

## **3471 Lake Shore Boulevard West – Zoning By-law Amendment Application – Preliminary Report**

Date: February 4, 2021

To: Etobicoke York Community Council

From: Acting Director, Community Planning, Etobicoke York District

Wards: 03 - Etobicoke-Lakeshore

**Planning Application Number:** 20 204828 WET 03 OZ

**Related Application:** 20 204893 WET 03 OZ (105 Thirty First Street)

**Notice of Complete Application Issued:** November 26, 2020

**Current Use(s) on Site:** The subject site currently contains a 1-storey commercial building with surface parking fronting onto Lake Shore Boulevard West

### **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application located at 3471 Lake Shore Boulevard West to amend the former City of Etobicoke Zoning Code By-law No. 2215, as amended by By-law No. 1055-2004 and City-wide Zoning By-law No. 569-2013 to accommodate a new 6-storey mixed-use building containing 19 apartment residential units and 193.8 m<sup>2</sup> of retail/commercial space. The existing commercial building on site is proposed to be removed to accommodate the new development proposal. Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 3471 Lake Shore Boulevard West together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

## **FINANCIAL IMPACT**

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The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

## **ISSUE BACKGROUND**

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### **Pre-Application Consultation**

Pre-application consultation meetings were held with the applicant in 2017 and 2019 to discuss complete application submission requirements and to identify issues with the proposed development. Staff raised concerns with respect to the setbacks, landscaping, parking and amenity space proposed.

The current submission is generally comparable to the previous initial concepts, with the existing building proposed to be demolished to accommodate a six-storey mixed-use building with commercial uses at grade, residential units above and underground parking.

### **Application Description**

This application proposes to amend the former City of Etobicoke Zoning Code By-law No. 2215, as amended by By-law No. 1055-2004 and City-wide Zoning By-law No. 569-2013 for the lands at 3471 Lake Shore Boulevard West to permit a 6-storey mixed-use building containing 19 residential units and retail uses at grade. The proposed building is rectangular, with the building massing to step back to the rear of the site.

The building proposes a front yard setback of 0.4 m, 0.0 m side yard setbacks, and a rear yard setback of 7.55 m.

The application proposes a total gross floor area of 1,609 m<sup>2</sup>, including 1,415 m<sup>2</sup> of residential and 193.8 m<sup>2</sup> of retail gross floor area, resulting in a Floor Space Index of 3.0 times the area of the lot. The height of the proposed building would be 20.0 metres (excluding mechanical penthouse). Commercial access is proposed off of Lake Shore Boulevard West and access to the residential units off of Thirty First Street. No indoor or outdoor amenity space is proposed on site. A total of 85 m<sup>2</sup> of outdoor amenity space is proposed to be shared with the adjacent proposal at 105 Thirty First Street, located immediately south of the subject property. As currently proposed, the 19 residential units would be comprised of: 8 bachelor units (42.1%); 9 one-bedroom units (47.4%); and 2 two-bedroom units (10.5%).

A total of 25 vehicular parking spaces are proposed, to be shared with an adjacent development proposal at 105 Thirty First Street (20 204893 WET 03 OZ), with 23 of the spaces provided in a mechanical stacked parking integrated into the mass of the proposed building. Access to the vehicular parking is proposed from the rear of the property. There are 14 bicycle parking spaces proposed at grade and located along Thirty First Street and there are no loading spaces proposed.

Detailed project information can be found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 1 and 2 of this report for three dimensional representations of the project in context.

### **Site and Surrounding Area**

The subject site is located at the south east corner of Lake Shore Boulevard West and Thirty First Street. (see Attachments 3 and 4: Location Map). The site is rectangular in shape and is currently occupied by a one-storey commercial building. The site is approximately 537 m<sup>2</sup> in size.

Surrounding land uses include:

- North: On the north side of Lake Shore Boulevard West there is a 1-storey commercial building and associated parking lot. Further north is a residential area comprised of 1-2 storey detached dwellings and designated *Neighbourhoods*.
- West: To the west of the subject property there is a 3-storey mixed-use building. Further to the west is a residential area comprised of 1-2 storey detached dwellings and designated *Neighbourhoods*, with a range of mixed-use buildings fronting onto Lake Shore Boulevard West. To the south west of the subject property is the James S. Bell Junior Middle School.
- East: To the east of the subject property there is a 2-storey mixed-use building. Further to the east on the south side of Lake Shore Boulevard West is a range of mixed-use buildings fronting onto Lake Shore Boulevard West. To the south east is an existing low rise area designated *Neighbourhoods*, comprised of 1-2 storey detached dwellings.
- South: Immediately to the south of the subject property is a 2-storey detached dwelling at 105 Thirty First Street, however the site is also subject to an active Zoning By-law Amendment application for a 4-storey residential building containing 10 dwelling units (File No: 20 204893 WET 03 OZ). Further south is a residential area with 1-2 storey detached dwellings designated *Neighbourhoods*.

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

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

## **Growth Plan for the Greater Golden Horseshoe (2020)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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.

The Growth Plan (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the Planning Act all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

## **Toronto Official Plan Policies and Planning Studies**

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location and built form compatibility of different land uses, and the provision of municipal services and facilities. Authority for the Official Plan derives from the *Planning Act* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities,

including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The current application is located on lands shown as *Avenues* on Map 2 - Urban Structure and designated *Mixed Use Areas* on Map 15 - Land Use Plan of the Official Plan (see Attachment 5: Official Plan Land Use Map).

*Mixed Use Areas* are made up of a broad range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. Development in *Mixed Use Areas* will locate and mass new buildings to adequately limit shadow impacts and provide appropriate transition towards areas of different intensity and scale, and particularly towards lower scale *Neighbourhoods*.

The site is subject to Site and Area Specific Policy 21 (SASP 21), which encompasses Lake Shore Boulevard West between the Etobicoke Creek and Dwight Avenue. SASP 21 reads as follows:

- a) Buildings should be built to the Lake Shore Boulevard West street line with a discretionary setback zone of 1.5 metres. Development blocks should provide a continuous building face for at least 70 per cent of the frontage on Lake Shore Boulevard West. Building heights should not exceed four storeys, except:
  - i) between Twenty Second Street and Twenty Third Street, where a six storey building is permitted if the extra height is stepped back from the street; and
  - ii) for the area between Twenty Third Street and 3829 Lake Shore Boulevard West (one block west of Fortieth Street), where a six storey building is permitted; however, in areas where lot depths exceed 35 metres, higher building height may be considered.

Building height should not exceed a 45-degree angular plane from the property line of the adjacent low-scale residential properties.

- b) Maximum net density of mixed commercial-residential buildings with commercial uses on the ground floor is 3.0 times the lot area for the lands designated *Mixed Use Areas*.

## **Zoning By-laws**

The site is zoned Commercial Avenues (C1-AV) under the former City of Etobicoke (Village of Long Branch) Zoning Code and is also subject to By-law No. 1055-2004. The maximum Gross Floor Area (GFA) permitted is 3.0 times the lot area, with a

maximum permitted building height of six (6) storeys or 20 metres, excluding the mechanical penthouse. Commercial and residential uses are permitted in this zone.

City-wide Zoning By-law No. 569-2013 does not apply to the subject property as a Site Specific Zoning By-law is in place (see Attachment 7: Zoning By-law Map)

## **Design Guidelines**

The following Design Guidelines will be used in the evaluation of this application:

- Avenues and Mid-Rise Buildings Study and Performance Standard Guidelines;
- Growing Up: Planning for Children in New Vertical Communities;
- Lake Shore Boulevard West Urban Design Guidelines;
- Retail Design Manual;
- Bird Friendly Development Guidelines; and
- Toronto Green Standard.

The Long Branch Neighbourhood Character Guidelines exclude properties that front Lake Shore Boulevard, however, the guidelines may be utilized to assist in the review and evaluation of development applications for properties which are located outside of the identified study area boundaries.

The application may also be subject to further design guidelines as the review of the application progresses. The City's Design Guidelines can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

## **Site Plan Control**

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

## **COMMENTS**

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### **Reasons for the Application**

Amendments to former City of Etobicoke Zoning Code By-law No. 2215, By-law No. 1055-2004 and City-wide Zoning By-law No. 569-2013 are required as the proposal does not comply with the existing performance standards with respect to: density, height, setbacks, lot coverage, amenity space and parking. Amendments are also required to establish appropriate development standards for the proposal, including permitting vehicular parking spaces to be shared with the adjacent development proposal at 105 Thirty First Street (20 204893 WET 03 OZ), to permit stacked parking spaces, and a reduction in parking space dimensions. Other areas of non-compliance may be identified through the review of the application.

## ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

### Provincial Policies and Plans Consistency/Conformity

This application will be evaluated against the *Planning Act* and applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan (2020), especially with regard to ensuring that the development recognizes the local context in terms of appropriate intensification, the promotion of well-designed built form, providing for a range of housing options, transition of built form to adjacent properties and whether the proposal complies with the municipal direction for growth.

Section 2 of the *Planning Act* sets out matters of provincial interest that City Council shall have regard to in making any decision under the *Planning Act*. Relevant matters of provincial interest include: the adequate provision of a full range of housing, including affordable housing; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and the promotion of built form that is well designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The PPS contains policies related to managing and directing development. It requires that sufficient lands be made available for intensification and redevelopment, and that planning authorities identify and promote opportunities for intensification and redevelopment, where this can be accommodated, taking into account, among other things, the existing building stock and surrounding area.

While the PPS encourages intensification and efficient development, it recognizes that local context is important and that well-designed built form contributes to overall long-term economic prosperity. The PPS indicates that the Official Plan is the most important vehicle for implementing the PPS and planning authorities shall identify appropriate locations for intensification and redevelopment.

The Growth Plan (2020) emphasizes the importance of complete communities where a range of housing options are to be provided, and that new development should provide high quality compact built form and a vibrant public realm. The Growth Plan provides municipalities with the authority to define the location and nature of growth that will occur in intensification areas in a flexible manner suitable to the local context, while still meeting the overriding objectives of the Growth Plan.

### Official Plan Conformity

The property is designated *Mixed Use Areas* in the City of Toronto Official Plan (see Attachment 5: Official Plan Land Use Map) and is subject to Site and Area Specific Policy 21 (SASP 21). The subject lands are also located on an *Avenue*, as identified on Map 2 - Urban Structure of the Official Plan. *Avenues* are areas where growth and reurbanization are intended to occur.

*Mixed Use Areas* policies establish a number of site-related development criteria that must be met. The Built Form policies emphasize the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings should be located and massed to provide a transition between areas of different development intensity and scale. The development criteria within the *Mixed Use Areas* policies are also supplemented by additional development criteria outlined in the Built Form policies in Section 3.1.2 of the Official Plan.

SASP 21 provides policy direction and establishes the planning framework for new development along Lake Shore Boulevard West between the Etobicoke Creek and Dwight Avenue, including the following development standards which are applicable to the subject site:

- Buildings should be built to the Lake Shore Boulevard West street line with a discretionary setback zone of 1.5 metres;
- Development blocks should provide a continuous building face for at least 70 per cent of the frontage on Lake Shore Boulevard West;
- Building heights should not exceed four storeys;
- Building height should not exceed a 45-degree angular plane from the property line of the adjacent low-scale residential properties; and
- The maximum net density of mixed commercial-residential buildings with commercial uses on the ground floor is 3.0 times the lot area of the lands designated *Mixed Use Areas*.

The property is located adjacent to a low-rise residential area to the south, designated *Neighbourhoods* in the Official Plan. As identified in Section 2.3.1(3) of the Official Plan, developments in *Mixed Use Areas* that are adjacent or close to *Neighbourhoods* must be compatible with those *Neighbourhoods* including, but not limited to, providing a gradual transition of scale and density from those *Neighbourhoods* and maintaining adequate light and privacy for residents in those *Neighbourhoods*.

Through its Official Plan, the City has identified appropriate locations and opportunities for intensification. Although growth is intended to occur on this particular site given its *Mixed Use Areas* designation, the level of intensification of this site must reflect the existing and planned context as established by the Zoning By-law and Official Plan policies, including in particular SASP 21.

The application will be evaluated for its conformity with the Official Plan policies and in particular SASP 21 noted above. Should any issues be identified as the application proceeds they may be required to submit an Official Plan amendment application.

### **Built Form, Planned and Built Context**

The suitability of the proposed height, density, massing, transition and other built form issues will be assessed based on the *Planning Act*, the Provincial Policy Statement, the Growth Plan, the City's Official Plan and City Council adopted Urban Design Guidelines.

The following issues have been identified and will be evaluated through review of the application:

- The location and organization of the building relative to Lake Shore Boulevard West;
- Built form transition and proximity to adjacent low-scale residential properties;
- Relation of built form and massing to the development proposal to rezone the adjacent property to south at 105 Thirty First Street;
- Appropriateness of the proposed building's height, massing, density, setbacks and stepbacks;
- Design and viability of commercial space at grade;
- Conformity with the 45-degree angular plane from the property line of the adjacent low-scale residential properties;
- The provision of an appropriate mix of dwelling units and adequate location and size of amenity space;
- The potential wind and shadow impacts of the development and any appropriate mitigation measures;
- Improvements to landscaped open space and the public realm, in particular the public boulevard along Lake Shore Boulevard West; and
- Other on-site matters, such as the storage of garbage and snow, and vehicular site ingress and egress.

Staff will continue working with the applicant to achieve a redevelopment proposal that is in keeping with the vision for Lake Shore Boulevard West and the existing character of the area and will explore the potential for consolidation of this application with the adjacent application at 105 Thirty First Street (20 204893 WET 03 OZ).

### **Growing Up: Planning for Children in New Vertical Communities**

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale.

### **Tree Preservation**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

Additionally, Official Plan policies have been adopted by City Council to increase tree canopy coverage. City Council has adopted the objective of increasing the existing 27 percent tree canopy coverage to 40 percent. Policy 3.4.1 (d) states that "to support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly based on: d) preserving and enhancing the urban forest by: i) providing suitable growing environments for trees; ii) increasing tree canopy coverage

and diversity, especially of longlived native and large shade trees; and iii) regulating the injury and destruction of trees".

The applicant has submitted a Tree Inventory and Preservation Plan prepared by Kuntz Forestry Consulting Inc., dated September 8, 2020. The report indicated that there are two trees within 6 metres of the subject site, one along Lake Shore Boulevard West, and the other to the south along Thirty First Street. The Tree Inventory and Preservation Plan proposes the removal of one tree to accommodate the proposal (situated near the property boundary to the south), while the second tree will require erecting tree protection hoarding as a result of the proposed development.

The Tree Inventory and Preservation Plan are currently under review by City staff.

## **Housing**

The application proposes a total of 19 residential units consisting of: 8 bachelor units (42.1%); 9 one-bedroom units (47.4%); and 2 two-bedroom units (10.5%). Staff will review the application in order to evaluate the application in the context of the application Official Plan housing policies and the Growth Plan's growth management and housing policies. These policies provide direction on how a broad range of households, including families with children, can be accommodated in new developments. While the City also has the Growing Up Guidelines to give direction to integrate family suitable design into the planning of new multi-unit residential development, the Guidelines are only to be applied City-wide to all new multi-residential mid-rise and tall building development applications that include 20 units or more.

## **Archaeological Assessment**

The subject site has archaeological resource potential. A Stage 1 & 2 Archaeological Resource Assessment has been submitted by the applicant and is under review by City staff.

## **Section 37 Community Benefits**

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

The application proposes a gross floor area of 1,609 m<sup>2</sup> and therefore does not meet the minimum size threshold of 10,000 m<sup>2</sup> of new development required by the Official Plan for consideration of Section 37 benefits.

## **Infrastructure/Servicing Capacity**

The applicant has submitted a Functional Servicing and Stormwater Management Report, prepared by Aplin Martin and dated September 29, 2020. Engineering and Construction Services staff are currently reviewing the report to evaluate the effects of

the proposed development on the City's municipal servicing infrastructure and watercourses and to identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to adequately service the proposed development.

The applicant also submitted a Traffic Impact and Parking Study, prepared by Trans-Plan Transportation Engineering and dated October 2020. The purpose of this Study is to evaluate the effects of the proposed development on the transportation system and to suggest any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development and well as to evaluate the parking demand for the proposal. This study is under review by Transportation Services staff.

Preliminary comments on matters relating to transportation, servicing, solid waste, stormwater management and sanitary sewers relative to the proposed development indicate that additional information is required for further review.

### **Toronto Green Standard**

City Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement.

The applicant submitted a TGS Checklist with this application. City staff are currently reviewing the Checklist for conformity with Tier 1 performance measures and will be encouraging the applicant to meet the Tier 2 or higher level of performance.

### **Other Matters**

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

## **CONTACT**

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## **SIGNATURE**

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Sarah Henstock, MCIP, RPP  
Acting Director of Community Planning  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: 3D Model of Proposal in Context, Looking Northwest

Attachment 2: 3D Model of Proposal in Context, Looking Southeast

Attachment 3: Location Map

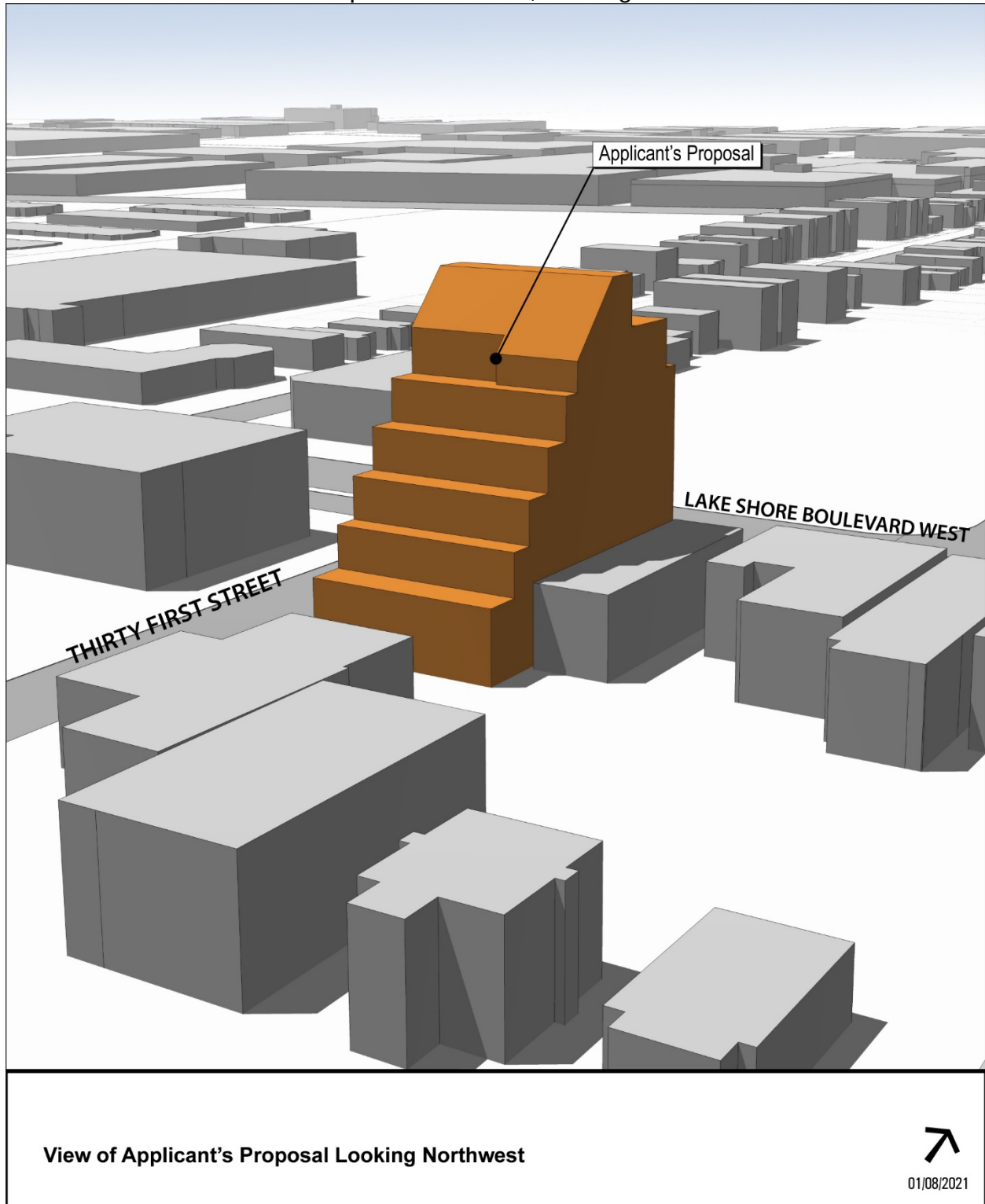
Attachment 4: Site Plan

Attachment 5: Official Plan Land Use Map

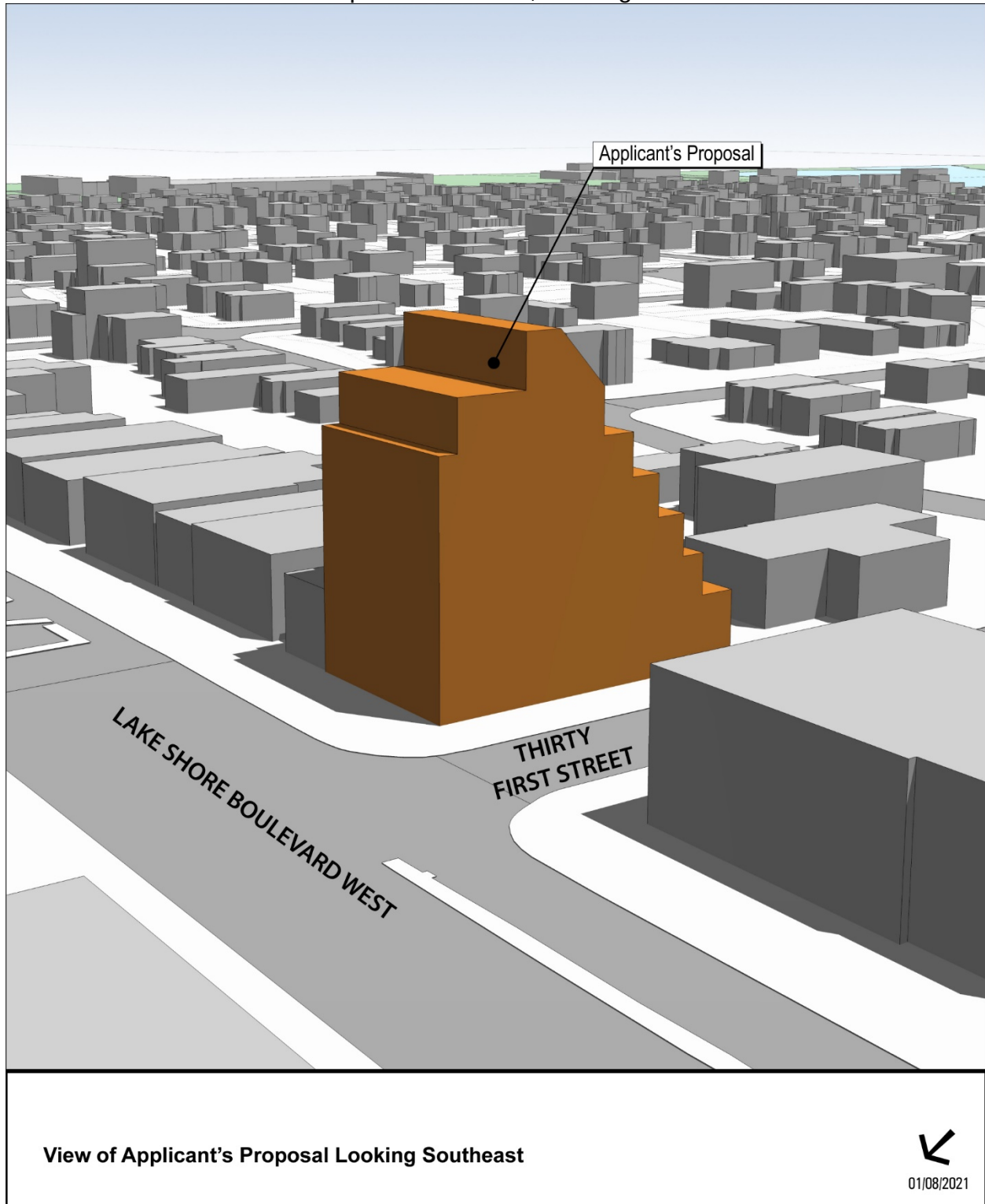
Attachment 6: SASP 21 Map

Attachment 7: Zoning By-law Map

Attachment 1: 3D Model of Proposal in Context, Looking Northwest



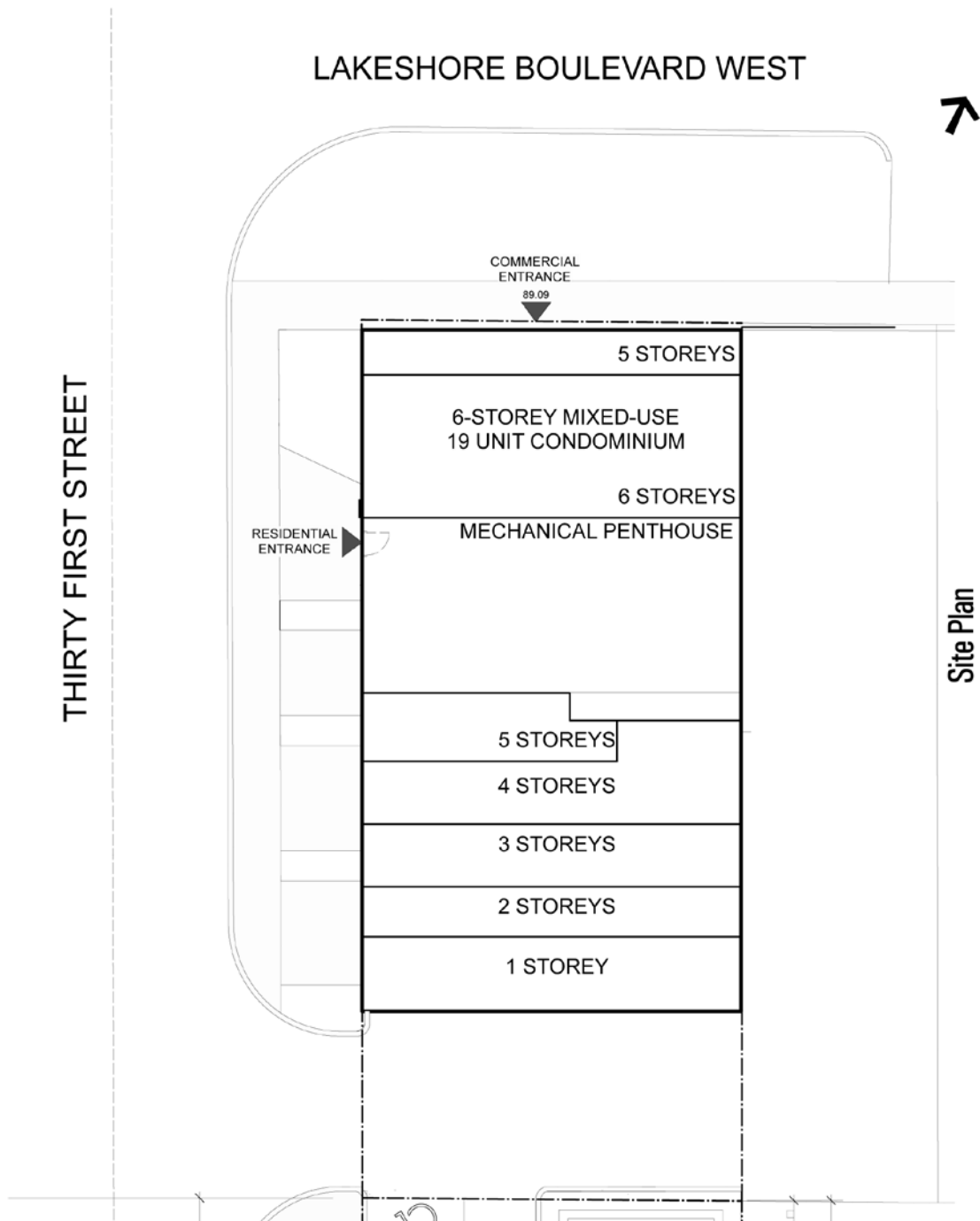
Attachment 2: 3D Model of Proposal in Context, Looking Southeast



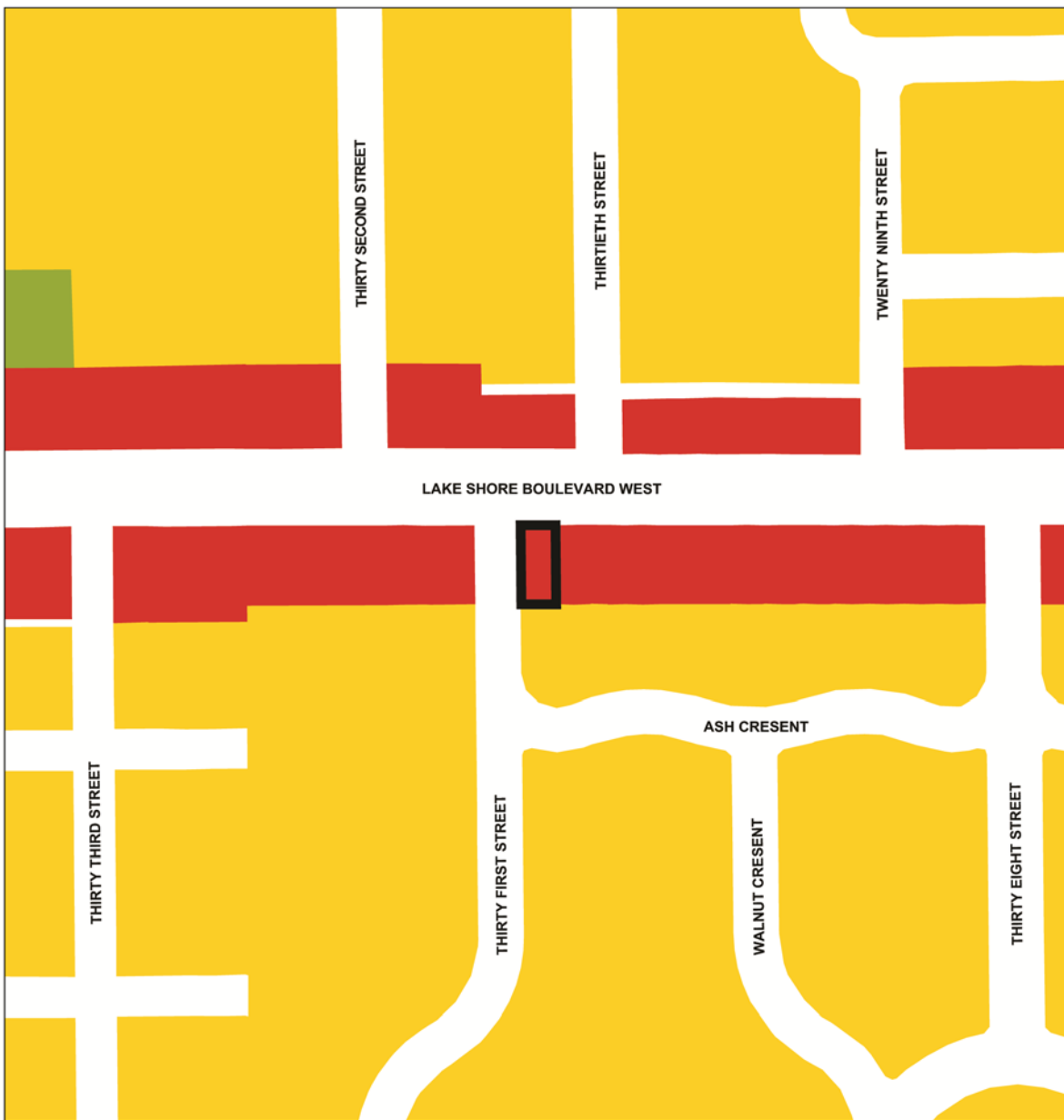
# Attachment 3: Location Map



Attachment 4: Site Plan



## Attachment 5: Official Plan Map



3471 Lake Shore Boulevard West

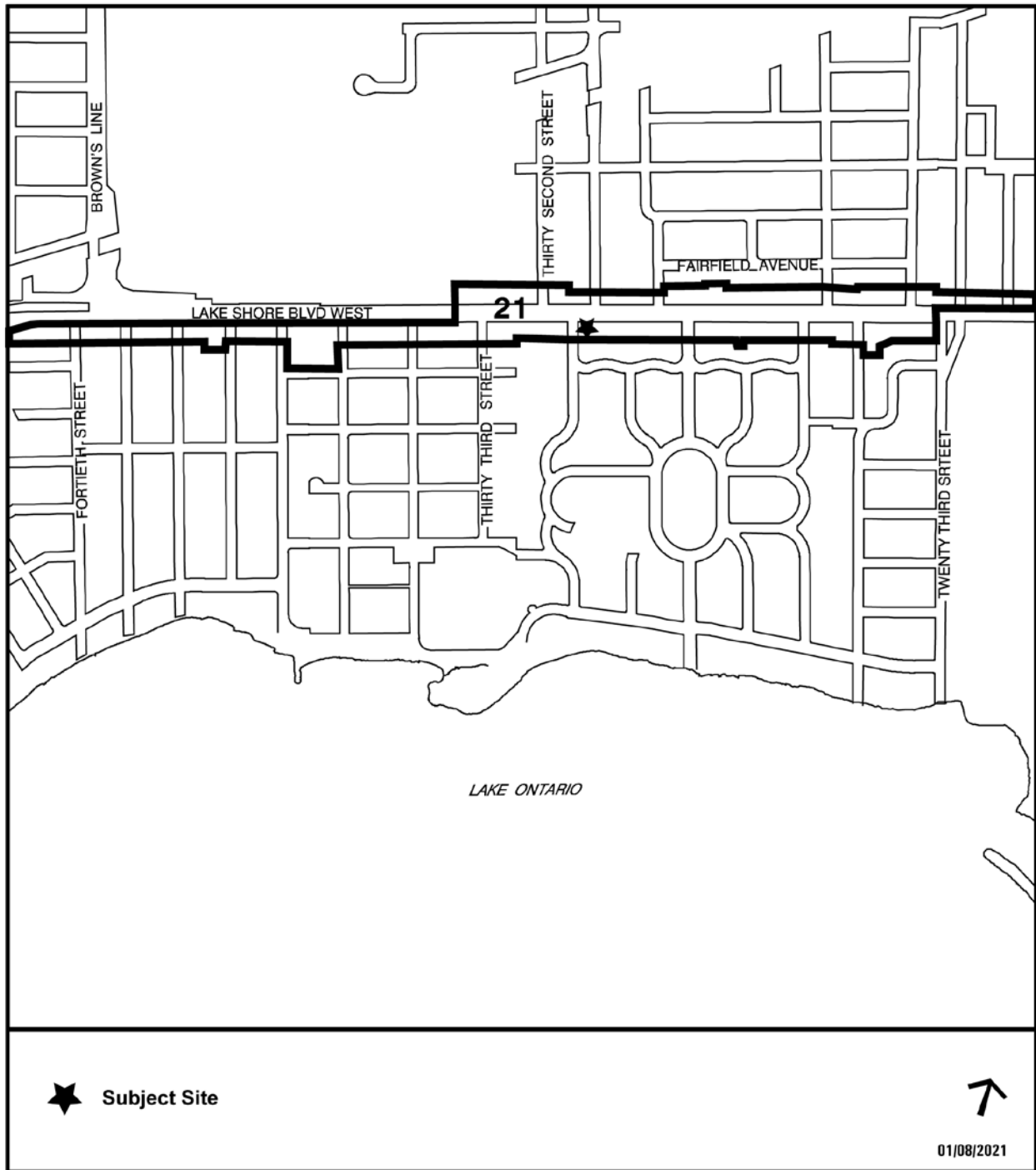
### Official Plan Land Use Map #15

File # 20 204828 WET 04 02

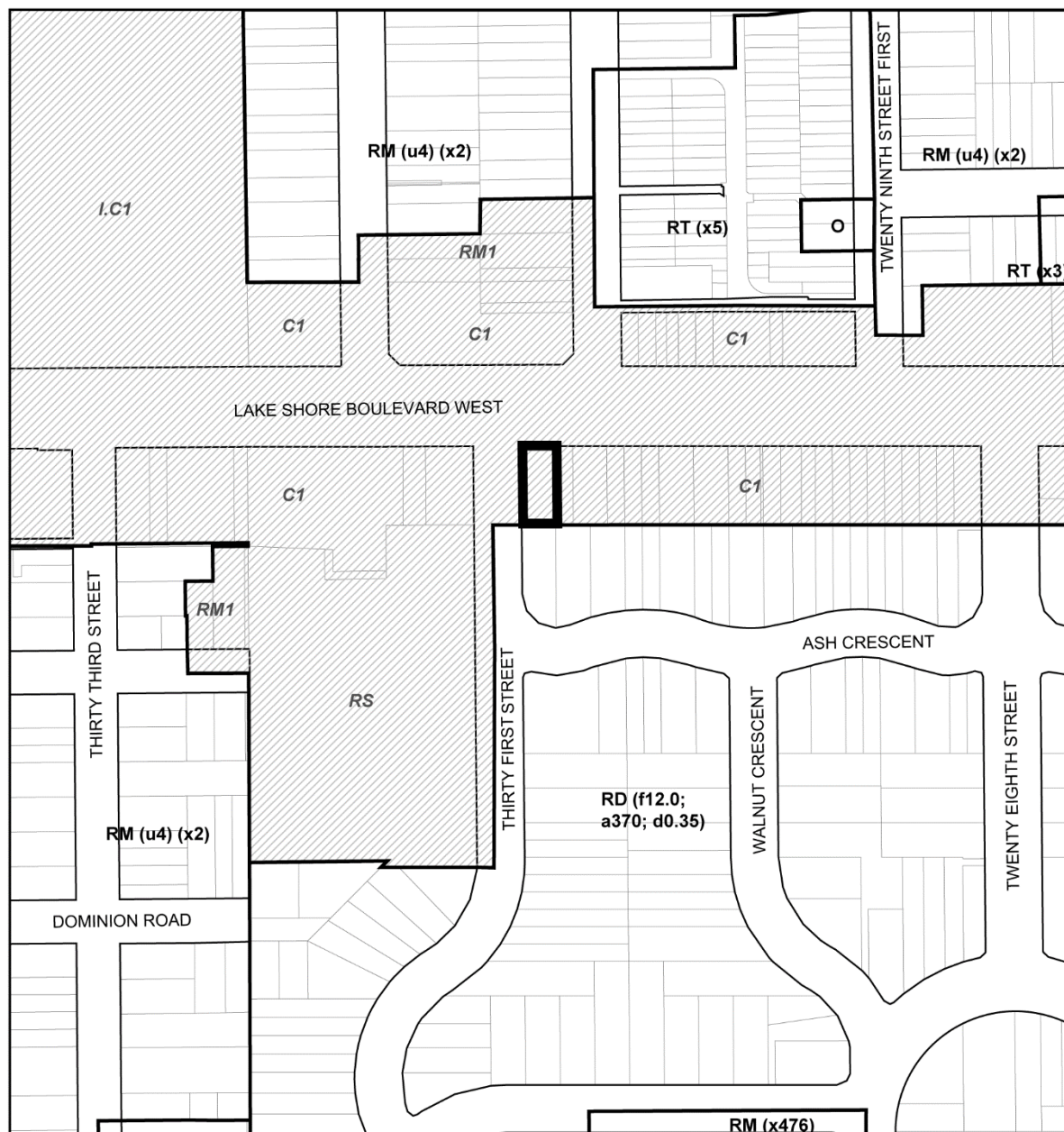


  
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Attachment 6: SASP 21 Map



## Attachment 7: Zoning By-law Map



**Zoning By-law 569-2013**

**3471 Lake Shore Boulevard West**

**File # 20 204828 WET 04 02**



Location of Application

**RD** Residential Detached  
**RT** Residential Townhouse  
**RM** Residential Multiple  
**O** Open Space  
**OR** Open Space Recreation



See Former City of Etobicoke (Long Branch)  
 By-Law No. 23/64

**RS** Residential Single-Family  
**RM1** Residential Multiple-1  
**C1** Commercial  
**I.C1** Class 1 Industrial Zone



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 Extracted: 01/08/2021