

**Planning Justification Report
Shoreline Towers Inc. Proposal
2313 & 2323 Lake Shore Boulevard West**

**Prepared by
PMG Planning Consultants
November 18, 2014**



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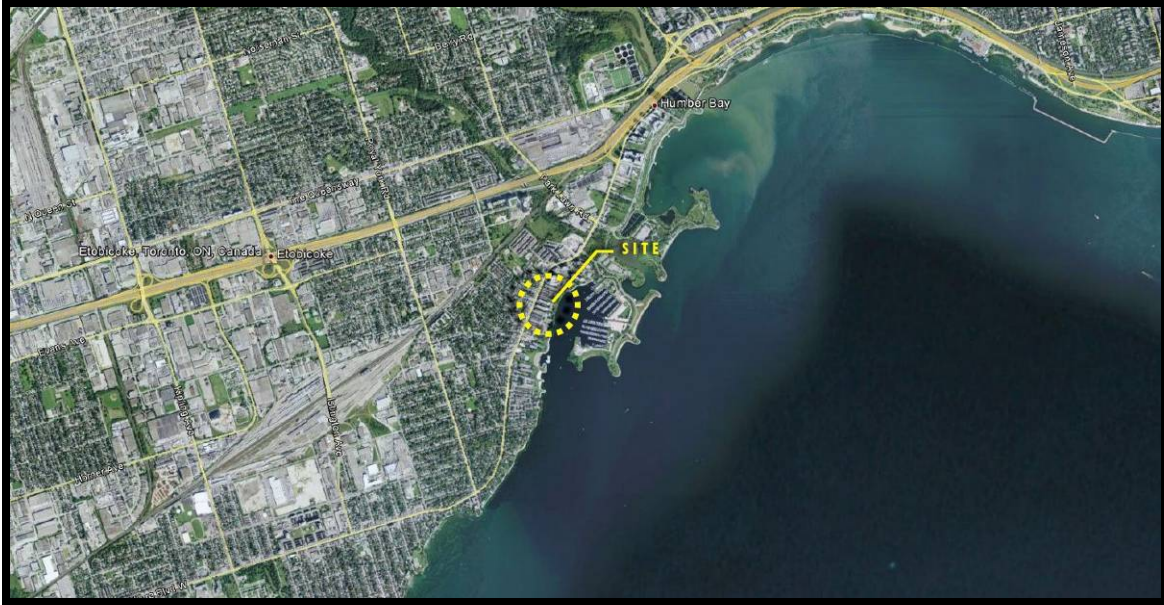
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Introduction

This Planning Justification Report is in support of a Re-zoning, Application to allow for the development proposal by Shoreline Towers Inc. at 2313 - 2323 Lake Shore Boulevard West in the Etobicoke/Mimico waterfront. The site is located in the Mimico Area of South Etobicoke, and backs onto the bay area created by Humber Bay Park West.



Air Photo, Context Area



Air Photo, Site in Context

The site is within the Mimico 20/20 study area. Coordination with the study is discussed in detail in this report.

The site is currently occupied by 2, 10-storey rental apartment buildings with 1 level of underground parking, and surface parking between the buildings and the lake. Shoreline Towers Inc. purchased the property in December 2008, and since then, has been involved in a program to improve the existing rental buildings.

The existing rental buildings are proposed to be retained. A 25 storey condominium is proposed to be developed on the surface parking located between the buildings and the lake. Replacement rental resident's parking is proposed to be located in the first underground level of the new development.

A 5 storey podium is proposed to maintain views to the lake from the upper levels of the existing buildings. The tower portion of the building frames the east side of the existing courtyard. This also allows the development to have a presence from Lake Shore Blvd. The proposed development extends the courtyard through an opening in the building to maintain views and access to the water's edge. Vehicular access is through a one-way loop around the existing buildings.

The building is designed to provide an active edge to the waterfront and Martin Goodman Trail, with a lobby entrance and grade related units fronting the lake. When the lands to the north develop, ½ the right-of-way for the proposed loop road will be dedicated, allowing a further public connection to the waterfront.



Aerial View from Lake Ontario looking northwest

Provincial Policy Statement, 2014 (“PPS”)

The PPS, 2014 came into effect April 30, 2014. It replaces the PPS, 2014 issued March 1, 2005. The proposal is consistent with the PPS, 2014 policy directions particularly with respect to the policies that promote intensification and redevelopment that efficiently use land and resources and efficiently use the infrastructure and public service facilities. Relevant policies are found in sections 1.1.1 and 1.1.3.

The Growth Plan for the Greater Golden Horseshoe (“Growth Plan”)

The property is identified in the Growth Plan to be located within the built-up areas. Similar to the PPS, the Growth Plan supports mixed-use intensification within built-up urban areas. The proposal is consistent with the policies of the Growth Plan.

Current Official Plan

The site is designated “Apartment Neighbourhoods” in Map 15, the Land Use Plan, the adjacent TRCA lands are designated “Parks”. The discussion portion of the Official Plan states that “Built up Apartment Neighbourhoods are stable areas of the City where significant growth is generally not anticipated. There may, however, be opportunities for additional townhouses or apartments on underutilized sites and this Plan sets out criteria to evaluate these situations.”



4.2.2. Development in Apartment Neighbourhoods will contribute to the quality of life by:

- a) locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale Neighbourhoods:
- b) locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale Neighbourhoods, particularly during the spring and fall equinoxes:
- c) locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces:
- d) including sufficient off-street motor vehicle and bicycle parking for residents and visitors:
- e) locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences:
- f) providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development:
- g) providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces: and
- h) providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities.

The development portion of the lands is located well away from any lands designated “Neighbourhoods”, and is separated from the lower buildings along Lake Shore Boulevard West by the existing 10-storey rental buildings on the western portion of the site. The massing frames the waterfront park edge, and provides overlook to improve casual surveillance and safety in the park. Sufficient motor vehicle and bicycle parking is provided, as indicated in the accompanying transportation analysis, and servicing for both the existing rental building and the proposed condominium development is enclosed within the new building. Both indoor and outdoor (rooftop terrace) amenity areas are provided for the new condominium, and the design improves the access to the waterfront from the current courtyard between the rental buildings. The new building will be barrier-free accessible. The building creates its Lake Shore address by fronting the existing courtyard, and also provides both a common building entrance, and ground floor unit entrances fronting onto the waterfront park.

4.2.3. Significant growth is generally not intended within developed *Apartment Neighbourhoods*. However, compatible infill development may be permitted on a site containing an existing apartment that has sufficient underutilized space to accommodate one or more new buildings while providing good quality of life for both new and existing residents. Infill development that may be permitted on a site containing an existing apartment building will:

- a) meet the development criteria set out in Section 4.2.2 for apartments;
- b) maintain an appropriate level of residential amenity on the site;
- c) provide existing residents with access to the community benefits where additional height and/or density is permitted and community benefits are provided pursuant to Section 5.1.1 of this Plan;
- d) maintain adequate sunlight, privacy and areas of landscaped open space for both new and existing residents;
- e) organize development on the site to frame streets, parks and open spaces in good proportion, provide adequate sky views from the public realm, and create safe and comfortable open spaces;
- f) front onto and provide pedestrian entrances from an adjacent public street wherever possible;
- g) provide adequate on-site, below grade, shared vehicular parking for both new and existing development, with any surface parking appropriately screened;
- h) preserve and/or replace important landscape features and walkways and create such features where they did not previously exist;
- i) consolidate loading, servicing and delivery facilities; and
- j) preserve or provide adequate alternative on-site recreational space for residents.

As discussed further in the Mimico 20/20 Study section of this report, the City and its consultants have recognized that the development portion of the subject lands are under utilized, and appropriate for an apartment style of development. The proposal meets the criteria set out in Section 4.2.2, as discussed above, and provides an appropriate amount of residential amenity and on-site recreational space for both the existing and proposed buildings. The proposal meets the City's distance separation standards for tall buildings. The proposed tower is offset from the existing buildings to further increase privacy, and maintain views to the lake. This location frames the courtyard between the existing buildings, which also provides a Lake Shore address for the new building. As the tower is located to the southeast of the courtyard, there is only a marginal increase in overall shadowing of this area, which occurs only in the late mornings, as shown in the accompanying shadow study. The podium frames the waterfront park edge, while still being low enough to maintain sky and lake views from the upper levels of the existing residential buildings. The podium and tower also provide overlook to improve casual surveillance and safety in the park. The opening through the building allows views from the courtyard to the lake to be maintained, and improves access to the lake by providing a dramatic new walkway where only a surface parking area currently exists. Adequate motor vehicle parking is provided, as indicated in the accompanying transportation analysis. Surface parking for the existing rental buildings along the north south and east sides of the site has been integrated into the proposed new building. Servicing for both the existing rental building and the proposed condominium development is enclosed within the new building.

Section 5.1.1 of the Official Plan speaks to the provision of Section 37 benefits where the permissions for an increase in height and density have been granted. Shoreline Towers Inc. recognizes that approval of the accompanying re-zoning application may trigger the use of Section 37, and is prepared to work with the City to determine which benefits may

bear a reasonable planning relationship to the proposed increase. Shoreline Towers Inc. also recognizes that the proposed development itself is a benefit to the area, as stated in the staff open house presentation held on February 25, 2008:

STUDY RATIONALE / WHY NOW

1. New Official Plan targets growth along 'Avenues' (Lake Shore Boulevard West)
2. For City staff to take a 'proactive' approach in the development review process
3. To continue revitalization momentum from the Mimico Waterfront Linear Park
4. 'Apartment Strip' at life cycle stage, where ideas for renewal or enhancement are required
5. Proactive approach towards integrating the future Transit City – Light Rail expansion into the community
6. Because the community has said: "It's time"!

And as anticipated in the December 18, 2007 Information Report, this development can be the first step in realizing the "implementation strategy for the Mimico-By-The-Lake Community revitalization initiative."

Mimico 20/20 Study

The Mimico 20/20 Study area is located along Lake Shore Boulevard West. The property is located within the study area, as shown.



Mimico 20/20 Study Area and Site

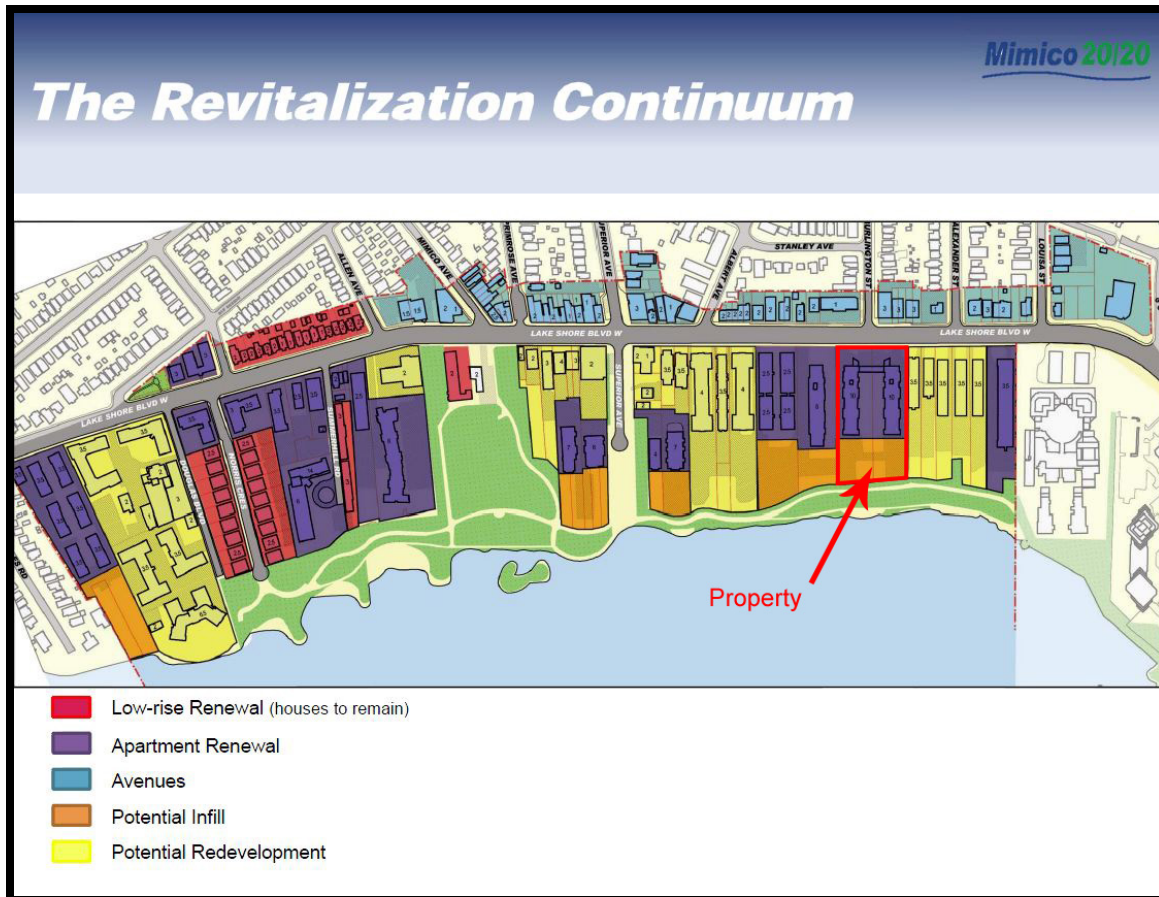
This portion of Lake Shore Boulevard West is an "Avenue", as shown on Urban Structure Map 2 of the Official Plan.



Partial Official Plan Urban Structure Map 2

In the January 30, and December 18, 2007 reports, staff have referred to the Mimico 20/20 study as advancing the work on implementation of the “Avenues” Designation for this portion of Lake Shore Boulevard West. But the Mimico 20/20 study differs from the Official Plan policies in the following significant ways:

1. The Avenue studies are intended to focus only on the Mixed Use segments of the particular Avenues being studied. “2.2.3.1 Reurbanizing the Avenues will be achieved through the preparation of Avenue Studies for strategic mixed use segments of the corridors shown on Map 2.” The Mimico 20/20 study identifies a continuum of types of revitalization, of which only one element is on lands designated “Mixed Use”, and of the type contemplated in Section 2.2.3 of the Official Plan. The subject site is not within the “Mixed Use” designation, and was originally contemplated for Apartment Renewal and Potential Infill in the Mimico 20/20 Study.



From Workshop Presentation June 5, 2012

2. **Policy 2.2.3.2 b) indicates that one of the outcomes of an Avenue Study will be the implementation of as-of-right zoning.** 2.2.3.2 To facilitate and shape growth, each Avenue Study will engage local residents, businesses, the TTC and other local stakeholders and will set out:
 - b) contextually appropriate as-of-right zoning and other regulations designed to achieve high quality development along the Avenue which establishes:
 - i) permitted uses and maximum density and height limits;
 - ii) appropriate massing, scale, siting and organization of buildings;
 - iii) appropriate scale transitions to adjacent areas;
 - iv) restrictions on parking at-grade and driveways in front of buildings;
 and
 - v) transit-supportive measures such as:
 - (1) minimum development densities;
 - (2) maximum and minimum parking standards; and
 - (3) restrictions on auto-oriented retailing and services.

The staff recommendations of May 30, 2013, and Council decision of July 19, 2013 for the Mimico 20/20 study have only resulted in the adoption of a Secondary Plan and Urban Design Guidelines for the area. Documentation from the June 5, 2012

workshop show that a zoning amendment was never intended as part of the study process.



From Workshop Presentation June 5, 2012

I believe that in order to ensure that the proposed Secondary Plan and Urban Design Guidelines will be workable, and will realistically act as an impetus to positive change, the general objectives need to be applied to a more detailed design exercise for the site. The objectives direct the design, but the design process also provides necessary feedback for refinement of the Secondary Plan and Urban Design Guidelines.

Avenue Policy 2.2.3. 3b) states that: Development requiring a rezoning will not be allowed to proceed prior to completion of an Avenue Study unless the review demonstrates to Council's satisfaction that subsequent development of the entire Avenue segment will have no adverse impacts within the context and parameters of the review. As stated above, the Mimico 20/20 study does not fall under the parameters of an Avenue study as it relates to lands designated "Apartment Neighbourhoods". Even if it were deemed to be an Avenue Study, the study process would not be complete without engaging in the process to develop new zoning for the lands.

We have therefore done the more detailed work and filed a rezoning application for our client's lands. We also believe that, as per the Official Plan policies for the Avenues, the Secondary Plan and Urban Design Guidelines should be considered together with this re-

zoning. As zoning is not proposed as part of the study process, and we were unable to file a re-zoning application prior to Council's decision on the Secondary Plan and Urban Design Guidelines, we have appealed the Secondary Plan. We believe that a review of this re-zoning application can shed valuable light on problems within the Secondary Plan, and we see value in having them considered together.

Change in Study Direction

The study documents and Secondary Plan presented at and subsequent to the November 8 2012 Open House, show that the process has lost sight of the original mandate, which is to encourage the revitalization of the Mimico area through re-investment and development. The study and proposed Secondary Plan instead present a comprehensive set of roadblocks which will ensure that no redevelopment or revitalization will occur.

The easiest way to start the revitalization process is on lands that do not require assembly of multiple properties, or the demolition of existing rental buildings. Those lands were identified as Potential Infill sites on the Revitalization Continuum map presented at the June 5, 2012 workshop. Lands in Precinct C originally shown for infill have been changed to require the demolition of existing rental buildings. The remainder of those lands primarily exists in Precinct B, but the study and Secondary Plan have taken significant measures to ensure that no development occurs on those lands.

The January 29, 2013 Community Services Gap Analysis indicates that the area east of Lakeshore is identified as being "parks rich" with 1.9 ha/1000 people. That figure only includes local parks, and does not include consideration of the many other parks and recreation spaces in the area. Despite this finding, the study and Secondary Plan call for the dedication of a 20+ metre wide strip of parkland across the entire eastern side of the subject lands. This is also despite the purchase of water lots in 2005 and the completion of a new park on these purchased water lots virtually at the same time as these recommendations were being brought forward.

The November 8th display boards show an Erosion Hazard Limit and a 10 metre setback to that limit. Both lines project onto the subject lands. The extent of the Parks and Proposed Open Space designations is coincident with the extent of the 10 metre setback.

As mentioned above, the TRCA has recently completed the extension of the Martin Goodman trail through a program of lake fill on the purchased water lots. This entire shoreline is protected from long-shore currents and open lake wave action by the Humber Bay lake fill parks. Also, the water's edge has been constructed using sloped rip-rap, with piled rocks under the bridges crossing the artificial bays. Mark Rapus of the TRCA has advised that the Erosion Hazard Limit was determined based on the estimated erosion in 100 years should the shoreline protection be allowed to erode without any maintenance taking place.

If the TRCA failed to maintain the shoreline it constructed, the Erosion Hazard line shows that almost all the lake fill would be lost, significant amounts of private lands

would be lost, and there would no longer be a continuous Martin Goodman Trail. Section 2.3.2 of the Official Plan calls for the protection and possible extension of the Martin Goodman Trail, as well as general protection and stewardship policies. Should the TRCA fail to maintain this shoreline, they will be in contravention of these policies. We recognize the TRCA's right to establish the location of the Erosion Hazard Limit, and the building has been designed accordingly. Given the policies of Section 2.3.2 of the Official Plan, the location of the Martin Goodman Trail, and a belief that the TRCA will honour its responsibility to protect the lands and Trail which it constructed, we believe that an additional building setback beyond the Erosion Hazard Limit is not required.

The study and Secondary Plan propose the introduction of a sub-standard 13.5 metre public R.O.W. adjacent to the proposed park, further into the private lands. The HDR Land Use Transportation support study for Mimico 20/20 does not require this road for traffic purposes, and does not even model this road in its traffic operations study. The proposed road appears unnecessary from a traffic movement perspective, and would bring unnecessary traffic and emissions to the waterfront.

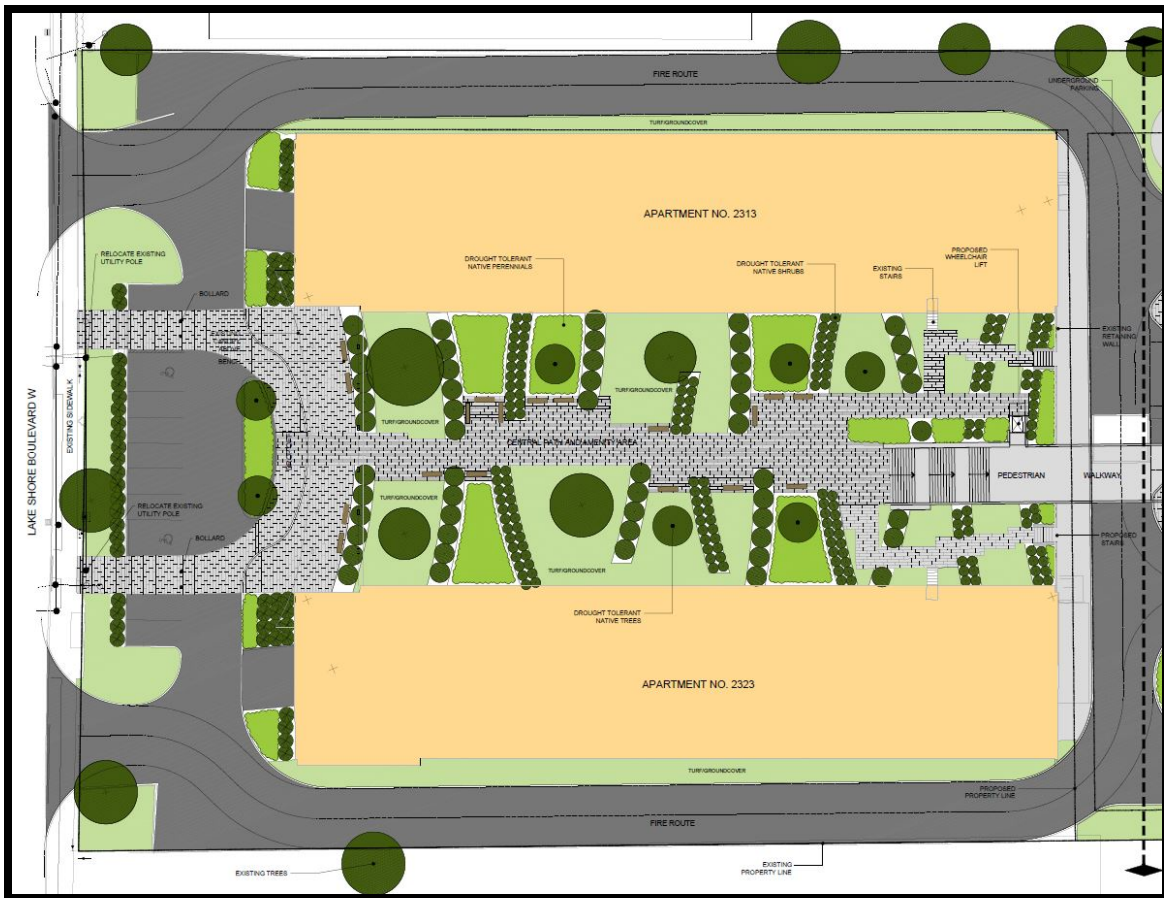
The proposed waterfront road is also not part of a continuous waterfront road connection throughout the entire Secondary Plan area. A pattern has been developed with waterfront loop roads and new midblock public streets in the precincts that anticipate a large scale demolition of existing buildings and a comprehensive redevelopment plan (Precincts A, C and F). No continuous waterfront road is proposed where only infill or no development is considered (Precincts D and E). In Precinct E, even though Policy 3.2.1 e) refers to a new street network should new development occur, only Summerhill Road is proposed to be made public. It is not proposed to be extended to provide access to the waterfront park, nor to be looped around to create a waterfront drive connecting with Norris Crescent. No waterfront road is proposed in Precinct D to cross Amos Waites Park connecting the neighbourhoods to the north and south.

Even though Policy 3.2.1 refers to both Precincts B and E as being primarily stable with some potential for future infill development, no new roads are specifically mentioned for Precinct B in Policy 3.2.1 b). Policy 3.2.1 indicates that infill development would be primarily on the existing surface parking lots, and "Should intensive redevelopment activity in this precinct occur, it shall be coordinated with the vision of Precincts A and C." This coordination is shown by allowing development in the northern portion of the Precinct to provide half the dedication for, and to have frontage on the southerly portion of the Precinct A loop road. Similarly, development of the southern parking lots would be integrated with the northern portion of Precinct C.

The exception to this pattern appears to be the mapping related to Precinct B. Maps 33.2, 33.3, 33.4, 33.5 and 33.7 specifically label a new waterfront road in Precinct B. This road is inconsistent with the Precinct area policies and pattern of roads and development in the remainder of the Secondary Plan area.

The lake front street is not required to provide a street frontage for the development portion of the subject site. The site will have frontage on the loop road proposed for the

development of Precinct A. A portion of that road is proposed to be on the subject lands. Until such time as Precinct A is able to move forward, vehicular access to the proposed development can be achieved through the current driveway system on site. Servicing can be constructed to City standards and provided under the on-site portion of the proposed road. These lands can be dedicated as a public right-of-way when Precinct A is ready to move forward. Pedestrian access and a frontage identity from Lake Shore Blvd West can be created through the design treatment of the existing courtyard, as shown on the architectural and landscape architectural plans included with this submission.



Courtyard landscape treatment

The proposed street is not required to allow this development to provide a public face to the waterfront, the Martin Goodman trail and newly constructed park lands. Official Plan policy 3.1.1.16 b) recognises that buildings can also front onto park edges. Support for this principle is echoed in the City's Infill Townhouse Guidelines. The building, as proposed provides an appropriate public front to the new park and Martin Goodman trail. The design also provides a dramatic connection to the waterfront from the existing rental buildings.



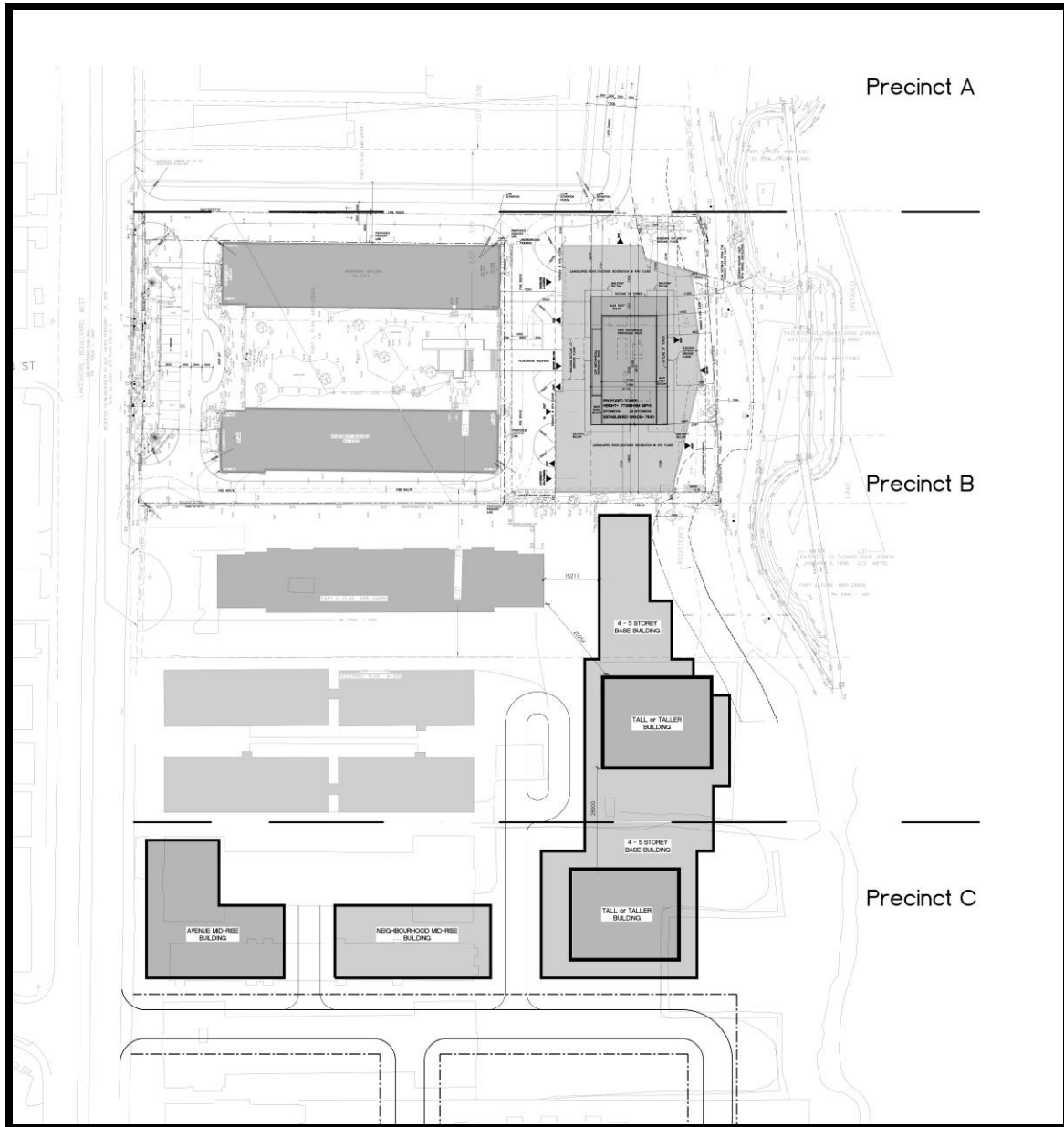
Courtyard bridge connection



Waterfront façade and stair leading to courtyard bridge connection

Staff have also argued that the proposed waterfront road is necessary to allow the other parking lots to the south within Precinct B to develop. The Secondary Plan and Guidelines propose a “Tall Building” at the east end of 2355 and 2361 Lake Shore West. This proposed tower is close to the north property line, and would be better developed with assembly with the east portion of 2345 Lake Shore West to comply. The east portion of 2335 Lake Shore West could be included in this assembly to create a 2-tower design that had street frontage on the northerly Precinct C Street, while providing a similar park edge as proposed for 2313 and 2323 Lake Shore West. This concept would address the question of development of the remainder of Precinct B lands without the creation of the waterfront street. If the street were to be provided, there would not be enough space to provide the second tower and maintain the appropriate distance

separation with the 8 storey building at 2335 Lake Shore West. There would therefore not be enough development to justify the replacement of parking for the retained rental/coop buildings, which would need to be located into a podium or underground garage in order to free up lands for the development site and the waterfront road.



Concept Context Plan

Implementation

The Secondary Plan has also established an implementation strategy that discourages redevelopment and revitalization. This includes the following:

A detailed Precinct Plan must be submitted before any application can be deemed to be complete. This will require that each property owner within a Precinct engage an architect to come up with a detailed concept for their lands even though they may not yet be ready to develop.

A draft Plan of Subdivision for the entire Precinct is typically required along with the Precinct Plan. The Planning Act will not allow a subdivision application to be submitted without the signed consent of all owners within the proposed subdivision. Even if all owners consent, Draft Plan approval will be conditional, and will require registration within a defined period of time after the approval. All public lands will need to be dedicated when the Plan is registered. This means that in order for development on 1 parcel of land to move forward, all land owners in the Precinct must be prepared to at least dedicate the portions of public land on their properties. This could involve the demolition of rental housing or the commitment to other costs associated with the required public infrastructure, all of which some land owners may not wish to undertake at this time.

The implementation policies require a public realm plan. In order to have any more value than the streetscape plans developed as part of the Mimico 20/20 Urban Design Guidelines, a landscape architect will need to be engaged to prepare detailed streetscape plans for all streets within the precinct. This cannot be done without coordinating with an adjacent development proposal, and is premature until those proposals are prepared. Similar concerns exist for the identification of vehicular access points, shared parking and pedestrian entrances.

The requirement for a Precinct Plan includes a long list of studies. Even though these studies largely duplicate the work done as part of the Mimico 20/20 study, they are being requested again. This will require all owners within a Precinct to prematurely incur unnecessary consultant costs, or the developer to front end those significant costs. Some of these studies will be covered in the background portion of site specific studies. These should provide enough confidence to ensure that future development of the remainder of the precinct can move forward without unduly committing other land owners to arbitrary restrictions that have not been considered in the context of detailed development proposals for their own lands.

Massing

The Secondary Plan and Urban Design Guidelines propose 3 massing categories for new development, mid-rise 5 to 9 storey buildings generally along Lake Shore Boulevard, tall buildings 10 to 15 stories, and taller buildings of 16 to 25 storey buildings. We have reviewed this massing and generally accept the orders of magnitude, but have concerns with the manner in which the tall and taller buildings are located.

The Guidelines show the City's standard 25 metre distance separation between towers, and all the tall buildings located along the shore with the taller buildings all located mid block. This height banding is reflected in Secondary Plan Building Heights Map 33-6.

The original 1994 Humber Bay Shores Secondary Plan and Urban Design Guidelines adopted a similar height banding philosophy. This philosophy combined with the long narrow nature of the properties and the densities resulting from the water lot dedications resulted in a fairly dense and oppressive urban environment.

In response, the City engaged Brook McIlroy to develop revised guidelines for the second phase of the Humber Bay Shores area. Brook McIlroy recognised that even in an area that was being completely transformed, land assemblies were generally limited to 2 or 3 narrow properties. They understood that under the banding philosophy of the time, they could not achieve the desired 25 metre minimum separation. In response, the resulting 2008 Guidelines recommended staggering the locations of tall buildings. This allowed them to achieve even greater distance separations of 35 to 50 metres.

Even though Humber Bay Shores is being developed at greater heights and net densities, we are concerned that the Mimico 20/20 Urban Design Guidelines and Secondary Plan, as currently structured, could result in a denser environment within redeveloped areas, as experienced at street level.

Response to Change in Direction

We have reviewed the material presented throughout the course of the study, and we are supportive of the general objectives. We agree with the need for revitalization, but we are concerned with the restrictions placed in the Secondary Plan will ensure that this does not happen. We agree with the overall order of magnitude of development, but are concerned with the manner in which it is distributed on the lands. We believe that the required parkland along the waterfront has already been taken and developed, and we agree with the Community Facilities Gap Analysis that the parkland needs east of Lake Shore have been met. We believe that the proposed development provides a desirable public front to the Martin Goodman Trail without an intermediary public road. We agree with the Transportation Study, that the waterfront road serves no transportation purpose. We believe that it is possible to service the development portion of subject site and other properties within Precinct B on a long term basis with the loop roads proposed for Precinct A and C, and that sufficient access, service and street identity can be provided on an interim basis from within the overall site. We agree that certain existing buildings should be maintained and renewed. Shoreline Towers Inc purchased the property in December 2008, and since then has undertaken approximately \$800,000 in improvements, including:

- Replaced the roof on 1 building and is currently replacing the roof on the other;
- Undertaken brick and concrete repairs around the buildings;
- Re-clad the facades of both buildings facing the lake;
- Re-painted the exteriors of both buildings;
- Re-paved the front drive;
- Re-landscape the front yard and courtyard areas;

- Undertaken interior renovations including completely refinishing the lobbies, lighting and carpet improvements and the creation of a new amenity area.

Current Zoning

Toronto Comprehensive Zoning By-law 569-2013 (Pending Appeal)

RA (f22.5; d1.5)

Permitted Uses:

- Dwelling Unit within an Apartment Building

Permitted Uses with Conditions:

- Cogeneration Energy (1)
- Community Centre (2)
- Crisis Care Shelter (3)
- Day Nursery (4)
- Group Home (5)
- Home Occupation (6)
- Library (2)
- Municipal Shelter (3)
- Nursing Home (7)
- Place of Worship (8)
- Private Home Daycare (9)
- Public Utility (10, 11)
- Renewable Energy (1)
- Residential Care Home (5)
- Respite Care Facility (12)
- Retail Store (13)
- Retirement Home (7)
- Rooming House (14)
- Secondary Suite (15)
- Seniors Community House (16)
- Transportation Use (17)

The following performance standards apply to apartment buildings:

- Minimum Frontage 22.5 metres
- Maximum Density 1.5 fsi
- Minimum Lot Area 675 m²
- No Maximum Lot Coverage
- No Maximum Number of Units
- Maximum height of 24 metres
- Minimum of 2 m²/unit indoor and 2 m²/unit outdoor amenity space
- Minimum of 40 m² outdoor amenity space directly accessible to indoor amenity space

- Minimum 6 metre front yard setback
- Minimum 7.5 metre rear yard setback
- Minimum 7.5 metre side yard setback
- Minimum distance separation between portions of buildings taller than 11 metres equal to the average heights of the main walls of the buildings

The new zoning legalizes any existing buildings which lawfully exceeded these standards, but additions or extensions need to comply with these new standards.

Approximately 25 % of the parking green space area within the property but located next to the waterfront lands purchased by TRCA is zoned Open Space (O). Required parking or private amenity areas for an apartment building are not permitted uses within the Open Space Zone, and no provisions appear to be in place to allow these uses if they were legally existing prior to the passing of this by-law .

Shoreline Towers Inc. has appealed the passing of By-law 569- 2013, primarily to align the Open Space Zone with lands acquired by TRCA.

Etobicoke Zoning Code (Town of Mimico)

The site is subject to the Etobicoke Zoning Code, which dates from the mid 1970's and Zones the majority of the lands R4. The R4 Zoning permits:

- A range of residential building types including apartment buildings and apartment hotels.
- Non residential uses including medical centres or medical and dental offices, private home daycare, a lodging house and a group home.

The following performance standards apply to apartment buildings:

- Minimum lot frontage of 22.5 metres
- Minimum 6.0 metre front yard setback
- Minimum side yard setback of 0.6 times the lesser of the height or depth of the building, which ever is greater
- Minimum landscaped open space of 35% of the lot area
- Minimum rear yard of 7.5 metres or 0.6 times the lesser of the height or depth of the building, which ever is greater
- Maximum FSI of 1.5 times

There is also a strip of Open Space zoning along the water's edge. The latest update to this zoning appears to have been done in 1999. In 2005, a severance and purchase process with the TRCA determined the amount of land to be used for open space, and created those waterfront lands. In 2012 the TRCA added lakefill and developed its lands for shoreline protection and the extension of the Martin Goodman Trail. This re-zoning application also seeks to align the Open Space Zone with lands acquired by TRCA.

Current Development

The site currently contains 2, 10-storey buildings with a total of 266 rental units, 146 resident parking spaces within a 1-storey underground garage plus 98 surface resident parking spaces and 24 surface visitor spaces.

The existing rental buildings are proposed to be retained. The 146 resident parking spaces within the existing underground garage are proposed to remain. The remaining surface spaces will be removed and replaced with 102 tenant resident spaces in the first underground level of the new building.



Air Photo, Site Prior to Lake Fill, looking northwest

Proposed Development

The proposed development includes 241 units, with a total of 224 resident parking spaces on the 2nd and 3rd underground levels, and the 4th above ground level. 10 spaces are provided at grade and 54 spaces are provided within the 1st, 2nd and 3rd above ground levels for visitors for both the existing rental and proposed condo developments. A Transportation Study prepared by Lea Consulting Ltd. has been submitted in support of this application.

The proposed development has a Gross Floor Area of 23,061.5 square metres including the above grade parking, and 19,718.9 square metres if this parking is not included. Floor Space Index for the full GFA is 4.32 and 3.69 when parking is not included. This is measured against the remaining lot intended for the condominium. That lot includes an 8 metre wide strip of land extending along the north side of the site to provide a legal frontage along Lake Shore Boulevard as an interim condition (See drawing SPA101). The final condition can occur when Precinct A develops. At that time, the northerly 8

metres of the site will be dedicated as half the public road allowance of the southerly section of the loop road intended for Precinct A (See drawing SPA102). The 8 metre wide public right-of-way will extend easterly to the newly created park lands and Martin Goodman Trail allowing a pedestrian bicycle connection to the new loop road. The Mimico 20/20 Urban Design Guidelines and the Secondary Plan show the Precinct A loop road as having a 16.5 metre right-of-way width. Due to the location of the existing rental building on site, it is only possible to dedicate 8 metres from the subject lands. It is proposed that if 16 metres is not sufficient, 8.5 metres be dedicated from the lands to the north, when they develop.

With the exception of the staggering of tall and taller buildings, discussed above, the proposed development is generally in conformance with the Mimico 20/20 Urban Design Guidelines desired building massing:

- The tower massing has a 25 metre separation distance from the existing 10 storey buildings, and the massing is staggered to allow views passed the proposed tower;
- The tower is set back more than 5 metres from the edge of the podium on all sides;
- The tower meets the 750 m² maximum floor plate size;
- Even though the podium is technically 5 storeys, it is only 2 metres taller than a 4-storey podium that complies with the guidelines. The ground floor public areas and service areas have a double height (5.9 m high) space. The 2nd floor only consists of the upper level of grade related 2 storey units, and the visitor parking garage which spirals up the podium. Step backs and the architectural treatment have been designed to break up the 5 storey mass;



Podium looking northwest



Podium looking southeast

As discussed above, we are concerned that the Erosion Hazard Limit proposed by the TRCA does not conform to the City's Official Plan. That being said, the proposed development, including the underground garage stays fully outside the Erosion Hazard Limit. Third, fourth and fifth floor balconies at the northeast corner of the podium are the only above ground protrusions into the Hazard line's 10 metre setback. The underground garage protrudes into the setback at the northeast and southeast corners of the garage. Air intake vents are located within the setback, but grade of the vents will be set no lower than the finished floor level to ensure no flood penetration into the underground garage.

Bicycle parking has been provided in conformance with the Zone 2 requirements. Most of the short term parking is provided inside the ground floor adjacent to the lobby entrance facing the drop-off. 4 convenience spaces are provided outdoors in the same area, but under cover. Resident bicycle spaces are divided equally between the 3 resident underground parking levels, and are in close proximity to the elevators to allow easy access to grade.

Garbage and loading facilities for the existing buildings are currently located outside in the rear yard, with view of the Martin Goodman Trail. The proposed building will integrate garbage storage for the rental buildings within the proposed building. Both rental and condo buildings will share the Type G loading space proposed within the new building.

A total of 491 m² of indoor amenity space is provided in the 3rd floor of the podium, and on the 6th floor (first floor of the tower) facing the lake. The 6th floor amenity area opens to a 482 m² amenity deck that wraps the podium roof. In addition, 108 square metres of private terraces, and 873 square metres of green roof are provided on the terrace level.

Proposed Zoning

Toronto Comprehensive Zoning By-law 569-2013

Shoreline Towers Inc has appealed the City-wide zoning, By-law 569-2013 as it applies to the subject lands. Consideration of this appeal has been put on hold until the appeal of the Secondary Plan and this re-zoning application can be dealt with. The proposed zoning amendment is therefore structured as an amendment to Map 224 and a Site Specific Exception to By-law 569-2013. Once this has been approved, it can be incorporated into a settlement of the appeal to By-law 569-2013 and be brought into force and effect as part of that appeal process.

The proposed draft by-law is structured firstly as a map amendment to recognize the TRCA purchase of the adjacent water lots and the development of those lots as park and the extension of the Martin Goodman Trail. The map amendment moves the line to zone the entire site as Residential Apartment (RA). The change to an 8 metre frontage requirement is a reflection of the need to maintain ownership of half the Precinct A loop road until Precinct A develops and the new development site can have the standard minimum 22.5 metre frontage. Density provisions have been amended to reflect the highest density, which will occur in the future when the lands are divided by a condominium application.

The proposed site specific exception includes revisions to address the following:

- To remove the landscaping and soft landscaping requirements, which are reflective of the underlying suburban standards and not the direction to intensify, as per the broader goals of the Secondary Plan;
- To permit the height necessary for a 25 storey building;
- To not retroactively add amenity requirements to the existing buildings;
- To provide setbacks that are reflective of the current condition and the future conditions when the lands are divided through the condominium process, and when the Precinct A loop road is implemented;
- To reflect the distance separation standards between buildings allowed in the Tall Building and Mimico 20/20 Urban Design Guidelines;
- To provide parking and loading standards in keeping with the results of the Transportation Study, and which allow for the future division of the lands;
- To provide bicycle parking location standards which allow for a more convenient relationship to outside access;
- To not retroactively add bicycle parking requirements to the existing buildings;

Etobicoke Zoning Code (Town of Mimico)

A site-specific amendment to the Etobicoke Zoning Code has also been submitted, should approval of this re-zoning application precede approval of all or portions of By-law 569-2013.

This proposed draft by-law is also structured to include a map amendment to recognize the TRCA purchase of the adjacent water lots and the development of those lots as park and the extension of the Martin Goodman Trail. The map amendment moves the line to zone the entire site as Residential Apartment (R4).

The proposed site specific exception includes revisions to address the following:

- To establish an 8 metre frontage requirement to reflect the need to maintain ownership of half the Precinct A loop road until Precinct A develops and the new development site can have the standard minimum 22.5 metre frontage;
- To amend the density provision to reflect the highest density, which will occur in the future when the lands are divided by a condominium application;
- To provide setbacks that are reflective of the current condition and the future conditions when the lands are divided through the condominium process, and when the Precinct A loop road is implemented;
- To remove the landscaping requirements, which are reflective of outdated suburban standards and not the direction to intensify, as per the broader goals of the Secondary Plan;
- To provide parking standards in keeping with the results of the Transportation Study, and which allow for the future division of the lands;

It should be noted that the Etobicoke Zoning code does not have a height limit for these lands, so no height limit has been imposed.

Conclusion

The proposed massing is in keeping with the scale anticipated for the area and the development respects the Mimico 20/20 Urban Design Guidelines for this type of building. It replaces an open parking lot adjacent to the recently completed park expansion and Martin Goodman Trail with a development that brings eyes on the park, and an active and aesthetically pleasing edge to the waterfront. And by redeveloping the parking lot, no existing rental housing units need to be replaced, and no tenants are displaced at any point through the planning and construction process.

The Secondary Plan proposes to use the development process to take approximately 0.385 hectares (1 acre) of land from the site for public roads and parks, but by introducing the requirement to take those lands, the small size of the remnant land and the need to replace a significant amount of parking insures that no development will ever occur. Not only will these land dedication requirements ensure that even the smallest improvement, which may be deemed development, will never happen, the Secondary Plan and its background studies provide no options for the replacement of the parking, or suggest what might be developed on the remnant lands. In addition, parkland was recently purchased and developed along the waterfront, and the background studies provide no justification for the taking of additional park land in this area.

No transportation justification was provided to show a need for the section of waterfront road in Precinct B. Urban Design issues are addressed as the City's Official Plan recognizes that development can front both a road and a park, and the proposed development presents a desirable front to the new waterfront park. Continuous public access along the waterfront is provided by the Martin Goodman Trail and the associated new parkland. The loop roads in Precincts A, C and F provide pedestrian and vehicular access from Lake Shore Boulevard to the waterfront without inundating the waterfront with unnecessary traffic.

With the sale of the lands within Precinct F by Longos, the proposed development of 2313 and 2323 Lake Shore Boulevard West represents the first opportunity to start the revitalization process anticipated for Mimico. Even though the study process has taken more than 7 years, no new development has come forward as a direct result. The removal of the negative provisions in the Secondary Plan, and the approval of this development represent the first step to a positive change and real revitalization of this area.