 35,762 square metres.

8. Number of Units

The maximum number of dwelling units permitted on the Lands shall be 540.

9. Parking and Loading Requirements

Notwithstanding By-law No. 1994-197, as amended pursuant to an Ontario Municipal Board Order dated July 18, 1996, and Notwithstanding Sections 320-18, 320-19, and 320-23 of the Zoning Code, or any other provision of the Zoning Code relating to parking or loading which may be inconsistent with the following provisions, the following requirements shall apply to the Lands:

- (a) A minimum of 0.9 parking spaces per residential unit shall be provided.
- (b) A minimum of 0.085 spaces per unit residential unit shall be provided for the use of visitors.
- (c) 1 parking space per 48 square-meters of commercial space shall be provided.
- (d) Residential parking and commercial office parking may be shared.
- (e) Loading:
 - Building "A": one space measuring 13.0m in length, 4.0m in width and a vertical clearance of 6.1m;
 - Building "C": one space measuring 11.0m in length, 3.5m in width and a vertical clearance of 4.0m; and

10. Bicycle Parking

A minimum of 420 Bicycle parking spaces shall be provided as follows:

Residential: 324 spaces

Visitor: 81 spaces

Commercial:

Occupant: 3 space

Visitor: 12 spaces

11. Amenity Area

Recreational amenity space shall be provided as follows:

Building "A": A minimum of 954m² of indoor recreational amenity space

A minimum of 954m² of outdoor recreational amenity space

Building "B": A minimum of 126m² of indoor recreational amenity space

A minimum of 126m² of outdoor recreational amenity space

12. Setbacks/Underground Garage

- (a) Notwithstanding the provisions of the Zoning Code, and Subsection 11 (k) of By-law No. 1994-197, as amended pursuant to an Ontario Municipal Board Order dated July 18, 1996, the setbacks for buildings shall be provided as follows:

Building "A" – Point Tower adjacent to Marine Parade Drive

- (i) 3.5 metres from Marine Parade.
- (ii) 3 metres from the future road allowance Street "C".

Building "B" - 6-Storey Building adjacent to Street "C"

- (i) 3 metres from the future road allowance Street "C".

Building "C" - Commercial Building adjacent to Lake Shore Boulevard West

- (i) 5 metres from the future road widening along Lake Shore Boulevard West at the ground floor level.
 - (ii) 3 metres from the future road widening along Lake Shore Boulevard West for all floors above the ground floor level.
- (b) Minor Projections shall be permitted subject to Section 1-Definitions of this By-law.
 - (c) The underground garage is permitted to extend the full extent of Parcel 5 and 30 as identified on Schedule 'B', including below public and private right-of-ways.
13. Where the provisions of this By-law conflict with the provisions of the By-law 1997-194, the provisions of this By-law shall apply.

14. Section 37

A Pursuant to Section 37 of the *Planning Act*, the heights and density of development permitted by this By-law on the lands shown as R6 on Schedule 'A' (being the "Site") are permitted subject to compliance with the conditions set out in this By-law 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 where applicable, 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 By-law, 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 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 By-law:

- a) A cash payment for the purposes of the public benefit toward parks and local improvements in the Humber Bay Shores area, including but not limited to the public park at 2175 Lake Shore Boulevard West must be collected prior to the release of the first above grade building permit to the satisfaction of the Chief Planner and Executive Director, City Planning, and
- b) Require that the cash contribution identified in a) above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date of payment.
- c) In the event the cash contributions referred to in a) above has not been used for the intended purpose within three years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive director of City Planning, in consultation with the Ward Councillor and the TRCA, provided that the purpose is identified in the Toronto Official Plan and will benefit the community in the vicinity of the property.

B The following is also recommended to be secured in the Section 37 Agreement, as a legal convenience to support development:

The owner shall construct and maintain the development in accordance with the Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting held on October 26 and 27, 2009.

14. Chapter 324, Site Specifics, of the Zoning Code is hereby amended to include reference to this By-law by adding the following to Section 324.1, Table of Site Specific By-laws.

BY-LAW NUMBER AND ADOPTION DATE	DESCRIPTION OF PROPERTY	PURPOSE OF BY-LAW
XXXX-2014 XXXX, 2014	Lands located on the east side of Lake Shore Boulevard West, just north of Park Lawn Road, municipally known as 2169 Lake Shore Boulevard West in the year 2014	To make modifications to increase the maximum gross floor area, number of units, building heights, and to reduce right-of-way widths to reflect the Humber Bay Shores Urban Design Guidelines

ENACTED AND PASSED this XXXXXXXX, A.D. 2014.

ROB FORD,
Mayor

ULLI S. WATKISS
City Clerk

(Corporate Seal)

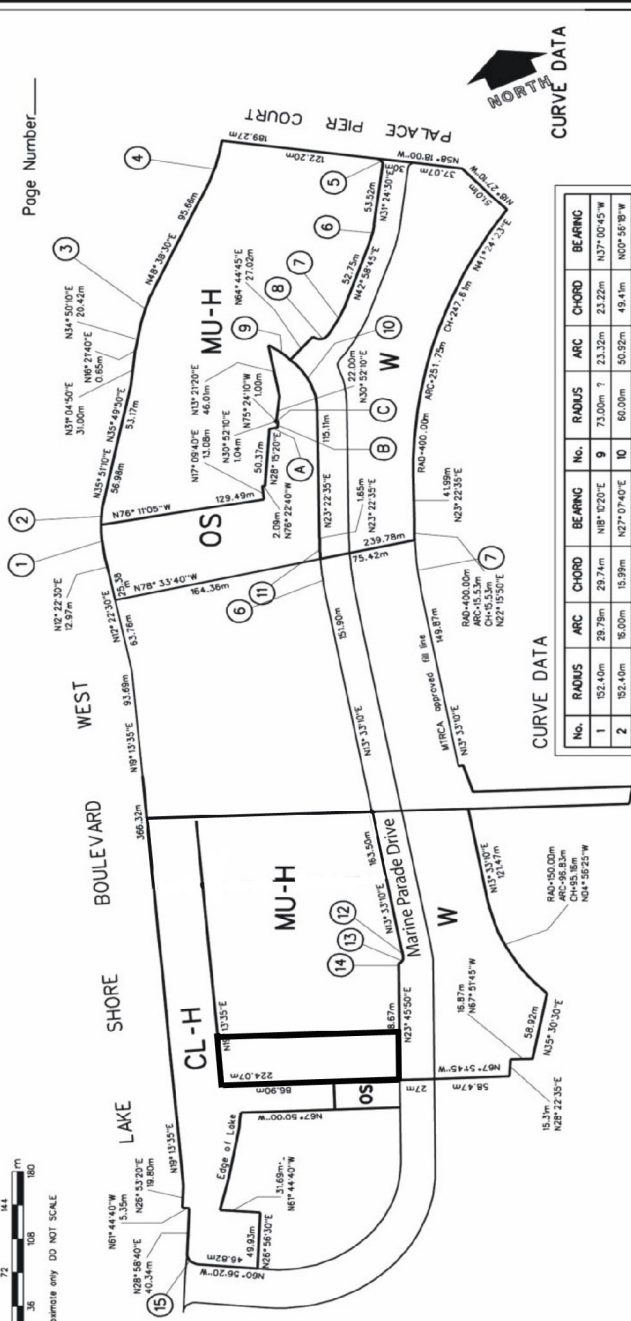
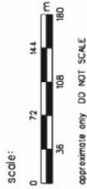
The Corporation of the City of Etobicoke
 Schedule 'A' BY-LAW Number 1994-197

PART OF LOTS 'D', 'E' AND 'F'

Mayor _____

Clerk _____

Page Number _____



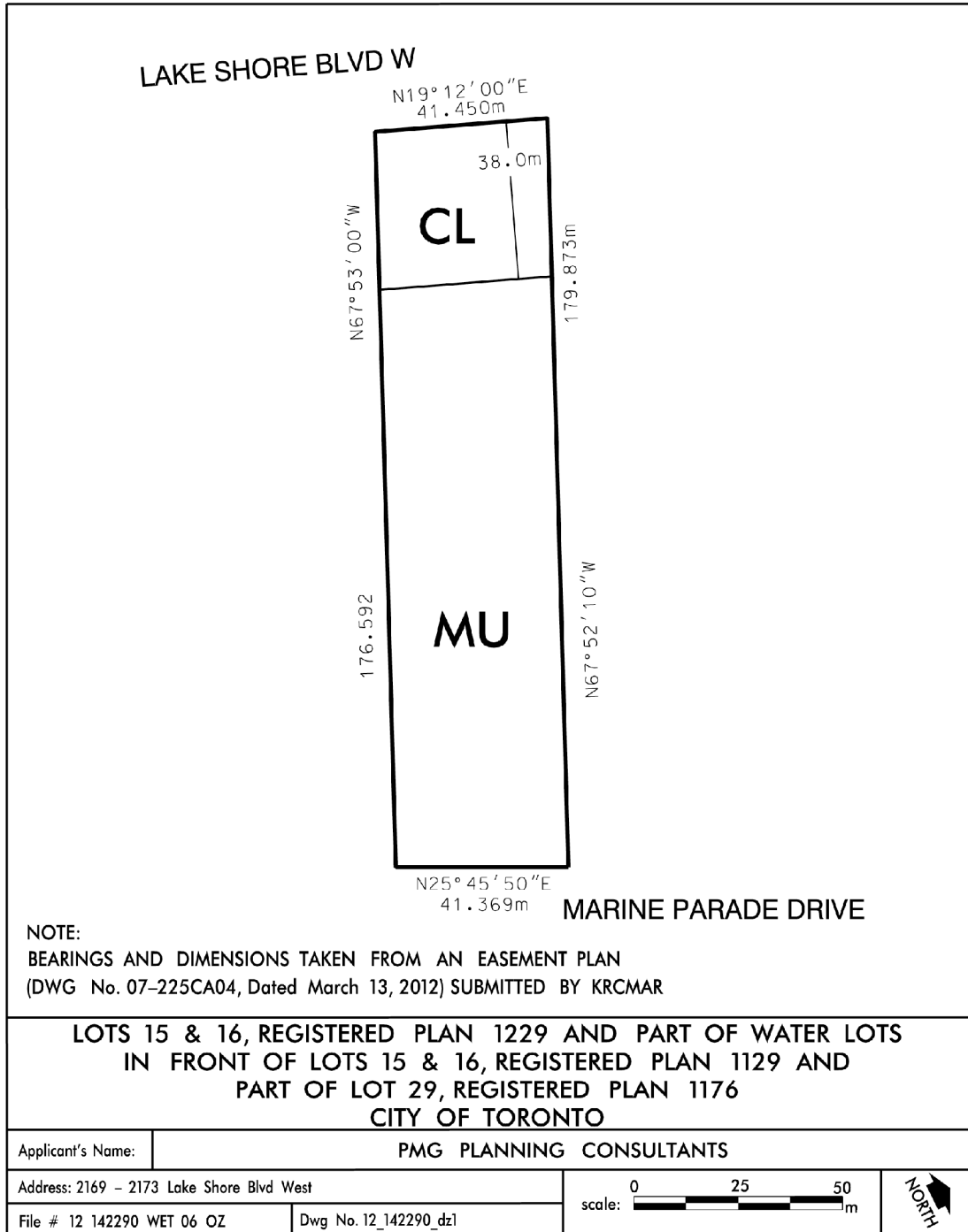
CURVE DATA

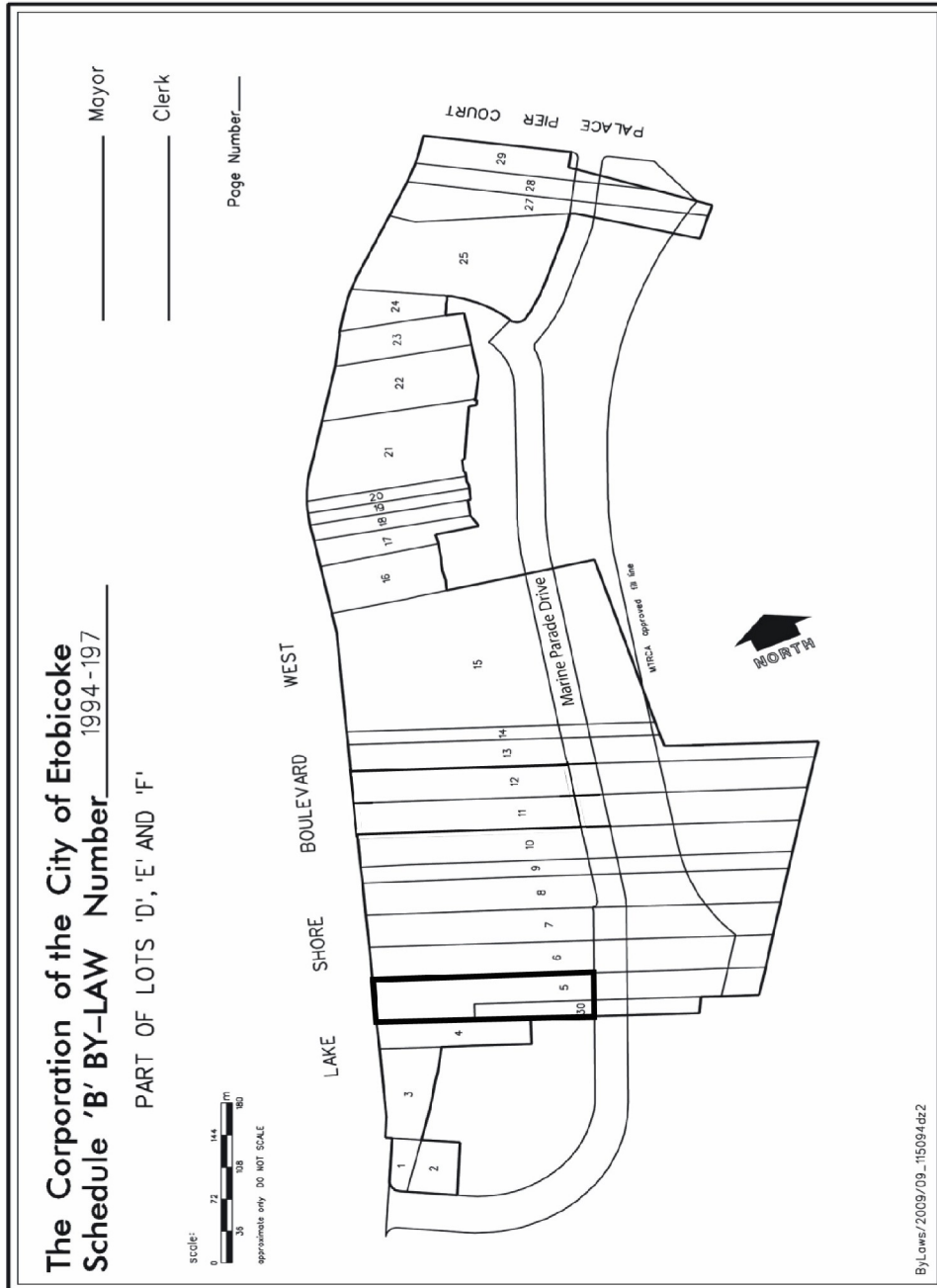
No.	RADIUS	ARC	CHORD	BEARING	No.	RADIUS	ARC	CHORD	BEARING
1	52.16m	29.79m	29.71m	N87°02'00"E	9	73.00m	7	23.32m	N37°00'45"W
2	52.16m	15.00m	15.99m	N27°07'40"E	10	60.00m	50.92m	49.41m	N00°58'00"W
3	52.16m	37.39m	37.29m	M41°55'00"E	11	320.00m	17.90m	17.90m	N21°46'30"E
4	172.53m	46.37m	46.23m	M40°55'30"E	12	97.00m	7.26m	7.26m	N5°42'17"E
5	5.00m	7.82m	7.00m	N37°25'00"W	13	5.00m	5.98m	6.13m	N37°48'32"E
6	90.00m	18.39m	18.10m	N37°14'07"E	14	91.00m	4.66m	4.66m	N22°20'01"E
7	90.00m	34.34m	34.25m	M50°00'23"E	15	9.14m	14.07m	12.73m	N89°57'00"W
8	8.00m	10.86m	12.61m	N73°16'03"W					

LINE DETAIL

No.	DISTANCE	BEARING
A	6.52m	N75°26'30"W
B	5.19m	N27°25'00"E
C	2.86m	N75°24'10"W

NOTE:
 BEARINGS AND DIMENSIONS HAVE BEEN COMPILED FROM
 DEPT. OF SURVEY PLANS 10311, 10350 SUBMITTED BY
 THE APPLICANT TO THE CITY OF TORONTO, O.C.S.
 AND THE CITY OF TORONTO, O.C.S.
 CAD DRAWING BY LMS25303_10504A001 NOV. 2009





SCHEDULE 'C'

PARCEL	COMMERCIAL DEVELOPMENT SITE (m ²)	MIXED-USE DEVELOPMENT SITE (m ²)	NUMBER OF UNITS
1	1200	N/A	N/A
2	1600	N/A	N/A
3	5513	N/A	N/A
4	930	3,357	289
5, 30	1575	9,671	540
6	1158	7,781	127
7	1154	8,338	139
8	1158	8,732	408
9	578	4,392	71
10	1157	8,472	140
11,12	2316	17,783	785
13	984	6,411	107
14	475	2,675	43
18	N/A	1,931	31
20	N/A	1,529	25
21	N/A	11,260	186
22, 23	N/A	9,930	162
24	N/A	2,369	40
25	N/A	11,790	262 (incl. 105 Seniors Dwelling Units)
27	N/A	5,552	92
28	N/A	4,328	72
29	N/A	3,669	61
TOTAL UNITS			3,462

