

307 Lake Shore Boulevard East – Official Plan Amendment, Zoning By-law Amendment, and Site Plan Control Applications – Appeal Report

Date: August 30, 2023

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 10 - Spadina-Fort York

Planning Application Numbers: 22 141954 STE 10 OZ and 22 141953 STE 10 SA

SUMMARY

On April 29, 2022 an Official Plan and Zoning By-law Amendment application was submitted to permit the construction of a 49-storey mixed use tower containing 430 residential units. A Site Plan Control application was submitted on the same date to address detailed site design and organization.

On April 24, 2023, the applicant appealed the applications to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the time frame prescribed in the Planning Act.

This report recommends that the City Solicitor and appropriate City staff attend the OLT hearing to oppose the applications in their current form and continue discussions with the applicant in an attempt to resolve outstanding issues.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current applications regarding the Official Plan and Zoning By-law Amendment appeal for the lands at 307 Lake Shore Boulevard East and to continue discussions with the applicant in an attempt to resolve outstanding matters.
2. In the event that the Ontario Land Tribunal allows the appeals in whole or in part, and approves the Official Plan Amendment and Zoning By-law Amendment, City Council authorize the City Solicitor to request that the issuance of any final Orders be withheld until such time as the City Solicitor advises that:

a) the final form and content of the draft Official Plan Amendment is to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;

b) the final form and content of the draft Zoning By-law is to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, inclusive of any appropriate holding (H) provisions;

c) the plans and studies be revised to the satisfaction of the Chief Planner and Executive Director, City Planning, the Chief Engineer and Executive Director, Engineering and Construction Services, the General Manager, Transportation Services, the General Manager, Solid Waste Management, and the General Manager, Parks, Forestry and Recreation;

d) the Owner has made satisfactory arrangements with the City and has entered into the appropriate agreement(s) for the design and construction of any improvements to municipal infrastructure, should it be determined that upgrades and/or road improvements are required to the infrastructure to support the development, according to the accepted Engineering Reports and Traffic Impact Study accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Transportation Services;

e) the appropriate environmental reports and architectural plans have been peer reviewed to ensure that appropriate noise and vibration mitigation measures are implemented and reflected in the final form of the amending Official Plan policies and Zoning By-law Amendment, to the satisfaction of the Chief Planner and Executive Director, City Planning; and

f) the Owner has provided a revised Pedestrian Level Wind Study with recommendations implemented as part of the amending Official Plan policies and Zoning By-law Amendment and the City has advised that any building envelope changes to address the findings of the wind study have been made, to the satisfaction of the Chief Planner and Executive Director, City Planning and any mitigation measures secured in a development agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning.

3. City Council authorizes the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

FINANCIAL IMPACT

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.

DECISION HISTORY

The City of Toronto passed the Central Waterfront Secondary plan (CWSP) in April 2003 and subsequently enacted zoning by-laws for East Bayfront (By-law No. 1049-2006) and Keating Channel West (By-law No. 1174-2010). Owners of private development sites in these precincts appealed these documents to the Ontario Municipal Board (OMB). On February 3, 2016, City Council adopted confidential instructions to staff providing direction for the resolution of appeals at the OMB to advance the revitalization of the City's waterfront and achievement of City building goals, including affordable housing. The decision can be found at: [Agenda Item History - 2016.CC12.13 \(toronto.ca\)](#)

On December 22, 2017 the Ontario Municipal Board (OMB) approved amendments to Official Plan Amendment 257 to the former City of Toronto Official Plan (Central Waterfront Secondary Plan) and amendments to the Keating Zoning By-law 1174-2010 to implement settlements achieved between the City of Toronto, Waterfront Toronto, and landowners in the Keating Channel West Precinct, including site-specific development permissions for 307 Lake Shore Boulevard East and adjacent properties. The decision can be found at: [PL030514-DEC-22-2017.pdf \(gov.on.ca\)](#)

Toronto and East York Community Council adopted a Preliminary Report on the present planning applications for this site on June 29, 2022 as [Item 2022.TE34.88](#).

On April 24, 2023 the applicant appealed the Official Plan and Zoning By-law amendment and Site Plan Control applications to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the respective 120-day and 60-day time frames in the *Planning Act*. A first case management conference ("CMC") took place on August 10, 2023. A second CMC has been scheduled for November 14, 2023 at which point a hearing date will be decided. It is anticipated that the hearing will address the appeal on the Official Plan amendment and Zoning By-law application, with the appeal regarding the Site Plan application deferred pending the outcome of the former.

THE SITE

Description: The site is triangular, bounded by Lake Shore Boulevard East, Parliament Street and Small Street to the north, east and west, respectively. The site is approximately 1,541 square metres in area with frontages of 64 metres along Lake Shore Boulevard East, 13 metres along Parliament Street and 37 metres on Small Street (see Attachment 1 - Location Map).

The site is in the Central Waterfront Secondary Plan (CWSP) and Keating Channel Precinct Plan area. It is part of a larger development block that will be formed through the planned realignment of Parliament Street and extension of Queens Quay Boulevard, east of the Parliament Slip. Significant reconfiguration of the street network, public realm and associated infrastructure around the site are anticipated in the near future through Waterfront Toronto's Quayside Infrastructure and Public Realm project, with lake fill and dock wall works required for the Queens Quay East extension expected to begin in the Fall of 2023.

The surrounding lands are planned for comprehensive redevelopment through Waterfront Toronto's Quayside project. On July 18, 2022 City Council considered the Quayside Business and Implementation Plan: [Agenda Item History - 2022.EX34.11 \(toronto.ca\)](#). Numerous City approvals are required for Quayside in the coming years related to affordable housing implementation, major infrastructure and parkland funding, real estate transactions and land use planning approvals.

Existing Use: A two-storey commercial/office building, currently a car rental office.

THE APPLICATION

Description: One mixed-use building of 49 storeys (154.2 metres) is proposed with a total gross floor area of 31,694 square metres, including 30,994 square metres of residential uses and 700 square metres of non-residential space described in the application materials as a community/cultural space.

Density: 20.56 times the lot area.

Dwelling Units, Affordable Housing and Amenity Space: 430 residential units are proposed, comprised of: 216 one-bedroom (50%), 71 two-bedroom (40%) and 43 three-bedroom units (10%).

The proposed residential tenure is not confirmed at this time. If developed as a condominium development, this application proposes a minimum of 10% of the total new residential gross floor area be secured as affordable ownership housing or a minimum of 7% of the total new residential gross floor area be secured as affordable rental housing for at least 15 years. If developed as a purpose-built rental development, this application proposes no minimum affordable housing requirement.

A total of 1,815 square metres of amenity space are proposed with 309 square metres and 1,506 square metres of indoor and outdoor amenity space, respectively.

Access, Parking and Loading: The proposed residential entrance is at the corner of Lake Shore Boulevard East and Small Street and the entrance to the proposed non-residential/potential community space is located off of Lake Shore Boulevard East at the northeast corner of the site. Access to the 2-level underground garage containing eight vehicular parking spaces is proposed on Small Street. The proposed 433 bicycle parking spaces include 387 long term spaces located within the underground garage and 46 short term spaces located at ground level. One Type G loading space is proposed on the ground floor and one Type C loading space is proposed underground, with access from Small Street.

Additional Information

See Attachments 1 through 16 of this report for the location map; Official Plan, Secondary Plan and existing zoning maps; a three dimensional representation of the project in context; a site plan and elevations; and an application data sheet. Detailed

project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at www.toronto.ca/307LakeShoreBlvdE

Reason for Application

The Official Plan Amendment application proposes to amend the CWSP to permit the site to be a tower location with a maximum height of 155 metres. Additionally, the amendment is required to increase the permitted gross floor area on the site, as well as to seek revision to the applicable affordable housing policies. These amendments are discussed further in the Comments section of this report.

The Zoning By-law Amendment application proposes to amend former City of Toronto Zoning By-law 438-86 for performance standards, including but not limited to: density, height, setbacks and step-backs, parking and loading, residential amenity space, and affordable housing requirements. New City of Toronto Zoning By-law 569-2013 does not currently apply to the site.

Site Plan Control

The development is subject to Site Plan Control. A Site Plan Control application was submitted on April 29, 2023 and has been included in the applicant's appeal to the Ontario Land Tribunal ("OLT").

POLICY CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (PPS), and shall conform to provincial plans.

Official Plan Designation

The site is designated Regeneration Areas in the Official Plan. See Attachment 2 of this report for the Official Plan Land Use Map. The City of Toronto Official Plan can be found here: [Official Plan – City of Toronto](#)

The site is located within 800 metres of the planned Corktown subway station on the Ontario Line. On July 22, 2022 City Council adopted Official Plan Amendment No. 57 (OPA 570) which included delineation of the Corktown Protected Major Transit Station Area (PMTSA). The Corktown PMTSA has a minimum population and employment target of 400 residents and jobs combined per hectare and a minimum density of 2.0 FSI is required for the site on Map 2 of Site and Area Specific Policy 764. OPA 570 is subject to approval by the Minister of Municipal Affairs and Housing.

Central Waterfront Secondary Plan

The site is subject to the Central Waterfront Secondary Plan (CWSP), as amended and approved by the Ontario Municipal Board on December 22, 2017. The approved Secondary Plan, as it applies to the subject site and surrounding lands, was the outcome of a mediation process between the City, Waterfront Toronto, the previous

owner of the site, and adjacent landowners which resulted in the settlement of appeals to the CWSP and associated zoning by-laws. The Central Waterfront Secondary Plan can be found here: [Central Waterfront Secondary Plan \(toronto.ca\)](http://www.toronto.ca/cwsp/)

The CWSP is implemented through precinct planning to provide for comprehensive and orderly development. The site is located within the Keating Channel West Precinct, on a larger development block to be created through the planned realignment of Parliament Street and extension of Queens Quay East, as shown on CWSP Maps H1 and H2 (Attachments 3 and 4).

CWSP Policy 54 (d) requires that new development in the Keating Channel West precinct will be mid-rise punctuated by tall buildings in locations determined within the context of the secondary plan and shown on Map H2 (Attachment 4). Map H2 locates a single 125 m tower permission on the future development block consisting of 307 Lake Shore Boulevard East and 7 and 11 Parliament Street. Development is required to: frame the public realm; provide sunlight and comfortable wind conditions on adjacent streets, parks and open space; provide consistently-massed mid-rise buildings and base buildings; and exemplify excellence in design and materials.

Development in the area consisting of 307 Lake Shore Boulevard East and 7 and 11 Parliament Street is limited to a maximum of 53,350 square metres of gross floor area. In addition to the general location and maximum permitted heights of tall buildings shown on Map H2, policy 54 i) establishes that the City will adopt implementing zoning by-laws and utilize Site Plan Control to ensure appropriate implementation of the CWSP built form policies.

Development of lands in the Keating Channel West Precinct is required to contribute to the implementation of CWSP Policy 39, with the objective that 20% of all housing units, measured by a percentage of residential gross floor area rather than a percentage of units, be affordable rental housing.

Zoning

The site is zoned within the former City of Toronto Zoning By-law 438-86 as Commercial Residential (CR(H)), as amended by by-law 1174-2010 and amended by the Ontario Municipal Board on December 22, 2017 (see Attachment 5). The site is not zoned under the City of Toronto Zoning By-law 569-2013. The zoning by-law implements the development permissions described in CWSP policy 54 for 307 Lake Shore and adjacent properties at 3-7 Parliament Street (described as Block A and Block B, respectively, see Attachment 7).

The holding (H) provision limits permitted uses and buildings to those existing on the site on August 27, 2010, or an addition thereto not exceeding 100 square metres in non-residential gross floor area (GFA).

The site is subject to a 38m height limit (see Attachment 6). A single tower with a maximum floor plate of 750 square metres is permitted on the planned block to be formed by the Queens Quay East extension and realigned Parliament Street within a

tower area shown on Map 2 (see Attachment 8). The zoning delineates the permitted tower area on the easterly portion of the combined block bounded by Queens Quay East, Parliament Street, Lake Shore Boulevard East and Small Street.

The permitted tower area is located almost entirely on the properties adjacent to 307 Lake Shore Boulevard East. The zoning is structured to permit greater density if the 307 Lake Shore Boulevard East (Block A) and adjacent properties (Block B) develop together: Block A alone has a maximum commercial and residential gross floor area of 7,700 square metres, while Block B has a maximum gross floor area of 39,500 square metres. If developed together, the maximum gross floor area for the combined lands increases to the full 53,350 square metres permitted under Central Waterfront Secondary Plan Policy 54 h).

Section 37 provisions in the applicable zoning by-law describe detailed requirements for affordable rental housing, contributions toward public art and community arts initiatives, and site plan application requirements.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Tall Building Design Guidelines
- Growing Up Guidelines: Planning for Children in Vertical Communities;
- Pet Friendly Design Guidelines;
- City's Complete Streets and Pedestrian Priority Guidelines;
- Best Practices for Bird-Friendly Glass;
- Best Practices for Effective Lighting; and
- Toronto Accessibility Design Guidelines.

The City's Design Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/officialplanguidelines/design-guidelines/>

Toronto Green Standard

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. The TGS can be found here: <https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/toronto-green-standard/>

COMMUNITY CONSULTATION

On March 6, 2023, City Planning staff conducted a virtual community consultation meeting. City Planning staff, the Ward Councillor, the applicant team and approximately 20 people attended. Concerns were raised in regards to housing supply, affordable housing requirements, coordination with proposals for the adjacent Quayside development, and transportation matters including pickup and drop off, vehicular parking supply and accessible parking, and bicycle access and parking.

COMMENTS

Provincial Framework

Staff's review of the application has had regard for the relevant matters of provincial interest set out in the Planning Act. All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS, and shall conform to provincial plans. The proposal is not consistent with provincial policy as it relates to promoting a well-designed built form and the implementation of provincial policy through official plans.

Official Plan Amendment

The proposed Official Plan amendment would amend CWSP maps H1 and H2 to identify 307 Lake Shore Boulevard East as a tower location with a maximum height of 155m on the site. The proposed amendment would also increase the total gross floor area permitted on the block (307 Lake Shore Blvd E, 7 and 11 Parliament Street) from 53,350 square metres to 85,350 square metres and introduce a new policy exempting 307 Lake Shore Boulevard East from the existing affordable housing policies for the Keating Channel West Precinct and establishing lower requirements. These matters are discussed further below.

Land Use

Generally, the proposed land uses are acceptable and consistent with the site's Regeneration Areas designation. Given the proximity of the Keating Channel West Precinct to the Port Lands, where currently existing industrial facilities and operations may have emissions such as noise and vibration, applicable provincial and municipal policies, regulations and guidelines must be applied when considering the proposed development to ensure that land use compatibility will be achieved, as per the CWSP policies for the precinct.

Affordable Housing

The housing policies of the Central Waterfront Secondary Plan and Keating Channel West Precinct Plan apply to this site, including policy direction that development of these lands contribute to the objective of securing 20% of all housing units as affordable rental housing.

The following minimum Affordable Rental Housing requirements apply to the site, in accordance with Zoning By-law 1174-2010 as amended and approved by the OMB in December 2017:

- a) Provision of at least 10% of the total residential GFA as affordable rental housing secured as rental housing for 25 years and secured at affordable rents for at least 15 years; or
- b) Dedication of land to the City sufficient to provide not less than 18% of the total residential GFA as affordable rental housing; or
- c) A cash-in-lieu contribution to the City equal to the value of land sufficient to provide 20% of the total residential GFA as affordable rental housing.

The following affordable housing requirements are proposed by the Applicant to be included in the Official Plan and Zoning by-law amendments:

- a) For a condominium development, a minimum of 10% of the total new residential GFA shall be secured as affordable ownership housing or a minimum of 7% of the total new residential GFA shall be secured as affordable rental housing;
- b) For a purpose-built rental development, there is no minimum requirement for affordable rental housing; and
- c) The affordable housing shall be secured at affordable rents for a period of at least 15 years from the date of first residential occupancy of the unit.

The proposed amendments would have the effect of reducing the affordable housing requirements for this site and are therefore not supportable. It is staff's opinion that any amendments to the Official Plan and Zoning By-law must continue to implement the in force affordable housing requirements in Zoning By-law 1174-2010 and the affordable housing policies of the Central Waterfront Secondary Plan.

Dwelling Unit Mix

A total of 430 residential units are proposed: 216 one-bedroom (50%), 171 two-bedroom (40%) and 43 three-bedroom (10%). The proposed two-bedroom units range in size from 64.1 - 70.5 square metres and have an average size of 65.6 square metres. No proposed two-bedroom units are larger than 87 square metres. The proposed three-bedroom units range in size from 83.9 – 84.0 square metres and have an average size of 84.0 square metres. No proposed three-bedroom units are larger than 100 square metres.

The unit mix meets the policy direction of the Official Plan to provide a full range of housing; however, the proposed two and three-bedroom units do not adequately support the unit size objectives of the Council-adopted Growing Up: Planning for Children in New Vertical Communities guidelines.

Schedule A of Zoning By-law 1174-2010 (the Keating Channel Precinct West By-law), as previously amended and approved by the Ontario Municipal Board in December 2017, outlines that not less than 10% of all dwelling units within a phase shall be provided as three-bedroom units. The by-law also outlines that a maximum of 2% of the total market units shall be built to a minimum unit size of 80 square metres and a minimum of 3% of the total market units shall be built to a minimum unit size of 88 square metres and shall not contain an interior bedroom. Additional information is required from the applicant to evaluate the application against the unit mix requirements and interior bedroom restrictions outlined in the Zoning By-law.

Indoor/Outdoor Amenity Space

A total of 1,815 square metres of amenity space are also proposed with 309 square metres (0.72 m² per unit) and 1,506 square metres (3.5 m² per unit) of indoor and outdoor amenity space, respectively.

The proposal generally provides an adequate amount of indoor and outdoor amenity space; however, the wind conditions render the outdoor amenity space unsafe. No more than 25% of the outdoor amenity space should be a green roof planting area.

Built Form

City Planning staff have reviewed the proposed built form, including height, massing and transition, against the policies of the Official Plan as well as relevant design guidelines. The proposal does not conform to the Official Plan policies respecting massing, including setbacks, stepbacks, and tower separation distances. The proposal has not demonstrated how a tall building can be appropriately accommodated on the site particularly with regard to the as-of-right tower permission on the adjacent block. The proposal's tower location, setbacks, separation distances, and base building do not conform to Official Plan policies (including the policies of the Central Waterfront Secondary Plan).

Broad tower separation is required in this location to respond to the policies of the CWSP. Toronto's Tall Building Design Guidelines recommend that towers be setback 12.5m or greater from side or rear property lines, with greater separation distances recommended where the existing context is characterized by more generous spacing and where taller building heights are proposed. Sites that cannot provide the minimum tower separation distance of 25 metres may not be appropriate for multiple towers. On small sites, recommended minimum tower setbacks and step backs should be applied to determine the feasibility of the site dimensions to accommodate a tall building.

The site's size, configuration and context do not allow for appropriate tall building design criteria to be met without appropriate coordination with adjacent developments. Staff do not support the approval of a second tower on this block with a setback of 3 metres from adjacent development lands with an existing as-of-right tower permission, without coordination with neighbouring landowners to ensure adequate tower separation can be achieved and secured. The applicant has not proposed adequate on-site tower setbacks, nor have they provided a satisfactory strategy for coordination with adjacent developments to ensure broad tower separation distances appropriate to the site's waterfront context.

Wind

A Pedestrian Level Wind Study shows unsafe wind conditions at the ground level and on the outdoor amenity spaces on the 46th and 48th floor. Unsafe wind conditions do not meet Official Plan and CWSP policies; improvements to the built form to support wind mitigation are required.

In the event that the matter is approved by the OLT, staff recommend the OLT withhold the issuance of any Order that may approve the applications until such time as the owner has provided a revised Pedestrian Level Wind Study with recommendations implemented as part of the amending Official Plan policies and zoning by-law. Staff recommend that any such Order be withheld until the City has advised that any building envelope changes to address the findings of the wind study have been made to the satisfaction of the Chief Planner and Executive Director, City Planning and any mitigation measures secured in a development agreement, to the satisfaction of the Chief Planner and Executive Director, City Planning.

Sun and Shadow

The shadow study submitted in support of the application does not include information on all approved developments within the area. As a result, potential shadow impacts cannot be fully assessed. Planning staff have requested an updated shadow study to assess potential shadow impacts from the proposed development. Cumulative shadow impacts on the waterfront public realm as well as areas north of the site should be appropriately limited.

Public Realm

For Lake Shore Boulevard East and Parliament Street, the submitted landscape plans show the minimum 2.1-metre-wide pedestrian clearway. For Small Street, the minimum 2.1-metre-wide pedestrian clearway is provided; however, Transportation Services staff have identified that the cross-section of the street must be redesigned in accordance with the City's Lane Width and Curb Radii Design Guidelines.

The proposed site and landscape plans should be coordinated with Waterfront Toronto's design and delivery of the Quayside public realm. The proposed streetscape should deliver a continuous and unified landscape along the Lake Shore Boulevard East frontage consistent with the Lake Shore Boulevard Public Realm Implementation Plan.

Tree Preservation

Urban Forestry have reviewed the application and have provided comments to the applicant. There are no trees on site, on neighbouring properties or within the road right-of-way requiring tree protection measures for the proposed development. Urban Forestry staff have requested additional information and revisions to the proposed landscape plans. A total soil volume of 280 m³ must be provided for tree planting in order to meet the requirements for Tier 1 of the Toronto Green Standard.

In the event that the matter is approved by the OLT, staff recommend the OLT withhold the issuance of any Order that may approve the applications until such time as the owner has addressed all comments from Urban Forestry to the satisfaction of the General Manager, Parks, Forestry and Recreation.

Parkland

In accordance with Chapter 415, Article III of the Toronto Municipal Code, in the event that the Ontario Land Tribunal allows the appeal in whole or in part, the applicant will be required to satisfy the parkland dedication requirement through a cash-in-lieu payment. The value of the cash-in-lieu payment will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above-grade building permit.

Mobility

Bicycle access and short-term bicycle parking are proposed via the driveway on Small Street. Additional short-term bicycle parking is proposed near the non-residential lobby. Long-term bicycle parking is located on the second level below ground and should be relocated to the first level below ground to satisfy the requirements of the Toronto Green Standard.

Transportation Services have reviewed the application and its supporting documentation pertaining to transportation matters. Transportation Services accepts the proposed parking supply and requires the provision of a minimum of one car-share space on-site as part of the Transportation Demand Management plan for this site.

Transportation Services requires revisions to the Official Plan and Zoning By-law Amendment application, including: delineating minimum clearances from the Gardiner Expressway structure on appropriate plans; providing an access driveway that can be shared with other buildings proposed for the block as per the requirements of the in-force zoning by-law; and the provision of car share spaces, if feasible.

In the event that the applications are approved by the OLT, staff recommend the OLT withhold the issuance of any Order that may approve the applications until such time as the owner has addressed all comments from Transportation Services to the satisfaction of the General Manager, Transportation Services.

Noise and Vibration

The site is next to the Gardiner Expressway and near other noise and vibration sources including the Metrolinx rail corridor and industrial facilities described above. The applicant submitted a noise and vibration impact study recommending noise control measures to address sound levels at the building façade and in outdoor amenity areas. The report also identifies vibration isolation required to mitigate vibration influences from the rail corridor. In-force development permissions for this site require that the noise and vibration study and detailed design plans submitted for Site Plan Approval be peer reviewed by the City at the owner's expense prior to the removal of the holding symbol in the zoning by-law.

In the event that the applications are approved by the OLT, in whole or in part, staff recommend the OLT withhold the issuance of any order that may approve the applications until such time as the appropriate environmental reports and architectural plans have been peer reviewed to the City's satisfaction to ensure that appropriate mitigation measures are implemented.

Servicing

Engineering and Construction Services have reviewed the application and have provided comments to the applicant. Revisions and clarifications are required to the submitted plans, studies and drawings, including the Hydrogeological Review Summary, Servicing Report Groundwater Summary, Functional Servicing and Stormwater Management Report, and Topographic Survey. The applicant's Functional Servicing and Stormwater Management Report is to be updated to reflect the allowable sanitary release rate for the site. The applicant has been advised to coordinate with adjacent landowners on infrastructure and servicing connections.

In the event that the matter is approved by the OLT, staff recommend the OLT withhold the issuance of any Order that may approve the applications until such time as the owner has addressed all comments from Engineering and Construction Services to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

Solid Waste

Solid Waste Management have reviewed the application and request revisions to the architectural plans to ensure solid waste matters are appropriately addressed. In the event that the matter is approved by the OLT, staff recommend the OLT withhold the issuance of any Order that may approve the applications until such time as the owner has addressed all comments from Solid Waste Management Services to the satisfaction of the General Manager, Solid Waste Management Services.

Toronto Green Standard

The applicant is required to meet Tier 1 of Version 3 of the Toronto Green Standard (TGS), given the Site Plan submission on April 29, 2022. TGS version 4 came into effect May 1, 2022 and requires improved building performance. This development is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and achieving net-zero emissions by 2040 or sooner.

The applicant's planning rationale report describes "progressive sustainable design characteristics" under consideration for this development. Staff have requested further details on sustainable design objectives for this site that will be secured through the Site Plan Control application.

Community Infrastructure

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, livable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods and include matters such as recreation, libraries, childcare, schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

The proposal includes 700 square metres of non-residential space described in the application materials as a community/cultural space. Staff have requested further details regarding the proposed ownership, management and potential tenancy and programming of this proposed community space.

Public Art

CWSP Policy 14 provides for a coordinated Central Waterfront public art program for both public and private developments. Contributions toward public art and/or community arts initiatives are required in Section 37 provisions of the existing zoning by-law for this site. In the event that the OLT allows the appeal in whole or in part, the applicant is encouraged to enter into discussions with City Planning staff regarding appropriate on- and off-site public art contributions.

Holding Symbol

The 2017 OMB-approved zoning for this site includes detailed conditions which must be satisfied prior to the removal of a holding (H) symbol. These conditions address matters including infrastructure and servicing, flood protection in the West Don Lands, development phasing, site plan requirements including provisions for noise and vibration studies, design review, Section 37 agreements, and affordable rental housing delivery.

In May 2020, Official Plan Amendment 394 to the Official Plan for the former City of Toronto was enacted and passed, removing certain lands, including this site, from the Lower Don Special Policy Area, following the completion of the flood protection landform in the West Don Lands. Other holding provisions remain relevant to the current proposal.

In the event that the OLT allows the appeal in whole or in part, staff recommend that the OLT withhold the issuance of any Order that may approve the applications until such time as the final draft Zoning By-law includes appropriate holding provisions to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.

Further Issues

City Planning continues to receive additional information regarding this application as a result of ongoing review by City commenting divisions, further materials submitted in support of the proposal, and through deputations made by members of the public to Community Council. Planning staff may also be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result, Planning staff may continue to identify further issues or supplement the reasons provided in this report. Where substantive changes to the proposal are made by the applicant, Staff may report back to City Council as necessary.

Conclusion

The Official Plan and Zoning By-law Amendment applications in their current form are not consistent with the policies of the PPS (2020), the Growth Plan (2020), nor the Toronto Official Plan, and do not maintain the intent and purpose of applicable City guidelines intended to implement Official Plan policies.

Staff recommend that City Council direct the City Solicitor, together with appropriate City Staff, to attend the OLT in opposition of the appeals of the applications. Staff also recommend City Council authorize the City Solicitor and appropriate staff to continue discussions with the applicant in an attempt to address the issues outlined in this report.

CONTACT

Chris Hilbrecht, Planner, Tel. No. 416-392-0172, E-mail: Chris.Hilbrecht@toronto.ca

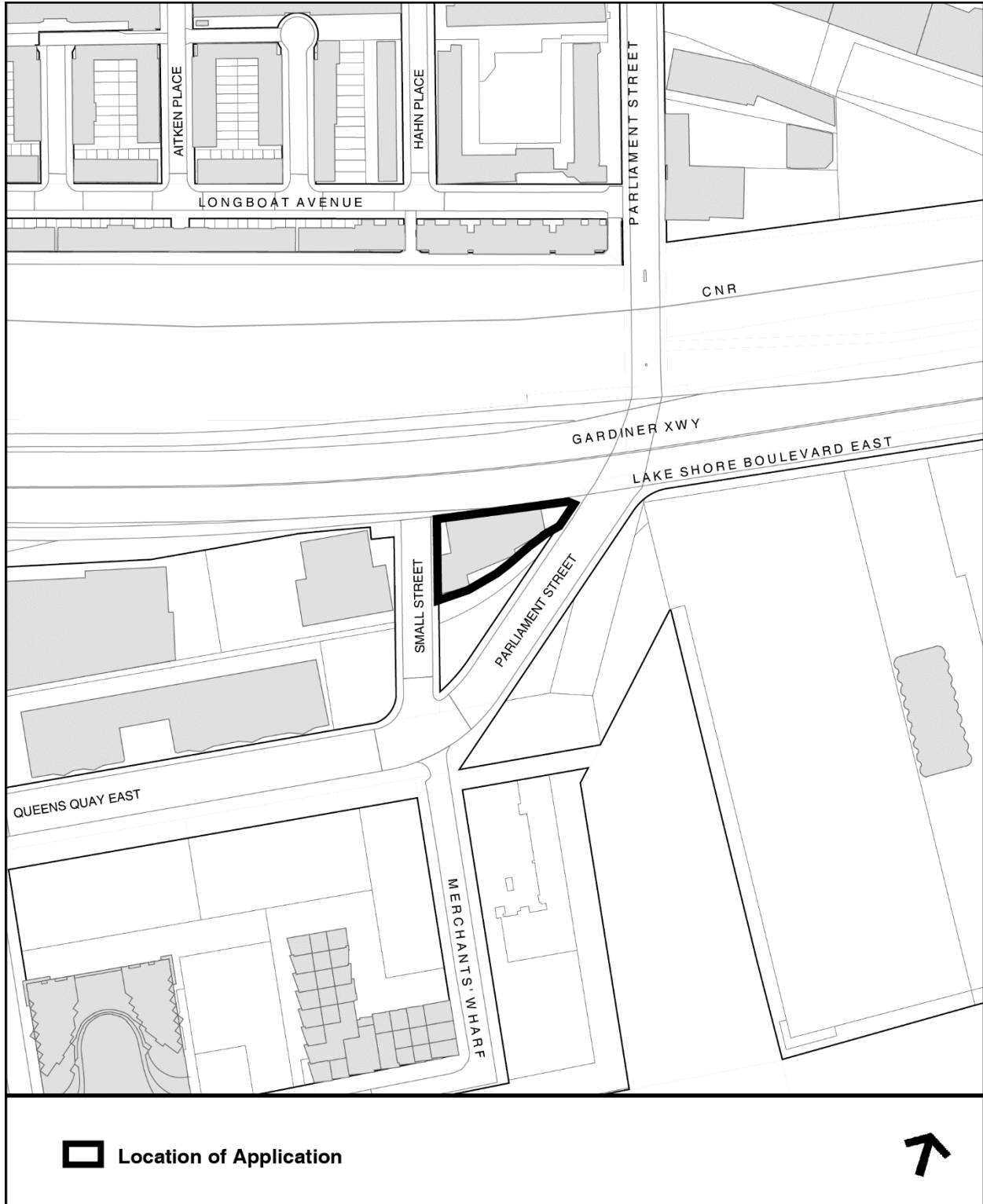
SIGNATURE

Willie Macrae, BA, MES, MCIP, RPP
Acting Director, Community Planning
Toronto and East York District

ATTACHMENTS

- Attachment 1: Location Map
- Attachment 2: Official Plan Land Use Map
- Attachment 3: Central Waterfront Secondary Plan Map H1
- Attachment 4: Central Waterfront Secondary Plan Map H2
- Attachment 5: Existing Zoning By-law Map A
- Attachment 6: Existing Zoning By-law Map B
- Attachment 7: Existing Zoning By-law Map 1
- Attachment 8: Existing Zoning By-law Map 2
- Attachment 9: 3D Model of Proposal in Context
- Attachment 10: Site Plan
- Attachment 11: Ground Floor Plan
- Attachment 12: East Elevation
- Attachment 13: North Elevation
- Attachment 14: West Elevation
- Attachment 15: South Elevation
- Attachment 16: Application Data Sheet

Attachment 1: Location Map



Attachment 2: Official Plan Land Use Map




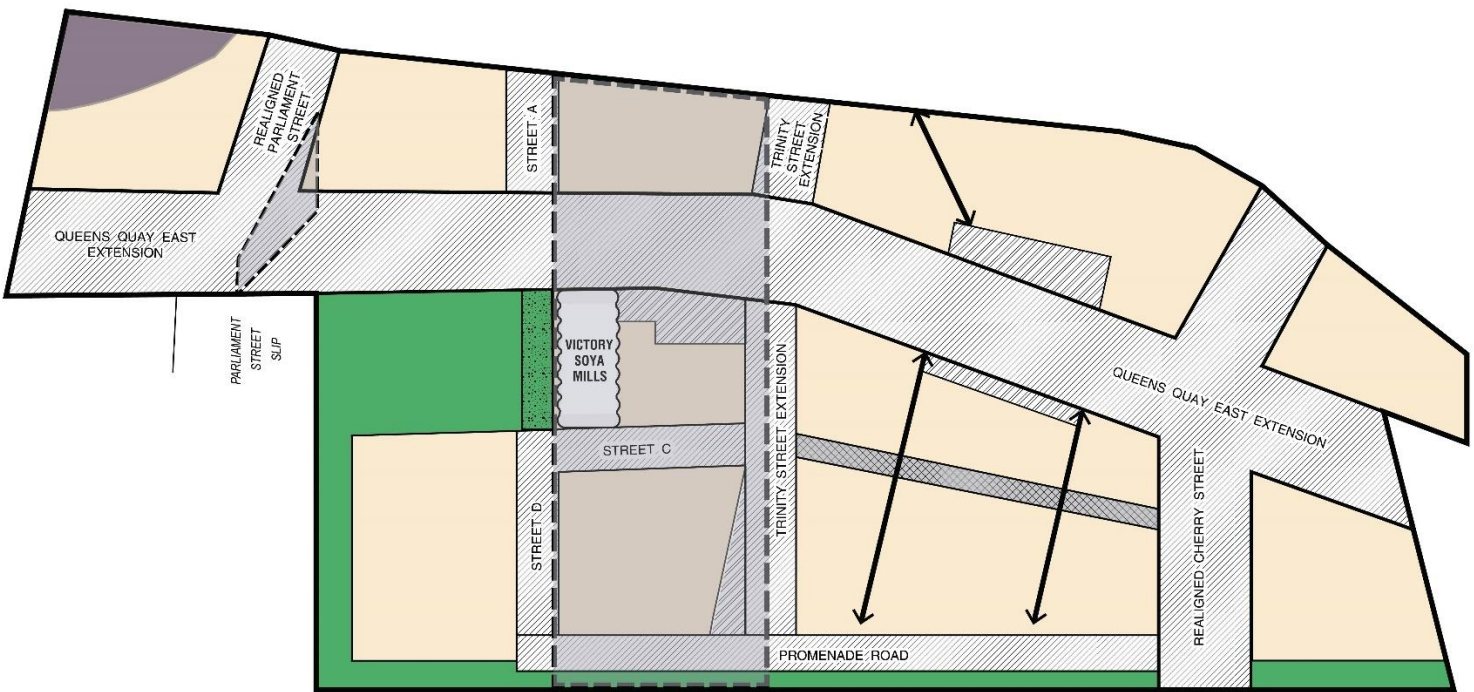
Official Plan Land Use Map #18

307 Lake Shore Boulevard E

File # 22 141954 STE 10 0Z

-  Location of Application
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Parks
-  Regeneration Areas
-  Utility Corridors

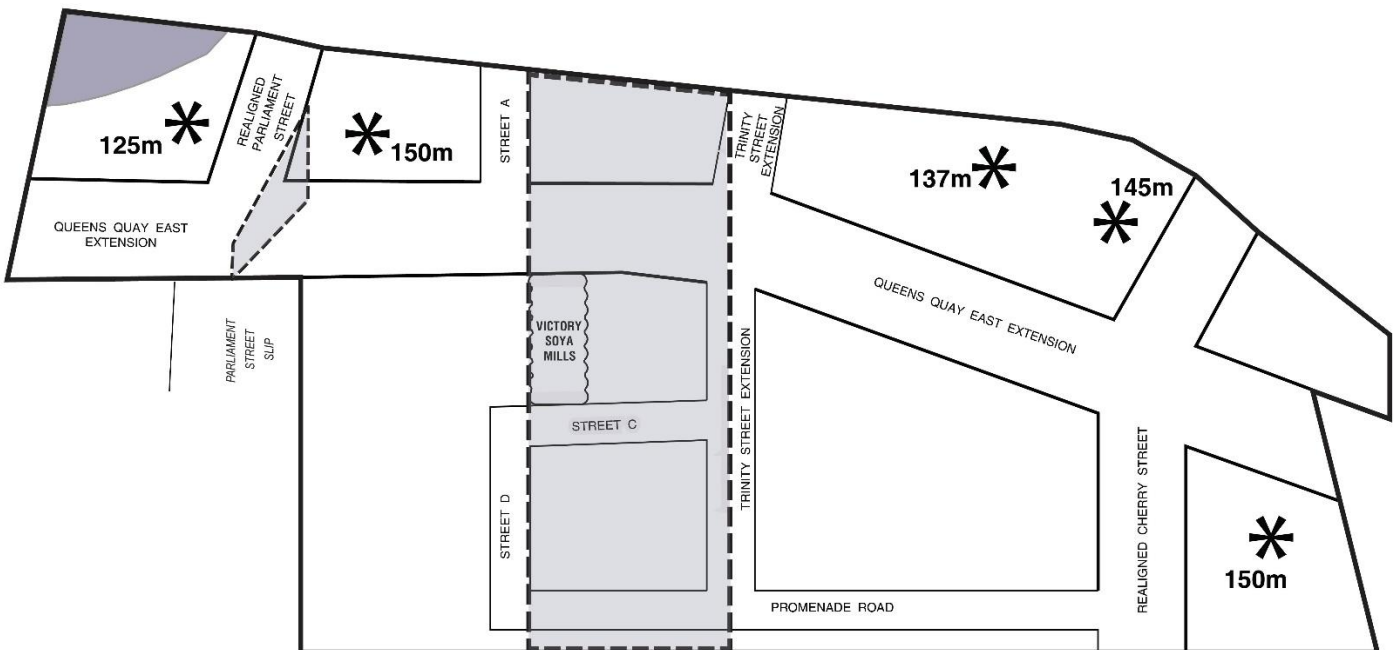

 Not to Scale
 Extracted: 05/09/2022



Central Waterfront Secondary Plan
MAP - H1 Keating Channel West Precinct
Urban Structure Map

- Secondary Plan Boundary
- Parkland
- Regeneration Areas
- Public Streets
- Private Lane
- Temporary Private Lane
- Publicly Accessible Open Space
- Walkways
- Approval deferred for 351-369 Lake Shore Boulevard East and 11 Parliament Street
- Location of Application

Not to Scale

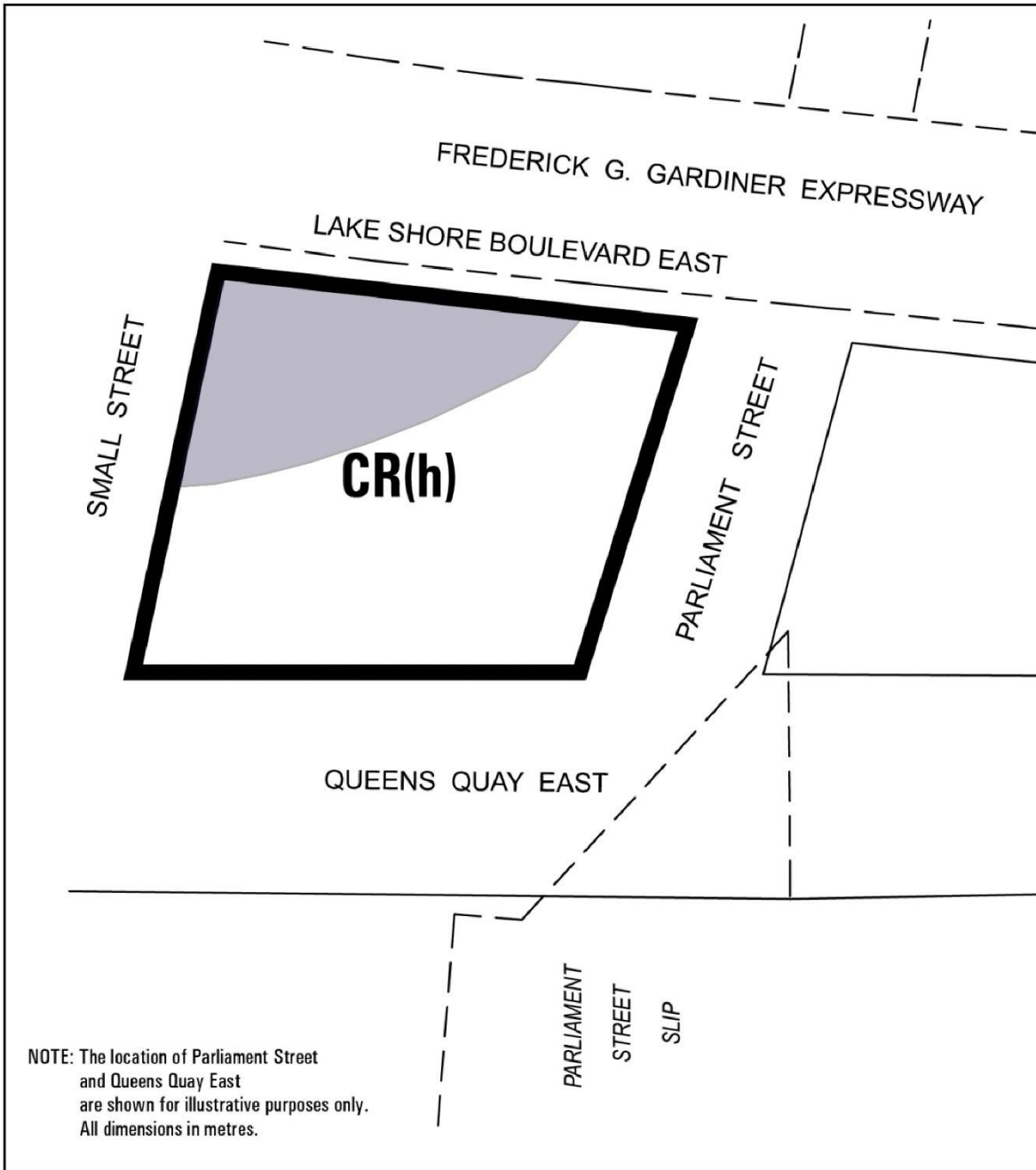


Central Waterfront Secondary Plan

MAP - H2 Keating Channel West Precinct
 Tower Location and Height Map

-  Secondary Plan Boundary
-  Location of Application
-  Tower Location and Maximum Tower Height in Metres
-  Approval deferred for 351-369 Lake Shore Boulevard East and 11 Parliament Street

Not to Scale 



Zoning By-law 1174-2010 (OMB) -
Schedule A, Map A

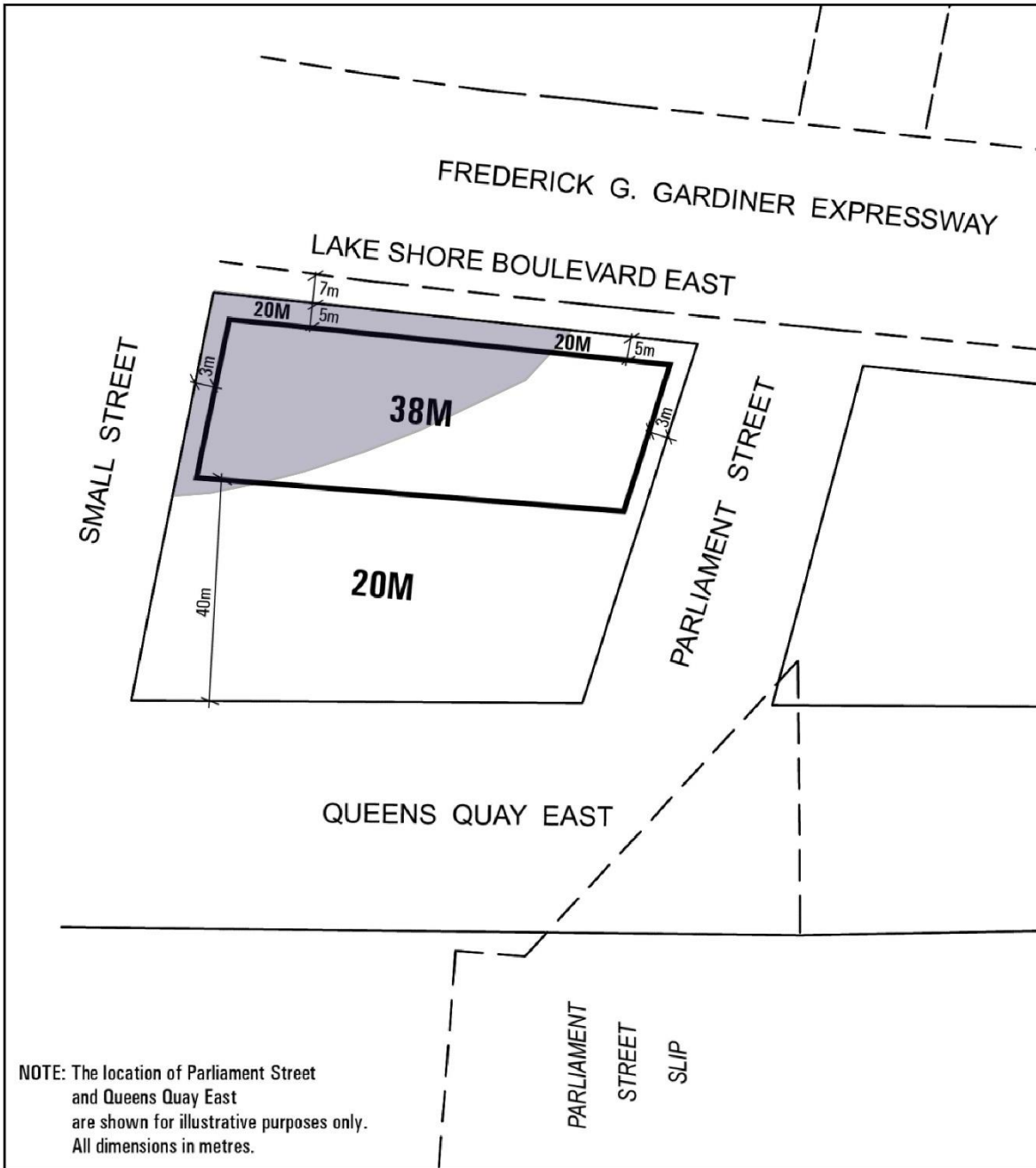
307 Lake Shore Boulevard East
11 & 11R Small Street, 3 & 7 Parliament Street

Lands Subject to Exception

 Location of Application



Not to Scale
08/10/2023



Zoning By-law 1174-2010 (OMB) -
Schedule A, Map B

307 Lake Shore Boulevard East

11 & 11R Small Street, 3 & 7 Parliament Street

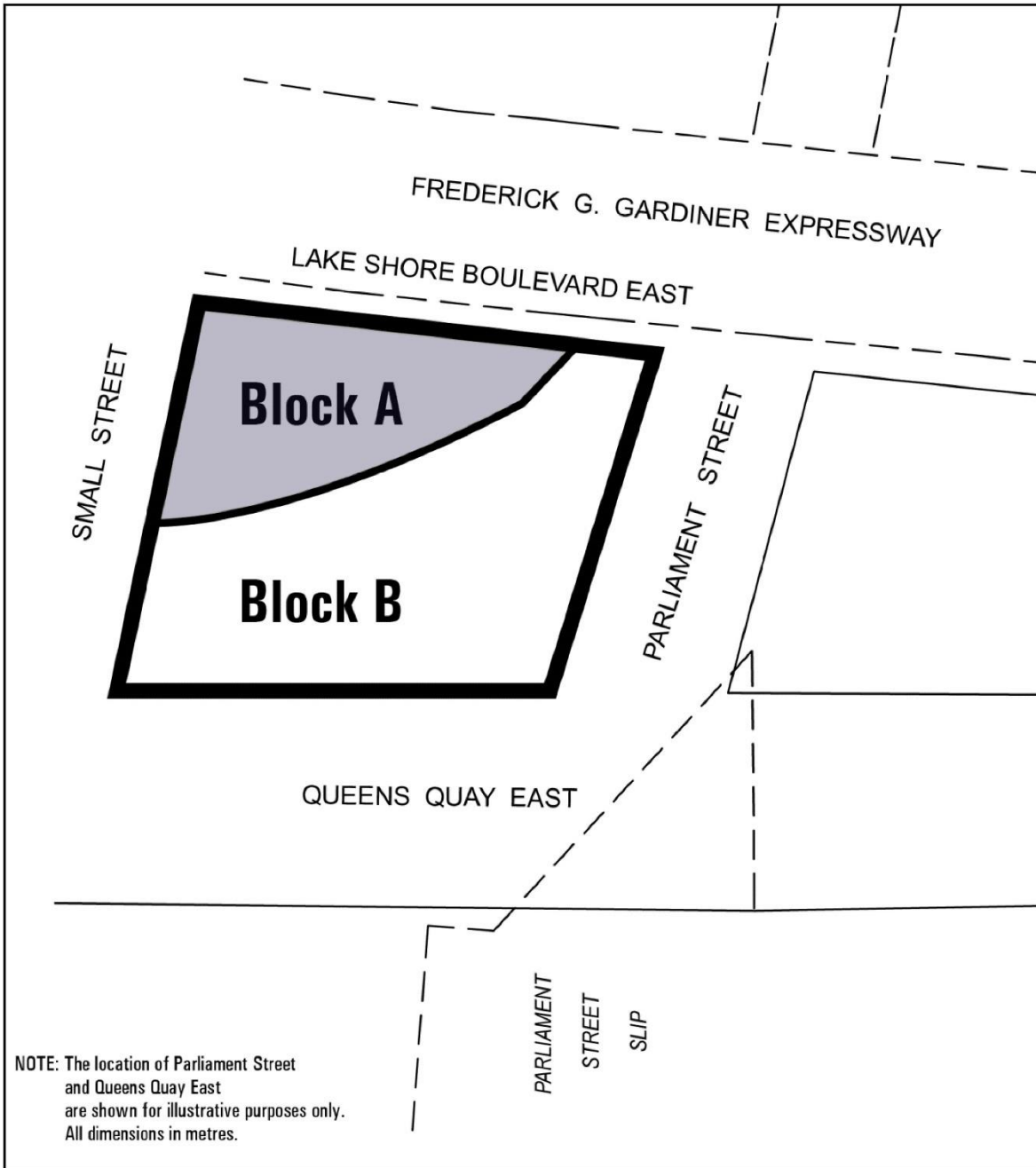
Maximum Base Building Heights

Location of Application



Not to Scale
08/10/2023

Attachment 7: Existing Zoning By-law Map 1



Zoning By-law 1174-2010 (OMB) -
Schedule A, Map 1

307 Lake Shore Boulevard East
11 & 11R Small Street, 3 & 7 Parliament Street

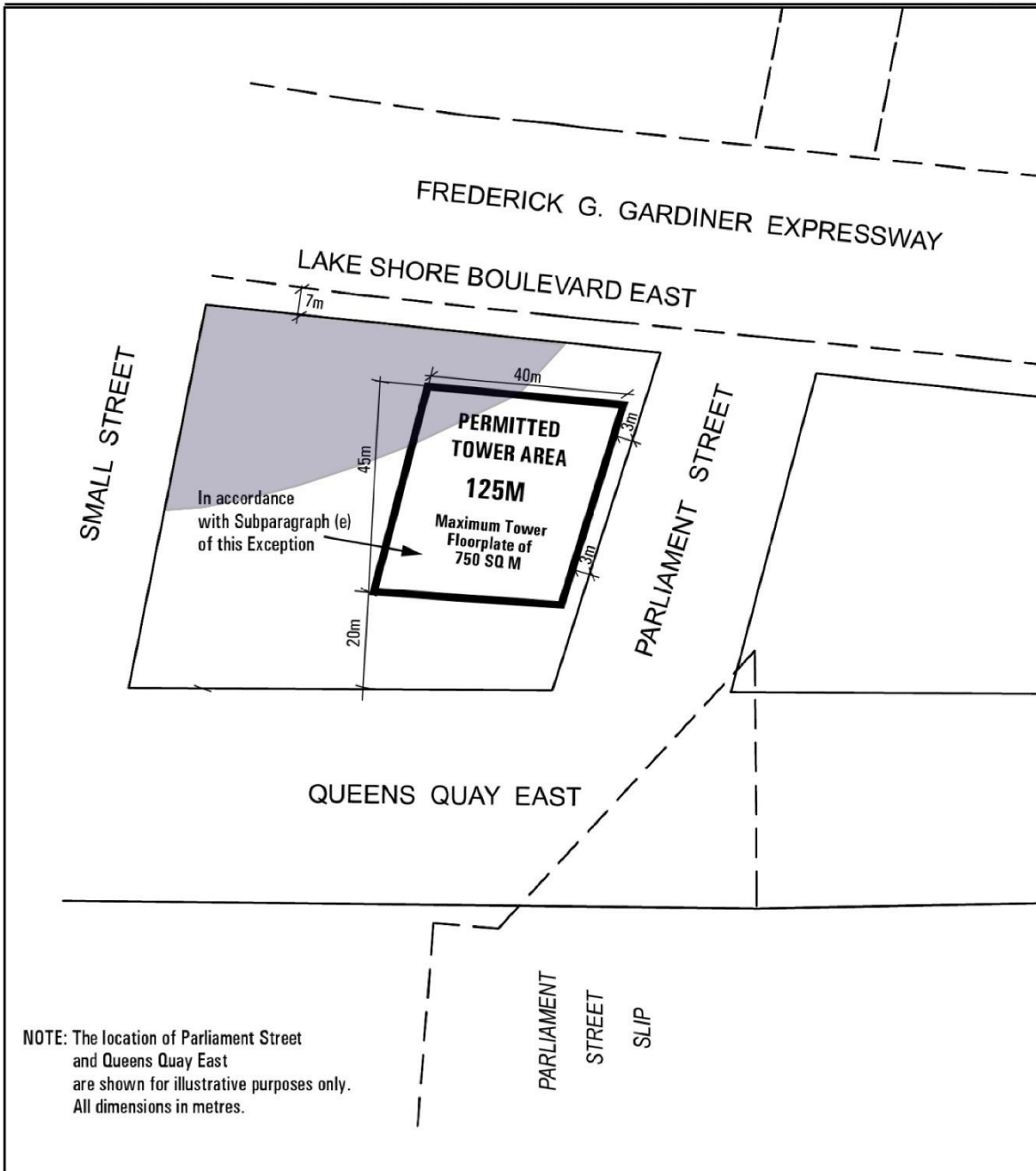
Site

 Location of Application



Not to Scale
08/10/2023

Attachment 8: Existing Zoning By-law Map 2



Zoning By-law 1174-2010 (OMB) - Schedule A, Map 2

307 Lake Shore Boulevard East
 11 & 11R Small Street, 3 & 7 Parliament Street

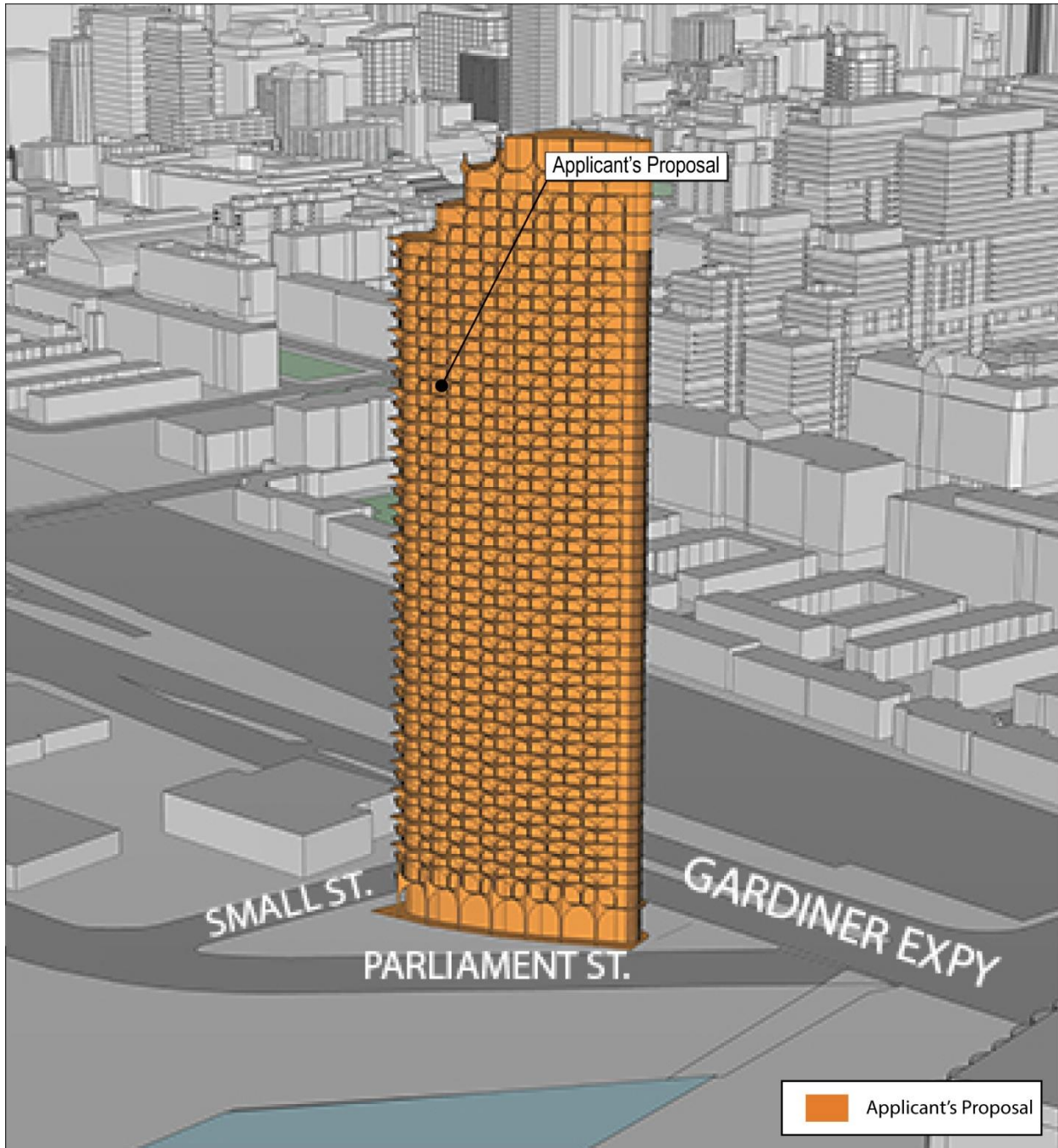
Permitted Tower Area

Location of Application



Not to Scale
 08/10/2023

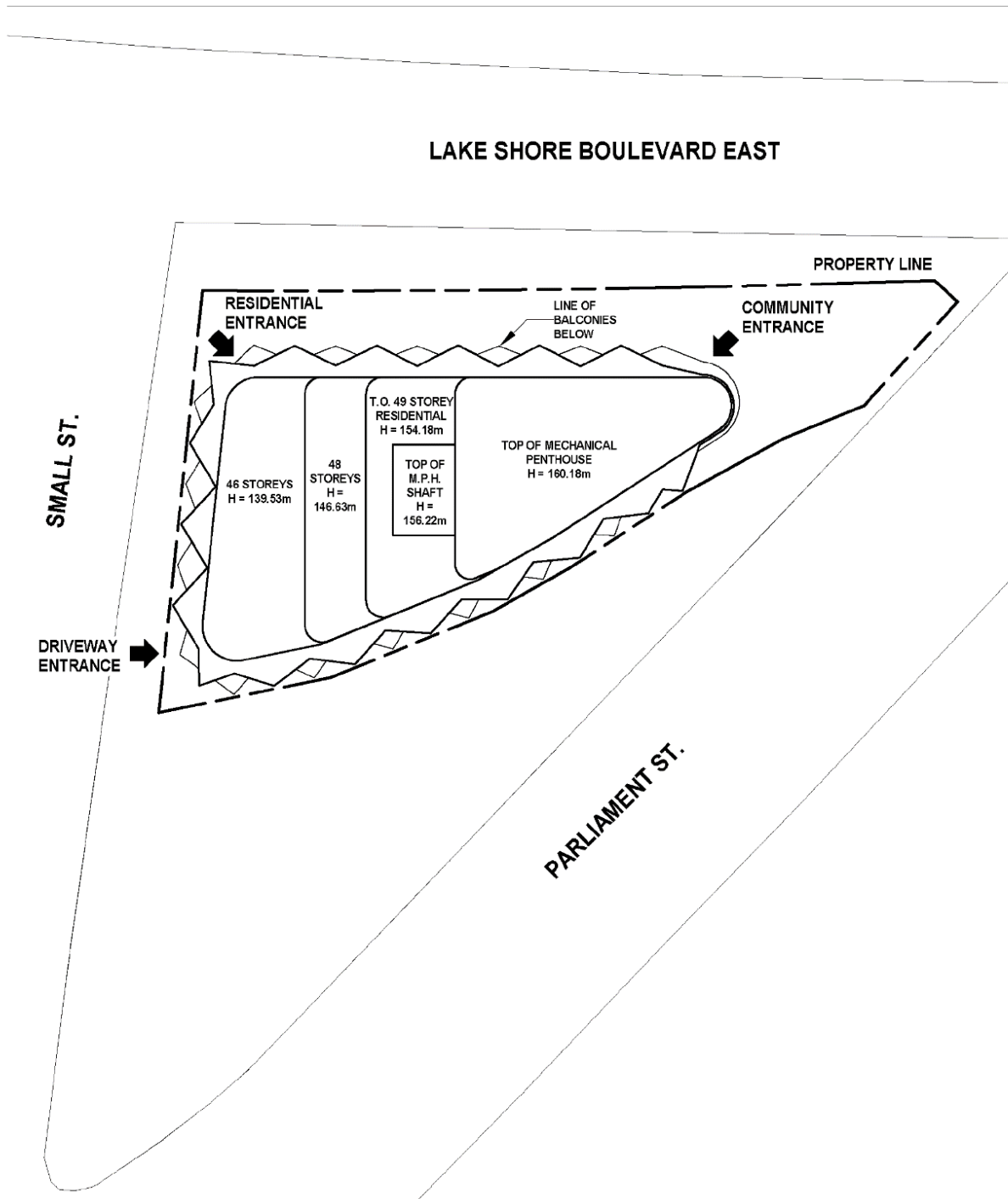
Attachment 9: 3D Model of Proposal in Context



View of Applicant's Proposal Looking Northwest



06/02/2022



Site Plan



Attachment 11: Ground Floor Plan

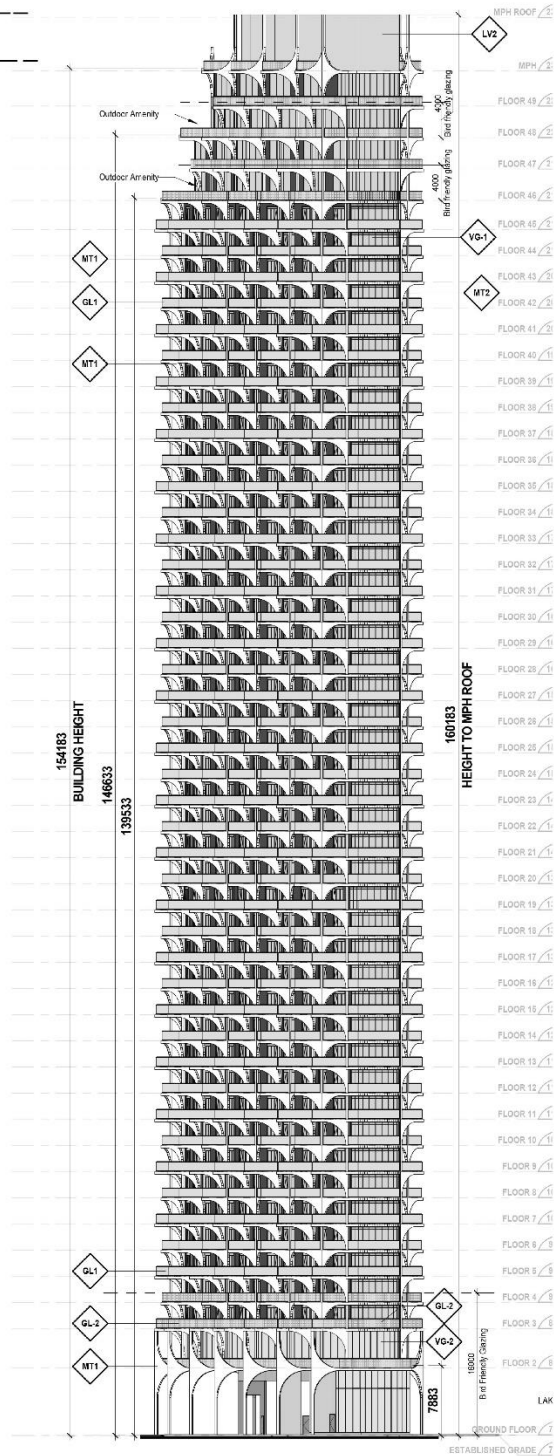


Ground Floor Plan



Attachment 12: East Elevation

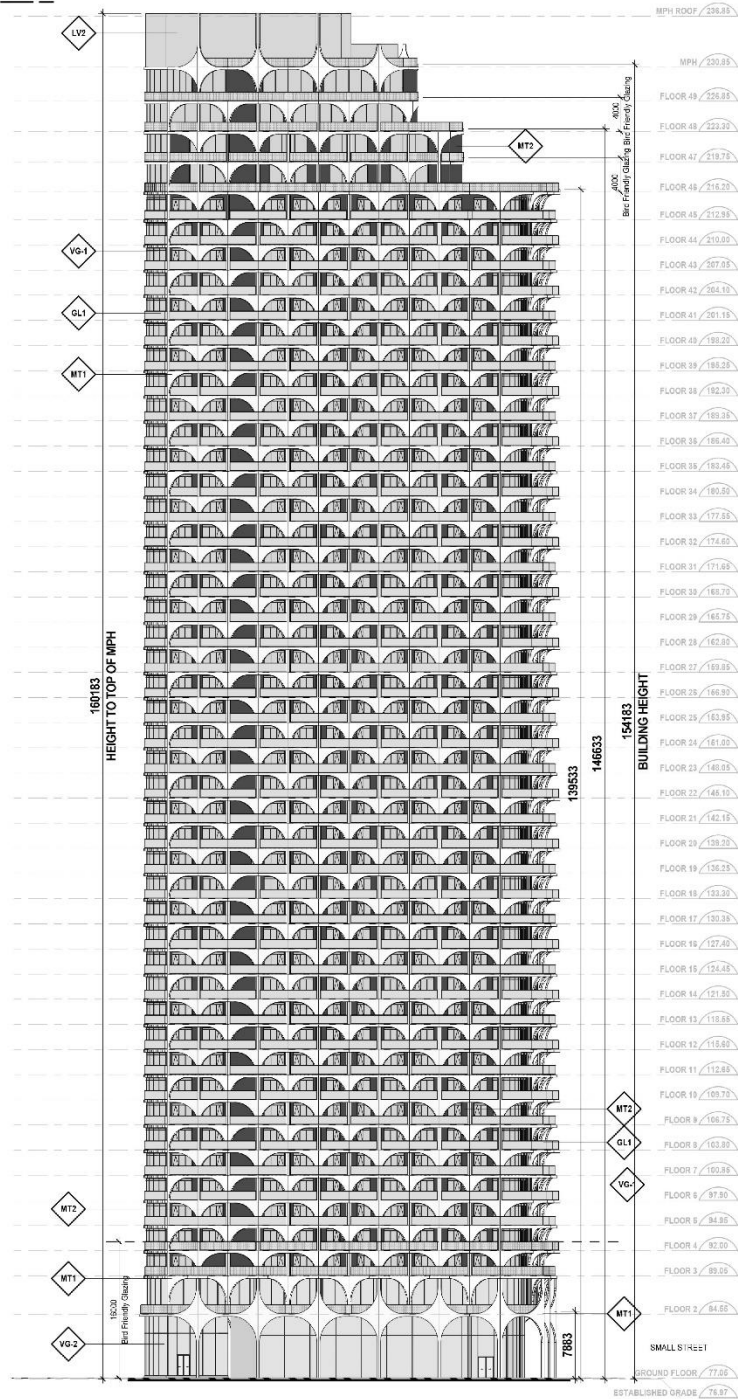
TO Mechanical 160.18m _____
 TO 49 FL 154.18m _____



East Elevation

Attachment 13: North Elevation

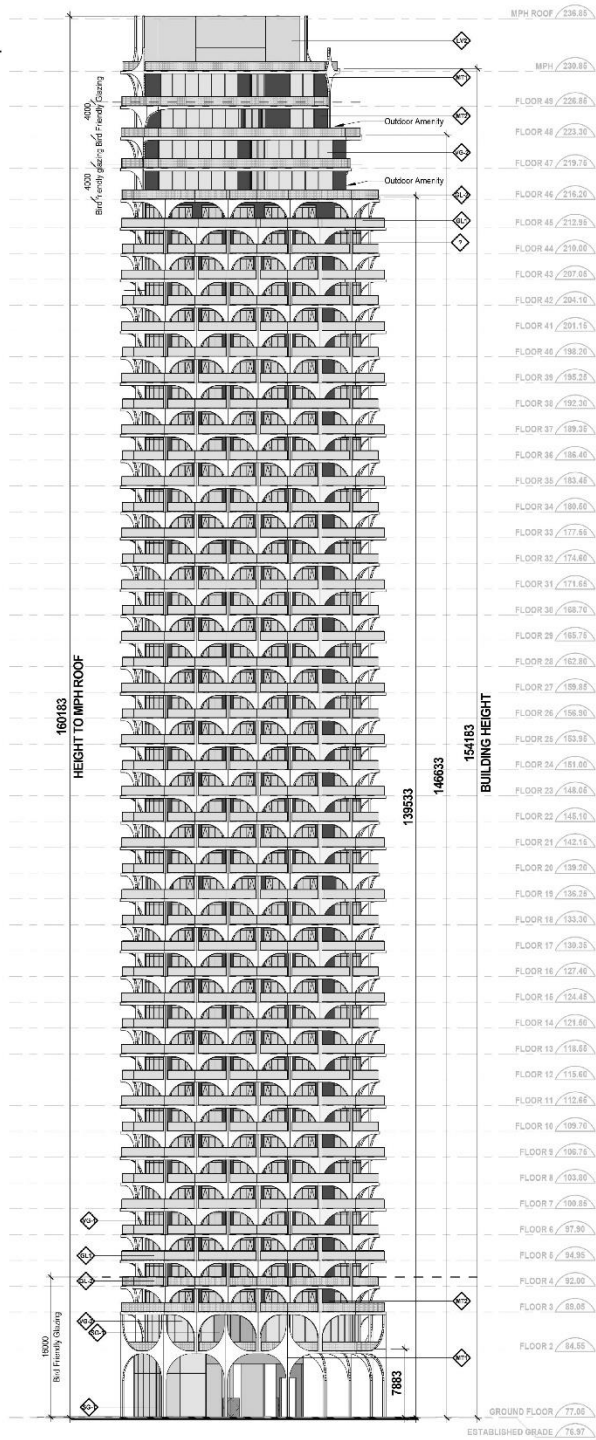
TO Mechanical 160.18m _____
 TO 49 FL 154.18m _____



North Elevation

Attachment 14: West Elevation

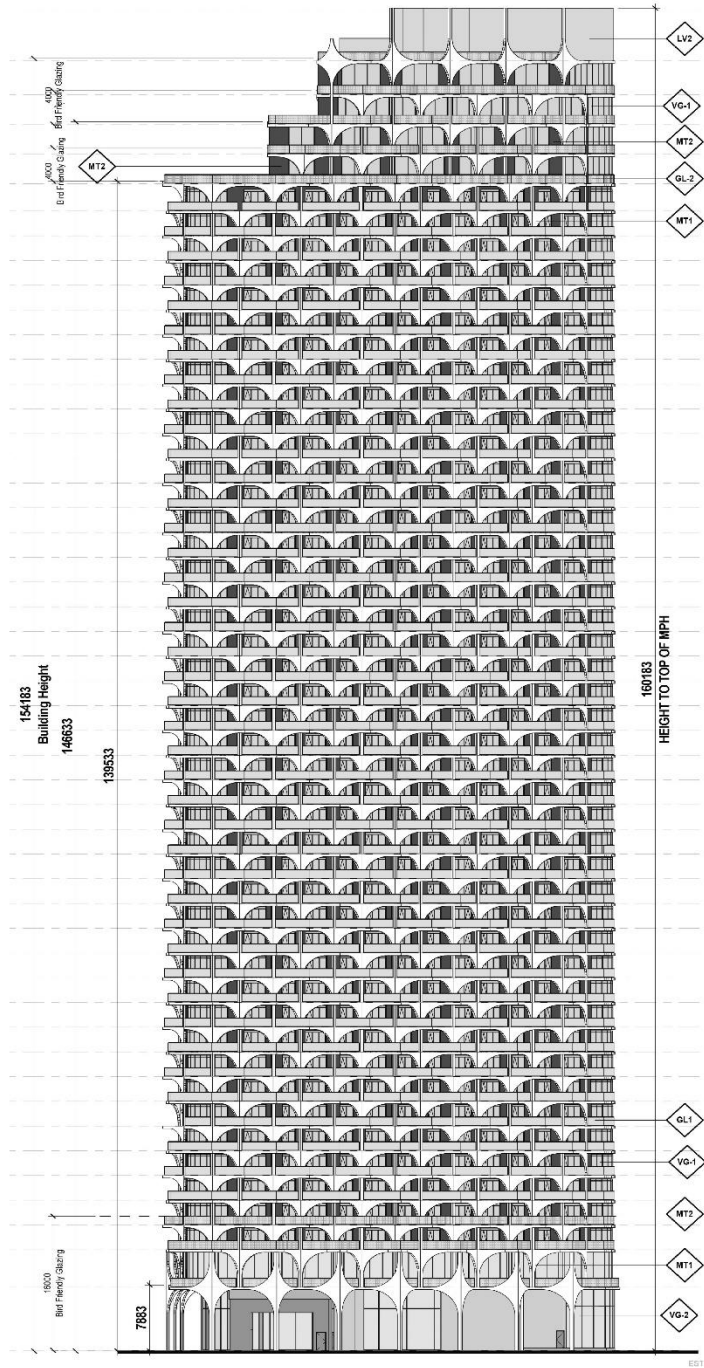
TO Mechanical 160.18m _____
 TO 49 FL 154.18m _____



West Elevation

Attachment 15: South Elevation

TO Mechanical 160.18m _____
TO 49 FL 154.18m _____



South Elevation

Attachment 16: Application Data Sheet

Municipal Address: 307 LAKE SHORE BLVD E Date Received: April 29, 2022

Application Number: 22 141954 STE 10 OZ

Application Type: OPA & Rezoning; Site Plan Control

Project Description: Official Plan & Zoning By-law Amendment applications to amend the City of Toronto Official Plan (Central Waterfront Secondary Plan) and the former City of Toronto Zoning By-law No. 438-86, as amended by By-law 1174-2010 (the Keating Channel Precinct West By-law), while the Site Plan Control application deals with matters relating to detailed site design and organization. The applications propose 430 residential units in a 49-storey tower.

Applicant	Agent	Architect	Owner
BOUSFIELDS INC		BDP. Quadrangle	307 LAKESHORE BOULEVARD EAST LIMITED

EXISTING PLANNING CONTROLS

Official Plan Designation:	Regeneration Areas	Site Specific Provision:	Central Waterfront; Keating Channel; East Bayfront
Zoning:	CR (h)	Heritage Designation:	N
Height Limit (m):	38	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 1,541 Frontage (m): 64 Depth (m): 37

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,146		535	535
Residential GFA (sq m):			30,994	30,994
Non-Residential GFA (sq m):	1,520		700	700
Total GFA (sq m):	1,520		31,694	31,694
Height - Storeys:	2		49	49
Height - Metres:	6		154	154

Lot Coverage Ratio (%): 34.71 Floor Space Index: 20.56

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	30,861	133
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:	700	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:				
Other:			430	430
Total Units:			430	430

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			216	171	43
Total Units:			216	171	43

Parking and Loading

Parking Spaces:	8	Bicycle Parking Spaces:	433	Loading Docks:	2
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CONTACT:

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 416-392-0172
 Chris.Hilbrecht@toronto.ca