

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

Date:	August 14, 2017
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	17-183100 STE 20 OZ

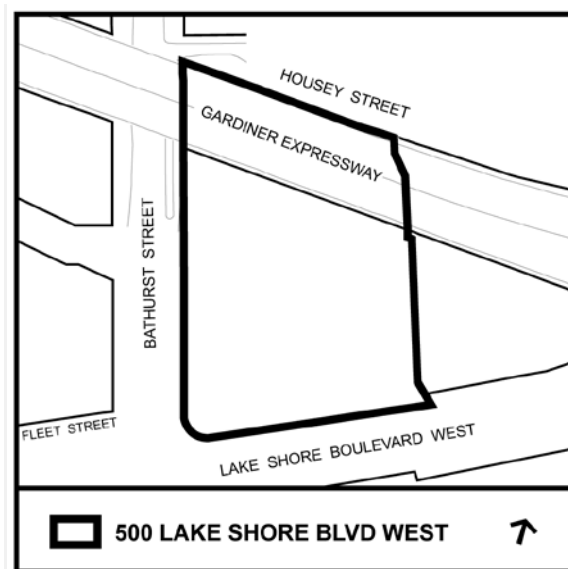
SUMMARY

In December 2015, City Council approved Official Plan and Zoning By-law amendments to permit mixed-use redevelopment on the subject site comprising two residential towers at 37 and 41 storeys, a 7-storey commercial building incorporating an existing heritage building, and a one-storey commercial building situated under the Gardiner Expressway.

On June 19, 2017, Official Plan and Zoning By-law amendment applications were submitted requesting minor amendments to the development permissions at 500 Lake Shore Boulevard West.

The amendments to the Official Plan and Zoning By-law propose decreasing the required surface commercial parking, from 67 to 26 spaces, and increasing the permitted amount of commercial floor space by 662 square metres. The additional commercial space is proposed within two new one-storey buildings in the area under the Gardiner Expressway.

These changes are being proposed to improve the relationship of the approved development to The Bentway, a new public space being created under the Gardiner Expressway, currently under construction.



This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law, subject to the conditions detailed in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 500 Lake Shore Boulevard West substantially in accordance with the draft Official Plan Amendment No. 154 attached as Attachment No. 4 to the report (August 14, 2017) from the Director of Community Planning, Toronto and East York District;
2. City Council amend Zoning By-law 438-86, as amended, for the lands at 500 Lake Shore Boulevard West substantially in accordance with the draft Zoning By-law Amendment to be available at the September 6, 2017 meeting of Toronto and East York Community Council; and,
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.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting on December 9, 2015, City Council approved Official Plan and Zoning By-law amendments to permit mixed-use redevelopment on the subject site comprising two residential towers at 37 and 41 storeys, a 7-storey commercial building incorporating an existing heritage building, and a one-storey commercial building situated under the Gardiner Expressway. These By-laws are in force and effect.

Council's Decision and the relevant Staff Reports can be found at this link:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.TE4.3>

Pre-Application Consultation

Pre-application discussions were held with the applicant to discuss the application as part of ongoing discussions related to the Bentway project and changes required to facilitate that project.

ISSUE BACKGROUND

Proposal

The changes to the Official Plan and Zoning By-law are being proposed only for the portion of the proposed development situated beneath the Gardiner Expressway.

The applications proposes to decrease the required commercial parking from 67 to 26 spaces, and increase the permitted amount of commercial floor space by 662 square metres. The additional commercial space is proposed within two new one-storey buildings in the area under the Gardiner Expressway.

Site and Surrounding Area

The subject site is located on the north-east corner of Bathurst Street and Lake Shore Boulevard West. The shape of the site is best described as a roughly rectangular convex quadrilateral.

Buildings and uses in the vicinity of the site are as follows:

North: The Gardiner Expressway runs across the north portion of the site. North of the Gardiner Expressway are Blocks 33 and 37 of the Railway Lands West. These two blocks were recently approved to permit 5 towers ranging in height from 8 to 42 storeys.

South: Across Lake Shore Boulevard West, to the south of the subject site is a 4-storey heritage building housing the offices of Rogers Communications. Diagonally across the intersection is a 10-storey residential building and a gas station.

East: A 24-storey residential building has been constructed to the east of the subject site on Blocks 9/10 of the Fort York Neighbourhood.

West: A 32-storey residential building has been constructed at the north-west corner of the Bathurst Street and Fleet Street intersection.

Community Consultation

A drop-in community consultation meeting was held at The Fort York Visitor's Centre on July 25, 2017. Those in attendance had generally positive comments on the proposal. It was noted that the complete removal of surface parking spaces from the area beneath the Gardiner Expressway was desirable.

Planning Act, Provincial Policy Statement and Growth Plan

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities, including: the orderly development of safe and healthy communities; the conservation of features of significant architectural, cultural and historical interest; the adequate provision of employment opportunities; and the appropriate location of growth and development.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (2014) provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its Official Plan and to inform decisions on other planning and development matters. The PPS is issued under Section 3 of the Planning Act and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement. Policy 4.7 further states that the Official Plan is the most important vehicle for implementing the PPS.

The Growth Plan for the Greater Golden Horseshoe (2017) provides a strategic framework for managing growth in the Greater Golden Horseshoe region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan for the Greater Golden Horseshoe (2017) builds upon the policy foundation provided by the Provincial Policy Statement (2014) and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

Official Plan

Mixed Use Areas (4.5)

The subject site is designated *Mixed Use Areas* on Map 18 – Land Use Plan. Section 4.5 of the Official Plan contains policies to govern the built form of new development in *Mixed Use Areas*.

Public Realm (3.1.1)

Section 3.1.1 contains policies that help guide the development of streets, sidewalks, boulevards, and other aspects of the public realm.

How to Read the Plan

Section 1.5 of the Plan states that the Official Plan is to be read as a comprehensive and cohesive whole. This application will be reviewed against all policies of the Official Plan.

The Official Plan is available here:

http://www1.toronto.ca/static_files/CityPlanning/PDF/chapters1_5_dec2010.pdf

Fort York Neighbourhood Secondary Plan

The site is situated within the Fort York Neighbourhood Secondary Plan area (Section 6.13). The plan envisions the Fort York Neighbourhood as a vital mixed use neighbourhood which takes advantage of large areas of existing public open space in a unique waterfront setting and is served by the appropriate range of community services and facilities.

Official Plan Amendment 302

Official Plan Amendment 302 (OPA 302), approved by City Council in December 2015, amends the Fort York Neighbourhood Secondary Plan to permit the redevelopment of the site including the retention of the Lake Shoe West and Bathurst Street facades of the former Loblaw Warehouse Building. OPA 302 allows for a maximum floor area of 76,500 square metres on the subject site.

Fort York Public Realm Plan (2004)

The Fort York Public Realm Plan, endorsed by City Council, establishes a set of guidelines, which outline the principles and overall vision for the emerging neighbourhood. It builds on the approved policies of the Official Plan and the Zoning By-laws that set out the location of public spaces, density, height and built form envelopes, and informs the City's review of development applications in the area by setting a standard for the best possible design of the streets, parks, pedestrian and cycle connections, and public and private open spaces throughout the neighbourhood. The Fort York Public Realm Plan, defines the principles for liveable and pedestrian-friendly streets, parks and open spaces in this emerging Toronto neighbourhood.

<http://www.fortyork.ca/images/management-docs/fort-york-public-realm-plan-2004.pdf>

Zoning

The property is subject to the City of Toronto Zoning By-law 438-86, as amended. A site specific By-law amendment, By-law No. 1366-2015, applies to the subject site and includes

provisions to regulate the form, height, setbacks, permitted uses, amenity space requirements, bike and vehicle parking requirements, and other performance standards, applicable to the development permitted on site. By-law 1366-2015 allows for a maximum total floor area of 76,500 square metres.

Site Plan Control

The proposed development is subject to Site Plan Control. The applicant has submitted two Site Plan Control applications, one for the first phase of development which includes the underground parking area and the 7-storey commercial building, and one for the balance of the approved development, which includes the two towers and the commercial space under the Gardiner Expressway.

The Bentway

Announced in 2015, and currently under construction, The Bentway is a 10-acre, 1.75-kilometre linear public open space beneath the elevated Gardiner Expressway extending from west of Strachan Avenue to Spadina Avenue.

Reasons for Application

An amendment to the Official Plan, specifically Chapter 6, Section 13 - Fort York Neighbourhood Secondary Plan, is required to increase the total permitted floor area from 76,500 square metres by an additional 662 square metres.

An amendment to By-law 438-86, as amended, is required to increase the total permitted floor area from 76,500 square metres, and total commercial floor from 23,000 square metres, by an additional 662 square metres each, and decrease the required non-residential vehicle parking by 41 spaces.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application, drafting this report, and formulating appropriate By-law standards.

COMMENTS

Provincial Policy

Provincial Policy Statement (2014)

The Provincial Policy Statement (PPS), 2014, provides policy direction on matters of provincial interest related to land use planning and development. City Council's planning decisions are required to be consistent with the PPS.

Policy 1.5.1 of the PPS directs that healthy, active communities should be promoted by planning public spaces to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity.

Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation.

Policy 4.7 recognizes the Official Plan as the most important vehicle for implementation of the PPS.

The proposal includes a small increase to the amount of commercial floor area and a decrease in the amount of surface vehicle parking. These changes to the redevelopment of the site improve the pedestrian environment and promote active transportation within the community. The proposed Official Plan and Zoning By-law amendments are consistent with the Provincial Policy Statement (2014).

Growth Plan for the Greater Golden Horseshoe (2017)

The Growth Plan for the Greater Golden Horseshoe (the ‘Growth Plan’) provides a framework for managing growth in the Greater Golden Horseshoe. The subject site is an Intensification Area as defined by the Growth Plan. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Section 2.2.1.4 supports the achievement of complete communities that feature a range of transportation options, including options for the safe, comfortable and convenient use of active transportation, an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities, and a high quality, attractive and vibrant public realm, including public open spaces.

The proposed changes to the previously approved development will result in a better publicly accessible open space adjacent to an emerging active transportation network. The proposed Official Plan and Zoning By-law amendments conform (and do not conflict) with the Growth Plan for the Greater Golden Horseshoe (2017).

Official Plan Policies

Mixed Use Areas

The City of Toronto Official Plan (Map 18 – Land Use) designates the subject site as *Mixed Use Areas*. It is intended that *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing.

The proposed OPA will add 662 sq.m of retail space in two new one storey buildings under the Gardiner Expressway. These smaller spaces and buildings will provide the opportunity to create smaller, local serving retail units to complement the larger previously-approved retail space proposed in the the larger non-residential building fronting Lake Shore Boulevard West. Staff will work with the applicant to achieve these smaller spaces through the Site Plan Approval Process.

Section 4.5 of the Official Plan directs that development within *Mixed Use Areas* will create a balance of high quality commercial, residential, institutional and open space uses that reduce

automobile dependency, provide good site access and circulation, and meet the needs of the local community.

The proposed amendments reduce the amount of vehicle parking on site and improve pedestrian circulation. The retail spaces proposed are of a small to medium scale and provide a space for additional uses to meet the needs of the local community.

Built Form

Section 3.1.1 contains policies that help guide the development of streets, sidewalks, boulevards, and other aspects of the public realm. Section 3.1 of the Official Plan directs that high quality architectural, landscape and urban design and construction will be promoted within new developments to enhance the quality of the public realm.

The proposed changes to the previously approved redevelopment of this site improve the pedestrian environment both in, and around, the site, and achieve a better physical relationship to The Bentway.

Traffic Impact and Parking

The proposed reduction in surface commercial parking will have a negligible traffic impact on the surrounding area.

While not contemplated by this application, in the opinion of City Planning staff, all 67 surface parking spaces shown on the previously approved plans could be removed from the development without any significant impact to area traffic circulation. The removal of these spaces would make it possible to better animate and program the public space beneath the Gardiner Expressway. Reducing vehicle access points along the Bentway Trail also makes for a safer pedestrian and cycling environment.

The removal of all surface parking has been discussed previously with the applicant, however City Planning staff has been advised that, at this time, the applicant does not intend to further reduce the surface parking. In order to allow for the future elimination of this parking, the proposed Zoning By-law amendment (Attachment 5) permits a maximum of 27 commercial parking spaces on the surface but does not set a minimum.

Safety

Prior to the submission of this application, the applicant worked collaboratively with City staff on refinements to the plan to better accommodate the width of the Bentway trail which encroaches into the 500 Lake Shore Boulevard West site by 1.2 metres. While most physical intrusions into the Bentway have been removed in the submitted plans, two of the 26 proposed commercial parking spaces and two catch basins continue to encroach partly into the cycling and pedestrian width of The Bentway.

The Bentway is being designed as a safe and accessible pedestrian and cyclist environment and the intent of these applications is to better integrate the redevelopment of the site with the Bentway, so partial parking spaces should not be permitted to encroach into its width.

While these type of design issues are generally matters to resolve within Site Plan Control, and City Staff are actively working with the applicant to resolve these matters, in order to ensure that no surface parking spaces encroach into The Bentway, the Draft Zoning By-law Amendment (Attachment 6) includes a requirement that no surface parking spaces are located within 1.2 metres of a lot line.

Gardiner Expressway

A portion of the subject site is located under the F. G. Gardiner Expressway and is subject to an existing easement to allow the City rights of access for the purpose of inspecting, constructing, repairing and maintaining the expressway infrastructure, including drainage elements. In order to adequately accommodate the City's ability to maintain the Gardiner Expressway, any new development underneath the F. G. Gardiner Expressway will be constructed to the satisfaction of the Executive Director of Engineering and Construction Services and secured through Site Plan Control.

Park Land Dedication Requirements

The increase in non-residential floor area is subject to a 2% parkland dedication. The applicant will be required to make a cash-in-lieu payment in an amount determined at the time of building permit issuance.

Toronto Green Standard

In 2013 City Council updated the two-tiered Toronto Green Standard (TGS) that was adopted by City Council on October 27, 2009. 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 green house gas emissions and enhance the natural environment.

The applicant is required, at a minimum, to meet Tier 1 of the TGS.

Other applicable TGS performance measures will be secured through the Site Plan Approval process.

Summary of Proposed Official Plan Amendment

The proposed amendment to the Official Plan (Attachment 4) amends Chapter 6, Section 13, Fort York Neighbourhood Secondary Plan, to increase the maximum permitted floor area on the subject site from 76,500 square metres to 77,200 square metres.

Summary of Proposed Zoning By-law Amendment

The proposed amendments to By-law No. 438-86, as amended (Attachment 6) include the following:

- Increasing the maximum permitted non-residential floor area, and total floor area, on the subject site from, 23,000 square metres to 23,700 square metres, and 76,500 square metres to 77,200 square metres, respectively;

- Reducing the required overall parking spaces by 67, and permitting a maximum of 26 non-residential parking spaces to be located at grade;
- Reducing the number of car share spaces from 7 to 3; and
- Restricting any surface vehicle parking spaces from being located within 1.2 metres of a lot line.

Conclusion

The proposed small increase to the permitted commercial floor area and reduction of surface vehicle parking advance the City objectives for development in *Mixed Use Areas* to reduce automobile dependence and provide local servicing commercial uses. The proposed incremental changes to the previously approved redevelopment of the site improve the pedestrian environment both in, and around, the site, and achieve a better relationship to The Bentway.

City Planning Staff recommends approval of the Official Plan and Zoning By-law Amendment applications.

CONTACT

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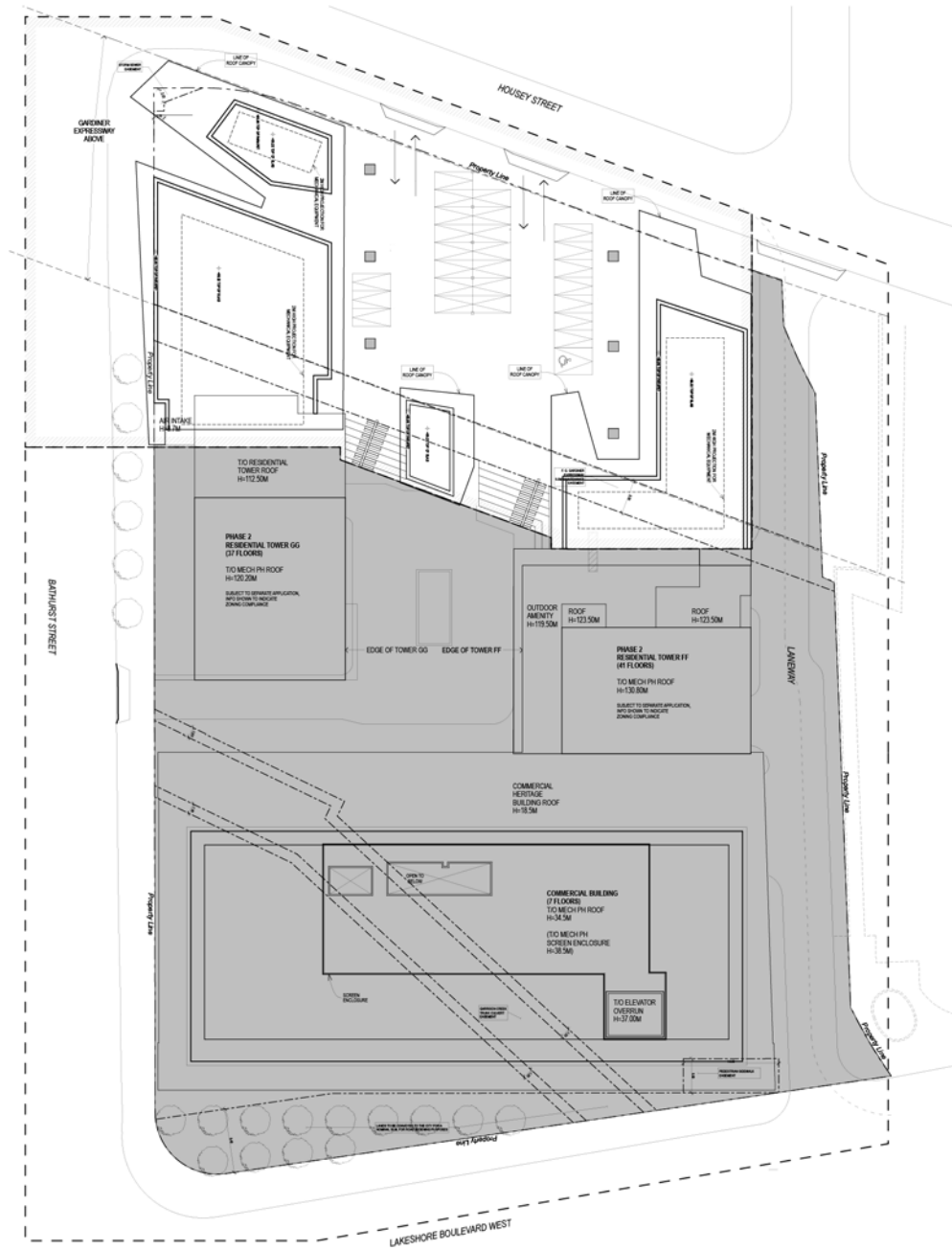
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: Official Plan Map 18 Extract
- Attachment 3: Zoning By-law Excerpt
- Attachment 4: Draft Official Plan Amendment
- Attachment 5: Draft Zoning By-law Amendment (Amends By-law No. 438-86)
- Attachment 6: Application Data Sheet

Attachment 1: Site Plan



Site Plan

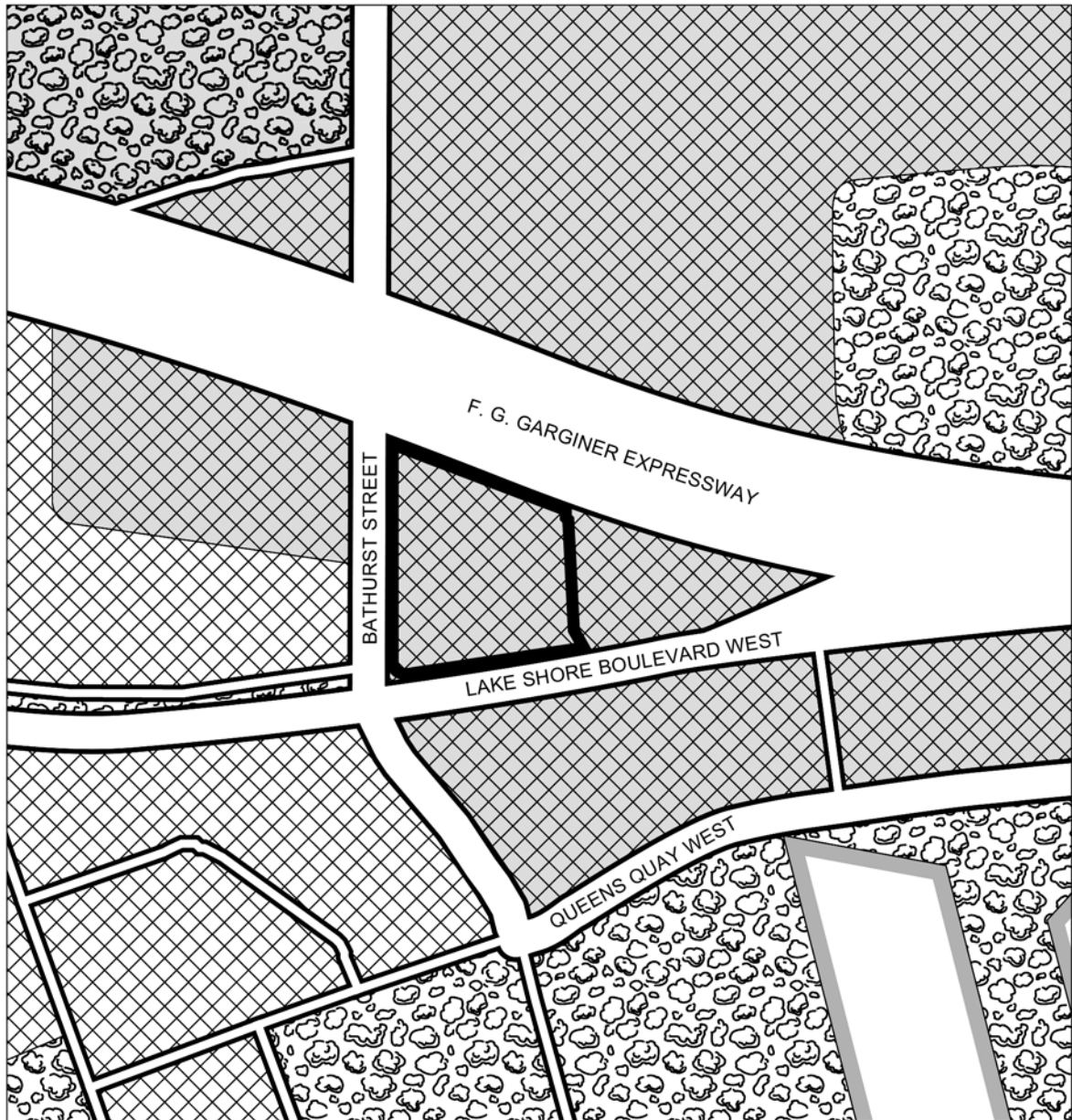
500 Lake Shore Boulevard West

Applicant's Submitted Drawing

Not to Scale 
07/27/2017

File # 17 183100 STE 20 0Z

Attachment 2: Official Plan Map 18 Extract



Toronto
 Extract from Official Plan

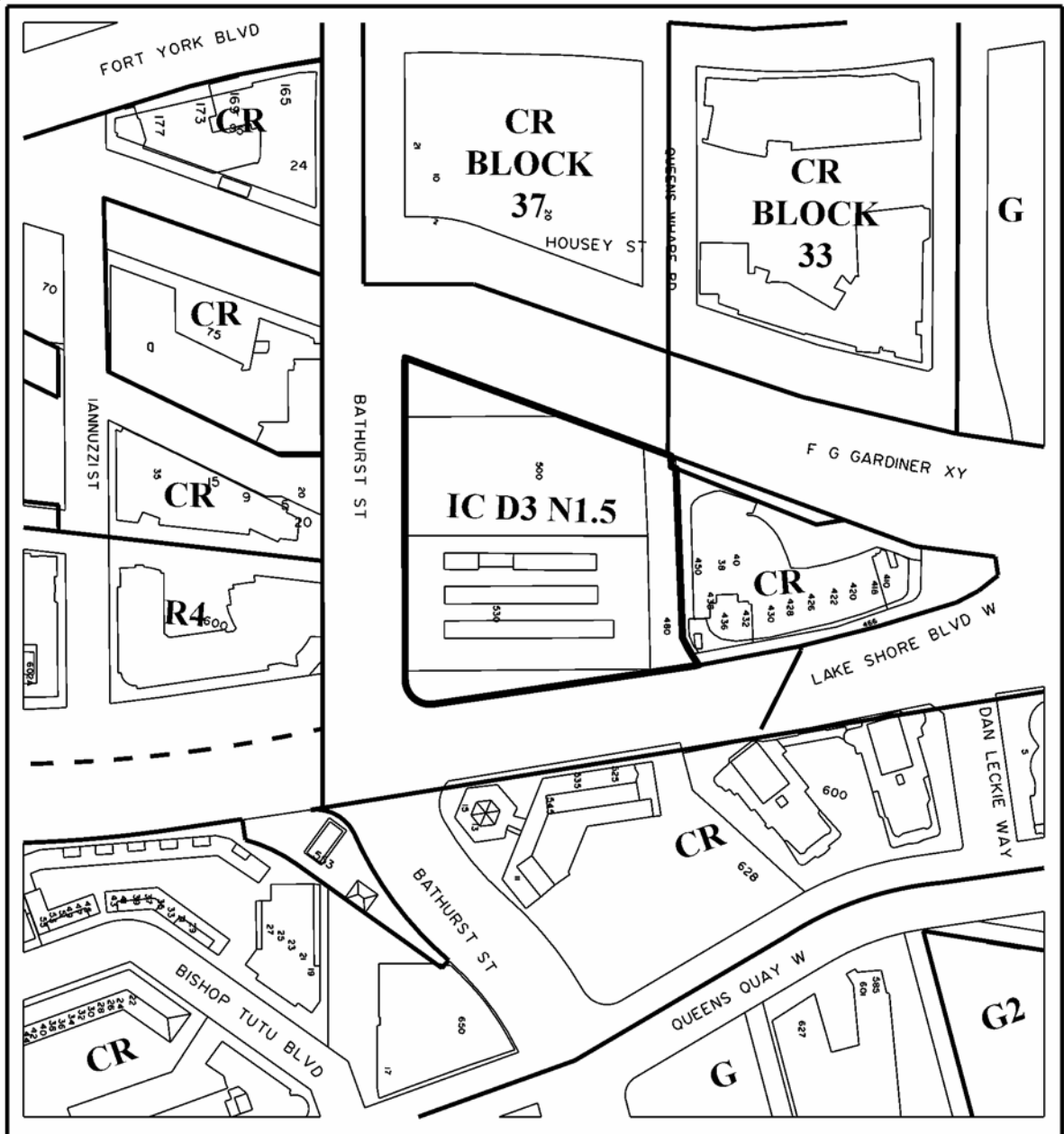
500 Lake Shore Boulevard West

File # 17 183100 STE 20 0Z

 Site Location	 Parks & Open Space Areas
 Apartment Neighbourhoods	 Parks
 Mixed Use Areas	 Other Open Space Areas

↑
 Not to Scale
 08/03/2017

Attachment 3: Zoning By-law Excerpt



TORONTO City Planning
Zoning

500 Lake Shore Boulevard West

File # 17 183100 STE 20 0Z

- CR Mixed-Use District
- T Industrial District
- G Parks District

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category



Not to Scale
Zoning By-law 7625
Extracted 08/13/2017

Attachment 4: Draft Official Plan Amendment

CITY OF TORONTO

BY-LAW No. XXXX-2017

**To adopt Amendment No. 154 to the City of Toronto Official Plan,
being an amendment to the Official Plan, Chapter 7, Site and Area Specific Policies.**

Whereas authority is given to Council by Section 17 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas the 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 enacts:

1. Amendment No. 154 to the Official Plan, consisting of the attached text is hereby adopted.

Enacted and passed this __ day of _____, 2017.

Frances Nunziata,
Speaker

Ulli S. Watkiss
City Clerk

(Seal of the City)

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

AMENDMENT NO. 154 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2017 AS
500 LAKE SHORE BOULEVARD WEST

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

- 1.** Chapter 6, Section 13, Fort York Neighbourhood Secondary Plan, is amended as follows:
 - i. Section 4, "Built Form, Land Use and Density", Subsection 4.3, "Mixed Use Areas and Densities", Policy 4.3.2 (c) is replaced with the following:
 - (c) Block 8- maximum gross floor area of 77,200 square metres

Attachment 5: Draft Zoning By-law Amendment (By-law 438-86)

This attachment will be provided prior to the September 6th, 2017
Toronto and East York Community Council meeting

Attachment 6: Application Data Sheet

Application Type: Official Plan Amendment & Rezoning
 Details: OPA & Rezoning, Standard
 Municipal Address: 500 LAKE SHORE BLVD W
 Location Description: PLAN D1397 PT HOUISEY ST PLAN D1429 PT BLKS 1 AND 2 RP 66R22509 PARTS 1 TO 8 11 24 AND 32 **GRID S2016
 Project Description: This application is for amendments to existing ZBA/OPA 13-204585 STE 20 OZ. Proposed amendments are minor and technical in nature, supporting an additional non-residential gross floor area (662.60m²) located at grade below the Gardiner Expressway, and a reduction of commercial parking requirements.

Applicant:	Agent:	Architect:	Owner:
Capital Developments		Architects Alliance	500 LS Limited

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	438-86, For York Part II
Zoning:	IC D3 N1.5	Historical Status:	Y
Height Limit (m):	24	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	13959	Height:	Storeys:	41
Frontage (m):	81.9		Metres:	130.8
Depth (m):	170			
Total Ground Floor Area (sq. m):	6039			Total
Total Residential GFA (sq. m):	53180		Parking Spaces:	585
Total Non-Residential GFA (sq. m):	23631		Loading Docks	9
Total GFA (sq. m):	76811			
Lot Coverage Ratio (%):	43.3			
Floor Space Index:	5.5			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

			Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	53180	0
Bachelor:	0	Retail GFA (sq. m):	10264	0
1 Bedroom:	786	Office GFA (sq. m):	13368	0
2 Bedroom:	0	Industrial GFA (sq. m):	0	0
3 + Bedroom:	100	Institutional/Other GFA (sq. m):	0	0
Total Units:	886			

CONTACT: PLANNER NAME: Graig Uens, Senior Planner
TELEPHONE: (416) 397-4647