

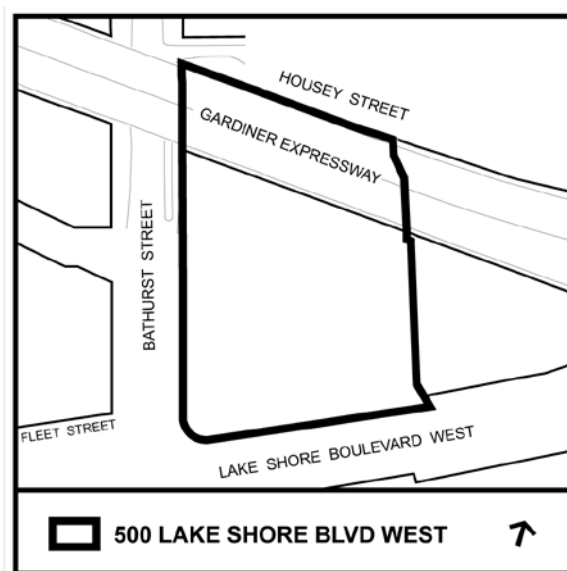
## 500 Lake Shore Blvd W– Official Plan Amendment and Zoning Amendment Applications – Final Report

<b>Date:</b>	January 30, 2015
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 20 – Trinity-Spadina
<b>Reference Number:</b>	13 204585 STE 20 OZ

### SUMMARY

This application proposes to amend the Official Plan and Zoning By-law to permit the redevelopment of the site at 500 Lake Shore Boulevard West with a 7-storey commercial building fronting onto Lake Shore Boulevard West, proposed to contain a grocery store with offices above, with two residential towers having heights of 40 and 44-storeys at the rear of the site. The project also involves the dismantling, storage, and partial reconstruction of the designated heritage building that currently exists on the site.

Staff have been working with the applicant for several years to encourage the adaptive re-use of the landmark Loblaws Groceteria building and to incorporate a mix of uses including much needed local retail and office use. It is important that the future reuse and redevelopment of this site be resolved now to advance the protection of this landmark heritage building and support reinvestment in one of the few remaining heritage sites in this community. Staff are recommending Council approval of the project subject to resolution of a series of technical issues and entering into the necessary legal agreements.



Bills will be held until all necessary information has been secured and agreements entered into. In the meantime, the applicant can move forward on measures to catalogue and protect elements of the heritage building to prevent further deterioration. Council approval will also allow the applicant to advance investment in the important non-residential components of the project.

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

## RECOMMENDATIONS

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### 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 attached as Attachment No. 8 to the report (January 30, 2015) from the Director, Community Planning, Toronto and East York District.
2. City Council amend former City of Toronto 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 which is to be available prior to the February 18, 2015 meeting of Toronto and East York Community Council.
3. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement(s) pursuant to Section 37 of the *Planning Act*, to secure matters, services, and facilities as determined by further discussions with the applicant and Ward Councillor, including matters contemplated in the Fort York Neighbourhood Secondary Plan, details of which to be made available prior to the February 18, 2015 meeting of Toronto and East York Community Council.
4. Before introducing the necessary Bills to City Council for enactment, City Council:
  - a. authorize the appropriate City officials and require the owner to enter into a Heritage Easement Agreement with the City for the protection and long term maintenance of the designated heritage property at 500 Lake Shore Boulevard West, to the satisfaction of the Chief Planner and Executive Director, City Planning Division;
  - b. require the owner to provide a Dismantling, Storage and Reconstruction Plan for the Loblaw's Groceteria Building, and provide a Letter of Credit to secure the work contained therein, all to satisfaction of the Chief Planner and Executive Director City Planning Division;
  - c. require the owner to provide to the satisfaction of the Executive Director, Engineering and Construction Services, and the City Solicitor, documentation demonstrating that there are existing rights of access in place benefitting the

subject site to legal access over the portion of the proposed north-south private laneway which is located on the east side of the site;

- d. require the owner to enter into the necessary agreements with the City, binding the owner and its successors on title, with the terms and conditions satisfactory to the Executive Director, Engineering and Construction Services, and the City Solicitor, to secure among other matters all the technical matters as set out in Attachment 11 to the report from the Director, Community Planning, Toronto and East York District, dated January 30, 2015;
  - e. require the owner to withdraw their active appeal associated with a previous development proposal for this site (Official Plan and Zoning By-law Amendment Application File No. 04 200810 STE 20 OZ) that is currently before the Ontario Municipal Board and associated with the subject site; and
  - f. require the owner to remove all signage, including roof top signage, from the plans on file with the City Planning Division, and make separate Sign By-law applications as appropriate.
5. City Council authorize the appropriate City officials to take such action as may be necessary to implement the foregoing.
6. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.

### **Financial Impact**

The Secondary Plan for the Fort York Neighbourhood sets out a series of policies that refer to financial contributions towards community services and facilities, school facilities, the Fort York Heritage Conservation District and public art along with parks and road and servicing infrastructure. Staff will report if necessary on any financial implications prior to introducing bills to Council.

### **DECISION HISTORY**

The site, located at the northeast corner of Bathurst Street and Lake Shore Boulevard West, is occupied by a four-storey historically-designated building constructed in 1927 that fronts onto Lake Shore Boulevard West, with a lower 1-storey segment that extends across the site and under the Gardiner Expressway. Applications for a Zoning By-law Amendment and Site Plan Control were filed with the City in 2004. An application for demolition under the Ontario Heritage Act was also filed.

The 2004 proposal sought to build a new Loblaws Superstore on the site. Five hundred and twenty seven parking spaces were proposed in two levels of parking, in the first and second levels of the building, with additional parking provided at the north end of the site. The south and west facades of the building, plus one bay of the eastern façade, were

proposed to be retained in place. Access was proposed from Housey Street and Lake Shore Boulevard West.

At the time of the 2004 applications, the Ontario Municipal Board (OMB) was considering appeals related to the consent to sever the site (Block 8 in the Fort York Neighbourhood Secondary Plan) from Block 9/10. Appeals related to Official Plan Amendment and Zoning By-law Amendments for Block 9/10 were also before the OMB. The Zoning By-law Amendment, Site Plan Control, and application for demolition related to Block 8 were appealed and consolidated with the related matters before the OMB. The site specific matters related to the proposed development on Block 8 remained before the Board and issuance of a Final Order was made subject to satisfaction of pre-approval conditions and finalization of required agreements. The primary issues to be resolved at that time included securing municipal infrastructure obligations and heritage requirements, subject to certain pre-approval conditions being satisfied and appropriate agreements being entered into, Council had supported the Zoning By-law Amendment and Site Plan Control applications but refused the application for demolition. The applicant did not pursue this proposal.

In 2010, the applicant submitted a revised proposal to construct a 4-storey commercial building consisting of a grocery store, retail and office space. Due to the condition of the structure, the applicant determined it was no longer feasible to retain the facades in place as contemplated and proposed to dismantle and rebuild the east and west facades and one bay on the easterly face. In 2012 Council supported the revised proposal and directed staff to work with the applicant to resolve issues and attend at the OMB as necessary. The OMB appeal remains active.

In 2013, to allow for the construction of Housey Street and connect it to Bathurst Street in an interim condition, portions of the 1-storey segment of the building were demolished.

## **ISSUE BACKGROUND**

### **PROPOSAL**

The applicant made a revised submission in 2013 for an 8-storey non-residential building fronting onto Lake Shore Boulevard West, with 2 residential towers having heights of 37 and 41-storeys in behind. The applicant has further modified their proposal, which was resubmitted to City Planning Staff in October 2014. This report is based upon the submission of October 2014.

The applicant originally proposed to construct an 8-storey commercial building having a proposed gross floor area of 21,031 square metres fronting onto Lake Shore Boulevard West. The application has been revised to now propose to a 7-storey commercial building of approximately 20,353 square metres fronting onto Lake Shore Blvd West.

The residential towers were originally proposed to have heights of 37 and 41-storeys and are proposed to contain 840 dwelling units. The application proposed a residential gross

floor area of 54,830 square metres, resulting in a proposed overall density of approximately 6.0 times the lot area. The taller of the two towers had a proposed building height of approximately 131 metres.

The October 2014 revision is now proposing two residential towers having heights of 40 and 44-storeys, containing 851 dwelling units with a residential gross floor area of 54,460 square metres. The overall building heights for the residential towers are 120 metres and 130 metres. The applicant's drawings indicated that the overall site density remains unchanged at 6.0 times the lot area.

The applicant proposes to redevelop the area under the Gardiner Expressway with non-residential uses within the podium of the residential buildings. In addition, the applicant proposes to develop the site in two phases, with the commercial component being developed first, and the residential towers to be developed at a later date.

Based on the applicant's draft Zoning By-law provided to Staff as part of this application, the total gross floor area proposed as part of the revised application is 76,700 square metres. A total of 605 parking spaces are proposed. Project statistics can be found in Attachment 10, Application Data Sheet.

## **Site and Surrounding Area**

The site is located on the north-east corner of Bathurst Street and Lake Shore Boulevard West. Development in the vicinity of the site is 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 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.

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

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local

context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff has reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The subject site is designated *Mixed Use Areas* in the Official Plan. This designation permits a broad range of commercial, residential and institutional uses, and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale.

The development criteria in *Mixed Use Areas* includes:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- providing for new jobs and homes for Toronto's growing population on underutilized lands;
- locating and massing new buildings to provide a transition between areas of different development intensity and scale;
- locating and massing new buildings to frame the edges of streets and parks;
- providing an attractive, comfortable and safe pedestrian environment;
- providing good site access and circulation and an adequate supply of parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- providing indoor and outdoor recreation space for building residents in every significant multi-residential development.

The Plan also contains policies regarding tall buildings in the city. Tall buildings are identified as those whose height is typically greater than the width of the adjacent road allowance. The Plan also limits these buildings to parts of the *Downtown, Centres*, and other areas of the city where they are specifically permitted by a Secondary Plan or Zoning By-law. The Official Plan also sets out key urban design considerations when considering a tall building proposal.

The subject site is identified as Block 8 within the Fort York Neighbourhood Secondary Plan and is designated *Mixed Use Areas H* in the Secondary Plan. Within this area, the policies identify that there be a mixture of commercial and residential uses with a maximum gross floor area of 71,030 square metres for *Area H*. Section 8.9 of the Fort York Neighbourhood Secondary Plan identifies that any new development at 500 Lake Shore Boulevard West will have regard for the historical and architectural significance of the Lake Shore Boulevard West and Bathurst Street facades, and that the height and built form objectives set out in the Secondary Plan in retaining historic facades will not be compromised.

## **Zoning**

The property is subject to the City of Toronto Zoning By-law 438-86, as amended. The property is zoned IC D3 N1.5 with a height limits of 24 metres for most of the site, decreasing to 12 metres at the northern limits of the site. The permitted non-residential density on the subject site is 1.5 times the area of the lot. Residential uses are not permitted in this zoning category.

## **Site Plan Control**

The proposed development is subject to Site Plan Control. The applicant has submitted a Site Plan Control application for the commercial component of the development. A Site Plan Control application has not been submitted for the residential component of the proposal.

## **City-Wide Tall Building Design Guidelines**

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

## **Reasons for the Application**

An Official Plan Amendment application is required to permit the heights, density, and tower locations, as proposed by the applicant.

An amendment to the Zoning By-law is required to permit the residential uses on site. In addition, the proposed density of 6.0 times the lot area exceeds the 1.5 times the lot area density permitted by the former City of Toronto By-law 438-86, as amended.

At 44-storeys (130 metres) in height, the proposed mixed commercial-residential buildings will require an amendment to the former City of Toronto By-law 438-86, as amended, to exceed the permitted heights of 12 and 24 metres.

Other areas of non-compliance requiring zoning amendments to permit the proposed mixed-use development are contained within the draft Zoning By-law contained in Attachment 10.

### **Community Consultation**

A community consultation meeting was held January 21, 2014 at the Harbourfront Community Centre. Approximately 100 members of the public were in attendance. Comments and issues raised at the meeting included:

#### **a) Height, Massing and Built Form:**

Attendees at the Community Consultation meeting had raised questions about the proposed tower heights, and whether the tower heights would increase. Some attendees identified that they would prefer not to see more residential dwelling units added to this area.

#### **b) Non-Residential Uses:**

Many of the attendees at the Community Consultation meeting identified the want and need for a grocery store in this neighbourhood. Many attendees identified that there is a need for increased retail in this area. Some of those in attendance identified that there should be an entrance to the non-residential uses from Lake Shore Blvd W and Bathurst Street rather than just the one entrance from the entrance driveway proposed to be located north of the existing heritage building on the site.

#### **c) Traffic:**

Attendees had concerns with the existing levels of traffic in the area, as well as the increased vehicular traffic that would result from this proposal. Attendees inquired about how the laneway east of the site would function, how loading for the site would work, the parking proposed below the Gardiner Expressway, and the supply and mix of parking proposed on the site. Concerns were also expressed about the Lake Shore and Bathurst Street intersection and the pedestrian experience in this intersection.

#### **d) Heritage:**

Attendees inquired about how the heritage building is being dealt with (cataloguing, demolition, etc). Comments were also made regarding the relationship between the heritage resource on site and new building architecture, scale and materials would relate to one another.

Questions were raised about the billboards that currently exist on the heritage building and whether they would to stay in place or be removed as part of this development application.

#### **e) Planning Process:**

Attendees asked about the proposed density and how it differs from what is permitted by the current and in-force Zoning By-law for the site. Question was raised about whether the applicant has applied for an Official Plan Amendment.

#### **f) Construction Management:**

Attendees raised questions about construction management, such as, but not limited to, how to ensure that lanes of traffic were not blocked during construction, how dust and mud would be controlled.

#### **g) Timing of the Development:**

Attendees inquired about the timing of the project, and why it has taken so long to develop the site. Many attendees had identified they were at the 2005 Community Consultation meeting, and have not seen any development occur since that time.

Questions were raised about the phasing of this project, and if the project was dependent upon the residential component being built. The applicant identified that the project may be phased, with the non-residential component being Phase 1, but that it could also be built out as one phase, with both components being built at the same time.

Staff, the applicant, and the applicant's consultants endeavoured to answer the questions raised by those in attendance at the Community Consultation meeting.

### **Agency Circulation**

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

The applicant is required to make a number of revisions to their plans and studies to address City Division comments. The outstanding information is required to be reviewed and accepted by the appropriate City Divisions prior to the final form of the Zoning By-law coming forward.

## **COMMENTS**

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

The Provincial Policy Statement (PPS) promotes the appropriate intensification and efficient use of land, recognizing that land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns. The Provincial Policy Statement states, in Section 4.7, that the Official Plan is the most important vehicle for implementing the Provincial Policy Statement. Furthermore, Section 4.7 directs municipalities to provide

clear direction for the development of the municipality as well as areas suitable for growth.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

Staff have reviewed the proposal and determined that it is consistent with the Provincial Policy Statement, and does not conflict with the Growth Plan for the Greater Golden Horseshoe.

## **Heritage**

The Loblaw Groceteria Company Building is a landmark in the city that plays a key role in the Fort York Neighbourhood. Built in 1927, the four-storey Loblaw Groceteria Company Building is situated prominently at the northeast corner of Bathurst and Lake Shore Boulevard and is a finely detailed example of Art Deco styling, designed by the Toronto architectural firm of Sparling, Martin and Forbes. The Loblaw Groceteria Company Building was one of the first buildings constructed on reclaimed land at the west end of Toronto harbour as part of the Toronto Harbour Commission's waterfront development plan and was originally designed as the company's head office and warehouse.

The Loblaw Groceteria Company Building was designated by Toronto City Council under Part IV of the Ontario Heritage Act on February 1, 2001 (By-law 52-2001). The applicant's proposal is to demolish (dismantle) the existing designated heritage and to construct a new larger commercial facility that will include a grocery store, retail stores, offices and parking. The south wall, west wall and three bays of the east wall will be rebuilt using salvaged components from the existing north and east walls of the building along with one-storey structures previously dismantled from the north and west areas of the site. In situ retention of the walls is not structurally possible due to an advanced state of deterioration in key building components.

As this property is designated under Part IV of the Ontario Heritage Act, Council consent is required for the proposed demolition. The Director of Urban Design will present a report to the February 18, 2015 meeting of Toronto and East York Community Council that will recommend that City Council consent to the demolition and partial reconstruction of the designated heritage property. The applicant's submission was considered in the context of various planning documents, including the City of Toronto's Official Plan, the Fort York Neighbourhood Secondary Plan, the Provincial Policy Statement (1997 & 2005), Ontario Heritage Act, Standards and Guidelines for the Conservation of Historic Places and the Eight Guiding Principles in the Conservation of Built Heritage Properties.

## Land Use

Section 2.2.1.1 of the *Downtown* policies of the Plan will shape the City's future by accommodating development that: builds on the strength of *Downtown* as the premier employment centre in the GTA; and provides a full range of housing opportunities for *Downtown* workers and reduces the demand for in-bound commuting.

The Official Plan identifies that *Mixed Use Areas* are intended to achieve a multitude of planning objectives by combining a broad array of residential, office, retail and service uses. *Mixed Use Areas* are intended to be areas which allow residents to live, work and shop in the same area, even the same building, giving individuals an opportunity to be less dependent upon their automobiles, while creating districts along transit routes that are animated, attractive, and safe. Although *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service uses in the City, not all *Mixed Use Areas* will experience the same scale or intensity of development. The highest buildings and greatest intensity will occur in the *Downtown*, with decreased intensity and scale in the *Centres* and along *Avenues*. The development criteria contained within Section 4.5.2 of the Official Plan seeks to ensure that, among other matters, development in *Mixed Use Areas* creates a balance of high quality commercial, residential, institutional uses that reduce automobile dependency while meeting the needs of the local community. The Plan also seeks to create and sustain well paid, stable, safe and fulfilling employment opportunities on lands designated *Mixed Use Areas*.

The Fort York Neighbourhood Secondary Plan identifies that the goal of the Fort York Neighbourhood is that it will be developed 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. The new neighbourhood will be primarily residential, with non-residential uses located mainly along Bathurst Street and Lake Shore Boulevard West. The built form policies within the Secondary Plan identify that the Fort York Neighbourhood will include a variety of building types including stacked townhouses, mid-rise buildings and taller point towers. Non-residential uses in *Mixed Use Areas* in the Secondary Plan will be located primarily on the Lake Shore Boulevard West and Bathurst Street frontages. The plan identifies that Areas “D”, “E”, “H” and “I” of the Secondary Plan are intended for a mixture of commercial and residential uses. The Secondary Plan also identifies that street-related retail and service uses at appropriate locations will be encouraged throughout the Fort York Neighbourhood to ensure accessibility to all future residents.

The applicant proposes to develop the site with a 7-storey commercial/office building, and two residential towers. The proposed 20,353 square metres of non-residential space, of which 13,248 square metres is proposed as office space, in the *Downtown* creates additional employment opportunities on the subject site. The introduction of the two residential buildings on the block provides for housing opportunities in the *Downtown*, and reduces the demand for in-bound commuting. The proposed residential towers is in keeping with the built form policies of the Secondary Plan. The proposed mix of land uses are appropriate for this site and complies with Policies contained within the Official Plan and the Fort York Neighbourhood Secondary Plan.

## Height and Density

The Official Plan identifies that tall buildings are desirable in the right places, but also acknowledges that they are not appropriate in all locations. The highest buildings and greatest intensity will occur in the *Downtown*, with decreased intensity and scale in the *Centres* and along *Avenues*. The subject site is located within the *Downtown*, at the corner of two major arterial roads in the City.

The applicant seeks approval for residential towers of 40 and 44-storeys, having overall building heights of 120 and 130 metres. Due to the subject sites close proximity to the Fort York National Historic Site, there is a need to control building heights in order to limit the shadow impacts of any new developments on the National Historic Site. The applicant's shadow study illustrates that the proposal will not cast unacceptable shadows on Fort York. The height and density of the proposal has been evaluated in terms of the surrounding context, the range of the building heights in the area, impacts on adjacent properties, land uses, and the relevant Official Plan policies. The height and density as proposed by the application is appropriate in this instance.

## Massing and Siting

Section 4.5 of the Official Plan sets out criteria used to evaluate development within the *Mixed Use Areas* designation. All new development within *Mixed Use Areas* is required to locate and mass new buildings to frame the edge of the streets, maintain sunlight and comfortable wind conditions, and locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives contained within the Plan. The objectives of the Official Plan are to be addressed by ensuring that developments provide appropriate setbacks and/or stepping down of heights between areas of different development intensity and scale, and by locating and massing new buildings in a manner that is sensitive and limits shadow impacts during the spring and fall equinoxes.

The Tall Buildings Guidelines are an evaluation tool which seeks to achieve optimal building siting and design that enhances the adjacent public realm, and reinforce the surrounding built environment, context, and desired character of development in the *Downtown*. The Guidelines contain performance standards which are used to assist when evaluating and reviewing new tall building applications. Taking into account the sites corner location, the infrastructure that transverses the site, and the reconstruction of the heritage resource on the site, the applicant has been able to comply with a number of the performance standards contained within the guidelines including, but not limited to: separation distance between towers; tower placement; building placement; and base building scale and height.

The Secondary Plan provides direction for massing of the lower, mid-rise and tower elements of the Block. The current proposal modifies the overall massing while maintaining the two towers contemplated but with the southernmost tower moved northward and the northeast tower being shifted south. Staff are of the opinion that moving the tower off of the heritage building is appropriate, and the proposed tower locations are sensitive to the heritage attributes on the site, and the neighbourhood.

The proposed siting, massing of the proposed development is in keeping with the built form policies and the development criteria contained within the “*Mixed Use Areas*” designation and the policies of the Fort York Neighbourhood Secondary Plan.

## **Shadows**

The Official Plan contains policies to protect the utility of parks by reducing shadowing. Section 3.1.2 Built Form, Policy 3(e) states: “New development will be massed to fit harmoniously into its existing and/or planned context, and will limit its impacts on neighbouring streets, parks, open spaces and properties by minimizing any additional shadowing and uncomfortable wind conditions on neighbouring parks as necessary to preserve their utility.” Section 3.2.3 Parks and Open Spaces, Policy 3 states: “The effects of development from adjacent properties, including additional shadows, noise, traffic and wind on parks and open spaces will be minimized as necessary to preserve their utility.”

The site is in close proximity to two City parks and a National Historic Site. Due to the sites proximity to such features, it is necessary to ensure that new development does not negatively impact these important resources. The applicant's proposal to develop the site with two residential towers having heights of 40 and 44-storeys, has been designed and located to limit the amount of shadow cast on Fort York.

The site is also in close proximity to Canoe Landing Park. This park is the central park in the Railway Lands West neighbourhood, and will complement the open space for the schools and community centre once they are built. There will be shadows cast on this park by the developments as proposed in the late afternoons in March/September. Staff is of the opinion that the amount of additional new shadow on Canoe Landing Park by the proposed developments is acceptable.

## **Traffic Impact, Access, Parking**

As part of the application, the applicant's transportation consultant submitted traffic generation forecasts for the project. The transportation consultant estimates that the project will generate 261 primary two-way trips during the AM peak hours, 374 primary two-way trips during the PM peak hours, and 439 primary two-way trips during the Saturday peak hours. The traffic impacts of the project have been accepted by Engineering and Construction Services.

As part of this development proposal, the applicant proposal to provide a total of 605 parking spaces to serve the project. The overall parking supply of 605 parking spaces is just marginally less than the estimated minimum overall parking requirement of Zoning By-law 438-86, (based on net floor area assumptions set out in the footnotes above) however, the residential and residential visitor parking supplies have been substantially reduced. Conversely, the non-residential parking supply of 308 parking spaces for the office, grocery store and retail uses exceeds the estimated minimum requirement (after mixing) for 101 spaces, but is less than the estimated maximum permitted parking requirement for 400 parking spaces.

Given the incorporation of 26 dedicated visitor parking spaces into the residential component of the parking garage, it is no longer possible to "pool" these spaces with the commercial parking spaces for the purposes of the mixing formula of the set out in the tables above. The visitor parking supply is proposed on the basis of 0.3 spaces per unit. Given the dedicated nature of this supply, and the availability of a commercial garage in the Phase 1 component of the project, the reduced residential visitor parking ratio is acceptable, and has been incorporated into the recommended Zoning By-law Ratios.

The proposed reduced residential parking supply could potentially be augmented, should residential demand exist over the proposed resident parking supply through paid parking in the commercial garage on site and/or through monthly leases to residents. As noted in the tables above, the proposed commercial parking supply of 308 spaces is substantively more than the minimum commercial parking requirement for 101 parking spaces, but is still less than the maximum permitted parking requirement for 400 parking spaces. We suggest that the potential residential lease/permits contemplated by the TDM plan be formalized, but in a manner that recognizes the true cost of car ownership (i.e. the monthly leases should not be offered at discounted rates). In this regard, the conditions below require that 50 percent of the "commercial" parking spaces which are provided over the minimum parking requirement of the Zoning By-law be made available, on an unreserved monthly basis (e.g. by monthly permit) so that residents of the condominium towers in the project would be entitled park in the commercial parking garage at a monthly rate that equals the greater of:

- a) The prevailing average monthly lease rates in commercial garages in the area; or
- b) A monthly rate based on the 5 year closed mortgage rate for the full market value of the parking space (from recent average parking space sale figures available for parking spaces in the complex) plus the current monthly maintenance fee for residential parking spaces.

The number and mix of parking is not acceptable in its current form, especially as it relates to the residential ratio proposed. The draft Zoning By-law secures parking ratios which are to the satisfaction of the Executive Director, Engineering and Construction Services.

## **Loading**

The applicant is proposing to provide two Type-A, two Type-G, two Type-B, plus three Type-C loading spaces as part of this application. Engineering and Construction Services has indicated that the loading supply is acceptable. The current drawings illustrate service corridors between the loading facilities and most of the uses on the site. Although the loading supply is generally acceptable, it will be necessary for the owner to demonstrate, in connection with the future site plan application for the Phase 2 of the project that appropriate internal service corridors/connections have been provided to enable the shared use of the loading spaces by all retail uses.

The applicant has proposed that the north-south laneway between Lake Shore Boulevard West and Housey Street will provide access to the parking garage serving the commercial component of the project, as well as the loading facilities. A portion of this laneway is not within the limits of the site. Accordingly, it will be necessary for the owner to provide documentation demonstrating that they are legally entitled to use the portion of the proposed north-south private laneway which is located on the east side of the site. Staff have recommended that the Bills not be introduced until such time as the documentation has been submitted to the satisfaction of the Executive Director Engineering and Construction Services and the City Solicitor.

### **Gardiner Expressway**

A portion of the subject site is located under the F. G. Gardiner Expressway, and is subject to, among other things, an existing easement. This easement provides the City with certain rights with respect to the ongoing maintenance of the F.G. Gardiner Expressway structure, including rights of access for the purpose of inspecting, constructing, repairing and maintaining the expressway infrastructure, including drainage elements. Engineering and Construction Services has indicated that the existing easement is generally acceptable in respect of the lands under the existing expressway structure, but additional rights and ongoing obligations should be secured and consolidated as part of this application.

The subject site did have a building located under the Gardiner Expressway, but portions of the building were demolished recently in order to allow for the construction of Housey Street. The proposal introduces a below-grade garage, a roof-top garage and one retail building, and a pedestrian walkway with stairs under the F.G. Gardiner Expressway. Engineering and Construction Services have recommended that 5.0 metre setbacks (minimum) and easements are required by the City for projects abutting the Frederick G. Gardiner Expressway in order to provide for maintaining, modifying, reconstruction or for possible future dismantling of the Expressway. In order to provide for potential staging areas for the future removal of the Gardiner Expressway, should it be desired, and/or future maintenance of the expressway, the portions of the underground garage and/or roofs constructed within 5.0 metres of the north or south face of the F. G. Gardiner Expressway should be constructed to the satisfaction of the Executive Director of Engineering and Construction Services. The proposed new uses under the expressway structure (such as surface parking, a retail rooftop and a "publicly accessible" walkway) may increase potential liabilities related to the new uses, and, as a result, Engineering and Construction Services have recommended that augmented easement terms be secured.

Given the significance of this structure and the proximity of the proposed development, as part of the development application, the applicant will be required to provide detailed construction management plans and detailed reports by a professional engineer, which provides for ongoing protection and monitoring of the Gardiner Expressway.

## **Garrison Culvert**

The Garrison Creek Storm Culvert transverses under the site, under the existing heritage building and under the proposed building. Engineering and Construction Services have indicated that the minimum easement width for a major trunk sewer is 20.0 meters. The City requires that the applicant perform an on-site investigation to confirm the exact location of the existing Garrison Creek Culvert in order to centre the required easement. Engineering and Construction Services has indicated that if the owner wishes for the City to consider a narrower easement width, the owner is required to prepare a report indicating the relative depth and other relevant information of the proposed building for review by Development Engineering and also Toronto Water. The plans on file do not show the minimum easement as required by Engineering and Construction Services. To date, the applicant has not provided the necessary reports required to reduce the minimum easement width. Staff have included a recommendation that the owner grant the necessary easements, at a minimum width of 20 metres, prior to the introduction of Bills by City Council. Should the applicant submit the necessary reports to Engineering and Construction Services and Toronto Water for a reduced easement width, Staff will report under separate cover to City Council, at a later date, outlining a modified easement width, and revise the recommendation as necessary.

Given the significance of this structure and the proximity of the proposed development, as part of the development application, the applicant will be required to provide detailed construction management plans and detailed reports by a professional engineer, which provides for ongoing protection and monitoring of the Garrison culvert.

In addition, the easement associated with the Garrison Culvert may impact the design of the underground parking garage and parking stall layout. The applicant has been made aware of this situation by Staff and may have to provide additional levels of underground parking in order to accommodate the parking as required by the draft Zoning By-law.

## **Bathurst Street Reconstruction/Overall Streetscape**

Bathurst Street and the Bathurst Street bridge are to be reconstructed, as per the "Infrastructure Improvements in the Fort York and Railway Lands West Neighbourhood Class Environmental Assessment Study". The reconstruction will not occur until after 2015, but will result in different elevations along Bathurst Street between Fort York Boulevard and Housey Street, than the elevations that exist today. There is the possibility that the residential towers will be constructed prior to the reconstruction of Bathurst Street, which means that the roads, sidewalks, and landscaping abutting Bathurst Street, Fort York Boulevard and Housey Street, will have to be constructed twice, once at the interim grade and once at final grade. This approach has been taken for other redevelopments nearby. The cost-sharing responsibilities as set out in the existing agreements for this site require further review and resolution. Any conditions related to cost sharing and timing of infrastructure can be included in the Section 37 agreement.

As part of the application, the applicant is required to submit a fully-dimensioned Functional Plan of the tapered deceleration lane off of Lake Shore Boulevard West, the curb bump out on the west side of the access driveway, the new centre median opposite this driveway, together with proposed sidewalk alignments associated with the work. Engineering and Construction Services have indicated that there is no objection, in principle, provided that the by-laws in respect of the subject Zoning By-law Amendment application do not come into force and effect until after execution of any necessary Agreements securing the above noted work. In order to ensure that this work is co-ordinated, Staff recommend that the Bills not be introduced until such time as the Functional Plan has been submitted and accepted by the Executive Director, Engineering and Construction Services.

Many main streets in the City face competing demands for space to accommodate a range of uses within the public right-of-way. These include sidewalks, street trees, marketing areas, vehicular lanes, on-street and dedicated transit lanes, bike lanes, on-street parking and utilities. New developments provide an opportunity to achieve improved minimum standards for sidewalks through building setbacks. Staff has requested that the new development along Bathurst Street provide for an enhanced sidewalk zone of approximately 6 metres along Bathurst Street. The Lake Shore Boulevard frontage presents challenges for achieving optimum sidewalk zones due to the configuration of the street, primarily the angle on which Lake Shore Boulevard is oriented, and the location of the heritage building, Staff are only able to achieve a sidewalk zone width of 4 metres at the eastern limit of the site. A wide plaza/seating area is proposed at the corner of Bathurst Street and Lake Shore Boulevard West, within lands that are to be conveyed to the City for right-of-way. Staff will review the appropriateness of the plaza as part of the site plan control application for Phase 1 development.

The Official Plan identifies that Lake Shore Boulevard West, at this point, has a planned right-of-way width of 45 metres. The existing designated building on the site is constructed to the north limit of Lake Shore Boulevard West at the east side of the site, but is setback 11.75 metres at the west side of the site. The current proposal is to dismantle and reconstruct the historic facade of the building in its existing footprint. Staff are not supportive of reconstructing the existing building to accommodate a widening of 9.4 metres across the full frontage of the site in order to achieve the 45 metre right-of-way. Accordingly, in order to provide for the reconstruction of the heritage facade in its existing location, Engineering and Construction Services has indicated that in this instance, they would accept a reduced, tapered road widening measuring 9.4 metres in width at the west limit of the site, continuing easterly to the building face, and following the south building face to the east limit of the site.

### **Open Space/Parkland**

The application proposes 851 residential units and 20,353 square metres of non residential uses on a site with a net area of 13,923 m<sup>2</sup>. At the alternative rate of 0.4 hectares per 300 units specified in By-law 1020-2010, the residential parkland dedication requirement is 1.12 hectares or 119.92% of the site area. However, for sites that are

between 1 and 5 hectare in size, a cap of 15% is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 209 square metres.

The applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. This is appropriate as an on-site parkland dedication requirement of 209 m<sup>2</sup> would not be of a useable size. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit.

### **Toronto Green Standard**

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

The applicant is required to meet Tier 1 of the TGS.

### **Green Roof**

It is not clear from the applicant's submission if they will be able to meet the green roof requirements under the authority of Section 108 of the City of Toronto Act on the subject site. If the applicant is unable to meet the green roof requirements for the project, a variance to the Green Roof By-law will be required. A variance to the Green Roof By-law allows a smaller amount of green roof than is required under the Bylaw, provided that a cash-in-lieu payment of \$200/m<sup>2</sup> is made for the reduced green roof area. If a deficiency exists for either Phase of the development, the applicant will be required to make a variance application for that phase, and pay the cash-in-lieu amount for the deficiency.

### **Bicycle Parking**

The Official Plan contains policies which encourage reduced automobile dependency as well as promoting alternative modes of transportation. The policies contained within the Plan attempt to increase the opportunities for better walking and cycling conditions for residents of the City.

Policy 2.4.7 states, "Policies, programs and infrastructure will be introduced to create a safe, comfortable, and bicycle friendly environment that encourages people of all ages to cycle for everyday transportation and enjoyment including... the provision of bicycle parking facilities in new developments". It is not clear if the development will provide 794 bicycle parking spaces for the exclusive use of residents, with an additional 259 bicycle spaces to be provided at grade, for a total of 983 bicycle parking spaces overall. Staff will secure bicycle parking ratios within the draft Zoning By-law. The location of the bicycle parking spaces will be secured via the Site Plan Control applications for each phase of development.

## **Section 37**

Section 37 of the *Planning Act* allows the City to authorize increased density and/or height in return for the provision of services, facilities or matters. The Official Plan contains provisions authorizing these Section 37 matters, provided the density and/or height increase are consistent with the objectives of the Official Plan regarding building form and physical environment.

The Fort York Neighbourhood Secondary Plan identifies that By-laws may be enacted to permit development in accordance with the uses and densities permitted by this Secondary Plan, as well as the heights set out on Map 13-4, if applicable, subject to the execution of a Section 37 Agreement respecting at least the area covered by the amending by-law which is consistent with the provisions of the Secondary Plan. In order to assist in achieving the full implementation of this Secondary Plan, the Section 37 Agreement respecting a landowner's property may contain provisions for financial contributions towards physical and social infrastructure located beyond the limits of that property.

In addition to the requirements set out in Sections 9.2.4 through 9.2.16 of the Fort York Neighbourhood Secondary Plan, the following items will be secured, as appropriate, through Section 37 Agreement(s) entered into with each landowner as a condition of passing a Zoning By-law to permit development, in accordance with the uses and densities permitted by this Secondary Plan for each landowners' holdings:

- (a) land for and/or financial contributions towards the cost of construction of streets, municipal services and utility services serving development blocks, and the necessary roads and municipal services required to connect with existing systems;
- (b) land for and/or financial contributions towards community services and facilities, including preschool and school-age daycare, community centre facilities, library services and additional community services and facilities as identified in a Community Services and Facilities Strategy except for school facilities;
- (c) land for open spaces and parks and/or financial contributions towards parks improvements;
- (d) the provision of a distribution system for district heating and cooling systems, or cost sharing with respect thereto, as required to satisfy the requirements set out in Section 7.3 of the Secondary Plan; and
- (e) funding for public art as set out in accordance with Section 9.2.16 of the Secondary Plan.

In addition to the requirements set out in Sections 9.2.4 through 9.2.16 of the Secondary Plan, land and/or financial contribution towards school facilities will be secured through agreements entered into between the Toronto District School Board and the Toronto Catholic District School Board with each landowner, all parties acting reasonably, as a condition of passing a Zoning By-law to permit development in accordance with the uses and densities permitted by the Secondary Plan for each landowners' holdings.

Given the increase in proposed height, the Official Plan would require the provision of Section 37 benefits. Staff has not been able to reach an agreement on the Section 37 contribution at the time of writing of this report. Staff will report directly to the February 18, 2014 meeting of Toronto and East York Community Council via a supplementary report regarding the Section 37 benefits that have been secured, and form part of the draft Zoning By-law.

### **Public Art**

The Fort York Neighbourhood Secondary Plan identifies that each landowner in the Secondary Plan area is required to prepare and submit for approval a Public Art Plan, prior to, or in conjunction with, its first site plan application for its holdings. The Public Art Plan is required to provide: a general description of the guidelines for the Public Art Plan; identification of public art priorities and potential site opportunities; a description of proposed competition methods for the selection of artists and art projects; a preliminary estimate of budget; and a description of the administration process required to implement the Public Art Plan.

The applicant has submitted a Site Plan Control Application for Phase 1 of the project, the 7-storey non-residential building. Staff has identified the requirement of for Public Art as part of each phase of the development proposal.

### **Conclusion**

Subject to the further resolution of technical matters identified in the recommendations section, the proposal is appropriate development for the site. Planning staff recommend approval of the proposal consistent with the draft Official Plan Amendment as contained within Attachment 8.

Staff will report directly to the February 18, 2014 meeting of Toronto and East York Community Council via a supplementary report regarding the Section 37 benefits that have been secured, and form part of the draft Zoning By-law.

The draft Zoning By-law will also be available prior to the February 18, 2015 meeting of Toronto and East York Community Council.

Staff has recommended that a number of matters be resolved prior to the introduction of Bills to City Council. Should the review of outstanding technical information result in significant revisions to the performance standards contained within the draft Zoning By-law, staff will report back with a supplementary report outlining the modifications required to the draft Zoning By-law, and any associated Agreement(s), and the reasons for such.

## **CONTACT**

Lynda Macdonald, Manager  
Tel. No. (416) 392-7618  
Fax No. (416) 392-1330  
E-mail: lmacdon1@toronto.ca

## **SIGNATURE**

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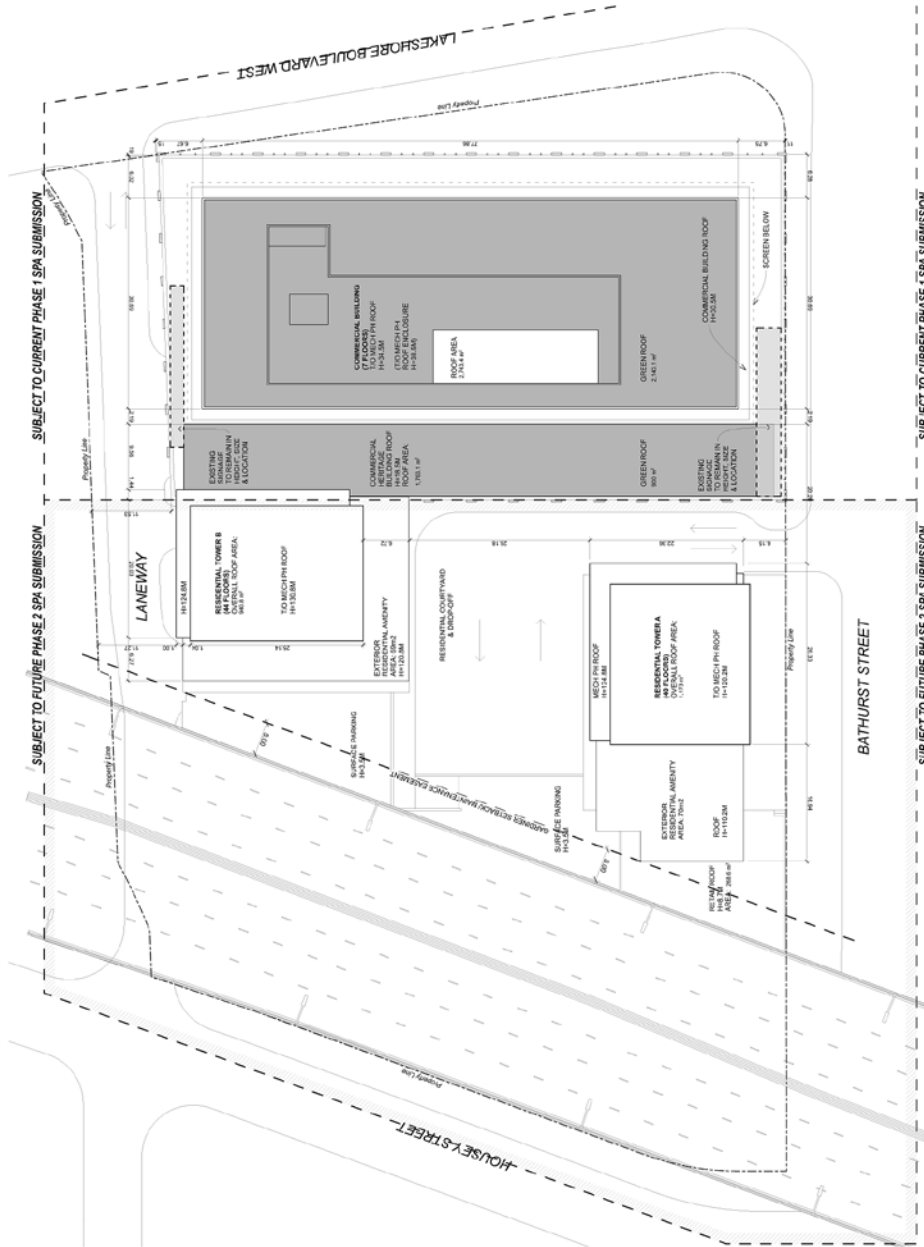
Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations  
Attachment 3: Elevations  
Attachment 4: Elevations  
Attachment 5: Elevations  
Attachment 6: Zoning  
Attachment 7: Official Plan  
Attachment 8: Application Data Sheet  
Attachment 9: Draft Official Plan Amendment  
Attachment 10: Draft Zoning By-law Amendment  
Attachment 11: Engineering Conditions

# Attachment 1: Site Plan

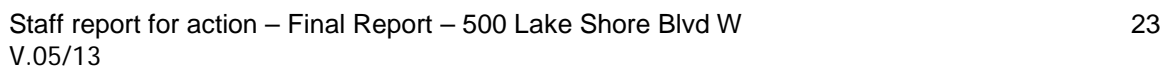


500 Lake Shore Boulevard West

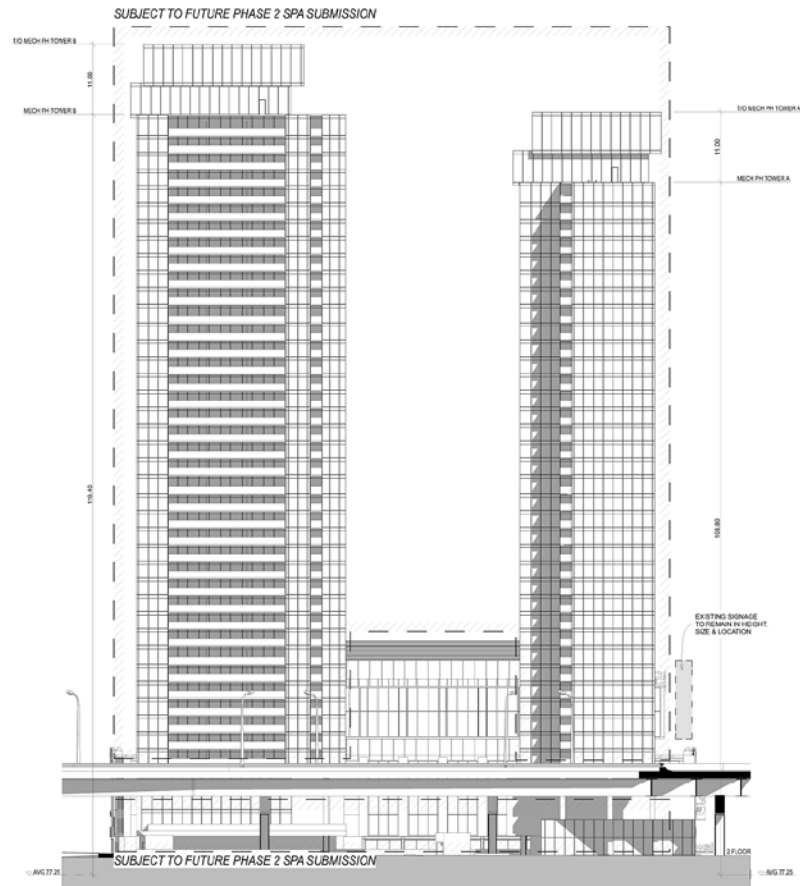
Site Plan  
 Applicant's Submitted Drawing  
 Not to Scale  
 01/16/2015

File # 13 204585 STE 20 0Z

**Elevations** **500 Lake Shore Boulevard West**  
**Applicant's Submitted Drawing**  
 Not to Scale  
 01/16/2015 **File # 13 204585 STE 20 02**



### Attachment 3: Elevations



North Elevation

## Elevations

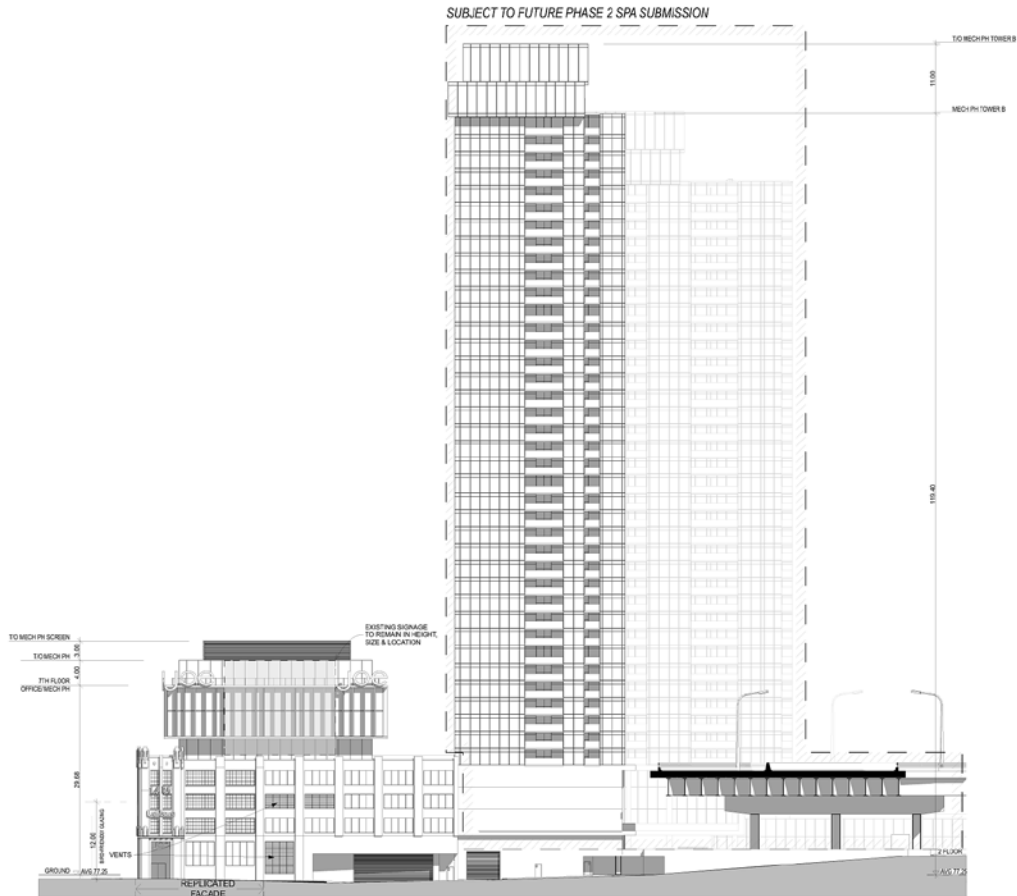
## 500 Lake Shore Boulevard West

Applicant's Submitted Drawing

Not to Scale  
01/16/2015

File # 13 204585 STE 20 02

## Attachment 4: Elevations



East Elevation

### Elevations

Applicant's Submitted Drawing

Not to Scale  
01/16/2015

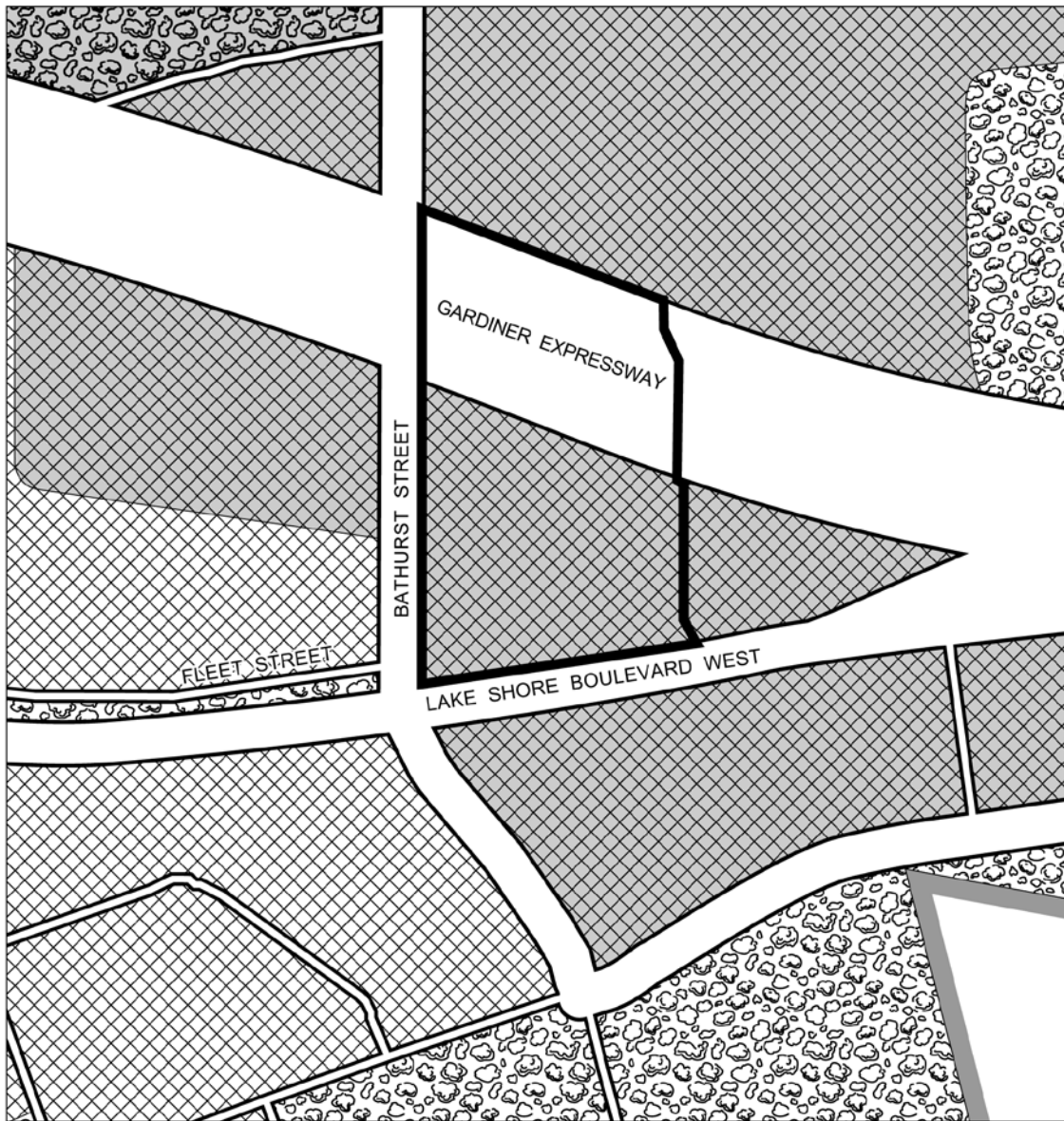
500 Lake Shore Boulevard West

File # 13 204585 STE 20 02

Architectural elevation drawing of a building facade. The drawing shows a tall, multi-story building with a grid-like facade. To the right of the main building is a smaller, more detailed section labeled 'REPLICATED FACADE'. Various annotations are present, including 'SUBJECT TO FUTURE PHASE 2 SPA SUBMISSION' at the top, 'EXISTING SIGNAGE TO REMAIN IN HEIGHT, SIZE & LOCATION' near the base of the main building, and 'REPLICATED SIGN POLE' near the bottom right. A vertical scale on the right side indicates heights: 11.00, 500.00, 4.00, 29.68, and 60.00. Other labels include 'TO MECH PH TOWER A', 'MECH PH TOWER A', 'TO MECH PH SCREEN', 'TO MECH PH', '7TH FLOOR OFFICE MECH PH', 'EXTERIOR AMBULEY', 'CANOPY', 'CANOPY', 'GROUND', and 'REPLICATED FACADE'.

File # 13 204585 STE 20 OZ

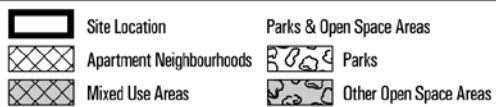
## Attachment 6: Official Plan



**Toronto** City Planning  
Official Plan

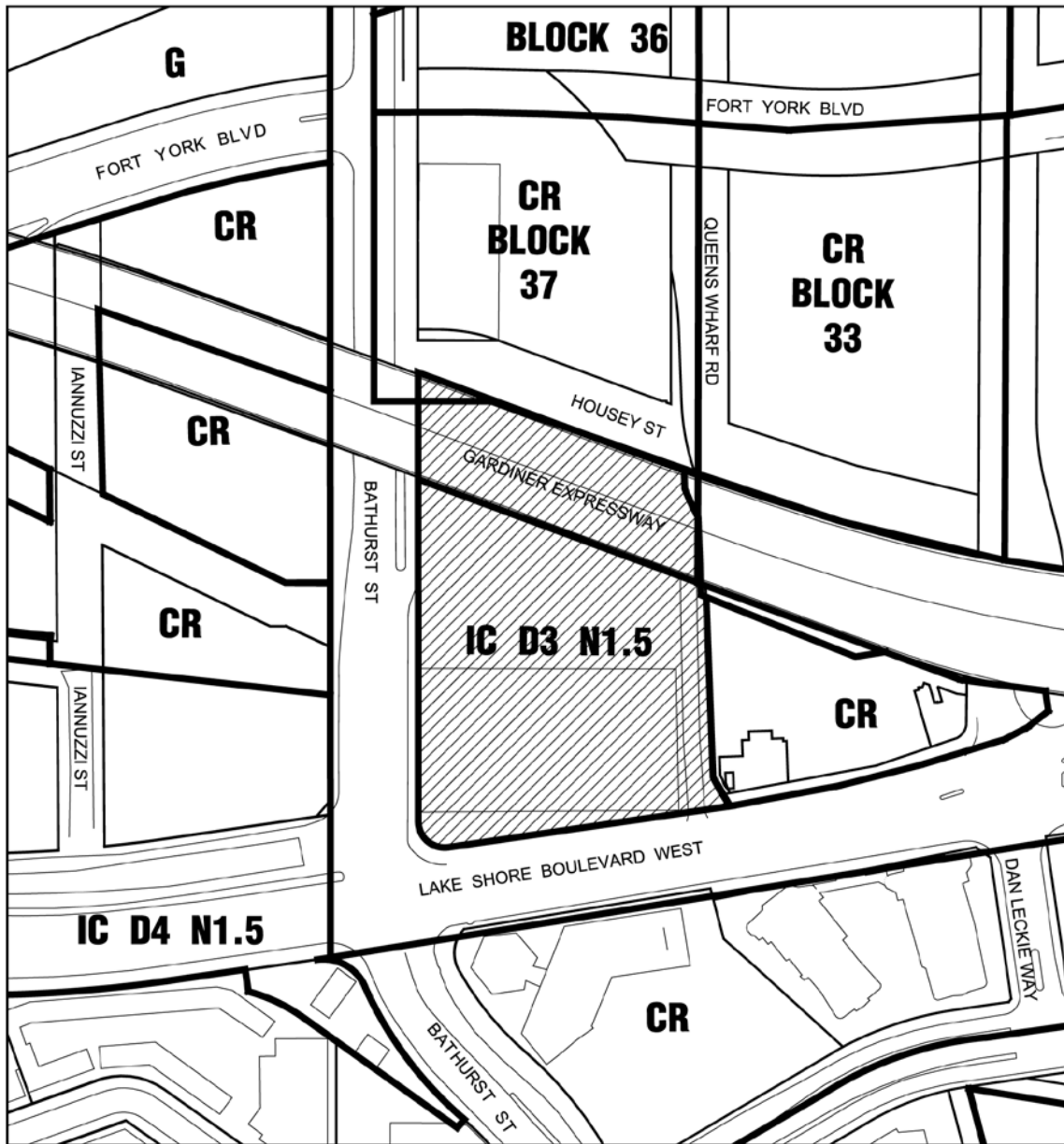
500 Lake Shore Boulevard West

File # 13 204585 02



↑  
Not to Scale  
09/23/2013

## Attachment 7: Zoning



**Toronto** City Planning  
**Zoning**

**500 Lake Shore Boulevard West**

File # 13 204585 0Z

IC Industrial District  
CR Mixed-Use District  
G Parks District

Not to Scale  
Zoning By-law 438-86 (as amended)  
Extracted 09/23/2013

**Attachment 8: Draft Official Plan Amendment**

**CITY OF TORONTO**

**Bill No. ~**

**BY-LAW No. ~-2014**

**To adopt an amendment to the Official Plan for the City of Toronto  
respecting the lands known municipally in the year 2014 as  
500 Lake Shore Boulevard West**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

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

1. The attached Amendment No. 302 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 2015.

JOHN TORY  
Mayor

ULLI S. WATKISS,  
City Clerk

(Corporate Seal)

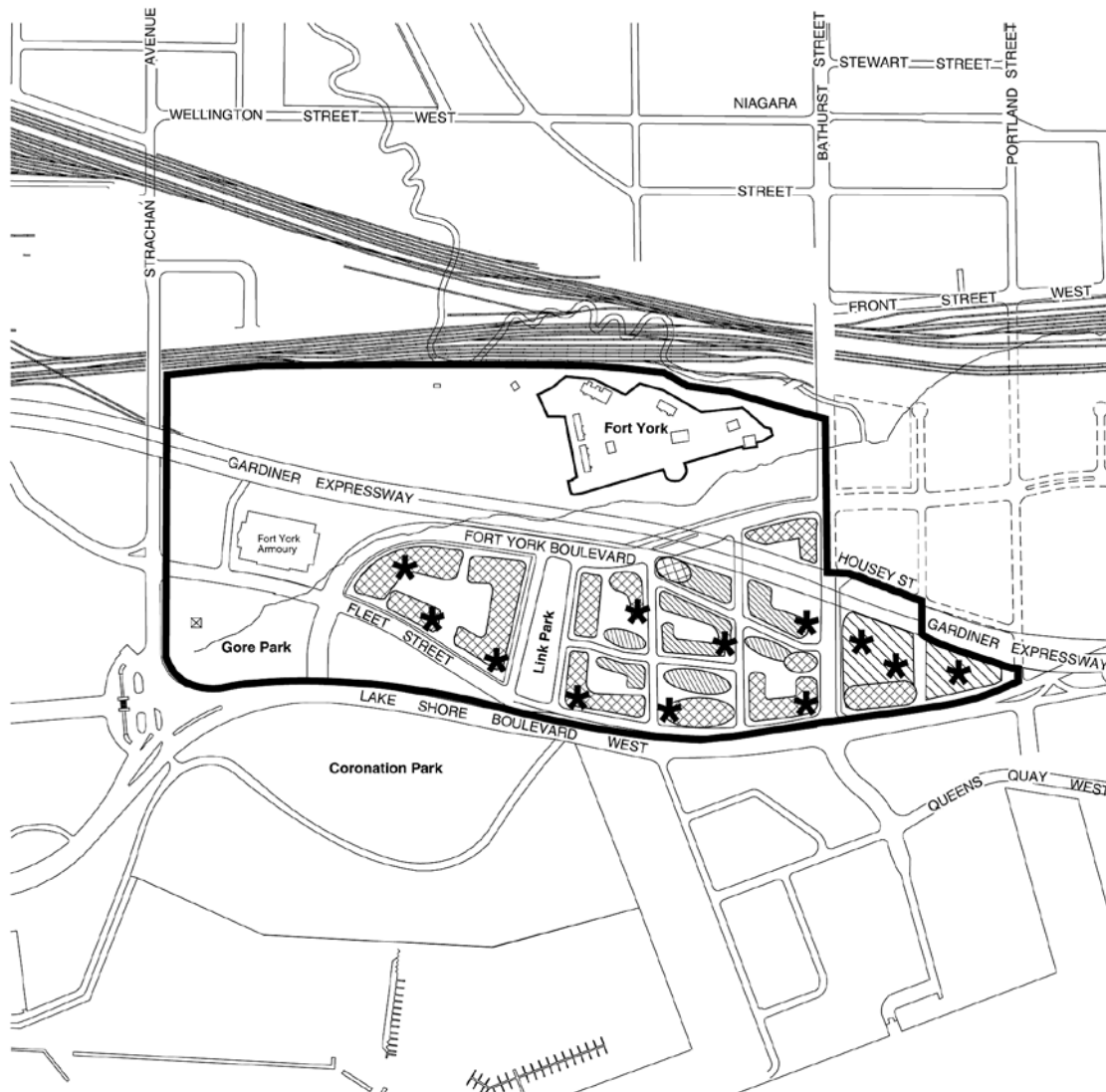
**AMENDMENT NO. 302 TO THE OFFICIAL PLAN**  
**LANDS MUNICIPALLY KNOWN IN THE YEAR 2014 AS**  
**500 LAKE SHORE BOULEVARD WEST**

---

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 amended as follows:
    - (c) Block 8- maximum gross floor area of 76,700 square metres
  - ii. "Section 8. Heritage and Culture", policy 8.9 shall be amended as follows:

"Any new development of 500 Lake Shore Boulevard West shall conserve the Lake Shore Boulevard West and Bathurst street facades of the former Loblaws warehouse building. The height and built form objectives set out in Section 4 of this Secondary Plan in retaining historic facades will not be compromised, notwithstanding the heritage conservation policies of the Official Plan."
  - iii. 'Map 13 - 4 – Height Zones' is amended as shown on the attached Schedule 1.



Not to Scale



## Fort York Neighbourhood Secondary Plan

MAP 13-4 Height Zones

- Secondary Plan Boundary
- Low-Rise (4-6 storeys)
- Mid-Rise (7-15 storeys)
- Potential Tower Location

January 2015

## **Attachment 9: Draft Zoning By-law Amendment**

To be available prior to the February 18, 2015 meeting of Toronto and East York  
Community Council

## Attachment 10: Application Data Sheet

Application Type	Official Plan Amendment & Rezoning	Application Number:	13 204585 STE 20 OZ
Details	OPA & Rezoning, Standard	Application Date:	July 15, 2013
Municipal Address:	500 LAKE SHORE BLVD W		
Location Description:	PLAN D1397 PT HOUSEY ST PLAN D1429 PT BLKS 1 AND 2 RP 66R22509 PARTS 1 TO 8 11 24 AND 32 **GRID S2016		
Project Description:	Application to construct an 8 storey commercial building of approximately 20,125 square metres fronting onto Lake Shore Blvd West, with two residential towers at the rear. The residential towers will be 38 and 43 storeys in height containing 876 dwelling units in total with a residential gross floor area of 58,982 square metres. Five levels of underground parking is proposed with a total of 695 parking spaces.		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
SHERMAN BROWN DRYER KAROL ADAM BROWN		ARCHITECTS ALLIANCE DAVID AGRO	LOBLAW PROPERTIES LIMITED

### PLANNING CONTROLS

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

### PROJECT INFORMATION

Site Area (sq. m):	13956	Height:	Storeys:	43
Frontage (m):	81.9		Metres:	130.4
Depth (m):	170			
Total Ground Floor Area (sq. m):	5738			<b>Total</b>
Total Residential GFA (sq. m):	57290		Parking Spaces:	605
Total Non-Residential GFA (sq. m):	26120		Loading Docks	9
Total GFA (sq. m):	83410			
Lot Coverage Ratio (%):	41			
Floor Space Index:	6			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	766
2 Bedroom:	0
3 + Bedroom:	85
Total Units:	851

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	57290	0
Retail GFA (sq. m):	8500	0
Office GFA (sq. m):	13434	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	4186	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Marian Prejel, Senior Planner</b>
	<b>TELEPHONE:</b>	<b>(416) 392-9337</b>

## **Attachment 11: Engineering Conditions**

1. Prior to introducing the necessary Bills to City Council for enactment, the owner shall ensure arrangements are in place or shall have entered into the necessary agreements with the City, binding the owner and its successors on title, to secure the following all to the satisfaction of the Executive Director, Engineering and Construction Services, and to the City Solicitor::
  - (a) The design, construction and conveyance of the following roads and municipal services at no cost to the City and on terms set out in the agreement:
    - i. Dan Leckie Way, between Housey Street and Lake Shore Boulevard West, including the intersections; and
    - ii. Housey Street, between Bathurst Street and Dan Leckie Way, including the intersections.
  - (b) Payment, of a financial contribution towards the costs to undertake the modifications to the intersection of Bathurst Street and Fort York Boulevard, (the "Bathurst/Bremner Intersection Improvements" consistent with the cost-sharing provisions outlined in the July 18, 2003 report prepared by the Commissioner of Works and Emergency Services, and adopted by Council at its meeting of July 22, 23, and 24, 2003(Clause 4, Toronto and East York Community Council Report No. 7) respecting landowners in the Fort York neighbourhood and Railway Lands West. The payment shall be made and secured on terms set out in the agreement and the contribution will be based on 5.98 percent of the Construction Costs of the Bathurst Street Intersection Improvements. For the purpose of the calculation the Bathurst Construction Costs will be an amount not exceeding \$9,000,000 indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from January 2005 to the date of notice from the City to the owner that payment is required;
  - (c) The design and construction of the vehicular access driveway on Lake Shore Boulevard West in accordance with an approved Functional Plan, as more particularly described in Condition No. (d) below;
  - (d) A fully-dimensioned Functional Road Plan, in metric scale, which illustrates the following, for review and acceptance by the General Manager of Transportation Services:
    - (i) The tapered deceleration lane to the access driveway off Lake Shore Boulevard, generally as shown on Figure 1, "Lakeshore Access Proposed Design" prepared by LEA

Consulting under date of July 20, 2005, as amended by the "Option A" Sketch appended to a letter dated March 29, 2007 to John Kelly, Transportation Services from Mario Fatica, on behalf of the owner;

- (ii) The proposed curb bump-out on the west side of the access driveway off Lake Shore Boulevard generally as illustrated on the "Option A" Sketch appended to a letter dated March 29, 2007 to John Kelly, Transportation Services from Mario Fatica, on behalf of the Owner;
  - (iii) The proposed new centre median opposite the access driveway of Lake Shore Boulevard generally as illustrated on the "Option "A" Sketch appended to a letter dated March 29, 2007 to John Kelly, Transportation Services from Mario Fatica, on behalf of the owner;
  - (iv) All revisions to the existing curb line on Lake Shore Boulevard West proposed in conjunction with the above noted tapered deceleration lane, curb bump out and new centre median;
  - (v) Proposed revisions to existing lane widths and pavement markings on Lake Shore Boulevard;
  - (vi) The proposed colonnade at the southeast corner of the building to be secured as a pedestrian easement to augment the sidewalk width (note: the dimensions of this area must be clearly indicated on the plan, including vertical clearance and minimum widths between building columns);
  - (vii) The proposed alignment of the public sidewalk on both sides of this access driveway;
  - (viii) Minimum dimensions between the proposed colonnade at the southeast corner of the building and the curbing for Lake Shore Boulevard West and the driveway; and
  - (ix) Driveway dimensions for the new access.
- (e) The ongoing obligations of a number of easements required to be conveyed, to the satisfaction of the Executive Director of Engineering and Construction Services and the City Solicitor, in consultation with the General Manager of Transportation Services, such easements as more particularly described below:

- (i) The owner shall prepare documents and amend or consolidate the existing easements on the site or shall convey a new easement to the City, over the lands under the F.G. Gardiner Expressway, as required by and to the satisfaction of the Executive Director of Engineering and Construction Services and the City Solicitor, for the purpose of maintaining, repairing, modifying and reconstructing the Gardiner Expressway, including supporting columns, and for the purpose of the possible future dismantling of the Gardiner Expressway, together with necessary support rights and access which includes access to the proposed parking (including covered parking), below grade parking, courtyard and rooftop areas of buildings or structures located under the F. G. Gardiner Expressway. Such easement interest to include the ability to temporarily cordon off the parking and loading areas as necessary for the purpose of enjoyment of the easement rights provided.
- (ii) The owner shall convey to the City an at grade 5.0 metre wide maintenance easement abutting the south face of the vertical extension of the F. G. Gardiner Expressway as required by and to the satisfaction of the Executive Director, Engineering and Construction Services and the City Solicitor for the purpose of maintaining, repairing, modifying and reconstructing the Gardiner Expressway, including supporting columns, and for the purpose of the possible future dismantling of the Gardiner Expressway, together with necessary support rights and access.
- (iii) The owner shall prepare documents and amend or consolidate the existing easements on the site or convey a new easement to the City, as may be required and to the satisfaction of the Executive Director of Engineering and Construction Services and the City Solicitor for the purpose of construction, operation, maintenance, repair, alteration and reconstruction of new storm sewer system intercepting the downspouts from the F. G. Gardiner Expressway, together with the necessary support rights and access.
- (iv) The owner shall prepare documents and amend or consolidate the existing easement on the site or convey a new easement, as required by and to the satisfaction of the Executive Director of Engineering and Construction Services in consultation with the General Manager of Toronto Water and the City Solicitor for the purpose of maintaining, repairing, modifying and

reconstructing of the existing storm sewer and storm maintenance hole located at the northwest corner of the site. The easement shall extend 10 metres south (or other narrower width to the satisfaction of the Executive Director of Engineering and Construction Services) of the existing storm sewer and storm maintenance hole.

- (v) The owner shall prepare documents and amend or consolidate the existing City easement on the site or convey a new easement as may be required by and to the satisfaction of the Executive Director, Engineering and Construction Services in consultation with the General Manager of Toronto Water and to the satisfaction of the City Solicitor for the purpose of construction, operation, maintenance, repair, alteration and reconstruction of the Garrison Creek Culvert sewer system, together with the necessary access thereto and rights of support. The Garrison Creek Culvert easement shall be 20.0 metre wide or other narrower widths to the satisfaction of Executive Director of Engineering and Construction Services in consultation with the General Manager of Toronto Water.
  - (vi) The owner shall convey all easements contemplated in these conditions to the City at no cost, for nominal consideration and free and clear of encumbrances.
  - (vii) The owner shall prepare and deposit at its own expense a form of reference plan satisfactory to the Executive Director Engineering and Construction Services describing the easements to be conveyed to the City as contemplated in these conditions.
  - (viii) The owner is required to make payment by certified cheque payable to the City of Toronto in the amount of \$2,500.00 for cost recovery of 100% of the cost of the installation of traffic control signals and related road modification(s) at the intersection of Lake Shore Boulevard West and Dan Leckie Way and which payment relates to the installation of a signal loop detector only.
2. Before introducing the necessary Bills to City Council for enactment, the owner is required to submit the following to the satisfaction of the Executive Director, Engineering and Construction Services, the City Solicitor, and the Chief Planner and Executive Director, City Planning Division:
- (a) A plan showing the location of lands to be dedicated for roads purposes;

- (b) A list of proposed improvements and/or financial contributions towards roads improvements;
  - (c) A Construction Management Plan for the entire development site which includes monitoring programs.
- 3. Before introducing the necessary Bills to City Council for enactment, the owner is require to:
  - (a) Provide a standalone report prepared by a professional engineer addressing all the items for the protection and monitoring of the Garrison Creek Culvert (prior to any work occurring on the site and during the construction of the proposed development) to the satisfaction of the Executive Director of Engineering and Construction Services;
  - (b) Provide to the satisfaction of the Executive Director of Engineering and Construction Services, a standalone report prepared by a professional engineer for the protection and monitoring of the existing storm sewer system that encroaches onto the northwest corner of the site (prior to any work occurring on the site and during the construction of the proposed development); and
  - (c) Provide a standalone report prepared by a professional engineer addressing all the items for the protection and monitoring of the F.G. Gardiner Expressway ( prior to any work occurring on the site and during the construction of the proposed development) to the satisfaction of the Executive Director of Engineering and Construction Services.