

5239, 5245 and 5249 Dundas Street West and 3 Auckland Road – Zoning By-law Amendment Application – Final Report

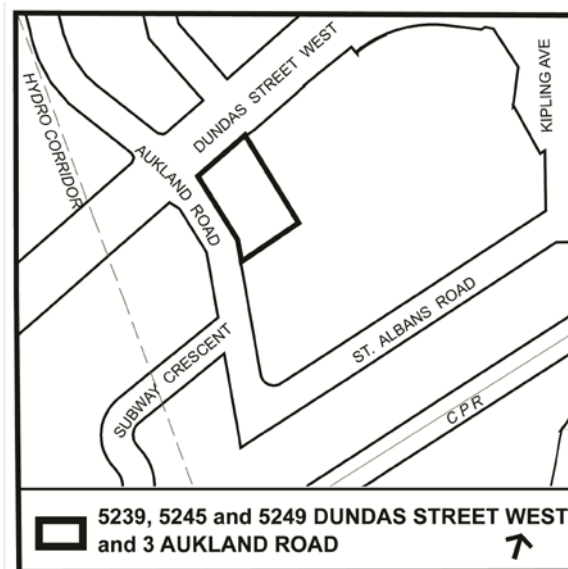
Date:	October 23, 2015
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 5 – Etobicoke-Lakeshore
Reference Number:	13 280673 WET 05 OZ

SUMMARY

This application proposes to amend the former City of Etobicoke Zoning Code to permit the development of a 40 storey mixed use building at 5239, 5245 and 5249 Dundas Street West and 3 Auckland Road. The application proposes 5,091m² of retail space in a base building fronting the corner of Dundas Street West and Auckland Road and 378 condominium apartment units in a 38 storey tower above.

The proposed amendments to the former City of Etobicoke Zoning Code are appropriate, and represent good planning. Staff are satisfied that the additional height and density proposed is well suited for the site given its location within a *Centre* and its proximity to Kipling Station. The location and massing of the proposed building would limit shadow impacts and appropriately frame the adjacent streets. Parking, access, circulation and servicing have also been appropriately addressed. The incorporation of a commercial component at this site would make a positive contribution to the area, which has otherwise developed with a predominantly residential character.

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



RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the former City of Etobicoke Zoning Code, as amended, for the lands at 5239, 5245 and 5249 Dundas Street West and 3 Auckland Road substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 8 to the report from the Director of Community Planning, Etobicoke York District dated October 23, 2015.
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. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act*, satisfactory to the Chief Planner and Executive Director, City Planning Division, and the City Solicitor, such agreement to be registered on title to the lands at 5239, 5245 and 5249 Dundas Street West and 3 Auckland Road, in a manner satisfactory to the City Solicitor to secure the following matters at the owner's expense:
 - a. An indexed cash contribution of \$875,000.00 to be paid to the City prior to the issuance of the first above grade building permit, to be allocated in Ward 5 Etobicoke-Lakeshore, generally as follows:
 - i. \$100,000.00 to the Islington BIA for streetscape improvements
 - ii. \$500,000.00 to the future Westwood YMCA in the Six Points Area
 - iii. \$275,000.00 to the future Westwood Park in the Six Points Area
 - b. Require that the cash amounts identified in Recommendation 3.a. above 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 Recommendation 3.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, 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 matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
- i. The owner shall secure a vehicle and pedestrian access easement to the adjacent private road, known as Viking Lane, situated on the abutting property to the east;
 - ii. The owner is to also be financially responsible for its share of the maintenance of this private roadway. This shall be secured through a private agreement with the abutting landowner to the east;
 - iii. The owner shall design and construct a public walkway on the abutting St. Albans Toronto Water pumping station lands to the south between Viking Lane and Auckland Road;
 - iv. The owner shall design and construct the abovementioned walkway to the satisfaction of the General Manager, Transportation Services and at no cost to the City;
 - v. The owner shall introduce, at no cost to the City, any required traffic control signal timing adjustments and additional phases, including any hardware modifications, required at the Dundas Street West/Auckland Road signalized intersection (as per Appendix M of the applicant's Traffic Impact Study) to facilitate forecast traffic to the subject development, which shall be completed to the satisfaction of the General Manager, Transportation Services;
 - vi. The owner shall design and construct a southbound left turn storage land along Auckland Road to accommodate southbound-to-eastbound left turns into the site (functionally illustrated in Figure No. 1 of Appendix P of the applicant's Traffic Impact Study) to the satisfaction of the General Manager, Transportation Services and the Toronto Transit Commission, and at no cost to the City. In this regard, the transportation consultant is required to provide engineering drawings (that illustrate the pavement widening on the east side of Auckland Road) and associated cost estimate(s), as well as a pavement marking and signage plan;
 - vii. The owner shall construct and maintain the Dundas Street West and Auckland Road streetscape in accordance with the cross-sections developed through the Six Points Interchange Detailed Design in accordance with the Streetscape Manual, to the

satisfaction of the Chief Planner and Executive Director, City Planning;

- viii. The owner shall construct and maintain the enhanced pedestrian connection at the site's southern edge, from Viking Lane to Aukland Road, in accordance with approved plans (including that portion on the St. Albans Toronto Water pumping station);
 - ix. The owner shall construct a public sidewalk along Aukland Road on the lands fronting the St. Albans Toronto Water pumping station. In addition, the existing foot paths, south of the pumping station shall be upgraded to a paved walkway;
 - x. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009;
 - xi. Through the Site Plan approval process, the owner shall implement the wind control measures identified in the Pedestrian Wind Study Addendum prepared by Novus Environmental dated July 7, 2014;
 - xii. The owner shall provide any necessary warning clauses in future agreements of purchase and sale related to the TTC operations; and
 - xiii. The owner shall satisfy the requirements of the Toronto Catholic District School Board and the Toronto District School Board regarding warning clauses and signage.
4. Before introducing the necessary Bills to City Council for enactment, the owner shall address all servicing related matters to the satisfaction of the Executive Director of Engineering and Construction Services and the General Manager of Toronto Water, including but not limited to, the entering into a financially secured agreement with the City to construct municipal infrastructure and submit engineering and inspection fees and provide insurance as required.
5. That Zoning By-law 434-2007 be repealed.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The property at 3 Auckland Road was the subject of a previous application for a Zoning By-law Amendment in 2001 to permit the construction of a 14 storey, 56 unit apartment building. City Council approved the application at its meeting of March 4-8, 2002. City Council enacted Zoning By-law 434-2007 on April 23 and 24, 2007, but the proposed development was not constructed and the associated Site Plan Control application was closed due to inactivity.

<http://www.toronto.ca/legdocs/2002/agendas/council/cc020304/et3rpt/cl001.pdf>

A Preliminary Report was provided to Etobicoke York Community Council on February 25, 2014 respecting the proposed development. Community Council received the report, and authorized holding a community consultation meeting.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.EY31.7>

ISSUE BACKGROUND

Proposal

This application proposes to amend the former City of Etobicoke Zoning Code to permit the development of a 40 storey (128.5m) mixed use development at 5239, 5245 and 5249 Dundas Street West and 3 Auckland Road containing 378 residential units within a 38 storey tower above 5,091m² of retail uses within the base building. The gross floor area of the proposal is 33,319m² which would result in a density of 11.2 times the area of the lot.

The proposal includes a base building containing retail uses that would be two storeys in height along the Dundas Street West frontage, and utilizing the significant slope of the site to incorporate a third retail storey along Auckland Road below the established grade of Dundas Street West. The top level of the proposed base building would cantilever over a driveway proposed at the south end of the site providing a significant floor plate for retail uses and enclosing loading and underground parking access within the envelope of the base building. The retail uses within the base building are proposed to be accessed directly from the public sidewalk on both streets. A 3 metre setback to the base building would be provided along Dundas Street West and a 1.44 metre setback would be provided along Auckland Road. The retail floors would have 6 metre heights. The residential entrance within the base building is proposed to be taken from an existing private road (Viking Lane) to the east of the subject lands, adjacent to a three-car lay-by for pick-up and drop-off.

The tower portion of the proposal would be 38 storeys in height. The proposed tower has a 781 m² floor plate with indoor and outdoor amenity space to be provided in connected floor and roof-deck spaces at the third storey level, above the retail podium. All balconies are proposed to be inset, resulting in no projections beyond the proposed floor plate. A 2.1 metre step back is proposed from the western edge of the base building along the Auckland Road frontage and a 7.6 metre step back is proposed from the eastern edge of the base building, along with significant step backs from the north and south base

building edges. The tower is proposed to be separated by approximately 23 metres from the existing 24 storey apartment building at 5233 Dundas Street West (Essex 2). Vehicular access is proposed from a driveway connecting Auckland Road with Viking Lane along the south property line. The driveway would provide access to underground parking ramps and consolidated loading bays servicing both residential and non-residential components of the proposal. Five levels of underground parking are proposed containing 333 vehicular parking spaces. A total of 282 parking spaces are proposed for residents and their visitors. The remaining 51 spaces would serve the building's retail uses. A total of 404 bicycle parking spaces are proposed to be located at grade and on the P1 level to service all the proposed uses.

The site plan and building elevations are presented in Attachments 1-3. For additional details, see the Application Data Sheet at Attachment 7.

Site and Surrounding Area

The site is located on the southeast corner of the intersection of Dundas Street West and Auckland Road. The development site is rectangular in shape and has a frontage of approximately 43 metres on Dundas Street West and 68 metres on Auckland Road with a site area of 2,973 m² (0.29 ha). The site slopes significantly from north to south with a decline of approximately 4 metres across the entire site.

The property is currently occupied by three two-storey buildings fronting Dundas Street West and one single storey building fronting Auckland Road. The buildings fronting Dundas Street West contain retail and commercial uses at grade and the applicant indicates there are four residential units located on the 2nd floor of the buildings. A limited number of surface parking spaces exist in front of the buildings. The single storey building located at 3 Auckland Road was formerly used as a karate studio and is currently vacant.

The surrounding land uses are as follows:

North: Across Dundas Street West, commercial, restaurant and retail uses including Six Points Plaza.

East: Across Viking Lane, a 24 storey residential condominium building (5233 Dundas Street West) along with other residential condominium towers ranging in height from 21 to 36 storeys and Six Points Park (see Attachment 4 – Context Plan).

South: A single storey Toronto Water pumping station (St. Albans).

West: Across Auckland Road, a single storey restaurant and commuter parking lots within a hydro corridor along with access points to Kipling Subway Station south of Subway Crescent.

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. Key policy 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 by the *Planning Act*, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is located in the Etobicoke Centre as identified by the Urban Structure Map of the Official Plan (Map 2). The City's four *Centres*, along with *Avenues*, *Employment Districts* and the *Downtown* and *Central Waterfront*, are key components in the Official Plan's growth management strategy. The Official Plan provides for growth to be directed to *Centres* in order to use municipal land, infrastructure and services more efficiently and concentrate jobs and people in areas well served by surface transit and rapid transit stations.

The site is designated *Mixed Use Areas* on Official Plan Land Use Map 15 (see Attachment 5). *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, institutional and open space uses that reduces automobile dependency and meets the needs of the local community.

Key development criteria for *Mixed Use Areas* include:

- creating a balance of high quality commercial, residential, institutional and open space uses;
- providing for new jobs and homes for Toronto's growing population on underutilized lands;
- locating and massing buildings to provide transition between areas of different development intensity and scale, to adequately limit shadow impacts on adjacent *Neighbourhoods*, and to frame the edges of streets and parks, with a focus on generating comfortable conditions through measures that provide for adequate sunlight and comfortable wind conditions;
- providing an attractive, comfortable and safe pedestrian environment;

- providing indoor and outdoor recreation space for building residents;
- providing good site access, circulation and parking; and
- taking advantage of nearby transit services.

In addition, Official Plan Chapter Three, Section 3.1.2 Built Form, 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.

Etobicoke Centre Secondary Plan

The Etobicoke Centre Secondary Plan designates the site *Mixed Use Area A* which provides for a broad range of commercial, residential and institutional uses in single or mixed use buildings. The Secondary Plan directs that, to maximize the number of housing opportunities and to promote urban character, new housing will take the form of mid-rise and high-rise apartment buildings with the greatest heights and densities provided for around the Kipling and Islington Subway Stations.

The Secondary Plan identifies seven areas within the Secondary Plan to be enhanced based on their respective location, physical form and function. The site is located on the western boundary of the Six Points Area, which is focused on the realignment of the Six Points Interchange to the east. The reconfiguration of the intersections of Kipling Avenue, Bloor Street and Dundas Street West through the Six Points Interchange realignment, currently in its first phase, would result in urban, signalized, at grade intersections along with significant improvements to the streetscape and public realm, as well as opportunities for new open space. It would also allow for the City-owned Westwood Theatre lands to become a hub of community activity with accompanying private mixed use development. The lands immediately around Kipling Subway Station are intended to form a high density, mixed use neighbourhood to capitalize on the adjacent transit facilities.

The built form and urban design policies of the Secondary Plan promote a compact transit-oriented development pattern. Tall building proposals are required to minimize the negative impact of shadows, sky view and wind on adjacent public areas and take into account the relationship of the site to other tall buildings. Parking areas, access and automobile drop offs are to be designed in a manner that does not interfere with the continuity of the interface between the building and the street, to improve the visual amenity of pedestrian routes.

A number of policies within the Secondary Plan address the need for parkland and community facilities required to support the growth the Plan provides for. The Secondary Plan provides for an appropriate geographic distribution of parkland to be dedicated through the development approval process. The specific combination of parkland dedication or cash-in-lieu of parkland to satisfy the required dedication will be determined by the City through the consideration of each site specific proposal. In addition to parkland provision, the Secondary Plan provides for the development of a Community Services Strategy (completed in 2006) which establishes priorities for the

delivery of new and expanded community services within Etobicoke Centre. The Secondary Plan provides for the use of Section 37 Agreements to secure the contribution of community benefits in return for increases in height and/or density.

Zoning

The majority of the site (5239-5249 Dundas Street West) is zoned Etobicoke Centre 2 (EC2) Zone by the former City of Etobicoke Zoning Code, as amended by site specific Zoning By-law 1088-2002. The EC2 zone permits apartment houses, senior citizens apartment buildings, a hotel and a broad range of non-residential and institutional uses. The maximum building height permitted is 90 m (approximately 30 storeys) and the maximum density permitted is 5.0 FSI. A number of performance standards including minimum and maximum building setbacks, limits on tower floor plates and minimum building separation distances control the permitted higher density development. In addition to built form requirements, a minimum of 25% of the lot is required to be reserved for landscaped open space and a minimum of 1.5 m² per unit of indoor amenity space must be provided.

The 3 Auckland Road property is zoned Residential Sixth Density Zone (R6) by site specific Zoning By-law 434-2007 which permits a 14 storey (41 m) residential apartment building containing 56 dwelling units. Should this application be approved, it is recommended that Zoning By-law 434-2007 be repealed.

The subject lands do not form part of the City-wide Zoning By-law 569-2013. Lands which are subject to the Etobicoke Centre Zoning By-law (By-law No. 1088-2002) do not form part of the new Zoning By-law.

Site Plan Control

The site and development are subject to Site Plan Control. A Site Plan Control application has not been submitted to date.

Tree Preservation

The proposed development would not require removal and/or injury of City-owned or private trees, as identified by the applicant's arborist. In the event that this changes, appropriate applications to Urban Forestry staff for review and approval, along with associated application fees, would be required. Updated landscaping plans will be reviewed through the Site Plan approval process, including illustration of proposed trees to meet the Toronto Green Standard (TGS) requirements.

Reasons for Application

An application to amend the Zoning By-law is required to permit the proposed building's height and density, as well as establish appropriate zoning standards to facilitate the proposal.

Community Consultation

A pre-application community consultation meeting organized by the former Ward Councillor (Councillor Milczyn) was held on November 19, 2013 and attended by the applicant, City staff and approximately 100 members of the community. The proposal was presented by the applicant and issues raised by those in attendance were related to building height and density, separation distance to the adjacent residential apartment building, pedestrian access through the site and to Kipling Subway Station, and vehicular access to the abutting private road servicing five adjacent residential buildings.

The former Ward Councillor established a community working group in April of 2014, which subsequently met four times. Two of these meetings were attended by the applicant and their project team, and chaired by the Councillor. Subsequent to Councillor Milczyn's departure from the City, Planning staff arranged two further working group meetings to update participants on the applicant's resubmission and staff's ongoing review. Working group participants actively engaged in discussions on the building's density, height and design; separation from adjacent buildings; the amount of retail space proposed as well as how it would be accessed, serviced, and where parking would be located; residential parking, access and loading; provision of amenity space; the future ownership structure of Viking Lane and the retail and residential portions of the building; and servicing capacity in the area.

The formal community consultation meeting was held January 20, 2015, and was attended by approximately 120 community members as well as City staff, the current Ward Councillor, the applicant and their consultant team. In accordance with the direction of Etobicoke York Community Council through the consideration of the Preliminary Report, notice was sent to an expanded notice area of 500 metres. Similar to the pre-application meeting and through the working group process, those in attendance expressed concerns about the building's height and density, separation from the neighbouring Essex 2 tower, delivery and service access, the ownership structure as it relates to Viking Lane, construction management, potential cut-through traffic and congestion, and amenity space. General discussions were undertaken regarding how the City's planning policy framework governs growth areas such as the Etobicoke Centre and emerging changes in the area such as the Six Points Interchange realignment.

Attendees also noted that a marketing sign remained at the 3 Auckland Road site promoting the abandoned 14-storey condominium proposal for that site, which created false expectations for neighbours and potential purchasers. The state of repair at 3 Auckland Road was also a concern. The sign was removed by the applicant immediately following the meeting, and the applicant committed to improved efforts to secure the building.

Some attendees also identified that the Dundas Street West crossing on the east side of Auckland Road was extremely challenging as there is limited crossing time, as well as a high volume of vehicles making right-hand turns. Through follow-up discussions with Transportation Services staff, a modification to the pedestrian crossing timing has been initiated, to extend the duration of the "walk" signal. Staff are also investigating the

mode of control for pedestrian signals, through a review of updated volume counts, and having the pedestrian crossing time triggered regardless of whether the pedestrian crossing button is pushed.

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 2014 PPS. It will accommodate residential infill growth through intensification, supporting the policy objectives related to focusing growth in existing settlement areas, and directing growth to higher order transit nodes. The proposal also supports efficient land use, reduces land consumption related to residential development and makes efficient use of 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, Planning staff are of the opinion that the proposal conforms and does not conflict with the Growth Plan.

Land Use

The site is designated *Mixed Use Areas* on Map 15 of the Official Plan, and falls within a *Centre* as identified on Map 2 Urban Structure. The Etobicoke Centre Secondary Plan further identifies this site as *Mixed Use Area A*. Planning staff are of the opinion that the proposed development conforms to the *Mixed Use Areas* designation and its development criteria, and is supportive of the Built Form policies of the Official Plan.

Planning staff are of the opinion that the proposed development would meaningfully contribute, through the inclusion of a significant retail component, to the fulfillment of the Secondary Plan *Mixed Use Area A* vision of an area where residents can live, work, shop and be entertained without relying on an automobile. This would be particularly well-addressed if the second storey of the retail podium was tenanted with a grocery store, which the applicant has indicated is their intent.

The predominant zoning for the site, EC2, permits the proposed residential and retail uses; however, the attached Draft Zoning By-law Amendment specifically permits a grocery store for additional clarity. The R6 zoning which applies to the 3 Auckland Road portion of the site contemplates apartment-style residential housing with accessory retail. The Draft Zoning By-law Amendment would rezone the entirety of the lands to EC2 with appropriate performance standards.

Planning staff are of the opinion that the proposed mixed use development is appropriate as it conforms generally with the land uses contemplated in the Official Plan, the Secondary Plan and the Zoning By-law and is also compatible with the existing and planned context in the area.

Density, Height and Massing

Planning staff have reviewed and evaluated the proposal for consistency with Official Plan and Etobicoke Centre Secondary Plan policies, the City-wide Tall Building Guidelines, the Etobicoke Centre Urban Design Guidelines and the Etobicoke Centre Public Space and Streetscape Plan.

The Official Plan requires development in *Mixed Use Areas* to comply with articulated development criteria, including appropriate built form, massing and transition with appropriate screening of service areas. The purpose of these policies, in addition to facilitating attractive development, is to ensure no adverse impacts on existing neighbourhoods, parks, streetscapes and open spaces. Built Form policies in the Official Plan further elaborate on required considerations for assessing building density, height and massing, including: framing of street edges and parks in order to create comfortable sun and wind conditions; placing main building entrances so they are directly visible and accessible from the public sidewalk; providing for active ground floor uses with views and access to adjacent streets, parks and open spaces; and screening and organizing servicing and vehicular access to minimize impacts on the site and its surroundings.

The Secondary Plan offers specific guidance on where the greatest heights and densities should be focused, namely around the Kipling and Islington Subway Stations. It also describes key urban design policies related to tall building proposals, requiring that these proposals contribute to and reinforce the urban structure of the area; relate to adjacent buildings and blocks within the immediate neighbourhood; provide adequate transition between taller buildings and the adjacent lower scale buildings; and be designed to take into account the relationship of the site to topography and other tall buildings.

City-Wide Tall Building Design Guidelines

In May 2013, City Council adopted the updated City-wide Tall Building Design Guidelines and directed City 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 that they fit within their context and minimize their local impacts. The City-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City-Building, in the Official Plan states that Guidelines will be adopted to advance the vision, objectives, and policies of the Plan. Urban Design Guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas." The Tall Building Design Guidelines serve this policy intent, helping to implement Chapter

3.1 The Built Environment and other policies within the Plan related to the design and development of tall buildings in Toronto.

Etobicoke Centre Urban Design Guidelines and Etobicoke Centre Public Space and Streetscape Plan

The Etobicoke Centre Urban Design Guidelines envision a mix of uses consisting of residential and retail uses contained in a building with a street related retail podium with a view to establishing continuous street walls along Dundas Street West and Aukland Road. The Guidelines provide further direction with regard to streetscape improvements, including widened sidewalks, new landscaping along frontages and locating buildings close to street lines.

The Etobicoke Centre Urban Design Guidelines recommend a floor plate size of up to 825 m² to a height of 20 storeys, and 750 m² above that to avoid tall slab buildings. The proposed floor plate is a continuous 781 m² for the entire shaft of the tower resulting in a point tower that is more reflective of current urban design guidance with respect to the design of tall buildings.

The Etobicoke Centre Public Space and Streetscape Plan identifies several projects in the Kipling Mobility Hub area which are relevant to the subject site, including widened sidewalk and special paving areas to identify the Mobility Hub and improve pedestrian crossings.

Planning staff are of the opinion that the proposed development has been massed and designed to fit within the context provided by the Official Plan, the Etobicoke Centre Secondary Plan, the Etobicoke Centre Urban Design Guidelines and Public Space and Streetscape Plan, and the City-wide Tall Buildings Guidelines through:

- the inclusion of a mix of uses consisting of residential and street related retail uses;
- improving accessibility and access to Kipling Subway Station with improved pedestrian amenities;
- the elimination of three existing curb cuts and surface parking areas;
- a building podium designed to allow a widened and uninterrupted sidewalk, with sufficient setback to provide enhancements to the streetscape;
- street trees and a streetscape design that is in accordance with the Six Points Interchange Detailed Design Study;
- a formalized pedestrian connection from the end of Viking Lane to Aukland Road;
- an enhanced open space area incorporating permeable pavers, benches and terraced steps on the St. Albans Toronto Water pumping station property;
- locating the main retail and residential lobby entrances with direct visible access from the public sidewalk;
- locating and screening service areas, ramps and garbage storage areas by internalizing these functions within the interior of the development;

- providing all parking underground;
- orienting the tower in an east-west direction to maintain views across the site and limiting shadow impacts to the east;
- providing quality indoor and outdoor amenity spaces; and
- the introduction of a landmark tower, appropriately sited adjacent to the Kipling Subway Station that implements the planned vision of Etobicoke Centre.

Sun, Shadow and Wind

The shadow study submitted in support of the application demonstrates that at 9:18 a.m. during the spring and fall equinoxes there would be some incremental shadow impact on *Neighbourhoods* designated properties located on Acorn Avenue (north of Montesson Street). By 10:18 a.m., the shadow impacts to the northwest would fall on lands designated *Utility Corridors* and *Mixed Use Areas* and there would be no incremental shadows on the Auckland Road sidewalk immediately abutting the subject site. Shortly after 2:18 p.m., there would be no incremental shadowing on sidewalks along the north or south sides of Dundas Street West. With the exception of a minor incremental impact at 3:18 p.m. during the fall equinox, there would be no shadow impact on Six Points Park.

For June 21st, the shadow study indicates that between 9:18 a.m. and 6:18 p.m. there would be no incremental shadow impact on *Neighbourhoods* designated properties. Furthermore, there would be no incremental shadow impact on Six Points Park at any time of the day. There would be no incremental shadows on the Auckland Road sidewalks adjacent to the subject site after 10:18 a.m. Shortly after 12:18 p.m., there would be no incremental shadows on the sidewalks along Dundas Street West. The impact of the incremental shadows cast by the proposed building are considered appropriate and acceptable given the site's existing and planned built form context.

A pedestrian wind study was undertaken in support of the application. The study concludes that wind safety criterion would be met at all assessed locations (public sidewalks, proposed building main entrances, transit stops and publicly accessible plazas and parks). The overall wind comfort conditions are generally considered satisfactory for the intended at-grade uses. The study recommends that wind control measures such as landscaping and/or wind screening be provided at the retail entrance areas along Dundas Street, as well as in some areas along Viking Lane and on the Level 3 terrace, and that these measures be secured through the Site Plan approval process. A recommendation in this regard is included in this report.

Light, View and Privacy

The Etobicoke Centre Urban Design Guidelines recommend a minimum separation distance of 20 metres between towers and a minimum distance of 11 metres between main windows of residential buildings. By comparison, the City-wide Tall Building Design Guidelines recommend a separation distance of 25 metres between the exterior walls of towers (excluding balconies). The proposed 23 metres separation distance that would be provided between the proposed tower and the closest residential tower located

at 5233 Dundas Street West exceeds the recommended 20 metres separation distance in the area-specific Etobicoke Centre Urban Design Guidelines.

The tower has been sited so that the narrowest elevations face east and west. Since the proposed length of the east elevation is approximately half the length of the west elevation of the abutting Essex 2 tower, the west facing units within the Essex 2 would continue to have views to the north and south of the proposed tower to the maximum extent possible.

Traffic Impact, Access and Parking

BA Group completed a Transportation Consideration Report in support of the application. Transportation Services staff have reviewed all material and provided comments, which have been incorporated into the recommendations of this report and the Draft Zoning By-law Amendment.

Specifically, the study makes the following key conclusions:

- The site is well served by existing area transit facilities as it is located approximately 100 metres from the Kipling Subway Station.
- New traffic volumes resulting from the proposal can be adequately accommodated on the area road network without the need for physical road improvements, other than those related to the Kipling Mobility Hub and the Six Points Interchange realignment, or signal timings modifications.
- The proposed new Viking Lane and Auckland Road driveways would operate acceptably and would appropriately accommodate forecast site traffic activity.
- The recommended parking rates reflect the exceptional transit accessibility of the site and seek to achieve a 10 percent reduction in the resident parking supply compared to the City's PA-2 parking requirement rates. The proposed vehicular parking, bicycle parking and loading standards are appropriate given the location of the site relative to the Kipling Subway Station, the current City Zoning By-Law and policy requirements and would adequately support the needs of the proposed building.
- The current zoning of the site requires the provision of one (1) loading space for the proposed development. A total of four (4) loading spaces are provided. This is consistent with the loading requirements of City-wide Zoning By-law 569-2013 and would appropriately service the development.

Further, Toronto Transit Commission (TTC) staff engaged in a collaborate process regarding the design of Auckland Road adjacent to the development, to achieve a generous, high quality public realm and excellent access for TTC vehicles travelling to and from Kipling Subway Station. At the request of TTC and City Transportation Services staff, the applicant's transportation and landscaping consultants produced an

Staff report for action – Final Report – 5239, 5245 and 5249 Dundas Street West and 3 Auckland Road

V.05/13

Aukland Road configuration that allows for a 3 metre wide inbound (south) left turn lane from Aukland Road to the proposed servicing driveway at the rear of the site, along with one southbound and two northbound travel lanes, all having 3.3 metres width, while also preserving a boulevard width of more than 5 metres. This configuration has been

accepted by both TTC and Transportation Services staff. In addition, a pedestrian walkway is included along the south edge of the site, from the end of Viking Lane to Aukland Road. Recommendations are included in this report to secure the delivery of the Aukland Road improvements as well as the pedestrian walkway as a legal convenience through the Section 37 Agreement.

Servicing

Development Engineering staff have requested that the following condition be satisfied prior to the enactment of the Draft Zoning By-law Amendment:

1. The owner shall address all servicing related matters to the satisfaction of the Executive Director of Engineering and Construction Services and the General Manager of Toronto Water, including but not limited to, the entering into a financially secured agreement with the City to construct municipal infrastructure and submit engineering and inspection fees and provide insurance as required.

The above condition is included in the recommendations of this report.

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 Official Plan illustrates the level of local parkland service across the City, calculated on the basis of hectares of local parkland per 1,000 people. The site is in the lowest quintile of parkland provision, and is also in a parkland priority area, as per Alternative Parkland Dedication Rate By-law 1020-2010.

Parks, Forestry and Recreation staff advise that the site is subject to the alternative park rate levy, to a cash-in-lieu cap of 10% of the value of the development site, net of any conveyances for public road purposes. 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 will be determined by Facilities and Real Estate staff at the time of issuance of building permit.

Due to the size of the site and its very urban context, there is limited open space proposed at grade: outdoor residential amenity area is proposed to be accommodated above the retail podium, linked to an indoor residential amenity area. Despite this, an integral component of this proposal is the provision, partially on the applicant's site and partially on the St. Albans Toronto Water pumping station site to the south, of a significant through-connection for pedestrians from Viking Lane to Aukland Road. The design of this connection is proposed to be in high-quality materials, have a high degree of accessibility, be screened from adjacent parking and loading functions, and to celebrate

existing mature trees on the pumping station site. The final design will be secured through the Site Plan approval process, in consultation with the applicant and Toronto Water staff; however, provision of this walkway is to be secured as a legal convenience through the Section 37 Agreement.

Streetscape

Public space and streetscape enhancements in Etobicoke Centre were the subject of a Council-adopted 2011 report, and staff have been directed to pursue the implementation of incremental improvements identified in the Public Space and Streetscape Plan at every opportunity. Cross-sections for Dundas Street West have had further recent study and refinement as part of the Six Points Interchange realignment. The applicant's landscaping consultant has extended the current preferred cross-section for Dundas Street West along the frontage of the proposed development, as well as wrapping this treatment southwards along Auckland Road. The result is a proposal for generous landscaped boulevards with high-quality finishes, street tree plantings, and bicycle parking at grade, framed by active retail frontages along both relevant podium edges.

Planning and Transportation Services staff collaborated with the applicant to ensure that a very high quality public realm can be delivered while important access and circulation activities, particularly TTC buses travelling in and out of Kipling Subway Station, can be facilitated. The final streetscaping plan would be secured through the Site Plan approval process.

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 with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce greenhouse gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS. The Draft Zoning By-law Amendment would secure performance measures for the following Tier 1 development features: automobile infrastructure, cycling infrastructure, and storage and collection of recycling and organic waste. Other applicable TGS performance measures would be secured through the Site Plan approval process.

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.

The provision of appropriate public benefits has been discussed with the Ward Councillor and the applicant has agreed to provide appropriate benefits. It is recommended that this

be secured in a Section 37 Agreement to be registered on title prior to introducing the necessary Bills to City Council for enactment. These benefits include:

- A. An indexed cash contribution of \$875,000.00 to be paid to the City prior to the issuance of the first above grade building permit, to be allocated in Ward 5 Etobicoke-Lakeshore, generally as follows:
- i. \$100,000.00 to the Islington BIA for streetscape improvements
 - ii. \$500,000.00 to the future Westwood YMCA in the Six Points Area
 - iii. \$275,000.00 to the future Westwood Park in the Six Points Area

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' 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, 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 matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
- i. The owner shall secure a vehicle and pedestrian access easement to the adjacent private road, known as Viking Lane, situated on the abutting property to the east;
 - ii. The owner is to also be financially responsible for its share of the maintenance of this private roadway. This shall be secured through a private agreement with the abutting landowner to the east;
 - iii. The owner shall design and construct a public walkway on the abutting St. Albans Toronto Water pumping station lands to the south between Viking Lane and Auckland Road;
 - iv. The owner shall design and construct the abovementioned walkway to the satisfaction of the General Manager, Transportation Services and at no cost to the City;

- v. The owner shall introduce, at no cost to the City, any required traffic control signal timing adjustments and additional phases, including any hardware modifications, required at the Dundas Street West/Aukland Road signalized intersection (as per Appendix M of the applicant's Traffic Impact Study) to facilitate forecast traffic to the subject development, which shall be completed to the satisfaction of the General Manager, Transportation Services;
- vi. The owner shall design and construct a southbound left turn storage land along Aukland Road to accommodate southbound-to-eastbound left turns into the site (functionally illustrated in Figure No. 1 of Appendix P of the applicant's Traffic Impact Study) to the satisfaction of the General Manager, Transportation Services and the Toronto Transit Commission, and at no cost to the City. In this regard, the transportation consultant is required to provide engineering drawings (that illustrate the pavement widening on the east side of Aukland Road) and associated cost estimate(s), as well as a pavement marking and signage plan;
- vii. The owner shall construct and maintain the Dundas Street West and Aukland Road streetscape in accordance with the cross-sections developed through the Six Points Interchange Detailed Design in accordance with the Streetscape Manual, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- viii. The owner shall construct and maintain the enhanced pedestrian connection at the site's southern edge, from Viking Lane to Aukland Road, in accordance with approved plans (including that portion on the St. Albans Toronto Water pumping station);
- ix. The owner shall construct a public sidewalk along Aukland Road on the lands fronting the St. Albans Toronto Water pumping station. In addition, the existing foot paths, south of the pumping station shall be upgraded to a paved walkway;
- x. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009;
- xi. Through the Site Plan approval process, the owner shall implement the wind control measures identified in the

Pedestrian Wind Study Addendum prepared by Novus Environmental dated July 7, 2014;

- xii. The owner shall provide any necessary warning clauses in future agreements of purchase and sale related to the TTC operations; and
- xiii. The owner shall satisfy the requirements of the Toronto Catholic District School Board and the Toronto District School Board regarding warning clauses and signage.

Tenure

The proposed development would create 378 residential condominium units.

Conclusion

The proposed amendments to the former City of Etobicoke Zoning Code are appropriate, and represent good planning. The proposed development has been designed to be in keeping with the Official Plan and achieves the objectives of the Secondary Plan. The additional building height and density proposed are appropriate for the site given its location within a *Centre* and proximately to Kipling Subway Station. The location and massing of the proposed building limits shadow impacts and frames adjacent streets. Parking, access, circulation and servicing have been appropriately addressed. The proposed development would result in a mixed use building that is compatible with the existing and approved built form and would make a positive contribution to Etobicoke Centre.

CONTACT

Jill Hogan, MCIP, RPP
Manager, Community Planning
Tel. No. 416-394-8219
Fax No. 416-394-6063
E-mail: jhogan@toronto.ca

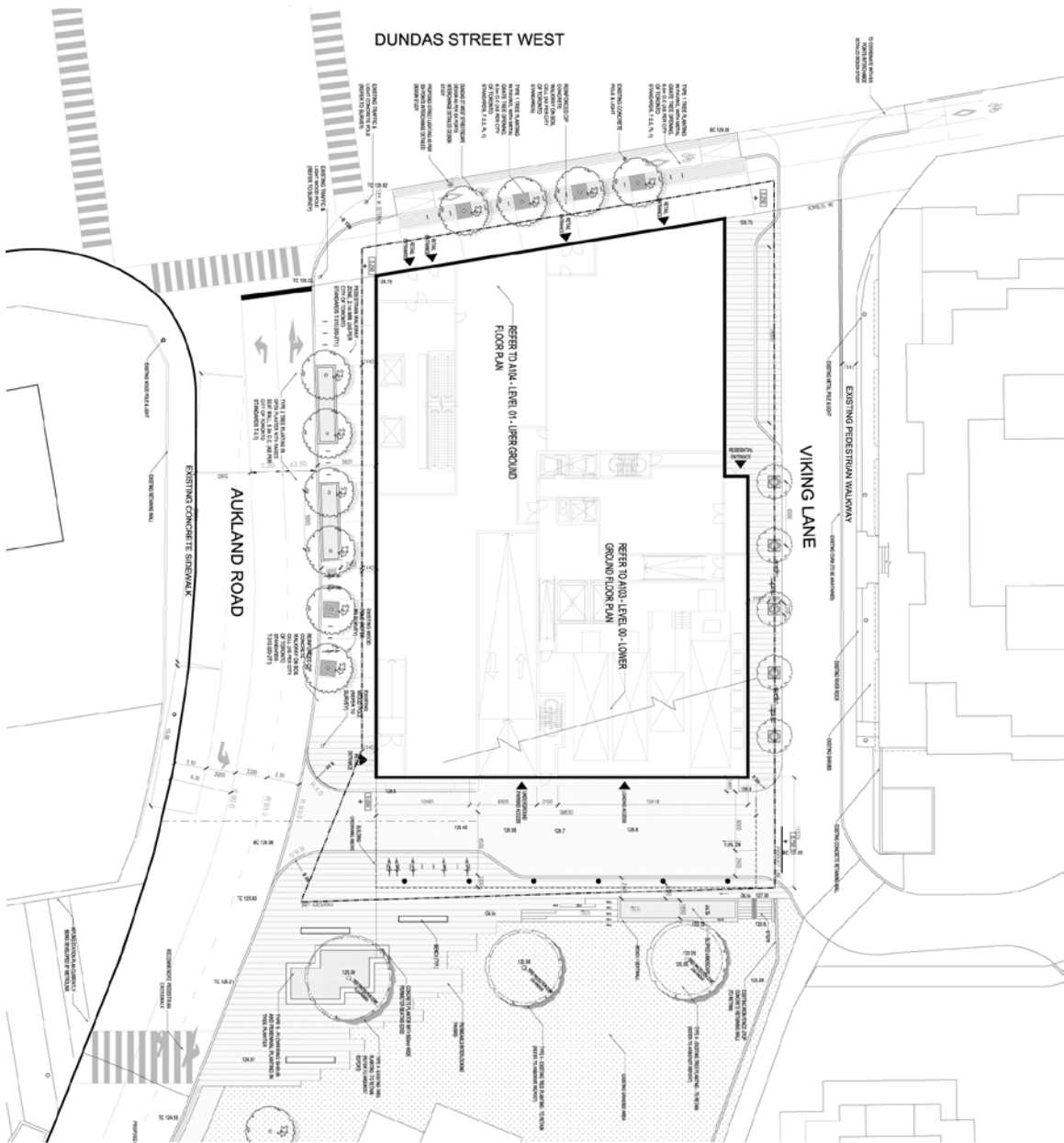
SIGNATURE

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

ATTACHMENTS

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

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

Not to Scale

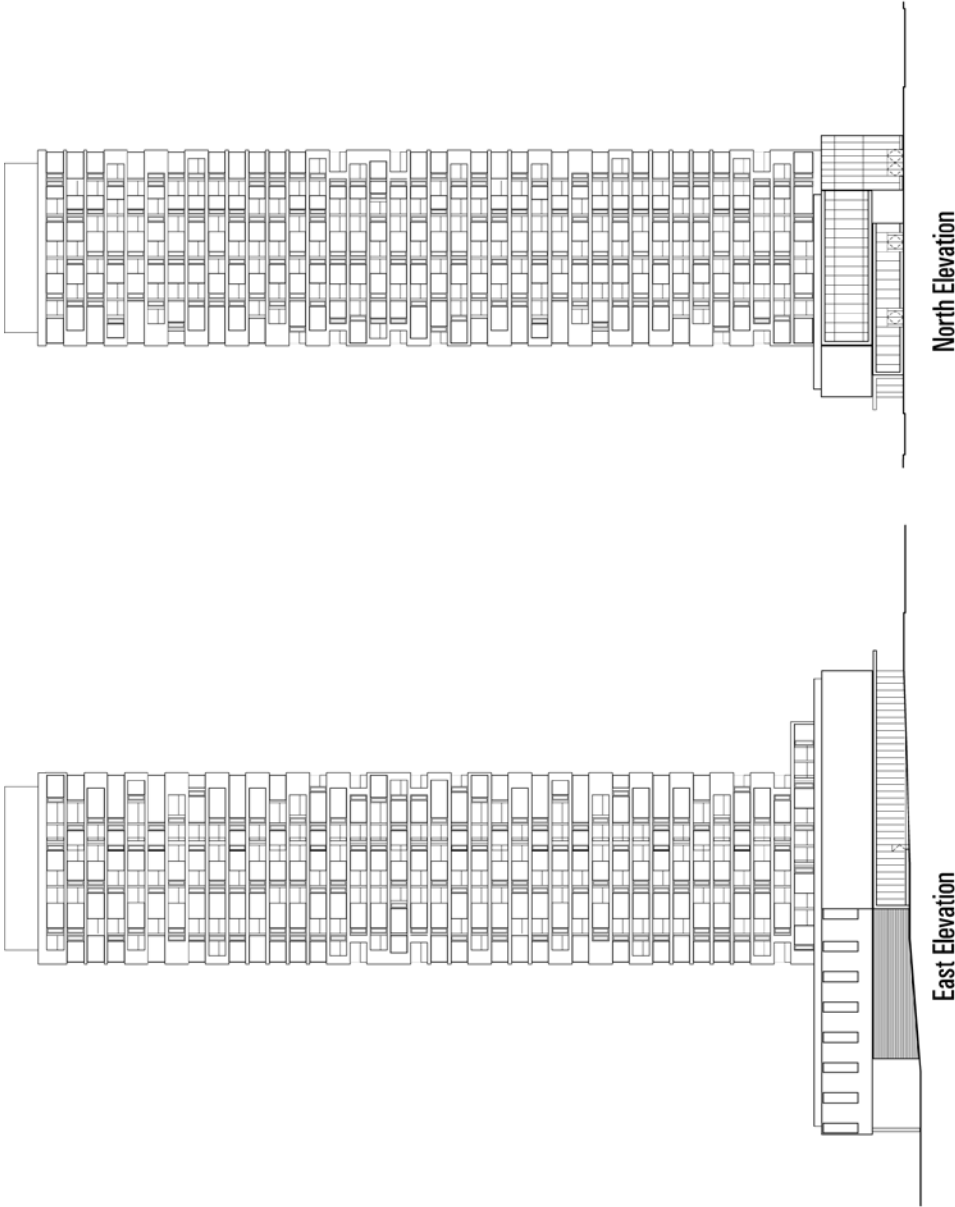
01/13/2015



5239, 5245 and 5249 Dundas Street West
and 3 Auckland Road

File # 13 280673 WET 05 02

Attachment 2: East and North Elevations



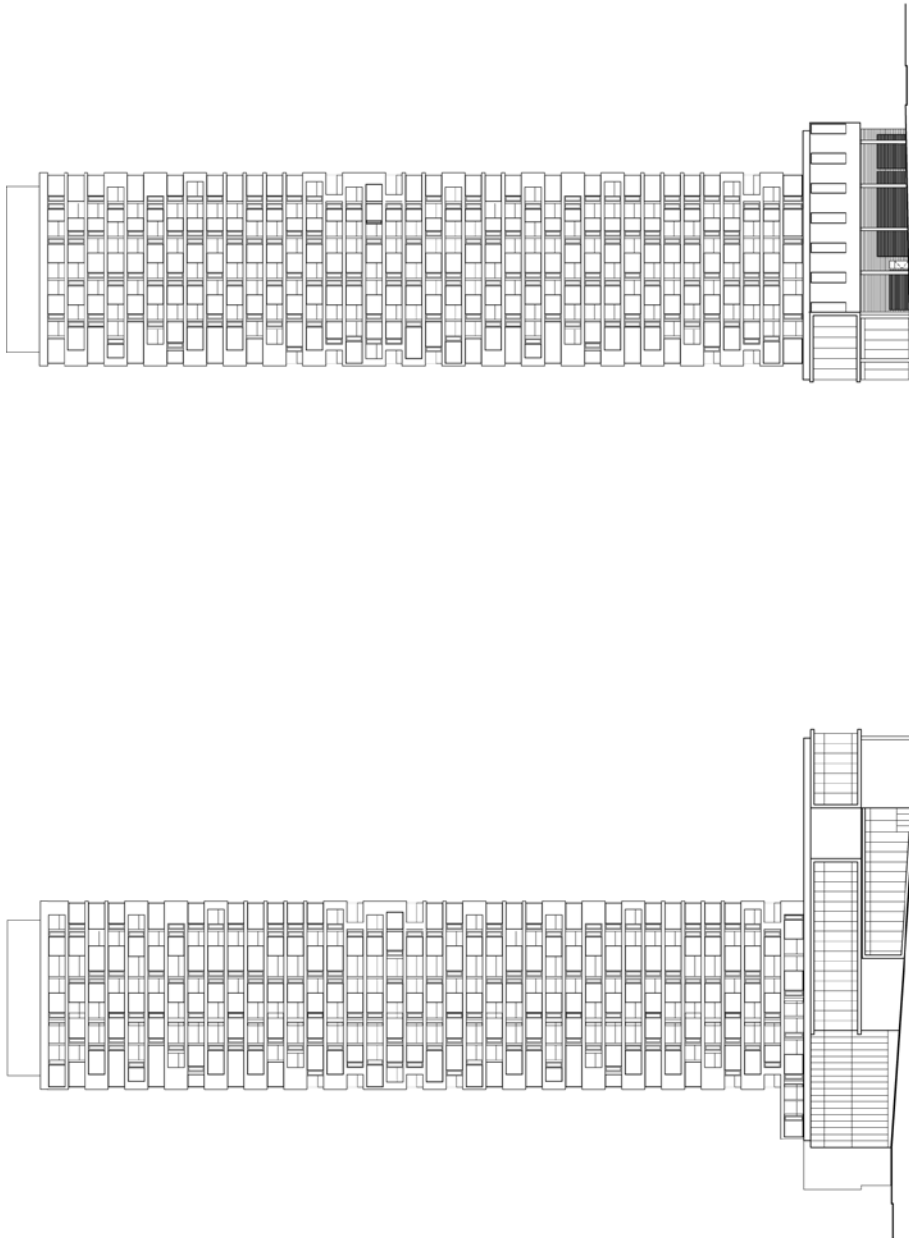
Elevations
Applicant's Submitted Drawing
Not to Scale
01/13/2015

North Elevation

East Elevation

**5239, 5245 and 5249 Dundas Street West
and 3 Aukland Road**
File # 13 280673 WET 05 0Z

Attachment 3: West and South Elevations



South Elevation

West Elevation

Elevations
Applicant's Submitted Drawing
Not to Scale
01/13/2015

**5239, 5245 and 5249 Dundas Street West
and 3 Aukland Road**
File # 13 280673 WET 05 0Z

Attachment 4: Context Plan



Context Plan

Applicant's Submitted Drawing

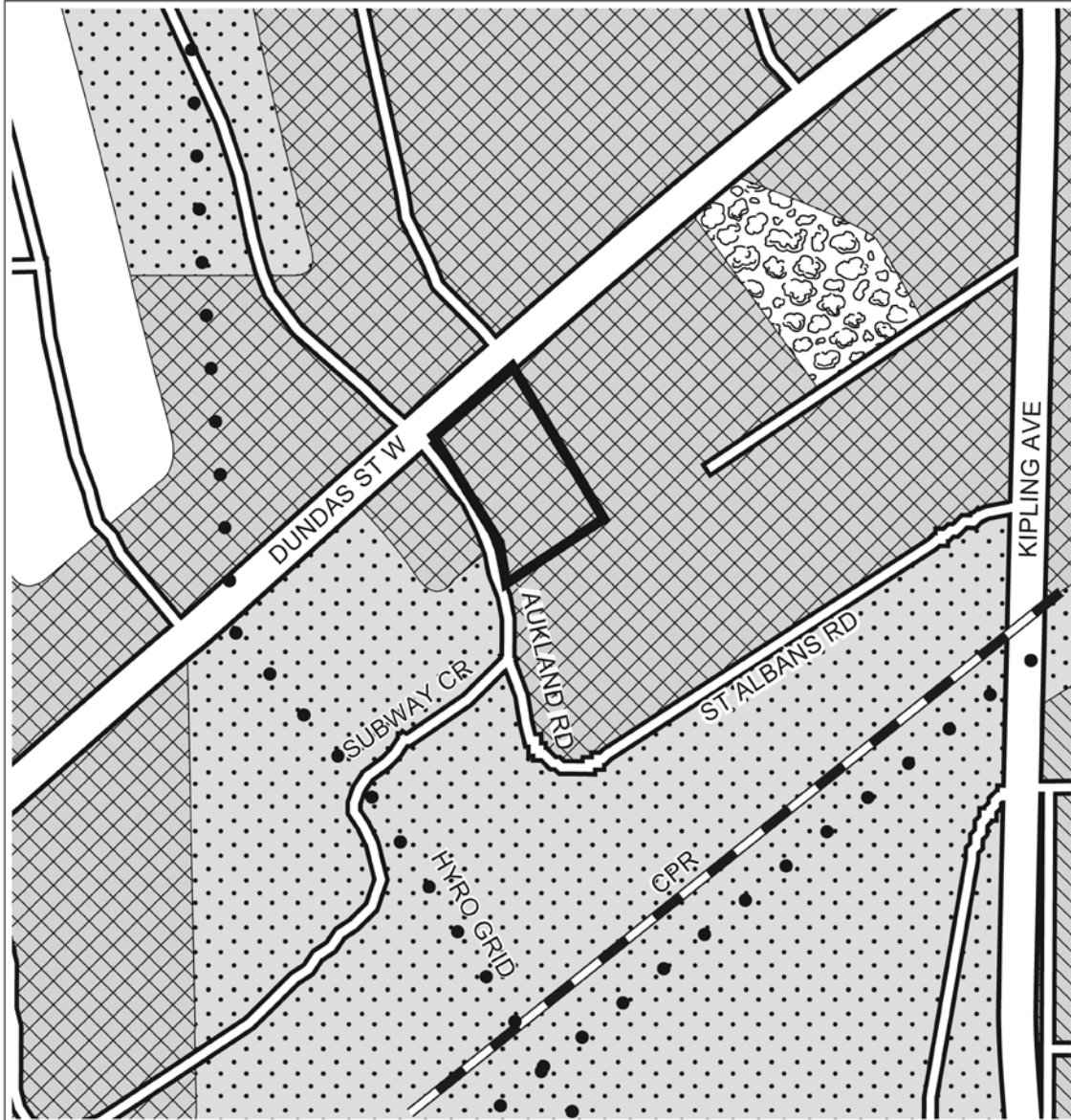
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**5239, 5245 and 5249 Dundas Street West
and 3 Aukland Road**

File # 13 280673 WET 05 02

Attachment 5: Official Plan



TORONTO City Planning
Official Plan

5239, 5245 and 5249 Dundas Street West
and 3 Auckland Road

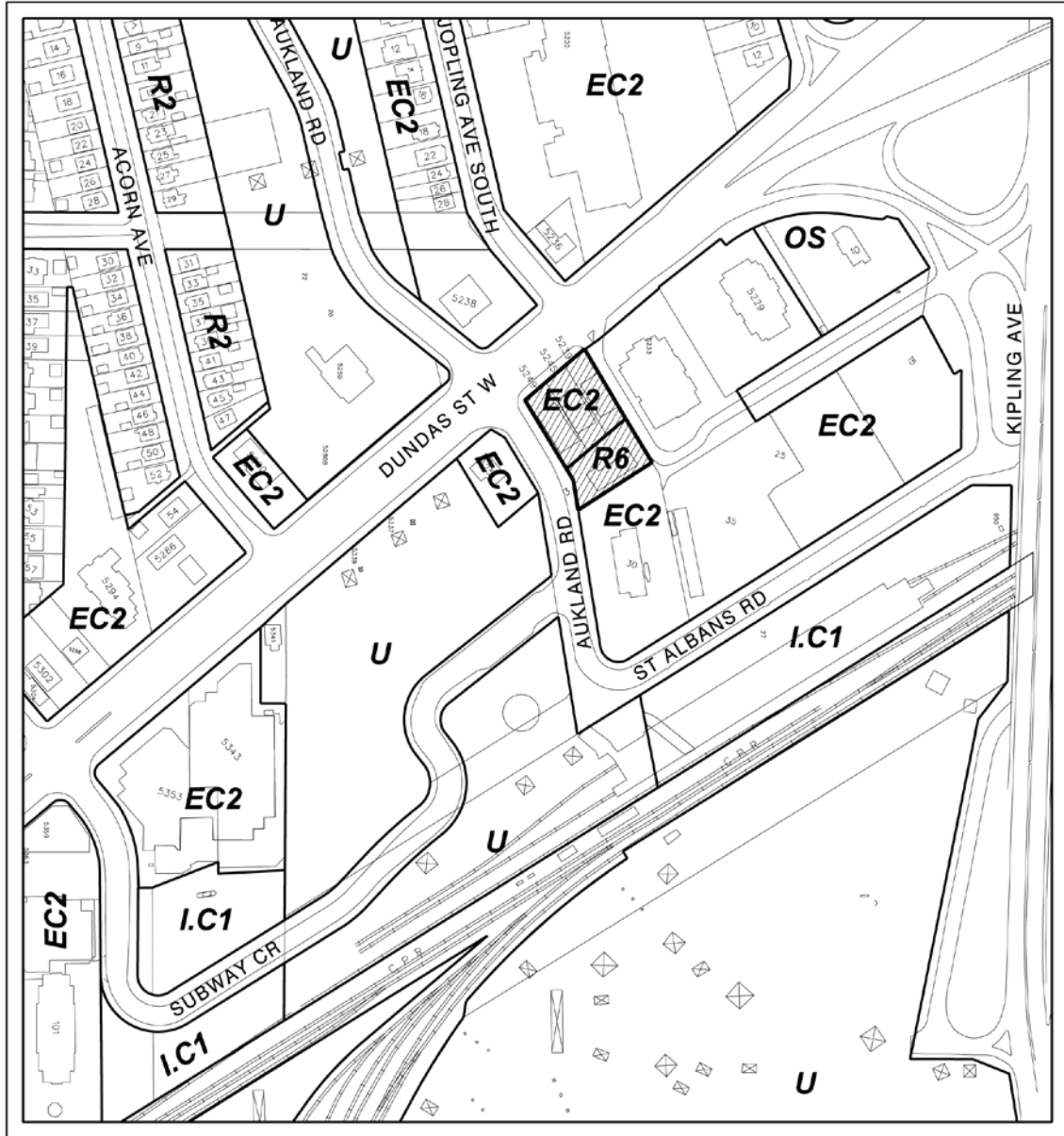
File # 13 280673 WET 05 02

- | | |
|-------------------|--------------------------|
| Site Location | Parks & Open Space Areas |
| Neighbourhoods | Parks |
| Mixed Use Areas | |
| Utility Corridors | |




Not to Scale
01/30/2014

Attachment 6: Zoning



5239, 5243 and 5249 Dundas Street West
and 3 Auckland Road
File # 13 280673 WET 05 0Z

- | | |
|-------------------------------|--------------------------|
| R2 Residential Second Density | EC2 Etobicoke Centre Two |
| R6 Residential Sixth Density | OS Public Open Space |
| I.C1 Industrial Class 1 | U Utilities |


 Not to Scale
 Former Etobicoke By-law 11,737
 Extracted 01/29/2014

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	13 280673 WET 05 OZ
Details	Rezoning, Standard	Application Date:	December 20, 2013

Municipal Address: 5239, 5243 AND 5245 DUNDAS STREET WEST, AND 3 AUKLAND ROAD

Location Description: PLAN 2561 PT LOT 11 **GRID W0504

Project Description: To redevelop the site with a 2 storey retail podium base and 38 storey residential tower above (40 storeys total). A total of 378 residential units are proposed along with 5,091 m² of retail floor area. Parking would be provided in a 5 level underground parking structure.

Applicant:	Agent:	Architect:	Owner:
ANA MARIA LLANOS		Diamond and Schmitt Architects	AUKLAND AND MAIN URBAN PROPERTIES INC.

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	EC2 (1088-2002); R6 (434-2007)
Zoning:	EC2 and R6	Historical Status:	n/a
Height Limit (m):	90m (EC2) and 41m (R6)	Site Plan Control Area:	yes

PROJECT INFORMATION

Site Area (sq. m):	2,973	Height:	Storeys:	40
Frontage (m):	43		Metres:	128.5m + mech. penthouse
Depth (m):	68			
Total Ground Floor Area (sq. m):	1,558			Total
Total Residential GFA (sq. m):	28,228		Parking Spaces:	333
Total Non-Residential GFA (sq. m):	5,091		Loading Docks:	4
Total GFA (sq. m):	33,319			
Floor Space Index:	11.2			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Bachelor:	70	Residential GFA (sq. m):	28,228
1 Bedroom:	230	Retail GFA (sq. m):	5,091
2 Bedroom:	70	Office GFA (sq. m):	0
3 + Bedroom:	8	Industrial GFA (sq. m):	0
Total Units:	378	Institutional/Other GFA (sq. m):	0

CONTACT:	PLANNER NAME:	Jill Hogan, Manager
	TELEPHONE:	416-394-8219

Attachment 8: Draft Zoning By-law Amendment

City of Toronto By-law No. xxx-20~

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~
Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

To amend Chapters 320 and 324 of the Etobicoke Zoning Code, as amended, with respect to the lands municipally known as 5239, 5245 and 5249 Dundas Street West and 3 Aukland Road

WHEREAS authority is given to Council by Section 34 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. Notwithstanding the provisions of By-law No. 1008-2002, the following provisions shall apply to the lands described in Schedule 'A' attached hereto:

1.1 Definitions

For the purposes of this By-law the following definitions will apply:

“Building Envelope” means the areas delineated by heavy lines on Schedule 'B' to this Bylaw;

“Grade” means 126.5 metres Canadian Geodetic Datum;

“Height” means the vertical distance between grade and the highest point of the roof surface of the building, but shall exclude mechanical equipment, mechanical penthouses, telecommunications equipment, green roof elements, equipment for the production of energy, parapets, stairs and stair enclosures, located on the roof of such building provided the maximum height of the top of such elements is no higher than 6 metres above the roof line of the said building;

“Lands” means the lands described in Schedule ‘A’ attached hereto;

Attachment 8: Draft Zoning By-law Amendment

“Landscaped Open Space” means an area on the Lands located at grade, above underground parking area and/or on a rooftop, which contains landscaping. It shall include any part of the Lands occupied by outdoor recreational buildings such as gazebos, surfaced walks, patios or similar areas, sports or recreational areas, but shall exclude driveways or ramps;

“Minor Projections”- means minor building elements which may project from the main walls of the buildings into required yards and beyond the Building Envelopes, including but not limited to roof eaves, window sills, railings, cornices, guard rails, balustrades, porches, balconies and bay windows, doors, canopies, exterior stairs associated covering, wheelchair and covered ramps, parapets and vents, awnings, skylights, ornamental elements, trellises, lighting fixtures, fences, landscape features and seating areas, retaining walls, ramps to an underground garage, all to a maximum projection of 1.6 metres;

“Temporary Sales Office” means a building, structure, facility or trailer on the lot used for the purpose of the sale of dwelling units to be erected on the Lands;

“Tower Element” means the portion of the building above 3 storeys at the north façade (front), and above 4 storeys at the south façade (rear).

1.2 Permitted Uses

Notwithstanding Section 3 of By-law 1088-2002, for the purposes of this By-law, no building or structures shall be erected or used on the Lands except for the following uses:

- (a) All uses permitted under Section 3 (A) and 3 (B) of By-law 1088-2002;
- (b) Grocery Store;
- (c) Accessory structures, including but not limited to access roads, underground parking garages, television antennae, private swimming pools and structures in conjunction with such pools, covered ramps, exterior stairs, stair enclosures, noise barriers and ventilation shafts; and
- (d) A Temporary Sales Office

1.3 Gross Floor Area

Notwithstanding Section 4 of By-law 1088-2002, for the purposes of this By-law,

- (a) The maximum Gross Floor Area (GFA) permitted on the Lands shall be 33,400 square metres.

Attachment 8: Draft Zoning By-law Amendment

(b) A maximum of 5,150 square metres of non-residential Gross Floor Area may be provided on the lands. This GFA is included in the maximum GFA permitted in Section 1.3(a) of this By-law.

1.4 Maximum Height

Notwithstanding Section 5 of By-law 1088-2002, for the purposes of this By-law, the maximum heights permitted within the Building Envelope, in metres above grade, shall be as shown on Schedule 'B', attached hereto.

1.5 Setbacks/Build-to Areas/Floor Plate Restrictions

For the purposes of this By-law,

- (a) Notwithstanding Section 6 (i) of By-law 1088-2002, no building or structure above grade shall be located anywhere other than within the Building Envelope shown on Schedule 'B'.
- (b) Notwithstanding Section 6 (ii) of By-law 1088-2002, the maximum floor plate area for any Tower Element shall be 781 square metres.
- (c) Notwithstanding Section 6 (v) of By-law 1088-2002 and Section 6 of this By-law, the minimum separation distance between the Tower Element on the Lands and the portion of any building above 5 storeys on an abutting lot, existing as of the date this by-law comes into force, shall be 22.9 meters.
- (d) Notwithstanding Section 1.5 (a) of this By-law, the following provisions shall apply:
 - (i) Any portion of any building or structure which is located below the finished exterior ground level may extend to the property line.
 - (ii) Minor Projections are permitted to extend beyond the Building Envelope.
 - (iii) Temporary sales offices and permitted accessory structures shall be permitted outside the Building Envelope.

1.6 Area Requirements

Notwithstanding Section 7(ii) of By-law 1088-2002, a minimum of 14.5 % of the lot area shall be reserved for Landscaped Open Space.

Attachment 8: Draft Zoning By-law Amendment

1.7 Parking and Loading Requirements

Notwithstanding the minimum parking requirements of Section 8(i) (a), (b) and (c) of By-law 1088-2002, parking spaces shall be provided in accordance with the following minimum requirements:

Residential:

- Bachelor units: minimum of 0.5 spaces per unit
- One-bedroom units: minimum of 0.6 spaces per unit
- Two-bedroom units: minimum of 0.9 spaces per unit
- Three-bedroom units: minimum of 1.0 space per unit

Residential Visitor:

- Minimum of 0.1 spaces per unit

Non-Residential:

- Minimum of 1.0 space per 100 square metres of Gross Floor Area

The required number of Residential Visitor and Non-Residential required parking shall be provided onsite in a combined pool of parking, such that the sum of both parking requirements shall be available for Residential Visitors and/or Non-Residential commercial parking.

- 1.8 Notwithstanding any severance, partition or division of the Lands, the provisions of this By-law shall apply to the whole of the Lands as if no severance, partition or division occurred.
- 1.9 Zoning By-law No. 434-2007 being a By-law “to amend Chapters 320 and 324 of the Etobicoke Zoning Code with respect to certain lands located on the east side of Auckland Road municipally known as 3 Auckland Road” is hereby repealed; and
- 1.10 Chapter 324, Site Specifics, of the Zoning Code is hereby amended to delete Zoning Bylaw No. 434-2007 and include reference to this By-law by adding the following to Section 324.1, Table of Site Specific By-laws.

2. Section 37

- A. An indexed cash contribution of \$875,000.00 to be paid to the City prior to the issuance of the first above grade building permit, to be allocated in Ward 5 Etobicoke-Lakeshore, generally as follows:
- i. \$100,000.00 to the Islington BIA for streetscape improvements
 - ii. \$500,000.00 to the future Westwood YMCA in the Six Points area

Attachment 8: Draft Zoning By-law Amendment

- iii. \$275,000.00 to the future Westwood Park in the Six Points area
- B. Require that the cash amounts identified in 'A' above 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, 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 matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. The owner shall secure a vehicle and pedestrian access easement to the adjacent private road, known as Viking Lane, situated on the abutting property to the east;
 - ii. The owner is to also be financially responsible for its share of the maintenance of this private roadway. This shall be secured through a private agreement with the abutting landowner to the east;
 - iii. The owner shall design and construct a public walkway on the abutting St. Albans Toronto Water pumping station lands to the south between Viking Lane and Auckland Road;
 - iv. The owner shall design and construct the abovementioned walkway to the satisfaction of the General Manager, Transportation Services and at no cost to the City;
 - v. The owner shall introduce, at no cost to the City, any required traffic control signal timing adjustments and additional phases, including any hardware modifications, required at the Dundas Street West/Auckland Road signalized intersection (as per Appendix M of the applicant's Traffic Impact Study) to facilitate forecast traffic to the subject development, which shall be completed to the satisfaction of the General Manager, Transportation Services;

Attachment 8: Draft Zoning By-law Amendment

- vi. The owner shall design and construct a southbound left turn storage land along Aukland Road to accommodate southbound-to-eastbound left turns into the site (functionally illustrated in Figure No. 1 of Appendix P of the applicant's Traffic Impact Study) to the satisfaction of the General Manager, Transportation Services and the Toronto Transit Commission, and at no cost to the City. In this regard, the transportation consultant is required to provide engineering drawings (that illustrate the pavement widening on the east side of Aukland Road) and associated cost estimate(s), as well as a pavement marking and signage plan;
- vii. The owner shall construct and maintain the Dundas Street West and Aukland Road streetscape in accordance with the cross-sections developed through the Six Points Interchange Detailed Design in accordance with the Streetscape Manual, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- viii. The owner shall construct and maintain the enhanced pedestrian connection at the site's southern edge, from Viking Lane to Aukland Road, in accordance with approved plans (including that portion on the St. Albans Toronto Water pumping station);
- ix. The owner shall construct a public sidewalk along Aukland Road on the lands fronting the St. Albans Toronto Water pumping station. In addition, the existing foot paths, south of the pumping station shall be upgraded to a paved walkway;
- x. The owner shall construct and maintain the development in accordance with Tier 1 performance measures of the Toronto Green Standard, as adopted by Toronto City Council at its meeting of October 26 and 27, 2009;
- xi. Through the Site Plan approval process, the owner shall implement the wind control measures identified in the Pedestrian Wind Study Addendum prepared by Novus Environmental dated July 7, 2014;
- xii. The owner shall provide any necessary warning clauses in future agreements of purchase and sale related to the TTC operations; and

Attachment 8: Draft Zoning By-law Amendment

xiii. The owner shall satisfy the requirements of the Toronto Catholic District School Board and the Toronto District School Board regarding warning clauses and signage.

3. Within the lands shown on Schedule "A" attached to this By-law, no person shall use any land or erect or use any building or structure unless the following municipal services are provided to the lot line and the following provisions are complied with:
- (a) all new public roads have been constructed to a minimum of base curb and base asphalt and are connected to an existing public highway, and
 - (b) all water mains and sanitary sewers, and appropriate appurtenances, have been installed and are operational.

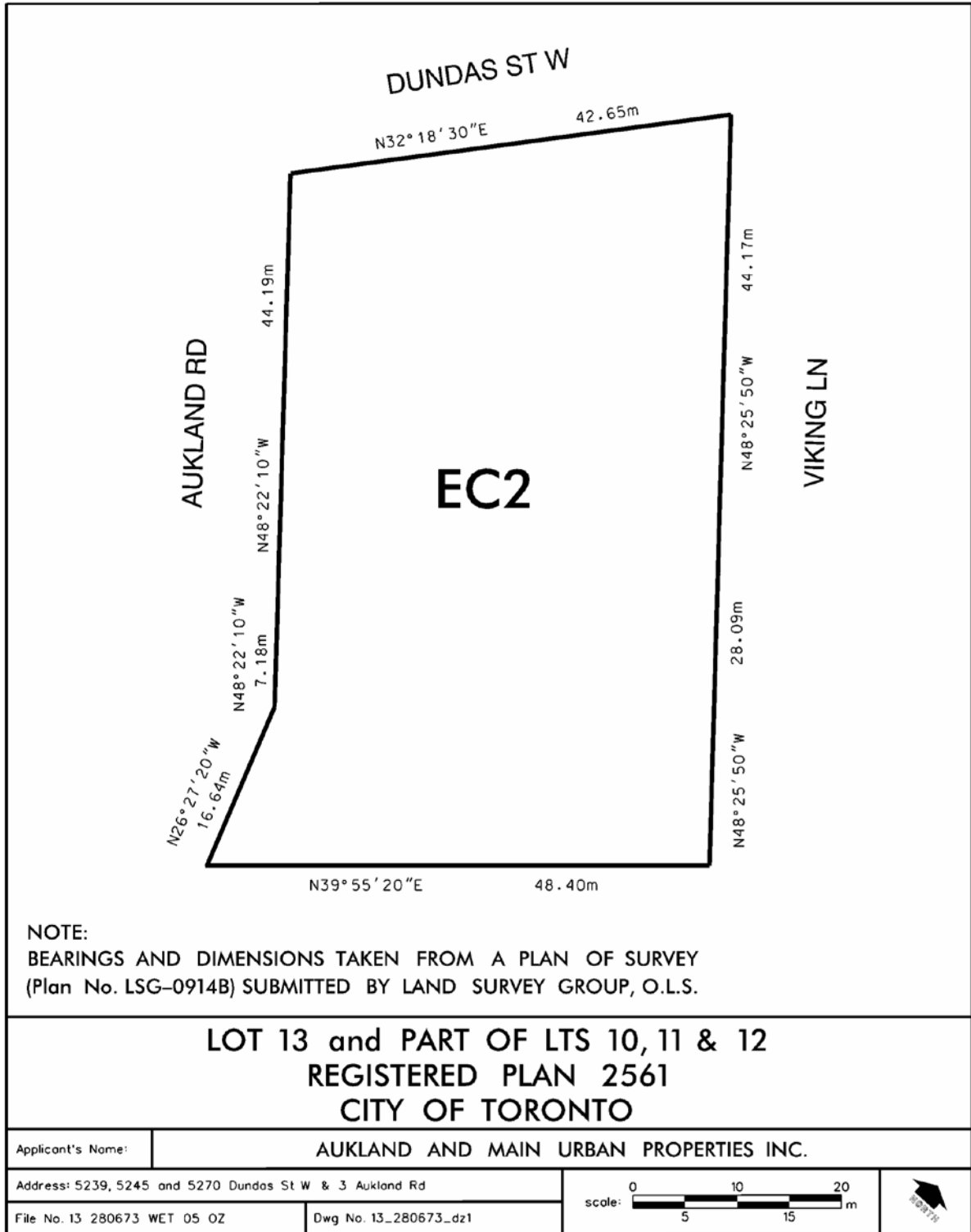
ENACTED AND PASSED this ~ day of ~, A.D. 20~.

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

Attachment 8: Draft Zoning By-law Amendment



Attachment 8: Draft Zoning By-law Amendment

