

**2, 4 and 6 Eva Road – Zoning By-law Amendment  
Application – Final Report**

<b>Date:</b>	January 22, 2009
<b>To:</b>	Etobicoke York Community Council
<b>From:</b>	Director, Community Planning, Etobicoke York District
<b>Wards:</b>	Ward 3 – Etobicoke Centre
<b>Reference Number:</b>	08 112855 WET 03 OZ

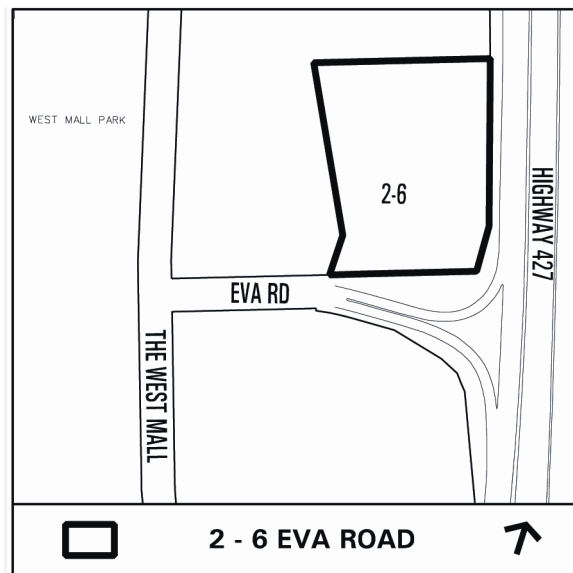
**SUMMARY**

This application was made on February 21, 2008 and is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to replace the existing low-rise office buildings at 2, 4 and 6 Eva Road with a high-rise residential condominium building containing approximately 900 apartment and townhouse-style units. The development would consist of three levels of parking (two underground), a three to five storey podium and four towers. The southeast tower would be 31 storeys high in total, the northeast and southwest towers 28 storeys and the southwest tower 16 storeys.

The project is consistent with the Provincial Policy Statement’s call for accommodation of residential growth in a manner that implements the City’s Official Plan.

While the density of the proposed development (at 3.8 FSI) is higher than surrounding development, the point tower and podium design respect the integrity of the existing neighbourhood, create a good public realm and the landscaped open space and green roofs contribute to the area’s amenity.



This report reviews and recommends approval of the application.

## **RECOMMENDATIONS**

---

### **The City Planning Division recommends that:**

1. City Council amend the Zoning By-law for the property at 2, 4 and 6 Eva Road substantially in accordance with the Zoning By-law Amendment described in this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bill to City Council for enactment, require the owner to enter into a Section 37 Agreement containing the provisions described in this report.
4. Before introducing the necessary Bill to City Council for enactment, require the owner to obtain a letter of clearance from the Greater Toronto Airports Authority (GTAA), satisfactory to the Director of Community Planning, Etobicoke York District.
5. Before introducing the necessary Bill to City Council for enactment, require the owner to submit a revised Functional Servicing Report and Servicing Plan satisfactory to the Executive Director, Technical Services Division.
6. Before introducing the necessary Bill to City Council for enactment, require the owner to either obtain a letter of clearance from the Ministry of Transportation of Ontario (MTO), satisfactory to the Executive Director, Technical Services Division, advising the City that MTO has no objections to the proposed driveway, the extension of the sanitary sewer on Eva Road and the water, storm sewer and sanitary sewer service connections to serve the development under lands owned by MTO and the 14 metre setback from MTO property or make alternate arrangements for water, storm sewer and sanitary sewer connections that are acceptable to the Executive Director, Technical Services Division.

### **Financial Impact**

The recommendations in this report have no financial impact.

## **ISSUE BACKGROUND**

### **Proposal**

The applicant proposes to redevelop the lands at 2, 4 and 6 Eva Road by demolishing the existing one and two-storey office buildings and constructing a residential condominium apartment building. The structure will have four towers, two of 28 storeys, one of 31 and

one with 16. The development may be constructed in two phases. The towers will be connected by a podium ranging from two to five storeys. Mechanical penthouses will sit atop each tower. (Attachments 4A to 4D)

The proposal includes 904 apartment and grade-related units. Sixty percent will be bachelor and one bedroom units (approximately 540 units) and the remainder will have two bedrooms (approximately 360 units). Average unit size will be between 65 and 70 square metres. Fourteen of the two-bedroom units will be townhouse-style, fronting on and with direct access to the future north-south road. The total gross floor area (GFA) of the development is 81 440 square metres. The floor space index (FSI) is 3.8 times the lot area. (Attachment 7)

The proposal includes two levels of underground parking and a storey and a half above-grade parking structure within the podium. The current proposed development will include 1,085 parking spaces. The final number of spaces to be provided will depend on the final number of units, unit mix, and the desire of the applicant to provide parking above the minimum amount required by the Zoning By-law (see Traffic Impact, Access and Parking below).

The two main entrances to the building are on a raised deck served by driveways, one storey above ground level and internal to the development. For the convenience of pedestrians, two more entrances providing access to the lobbies are located on the west face of the building. Servicing, loading and garbage pick-up are located inside the parking garage. Hard and soft landscaping is provided in the interior open space of the development as well between the proposed building and its neighbours, except at the north end, where the proposed structure is built to the lot line along a portion of the lot. (Attachment 3A) This is in keeping with the vision enunciated in the West District Design Initiative (WDDI), endorsed by Council in December 2007, which calls for continuous building along Highway 427 to reduce noise impacts.

Access to the site is proposed from Eva Road via the existing entrance. However, the proposal contemplates the possible construction of a north-south road as envisaged by the West District Design Initiative (WDDI). (Attachment 9) Should this road be constructed in the future, the townhouse-style units on the west façade of the building would address it and access to the podium, main entrances and underground garage would be provided from the road. (Attachments 3A and 4F)

A number of changes have been made in the height, shape and layout of the development since the original proposal was made. These are discussed in the relevant sections below. The Zoning By-law Amendment reflecting the final form of this development will be available at the statutory Public Meeting.

## **Site and Surrounding Area**

The site is located on the north side of Eva Road, between Highway 427 and The West Mall. It is 2.1 hectares in size and is generally rectangular. The topography of the area is flat. The site is currently occupied by three office buildings of one to two storey and their

related surface parking areas. The only access to the property is at its southwest corner where a driveway connects with Eva Road. (Attachment 1).

The surrounding uses are as follows:

- North: A Toronto District School Board office in a four storey concrete building, and its related surface parking areas.
- South: The Eva Road on and off-ramps to and from Highway 427, with a four storey office building beyond.
- East: Highway 427, which is 16 lanes wide at this point. Across the highway is the Valhalla Inn, a hotel complex, and a low-rise townhouse development.
- West: A rental apartment complex consisting of a two 18 storey buildings connected by a one-storey covered parking garage.

The site is in the Highway 427 corridor which is generally characterized by mid and high-rise residential and office buildings. The corridor extends from Dundas Street West to Eglinton Avenue West between The East Mall and The West Mall.

Council has recently approved zoning for two proposed residential condominium projects in the Highway 427 corridor. No. 2 Holiday Drive (3 blocks north of the development site) proposes four towers of 24, 24, 21 and 19 storeys and approximately 900 units. No. 1 Valhalla Inn Road (directly across Highway 427) proposes three buildings of 19, 25 and 29 storeys with approximately 900 units.

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

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources and protecting public health and safety. 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; protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Consistency and conformity with these policies are discussed below.

### **Official Plan**

The property is designated Mixed Use Area on the Land Use Plan (Map 14) of the City of Toronto Official Plan. All of the abutting properties are also designated Mixed Use Areas. These areas are intended to contain a broad range of commercial, residential and

institutional areas, in single use or mixed-use buildings, as well as parks and open spaces and utilities. (Attachment 5)

The Plan contains criteria for redeveloping lands in Mixed Use Areas. Proposals should create high quality developments; minimize negative impacts on adjacent neighbourhoods; enhance nearby public streets, parks and open spaces; provide attractive, comfortable and safe pedestrian environments and reduce automobile dependency.

The Mixed Use area development criteria in the Official Plan guide the physical shape and character of intensification and are discussed below.

## **Zoning**

The property is currently zoned Planned Commercial Preferred (CPP) under the former City of Etobicoke Zoning Code and is subject to Site Specific By-law No.1992-221. This zoning permits a mixed commercial development, including offices and a hotel, with a total gross floor area (GFA) of 59 000 square metres. The existing by-law permits three buildings with heights of 46 metres (15 storeys), 57 metres (19 storeys) and 71 metres (24 storeys). The zoning does not permit residential uses.

## **Site Plan Control**

The property is subject to Site Plan Control. An application for Site Plan Approval has been submitted (No. 08 226177 WET 03 SA) and is currently under review.

## **Reasons for Application**

Residential development is not permitted under the current zoning. In addition, the proposed heights and density exceed the maximums permitted in the existing site-specific by-law.

## **Community Consultation**

Two Community Consultation Meetings were held at the Etobicoke Civic Centre. All residents and property owners within a 120 metre radius of the site were notified, plus all residents on both sides of The West Mall south to Bloor Street West. More than 1,000 notices were sent out for each meeting.

Approximately 14 members of the public attended the first meeting on June 4, 2008.

Concerns were raised at the meeting about:

- traffic, including the difficulties experienced by highway traffic entering and exiting from Highway 427 at Eva Road;
- the effect of additional residents on TTC service, which some users feel is already overloaded at rush hours; and
- how additional residents could be accommodated in neighbourhood recreational facilities.

As some changes were made to the built-form of the proposal through the review process, staff convened a second Community Consultation meeting on November 26, 2008. No members of the public attended this meeting, however there were representatives of two neighbouring property owners present.

These two property owners contributed to the meeting and subsequently enunciated their concerns in writing. They expressed:

- concerns that the siting, built form and traffic generated by the proposed development could have a negative impact on the existing apartment buildings west of the site and constrain future development on their own sites;
- the need for a “Master Plan” (Secondary Plan) that would follow from the work originally done for the West District Design Initiative; and
- opinions about how much property should be dedicated for the road by those bordering on it. (Attachment 9)

Meetings were subsequently held attended by representatives from properties neighbouring the site, the applicant and Planning staff. The issues outlined above were further explored at these meeting. All the issues identified by interested parties are addressed in the Comments section of this report.

### **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.

## **COMMENTS**

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

The proposal is consistent with the PPS. As a residential infill project it supports the policy objectives of focusing growth in existing settlement areas (intensification). The development promotes efficient land use, reduces land consumption related to residential development and utilizes existing services and infrastructure.

The proposal conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. The proposal’s compact and efficient form helps to optimize the utilization of existing services and infrastructure and to reduce the need to convert rural land to urban uses. It is an example of intensification through redevelopment of an underutilized lot.

### **Land Use**

The site is designated Mixed Use in the Official Plan. Staff are of the opinion that high-rise residential use of this land is appropriate as it is compatible with surrounding land use and buildings. Should neighbouring sites be proposed for redevelopment, Planning

staff would apply similar criteria in evaluating any such applications, subject to site specific considerations.

### **Density, Height, Massing**

The Official Plan requires redevelopment in Mixed Use areas to demonstrate an appropriate style of development and transition in terms of height, density and urban design to ensure that the general amenity of the existing area is not negatively affected. Factors to be considered include light, shadows, views, privacy, traffic and parking, among other things. It calls for new development to “frame existing streets”, provide an entrance that is visible and accessible from the street, and minimize the impact of parking, service areas, access roads, wind and shadows on future residents of the proposed development and neighbours.

In the original proposal, the height of the tallest tower was 36 storeys, density 4.5 FSI, the number of units equalled 947 and the profile of the towers was thicker. Pedestrian access to the tower lobbies was deficient. Through the review process these elements and others have been improved, resulting in the project described below.

### **Tall Building Guidelines**

The Council-approved Design Criteria for Review of Tall Building Proposals (Tall Building Guidelines) reiterate the Official Plan requirements that tall buildings be composed of base, shaft and top. The tower elements proposed for this development all exhibit this form (Attachments 4A to 4D).

The proposed towers contain three floor plates of 797, 722, and 610 square metres, tapering from bottom to top. The larger floor plate is not used above the 13<sup>th</sup> floor. While the larger floor plate is 54 square metres larger than the optimum size for point towers laid out in the Design Criteria (743 square metres), the smaller plates are well below. In staff’s opinion the towers are appropriate as they show articulation and an analysis of shadows, skyview and wind shows no unreasonable negative impacts.

The separation distances between the towers and between the proposed building and neighbouring buildings are above the minimums called for in the Design Criteria. The tapering, balconies and other articulation of the massing and architectural details of the building will provide interesting views in and out of the property. By including three appropriately sized high-rise towers, the design provides for the intensification of the site while giving current and potential neighbours light, views and a feeling of openness.

The development creates a strong built-form edge with visual interest along the highway corridor and the proposed north-south road. (Attachment 4F) This site is part of one of the major gateway corridors into the City and will be seen by many travellers arriving and leaving Toronto via the airport. The towers must project an image that will provide a good first and lasting impression to visitors and residents alike.

## **Height**

The application proposed three towers at 28 and 31 storeys. Staff have assessed the impacts of this height with regard to shadow impacts, loss of amenity and/or privacy for neighbouring uses and the pedestrian environment and streetscape. It has also been reviewed in the context of the Highway 427 corridor, from Dundas Street in the south to Eglinton Avenue in the north.

The site is separated from low-rise, low-density residential areas and is part of the emerging high-rise built form context of the Highway 427 corridor. No significant negative impacts are demonstrated by the proposed high-rise buildings.

The 16-storey mid-rise building has been proposed in the northwest corner addresses the Urban Design Principles of the West District Design Initiative (WDDI) and the Official Plan. These documents require a transition to the neighbouring 18 storey buildings to the west and low-rise commercial buildings to the northwest. Planning staff are of the opinion that this aspect of the proposal, plus the provision of all the significant entrances and the 14 townhouse-style units on the west façade of the building, facing the proposed road, creates a positive precedent for future development along the proposed future road.

The Greater Toronto Airport Authority (GTAA) advises that the development conforms to allowable height limits. However, the height of the buildings will require alterations to the “Instrument Approach Procedure”. The applicant has agreed to provide the funding necessary to accomplish this work. Staff recommend that Council not enact the zoning by-law permitting the development until a final clearance letter has been issued by the GTAA. (Recommendation 4)

## **Density**

The density of this development, at 3.8 FSI, is greater than that of neighbouring properties (approximately 2.0 for the neighbouring high-rise properties) but it is massed in such a way that it complies with the policies of the Official Plan.

## **Open Space**

Outdoor amenity areas are provided primarily on the roof of the podium and are directly connected to the indoor amenity area and are protected from wind and noise (see below). Other parts of the roof are green, providing an environmental benefit as well as an attractive view for the residents and neighbours.

As the site is bordered on two sides by Highway 427 and Eva Road, the Ministry of Transportation requires that any buildings, above and below ground, and any parking or feature essential to the viability of the proposal be setback 14 metres from the highway property line. This setback area, along Highway 427 and the Eva Road off-ramp, is part of the landscaped area (Attachment 3A).

Land devoted to vehicles and vehicle traffic in the development has been minimized by providing entrances to the garage and interior courtyard directly from a short driveway



and potentially from the proposed north-south street. All service facilities (garbage, loading, moving) are located in the garage.

In summary, staff is of the opinion that the proposed development meets the requirements of the Official Plan and Design Criteria for Review of Tall Building Proposals. As part of the Site Plan Approval review, a high quality building design will be pursued, particularly with respect to visibility from Highway 427, roof lines and materials

### **Sun, Shadow, Skyview**

The applicant has provided a sun/shadow study to allow staff to assess the impacts of the shadows that the proposed building will cast on its own and neighbouring properties, as required by the Official Plan. The illustrations show the position of the shadows every hour from 9:18 a.m. to 6:18 p.m. on March 21 and September 21. Between March and September the shadows will be shorter and between September and March the shadows will be longer.

Planning staff are of the opinion that the shadow impacts of this project on its neighbours are reasonable. The point tower profile of the tower elements will help to ensure that the shadows move quickly. The 5 storey height of the connecting buildings will provide reasonable sky view and light for residents of the development and its neighbours

### **Wind**

The applicant submitted a Pedestrian Level Wind Study. Its objective is to determine what the wind velocities will be on site and how individuals will perceive them in each season. The analysis shows that wind conditions will be comfortable for anticipated pedestrian activities at ground level on an annual and seasonal basis.

However, some rooftop spaces used as outdoor amenity areas will require mitigation measures, in addition to the landscaping and wind mitigation measures shown in the plans, to make these spaces suitable for their intended activities in spring and autumn. These additional mitigation measures could include architectural and landscape features that increase surface roughness, such as more trellises, coniferous trees and raised planters. The situation will be addressed through the Site Plan Approval process.

Other rooftop areas, including the green roof area, will be accessible to the residents but may be less useful due to windy conditions. These areas are not part of the required outdoor amenity areas.

### **Noise**

The applicant has submitted a Noise Impact Feasibility Study. The major source of noise affecting this site is Highway 427. The site is also just within the lowest level of noise impact thresholds from aircraft using Pearson International Airport. This minor effect has been included in the study. Highway noise reflected from the existing apartment buildings to the west is considered to be negligible.

Current noise levels were measured on the site and were also predicted 10 years into the future. The Study found that the projected level of highway noise in the dwelling units with standard thermopane windows would not meet acceptable limits. The following noise control measures are required:

- All units must be air-conditioned to allow the windows to be kept closed;
- Upgrades to window and exterior door materials and construction will be required for all buildings to dampen excessive noise from the highway and meet the Ministry of the Environment's interior sound level guidelines;
- All units will require warning clauses in the Agreements of Purchase and Sale notifying prospective purchasers that even though noise control features (the two items above) have been included in the building, road noise may still be a concern;
- Further Noise Impact analysis should be conducted at the Site Plan Approval stage to ensure that the materials used in construction are sufficient to meet the Ministry of the Environment's guidelines; and
- No unit should have a balcony or terrace of greater than 4 meters in depth.

These measures will be secured in the Section 37 Agreement as a legal mechanism.

The ground level outdoor area to the east and south of the building will be subject to excessive noise and will not be suitable for quiet, passive enjoyment. This landscaped area is accessible but not part of the required outdoor amenity area.

The rooftop outdoor amenity areas will require sound attenuation measures (fences and parapets) to make sound levels in these areas acceptable for their intended use. The necessary protection measures are indicated on the plans. (Attachment 3A) Some rooftop areas will not be protected and are not suitable for normal outdoor activities. Some of these areas will include green roofs and will be accessible but are not counted as part of the required outdoor amenity area.

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

At this time the site can only be accessed from Eva Road east of The West Mall. The applicant proposes to use the existing access for the development (Attachment 1). A driveway and walkway would be constructed from Eva Road north to serve the parking, courtyard and pedestrian entrances to the towers and the townhouse-style units, which face this driveway.

When the proposed north-south road (see below) is constructed, this driveway would become part of the road's boulevard. The road would then fulfill the functions of the driveway.

The site is served by frequent bus service along The West Mall which terminates at the Kipling Subway Station. Bus service in an east-west direction is also available on Burnhamthorpe Road and Bloor Street, both routes also connecting with the Bloor-Danforth Subway.

## **Highway 427 Ramps**

Eva Road functions as both an on and off ramp for Highway 427 and is signalized at The West Mall. The Ministry of Transportation is currently studying possible reconfiguration of the highway. Their recommendations will address the possible closure of the Eva Road ramps in the future. The comments provided below are based on the existing condition. Should the ramp be closed in the future, traffic volumes on Eva Road would be significantly reduced.

The Ministry of Transportation has indicated that it will provide additional comments at the Site Plan approval stage.

## **Traffic Impact**

The applicant submitted a Traffic Impact Study (TIS) which was reviewed by City staff. Development Engineering and Transportation Services staff indicate that they are in agreement with the findings of the TIS. These findings conclude that the traffic generated by this development can be accommodated on the surrounding existing road network and traffic circulation will remain at an acceptable level of service provided certain improvements are made. These improvements are detailed below. The owner has agreed to provide funding for all of these improvements. This commitment will be secured through the Section 37 Agreement as a legal mechanism.

It should be noted that development permitted under the existing site specific zoning on the site could include three towers for a hotel and offices with a maximum floor area of 2.8 times the area of the lot (FSI). If commercial development is built to the maximum size permitted, significantly more traffic would be generated than would be expected from this proposed residential development.

## **Roadway Improvements**

To address possible negative impacts on current traffic and future traffic conditions in the area some improvements will be required as follows:

- The West Mall and Burnhamthorpe Road:
  - longer northbound left turn lane;
  - longer westbound left turn lane; and
  - longer northbound right turn lane.
  
- The West Mall and Bloor Street West:
  - longer southbound left turn lane;
  - longer eastbound left turn lane; and
  - new advanced green for westbound and southbound left turns.

The applicant will be required, and has agreed, to provide funding for all of the above improvements. These facilities will be secured in the Section 37 Agreement as a legal mechanism (Attachment 8).

## **Transit**

The Toronto Transit Commission requests that transit signal priority be installed on The West Mall at two signalized intersections, to reduce delays to TTC buses that may be caused by site-generated traffic. Three nearby intersections are signalized: Burnhamthorpe Road, Eva Road and Bloor Street West. Intersections chosen by TTC staff for this installation will be those most affected by traffic from the development that have not already had the equipment added.

The applicant has agreed to provide the funding requested to implement transit signal priority. This agreement will be secured in the Section 37 Agreement as a legal mechanism. (Attachment 8)

## **Placement of an “H” Holding Symbol on the Phase 2 Lands**

As this site has only one access to the road network, all traffic in and out must use it. In this case the access is on what is, in effect, an exit and entrance ramp for an urban expressway. Development Engineering staff have advised that this situation is not desirable from a road safety perspective.

In addition, the Traffic Impact Study submitted by the applicant noted that the traffic generated by full build-out of the project (Phase 1 and Phase 2), coupled with the increase in general traffic that can be expected by 2012, could cause an unacceptable deterioration in levels of service after 2012 for traffic at the site entrance. However, this deterioration would be rectified if certain road network alterations are made.

For this reason, staff recommend that an “H” holding symbol be placed on the Phase 2 lands until at least one of the identified measures is available. This would prevent additional traffic being generated by Phase 2 until the road network is reasonably able to handle it.

The identified measures are:

- permanent closure of the Eva Road ramps with Highway 427;
- direct access for Phase 2 traffic to either Civic Centre Court or The West Mall, satisfactory to the Director of Development Engineering. This access could be provided through the construction of the proposed new north-south road (see below); and
- other road alterations, traffic improvements and/or Transportation Demand Management measures satisfactory to the Director of Development Engineering.

## **New North-South Road**

The results of the West District Design Initiative Study were adopted by Council at its meeting of December 11, 12 and 13, 2007. (Planning and Growth Committee, PG11.3, 2007). The Civic Centre section of this report can be viewed at [http://www.toronto.ca/business/pdf/wddi\\_ecc.pdf](http://www.toronto.ca/business/pdf/wddi_ecc.pdf). Through this action, Council endorsed the recommendations of the Study as an urban design vision for, among other things, the Etobicoke Civic Centre Complex lands.

Two of the Guiding Principles adopted by Council for the redevelopment of the Civic Centre lands are:

- the creation of a new north-south street through the [Civic Centre] site to connect Burnhamthorpe Road, at a modified intersection with the southbound off-ramp from Highway 427, with Civic Centre Court and
- consideration of a long-term revitalization scenario for the TDSB site and the office block to the south [2,4 and 6 Eva Road] by proposing the extension of the new north-south road from Civic Centre Court to Eva Road. (Attachment 9)

The applicant has proposed the dedication of land along the west edge of its property as its contribution for this proposed public road. The amount of land to be dedicated is equal to approximately 50 percent of that required for the portion of the road that would abut the site. (Attachment 3A) The remaining 50 percent would be dedicated by the property owner to the west (361 The West Mall) as a condition of approval, should that owner make an application for redevelopment of his lands. Similarly, dedication of the land necessary to complete this road through to Civic Centre Court would be a condition of approval for redevelopment of the TDSB lands to the north of the site.

The property owner at 361 The West Mall has expressed concern about the possible requirement for dedication of land from his property should he apply for approval of redevelopment plans. However, he is generally supportive of the creation of the road.

It should be noted that the creation of this road is not a prerequisite for the development of any parcel in this block. The road is required to create a proper urban environment as the block redevelops. The Official Plan notes that streets are not only carriers of pedestrian and vehicular traffic but they are significant open spaces and contribute to the creation of a sense of place and a suitable public realm.

The creation of this new street has been discussed with the property owners in the existing block. Staff have pointed out that the creation of this road would create an ideal redevelopment potential for the blocks bordering it, as illustrated in the WDDI study. Development proposals, including the one that is the subject of this report, have been and will be reviewed as to how they address it and how they contribute to an appropriate public realm along the new street.

In the interests of fairness, the two abutting property owners should each contribute 50 percent of the land needed for this proposed road along their properties.

Staff recommend that the dedication of these lands be accepted prior to the removal of the “H” Holding Symbol on Phase 2 of the project, in order to achieve the vision endorsed by Council in the WDDI Study. However, the timing of the construction of the road depends on the redevelopment plans of three property owners. If the removal of the “H” is granted by Council before it is possible to construct the road, it is recommended that this dedication be taken for general municipal purposes rather than public road purposes, subject to an agreement that the owner of the Phase 2 lands be responsible for

the landscaping and associated maintenance of these lands (similar to maintenance of boulevards) until the new north-south road is built. The property can be dedicated as a public right-of-way when all the necessary land has been assembled.

In addition, staff recommend that the owner provide a cash payment, satisfactory to the Director of Development Engineering, equal to its pro-rata share of the construction of this road at the time the “H” is removed by Council. These arrangements will be secured in the Section 37 Agreement as a legal mechanism. (Attachment 8)

Staff will report further on a proposed City-initiated Official Plan Amendment to add this proposed north-south road between Eva Road and Civic Centre Court to Schedule 2 of the Official Plan. If this Official Plan Amendment comes into force, it will allow the City to require the dedication of the remaining elements of the north-south road as development proceeds.

### **Auto and Bicycle Parking**

At a minimum, the owner is required to provide one resident parking stall for each unit of two bedrooms or less (this includes all the units currently proposed in the development). In addition, the owner will be required to provide 1 visitor parking stall for every 5 units. If any units with 3 bedrooms or more are included, parking will be provided for these units at a rate of 1.35 stalls per unit. All will be located in the parking garage.

The applicant also proposes to provide at least 200 secure, indoor bicycle parking spaces (100 for each of the two phases) for the use of residents and visitors. The configuration and location of these spaces will be determined at the Site Plan Approval stage. Visitors will be able to park their bikes in racks provided in the visitors’ parking area of the garage.

### **Servicing**

Existing City infrastructure has sufficient capacity to support the proposed development. However, the services and service connections will be under Eva Road and Highway 427, which is owned by the Ministry of Transportation. In this circumstance, Technical Services staff recommend that the City require the applicant to provide a servicing plan prior to final approval of the zone change (Recommendation 5 above). Also, as the MTO generally will not allow any facilities necessary for an abutting development to be located on their property or within a 14 metre setback, the applicant must provide a letter of clearance from MTO indicating that it does not object to the existence of the underground infrastructure necessary to service the proposed development prior to final approval of the zoning (Recommendation 6 above). In the unlikely event that MTO will not provide this clearance, the applicant must propose alternate means of providing services to the property that are acceptable to the Executive Director, Technical Services Division.

The applicant’s consultant has advised that it will be necessary to extend the sanitary sewer eastward on Eva Road to enable each of the proposed condominiums to have their own sanitary sewer service connection to the City system. The owner will be required to design, obtain all necessary approvals, including Ministry of the Environment approval,

provide detailed cost estimates and provide the necessary funding to the City for this work, all to the satisfaction of the Executive Director, Technical Services Division. The applicant has agreed to this condition, which will be secured in the Section 37 Agreement as a legal convenience (see Section 37 below). The owner will also be required to pay the City for the installation of the new service connections.

Private utility operators (Bell, Rogers Cable, Enbridge Gas and Toronto Hydro) have indicated that they are able to provide service to this development. Solid Waste Management and Fire Services will finalize their requirements at the Site Plan Approval stage.

### **Economic Impact**

Economic Development staff have expressed concern that the office uses on the site will be replaced with residential uses. They would prefer to see employment retained on the site through a mixed use development. The property is designated Mixed Use Area, which permits any combination of residential and commercial development, including 100 percent residential.

The applicant provided an Economic Analysis as part of its application. The Analysis states that the existing office development on site experiences a high rate of tenant turnover due to proximity to Mississauga, (which offers lower business taxes), and lack of subway access.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 1.57 to 2.99 hectares of local parkland per 1,000 people.

Parks, Forestry and Recreation staff have advised that the development site is subject to the alternate rate park levy. The parkland contribution that would apply to this site is 15 percent. The required parkland dedication will be satisfied through cash in lieu as West Mall Park is located in close proximity to the site.

The Alternative Parkland Dedication By-law states that the portion of the dedication above the base 5 percent required of all residential developments must be used to acquire parkland that is accessible to the area in which the development is located or to improve parks in the vicinity of the development.

PF&R defines “in the vicinity” as a wider area than local parks, although it does not preclude using the money for local parks. For example, the additional cash-in-lieu could be devoted to improvements to Centennial Park. It could also be used for improvements to West Mall Park, the closest local park to the site, or any other park in the vicinity.

## **Streetscape**

No City-owned trees are near this development site. There are many privately owned trees covered under the Private Tree Protection By-law, all of which will require removal if the development is built. The appropriate applications will be made when the development is ready to proceed.

The Urban Forestry Section of PF&R advises that significant tree planting, both on-site and on the Eva Road and proposed north-south road boulevards, will be required. This will be secured at the Site Plan Approval stage.

## **Toronto Green Standard**

The development includes, among other things, the use of Energy Star compliant appliances and high efficiency plumbing fixtures, provision of secure bicycle storage, green roofs and light-coloured materials for at least 75 percent of the roof, at least 75 percent reuse or recycling of construction and demolition debris and at least 15 percent of the project's material comprised of recycled content. Requirements for Storm Water Management will be refined at the Site Plan Approval stage.

## **Phasing**

The applicant may build the development in two phases. If the decision is taken to build in phases, the southern portion of the development, including two of the tower elements, would be built first. The remaining, northern portion of the lot would be landscaped in such a way that it would present an appropriate appearance and provide opportunities for passive use pending development. Plants in this temporary installation would be reused as much as possible when Phase 2 is built. (Attachment 3B)

The blank north facing wall where Phase 2 will join the Phase 1 building would be faced in an appropriate material to reduce any "unfinished" appearance. (Attachment 4E)

## **Section 37**

Section 37 of the Planning Act allows municipalities to negotiate for the provision of public benefits with owners of property who receive approval for an increase in height or density. The benefits are generally capital projects and must bear a planning relationship to the proposed project.

Children's Services staff have identified a need for the addition of infant daycare spaces at an existing daycare located in the Eatonville Public School, a short walk from the development site. \$700,000 will be provided to construct the capital facilities necessary to accommodate 10 infants, the maximum permitted in any one daycare.

There will be a contribution of \$125,000 to a public art fund for the local area. \$200,000 has already been earmarked, but not yet received, for this fund from another nearby development. When sufficient resources have been accumulated in this fund, a public art selection process will be carried out for a public art installation(s) in the area.



The Toronto Public Library will receive \$300,000 for capital improvements at Eatonville Branch Library which may result in longer opening hours at the Branch, one of the busiest in the City.

The owner will also provide cash in the amount of \$325,000 for improvements to West Mall Park, which is a short walk from the development site (Attachment 1). This money would be used to provide a proposed water play feature. If additional funds are made available from the Alternative Parkland Dedication, PF&R would provide two mini-soccer fields, two mini-basketball courts, improved pedestrian walkways and additional tree planting. Community consultations organized by PF&R staff would be held before any improvements are made to this park.

As part of the Section 37 Agreement, the developer will improve the streetscape along both sides of Eva Road from the entrance to the site to The West Mall with tree and sod plantings and a widening of the sidewalk to 1.7 metres (Attachment 1). This will enhance pedestrian connections to the neighbourhood and the local bus stop. This work is estimated to cost \$50,000.

The community benefits recommended to be provided as part of the Section 37 Agreement and to be secured prior to the issuance of the first building permit total \$1,500,000 divided as follows (see details above):

1. \$700,000 cash contribution for infant daycare facilities at Eatonville School;
2. \$325,000 cash contribution for a water play feature in West Mall Park;
3. Streetscape improvements to Eva Road to a total value of \$50,000 which may be constructed by the owner or through a cash contribution of \$50,000 to accomplish the project;
4. \$300,000 cash contribution to the Toronto Public Library for automated check-out equipment at the Eatonville Branch; and
5. \$125,000 cash contribution to a public art find for installation(s) in the area.

The Section 37 Agreement will contain a provision whereby the value of these contributions increases in accordance with the Construction Price Index from the time the Agreement is signed (before the introduction of bills to Council) to the time the benefits are secured.

The following matters are also to be secured in the Section 37 agreement, as a legal convenience to support development:

1. Water, wastewater and storm sewer improvements (see Servicing above);
2. Road improvements (see Roadway Improvements above);
3. Dedication of land, a financial contribution and a maintenance agreement (for the dedicated land before the road is built) for the proposed north-south road (see New North-South Road above);
4. Installation of transit signal priority features at two intersections on The West Mall (see Transit above);
5. School Board warning clauses and signs (see School Boards/Library below); and
6. Noise warning clauses and mitigation measures (see Noise above).

## **Tenure**

The development is proposed to be a residential condominium.

## **School Boards/Library**

The Toronto District School Board advises that currently there is insufficient space at the local middle and secondary schools to accommodate students that are anticipated from this development and others in the area. The Catholic School Board indicates that all grades are over-capacity. It may be necessary to bus students in these grades to other schools.

Both School Boards have requested that signs be erected at the entrance to the site notifying prospective purchasers of the above. A similar “warning clause” is to be inserted into all offers of purchase and sale.

The Toronto Public Library has indicated that the existing facilities at the Eatonville Branch at Burnhamthorpe Road and The East Mall can accommodate the residents of this development.

## **Archaeology**

Heritage Preservation Services will not require an archaeological assessment as the potential for encountering intact archaeological remains is low. In the event that deeply buried archaeological or human remains are uncovered during excavation, the City and Ministry of Culture are to be notified immediately.

## **Development Charges**

It is estimated that the development charges for this project will be \$5,597,451. This is an estimate. The actual charge is assessed and collected upon issuance of the building permit.

## **CONTACT**

Brian Gallagher, Senior Planner  
Tel. No. 416-394-8230; Fax No. 416-394-6063  
E-mail: bgallau@toronto.ca

## **SIGNATURE**

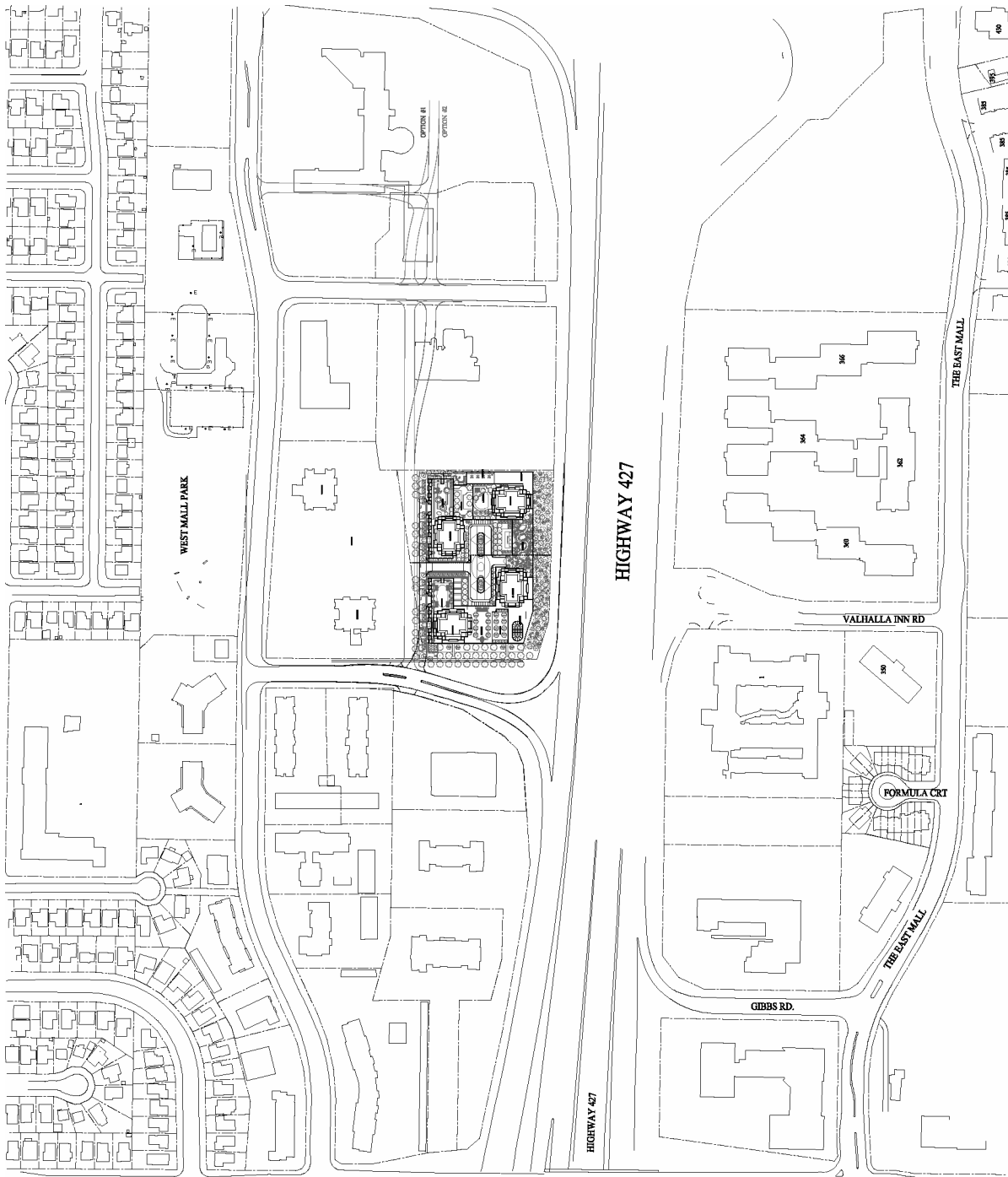
---

Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

Attachment 1: Context Plan  
Attachment 2A: Aerial View - Existing Site  
Attachment 2B: Aerial View – Proposed Development  
Attachment 3A: Site Plan – Final  
Attachment 3B: Site Plan – Phase 1 (Interim)  
Attachment 4A: North Elevations – Phase 2 (Final)  
Attachment 4B: Elevations – South  
Attachment 4C: Elevations - West  
Attachment 4D: Elevations - East  
Attachment 4E: Elevations - North – Phase 1 (Interim)  
Attachment 4F: Elevation Rendering – Southwest Corner  
Attachment 5: Official Plan  
Attachment 6: Zoning  
Attachment 7: Application Data Sheet  
Attachment 8: Section 37 Requirements  
Attachment 9: West District Design Initiative (WDDI)

# Attachment 1 – Context Plan



## Context Plan

## 2-6 Eva Road

Applicant's Submitted Drawing

Not to Scale 

File # 08\_112855

Attachment 2A – Aerial View – Existing Site



2-6 Eva Road

Aerial View - Existing Site

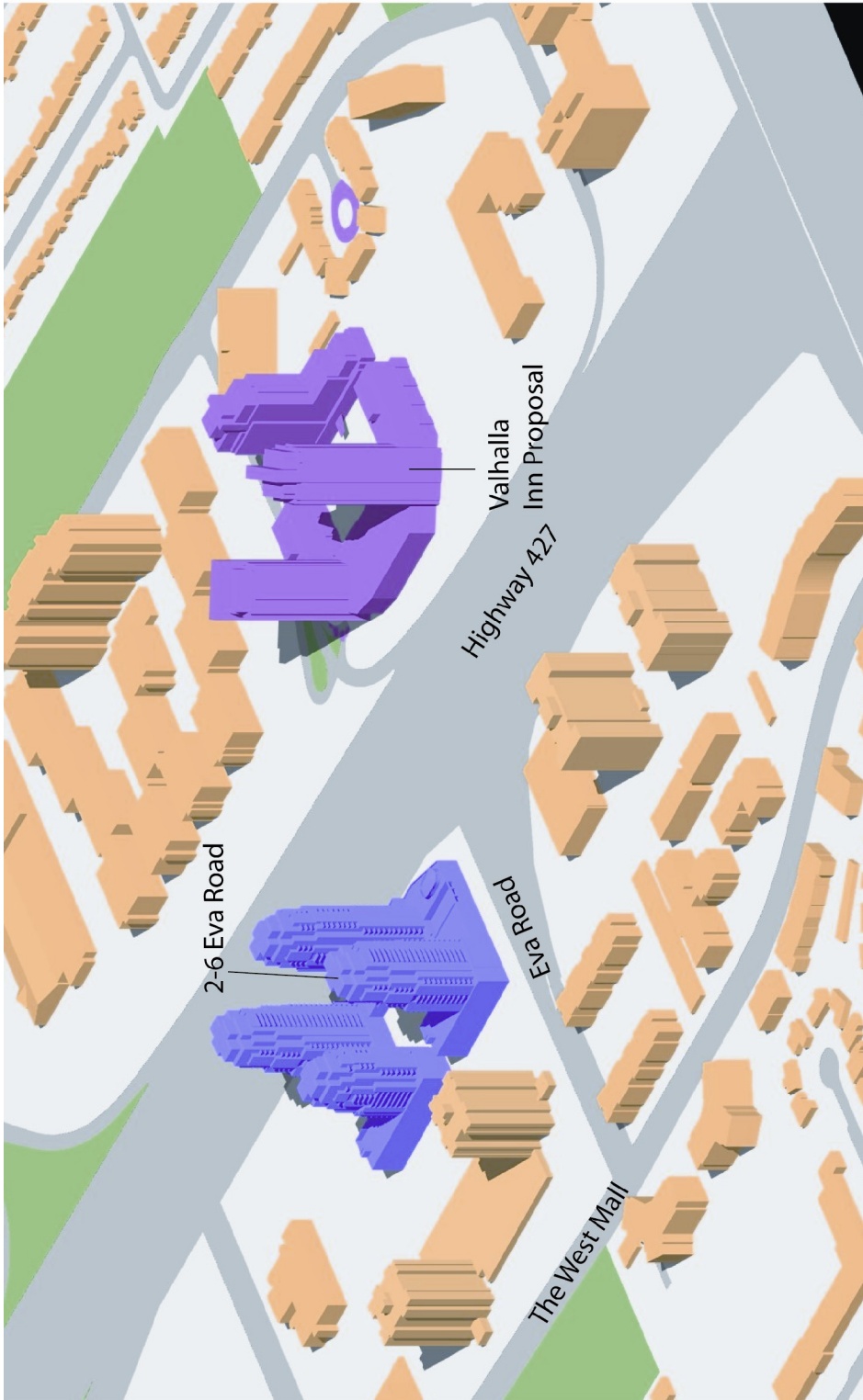
Applicant's Submitted Drawing

Not to Scale  
01/19/08

File # 08\_112855



**Attachment 2B – Aerial View – Proposed Development**



**2-6 Eva Road**

File # 08\_112855

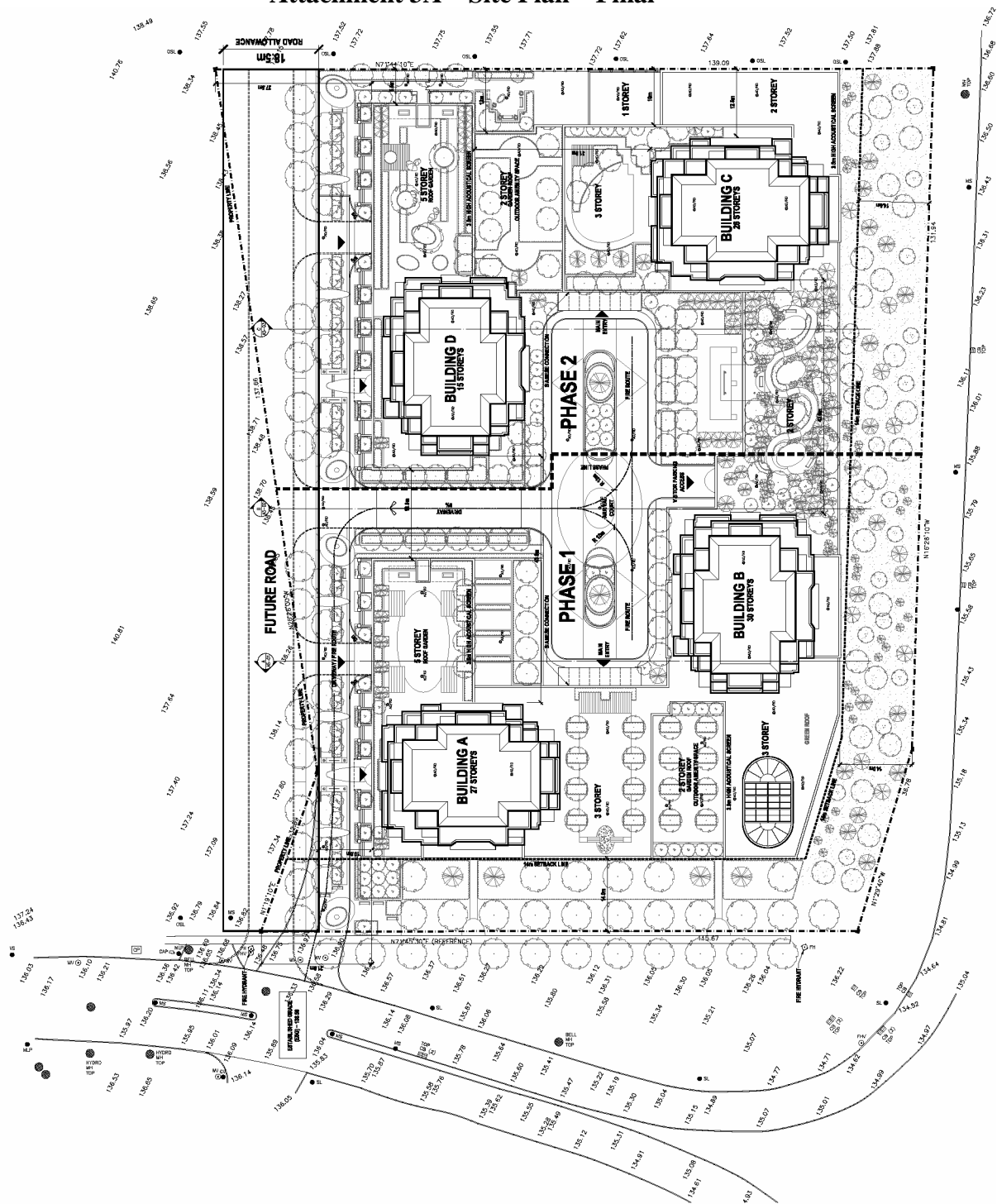
**Aerial View - Proposed Development**

Applicant's Submitted Drawing

Not to Scale  
01/19/08



# Attachment 3A – Site Plan – Final



Site Plan - Complete Development

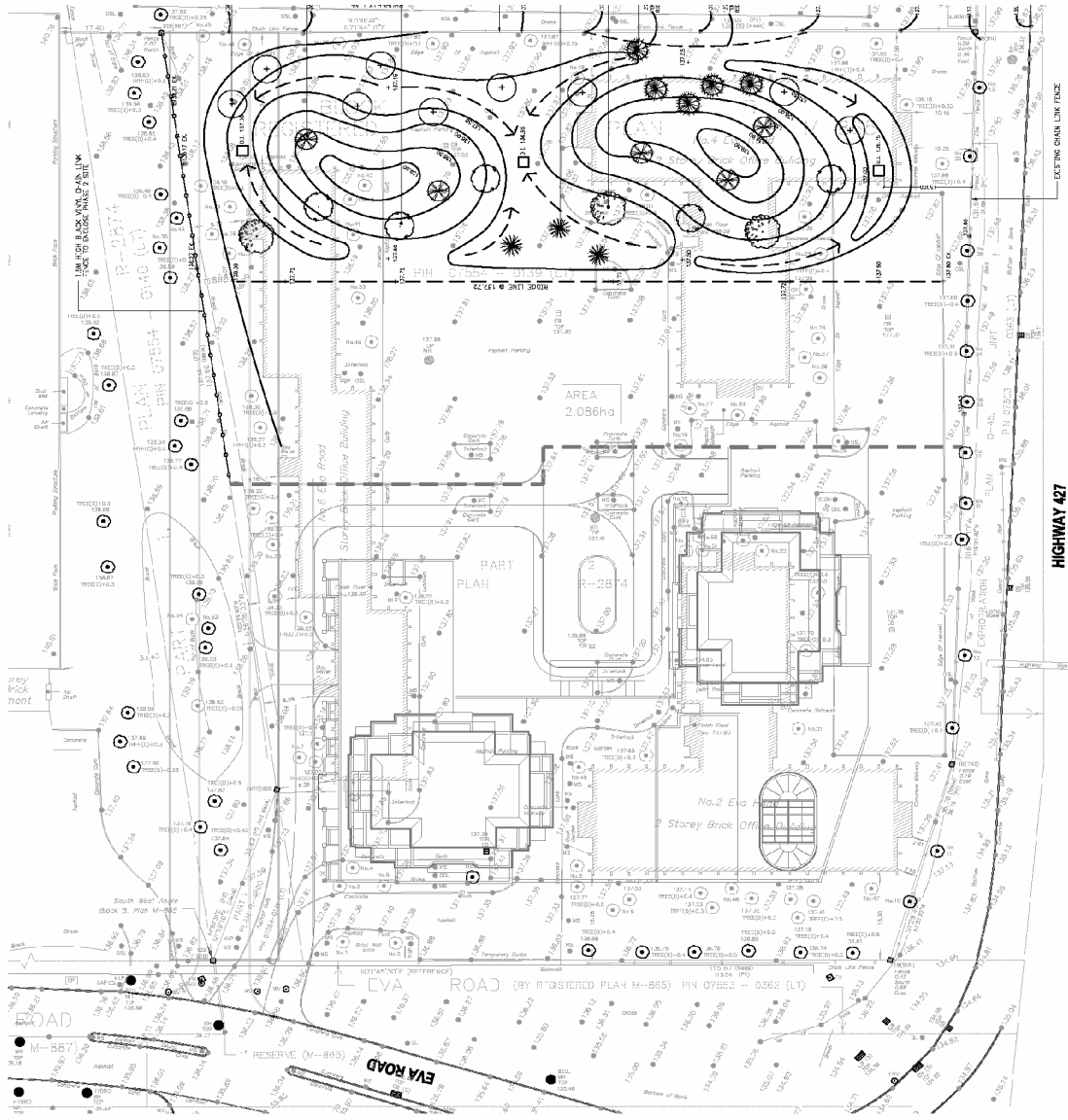
2-6 Eva Road

Applicant's Submitted Drawing

Not to Scale 

File # 08\_112855

# Attachment 3B – Site Plan – Phase 1 (Interim)



Site Plan - Phase 1

2-6 Eva Road

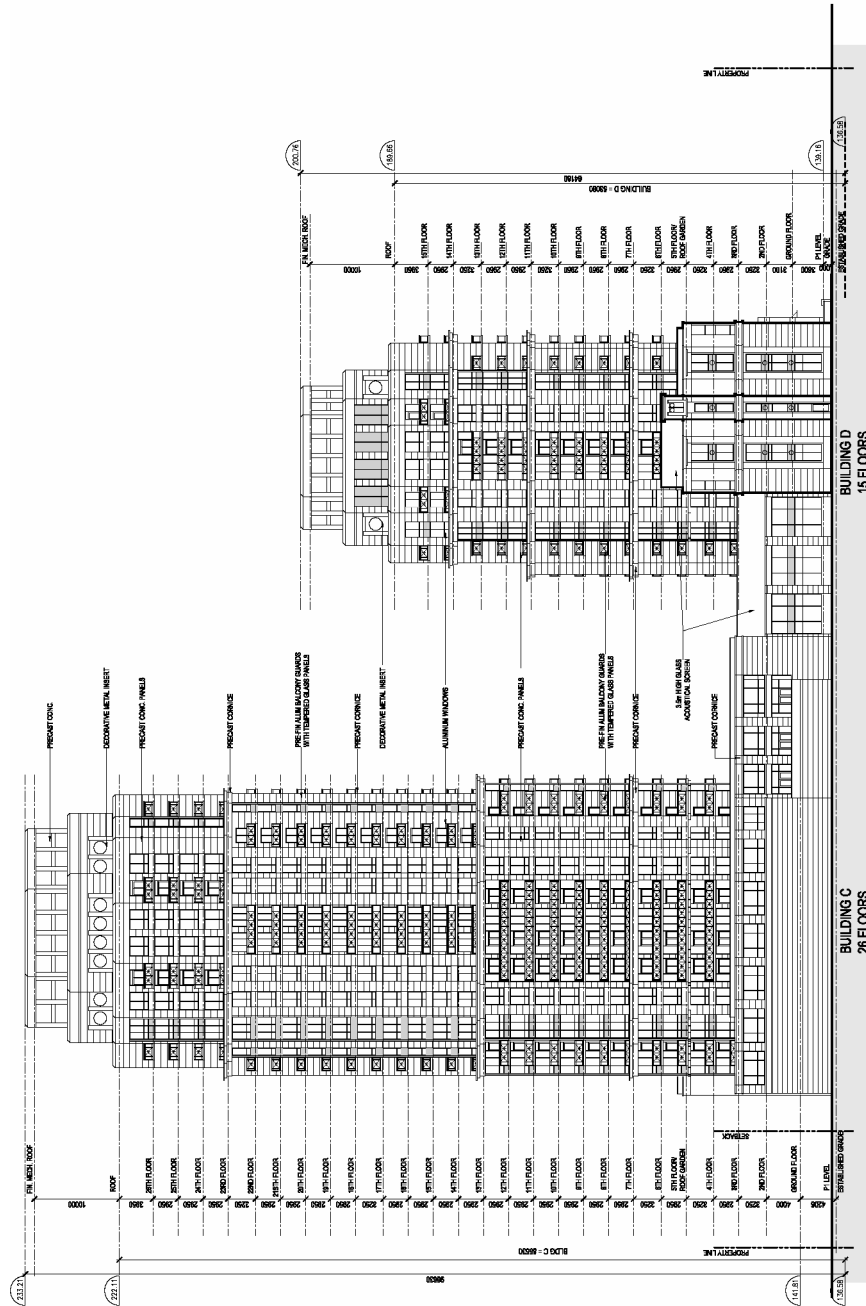
Applicant's Submitted Drawing

Not to Scale  
01/19/09 

File # 08\_112855



Attachment 4A – North Elevations – Phase 2 (Final)



NORTH ELEVATION - PHASE 2

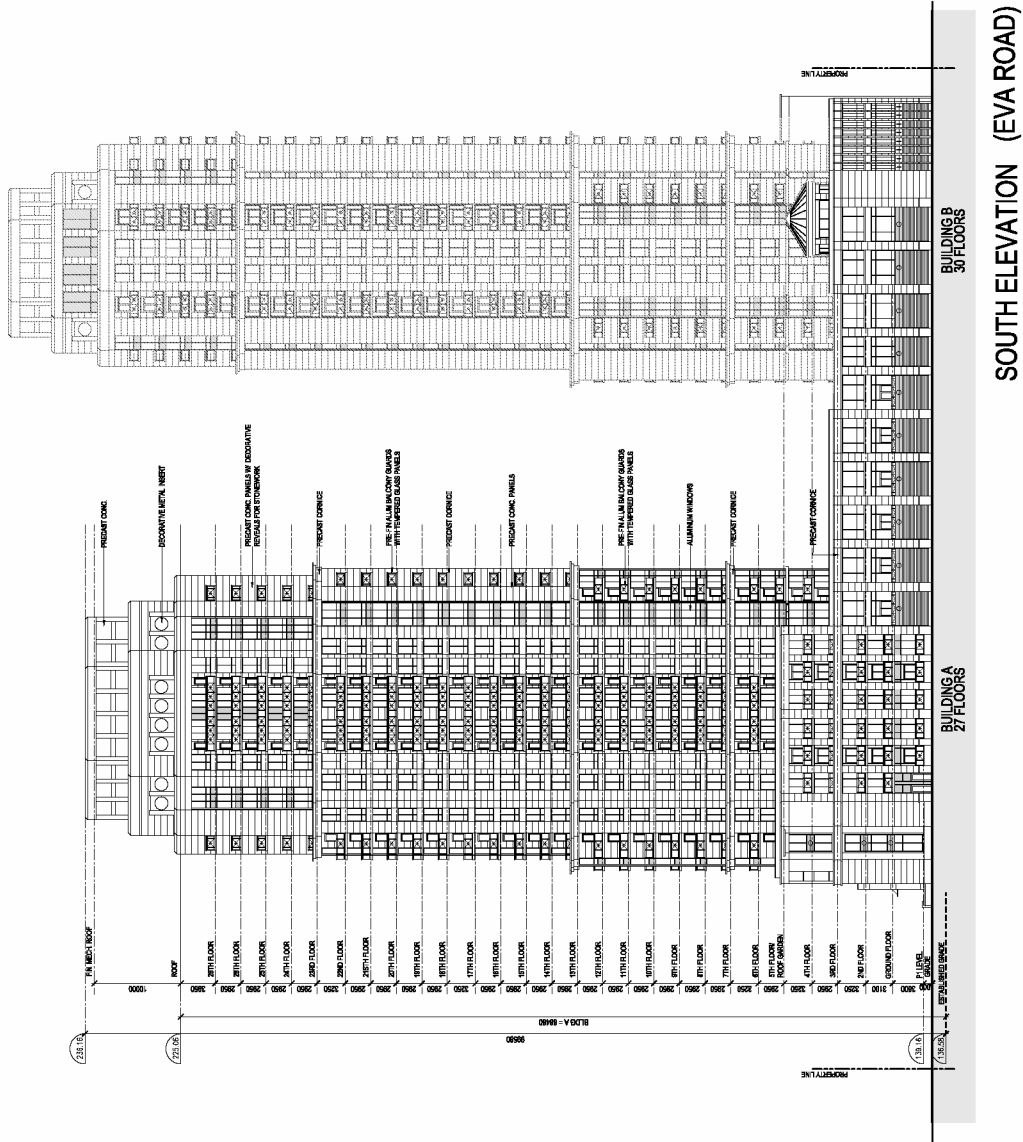
2-6 Eva Road

Elevations  
Applicant's Submitted Drawing

Not to Scale  
01/19/09

File # 08\_112855

# Attachment 4B – Elevations – South



**SOUTH ELEVATION (EVA ROAD)**

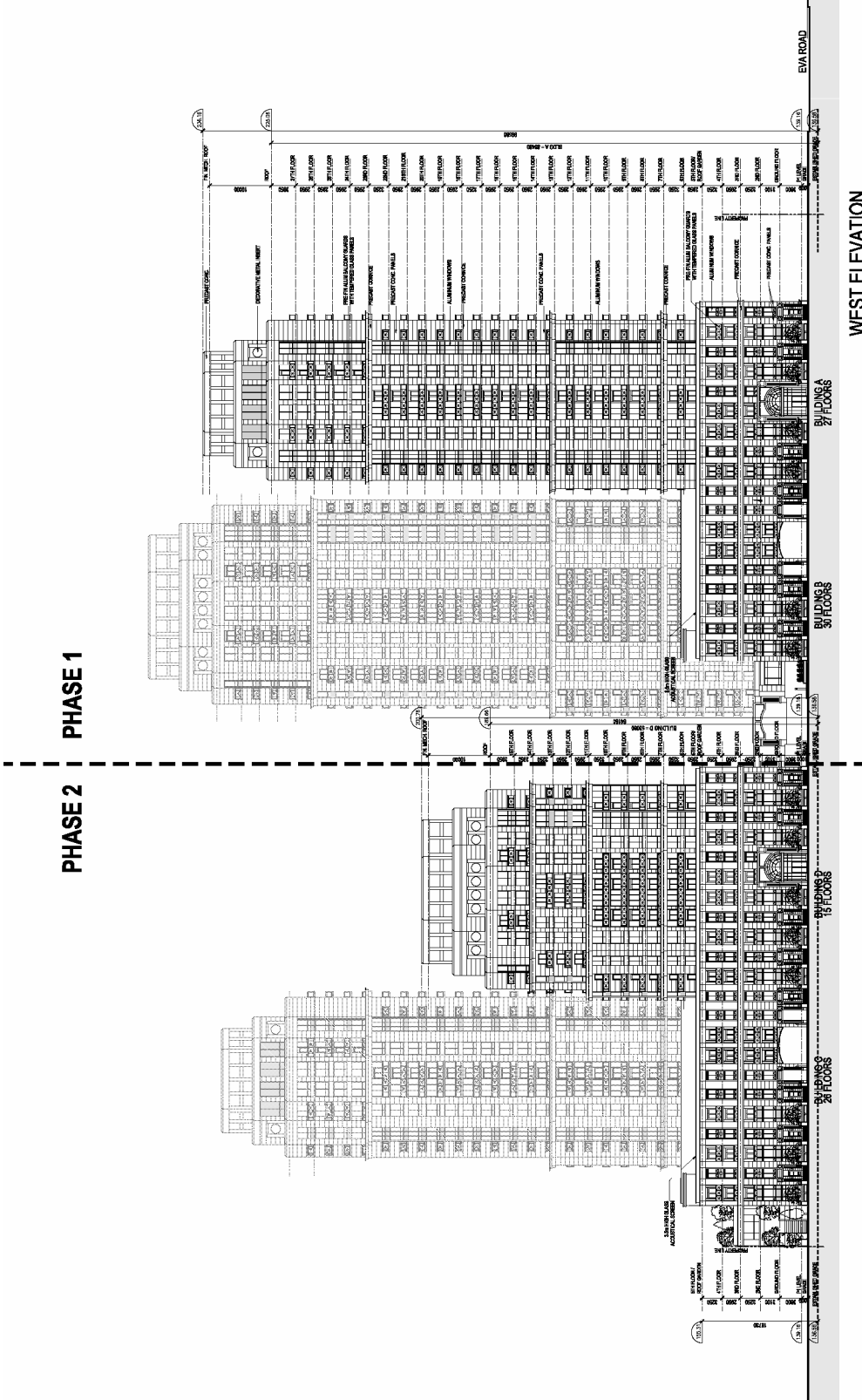
**2-6 Eva Road**

**Elevations**  
Applicant's Submitted Drawing

Not to Scale  
01/19/09

File # 08\_112855

# Attachment 4C – Elevations – West

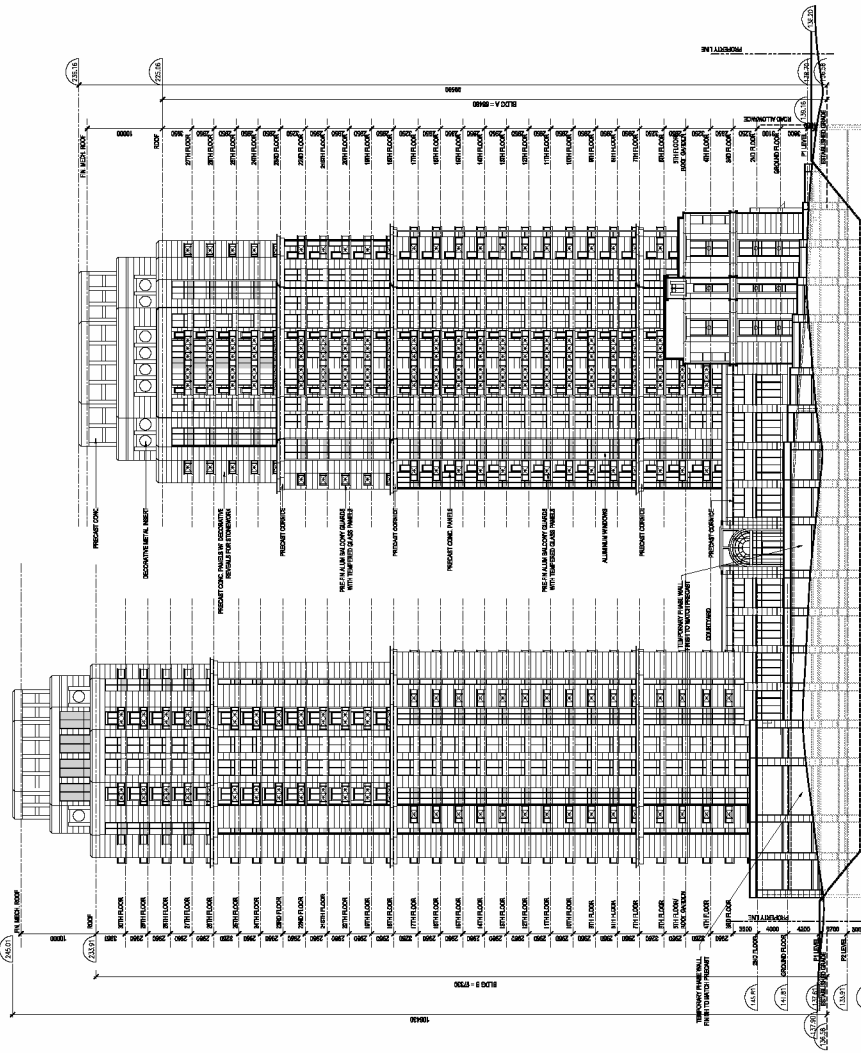


**Elevations**  
 Applicant's Submitted Drawing  
 Not to Scale  
 01/19/09

**2-6 Eva Road**  
 File # 08 112855



# Attachment 4E – Elevations – North – Phase 1 (Interim)



NORTH ELEVATION - PHASE 1

BUILDING A  
27 FLOORS

BUILDING B  
30 FLOORS

## Elevations

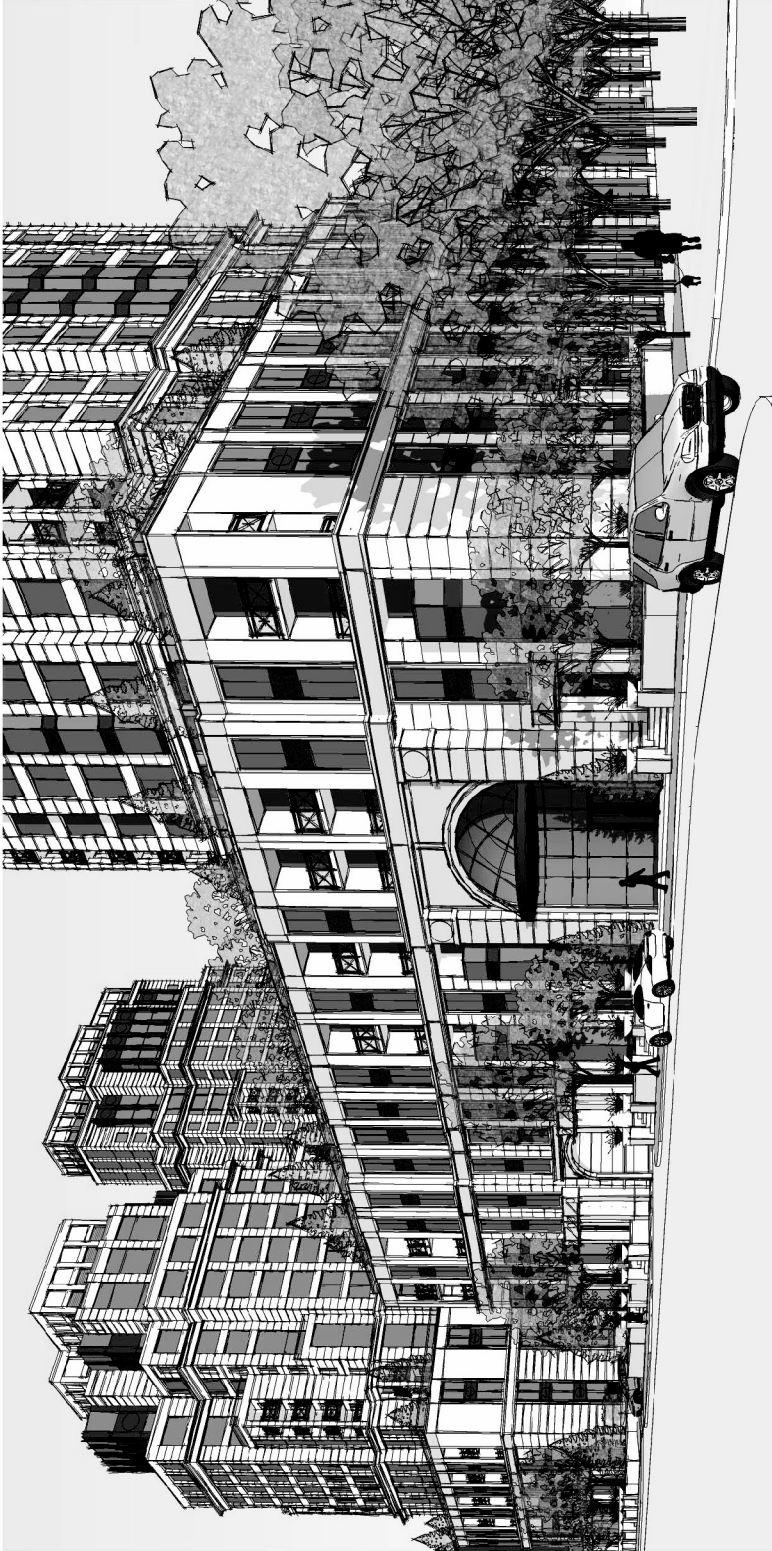
Applicant's Submitted Drawing

Not to Scale  
03/13/08

2-6 Eva Road

File # 08\_112855

Attachment 4F – Elevation Rendering – Southwest Corner



VIEW FROM EVA ROAD AT ACCESS DRIVEWAY

**Elevation - South West View**

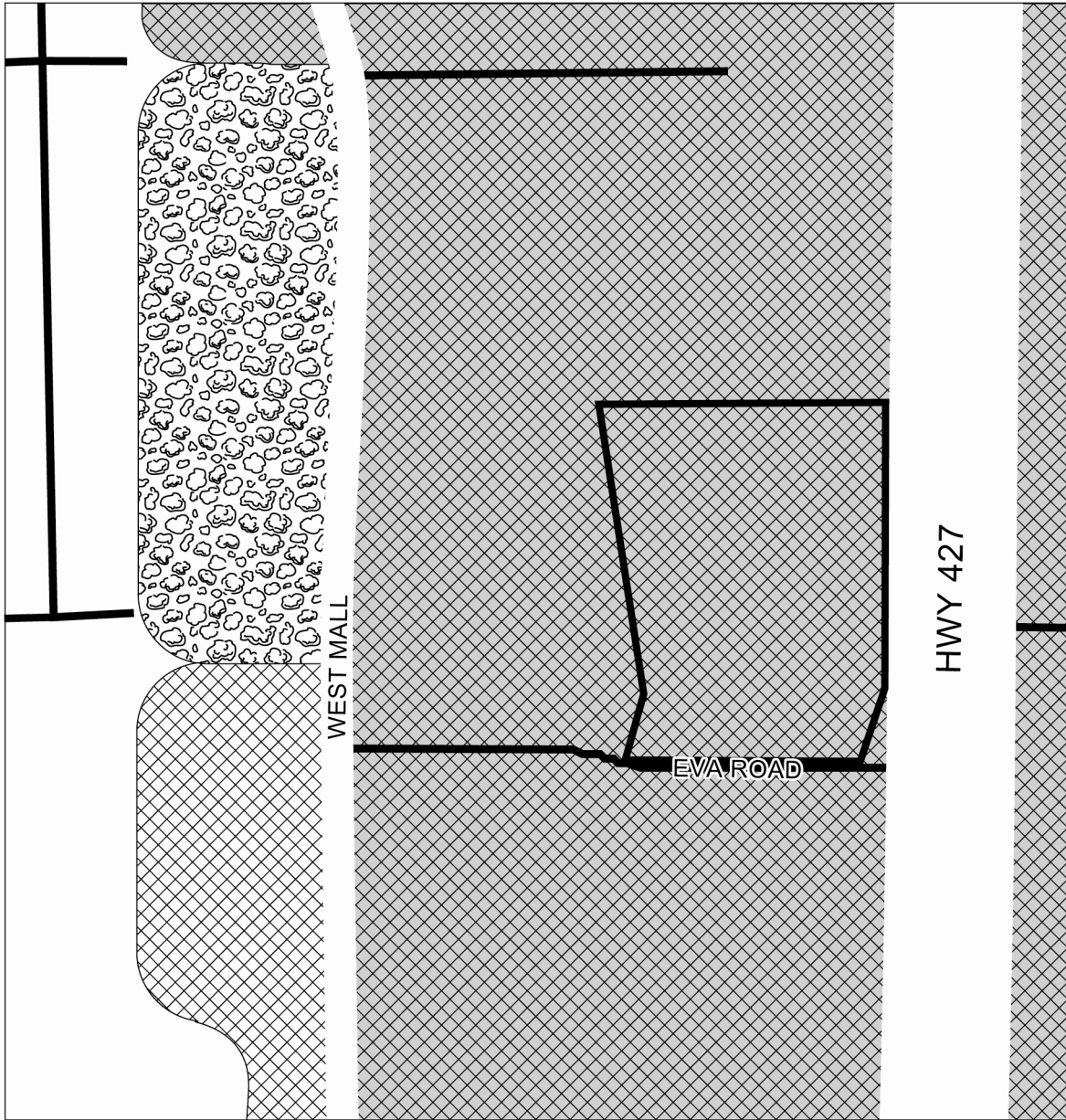
Applicant's Submitted Drawing

Not to Scale  
01/19/09

**2-6 Eva Road**

File # 08\_112855







## Attachment 5 – Official Plan



**TORONTO** City Planning  
**Official Plan**

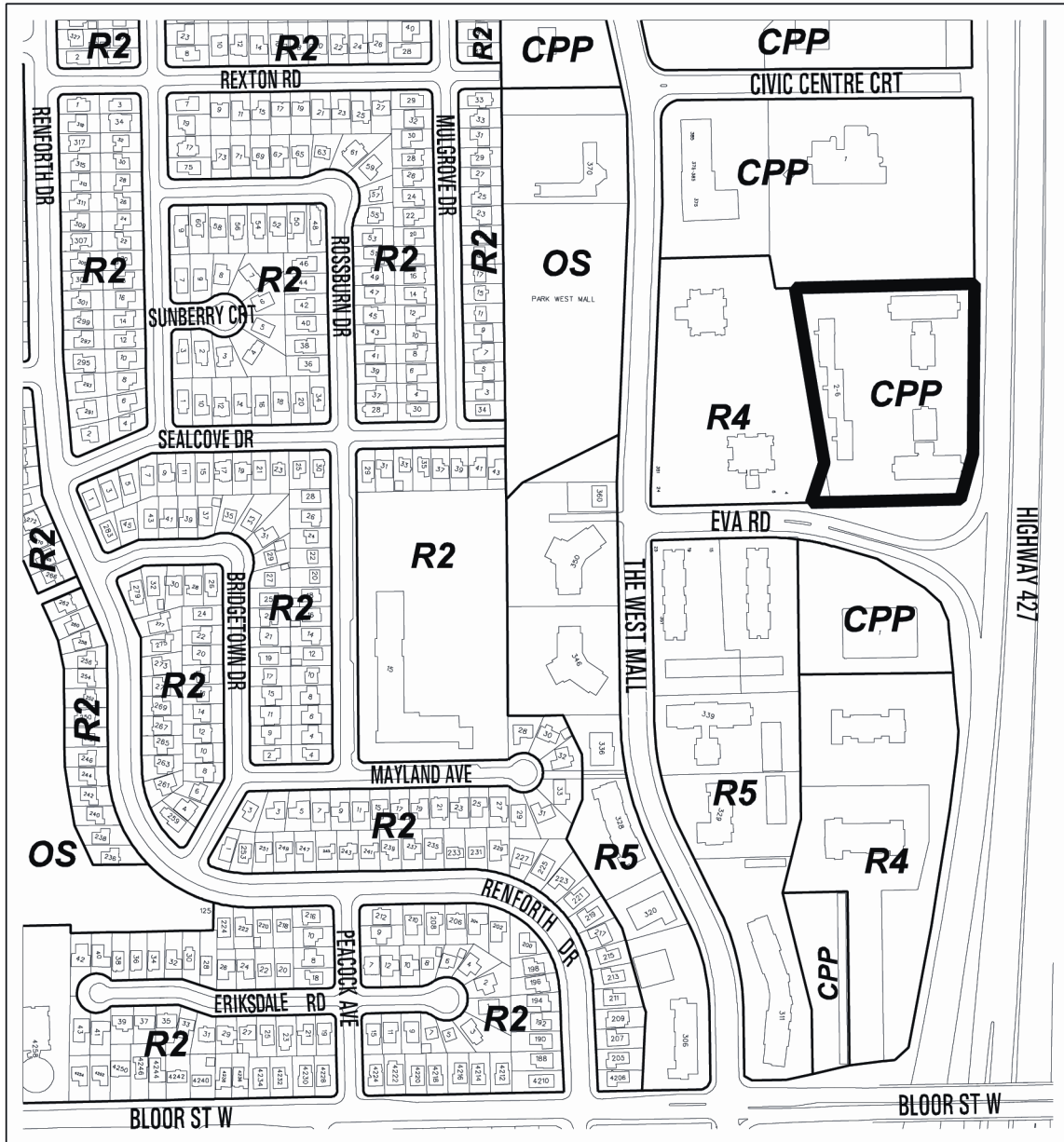
2-6 Eva Road

File # 08\_112855

- |  |  |
|--|--|
|  Site Location            |  Parks & Open Space Areas |
|  Neighbourhoods           |  Parks                    |
|  Apartment Neighbourhoods |  |
|  Mixed Use Areas          |  |

  
 Not to Scale  
 03/10/07

## Attachment 6 – Zoning




**TORONTO** City Planning  
**Zoning**

**2-6 Eva Road**  
 File # 08\_112855

Former Etobicoke By-law 11,737

- |                               |                                 |
|-------------------------------|---------------------------------|
| R2 Residential Second Density | OS Public Open Space            |
| R4 Residential Fourth Density | CPP Commercial Planned Referred |
| R5 Residential Fifth Density  |                                 |

  
 Not to Scale  
 Zoning By-law 11,737 as amended  
 Extracted 03/14/08 - MH



## Attachment 7 – Application Data Sheet

### APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	08 112855 WET 03 OZ
Details	Rezoning, Standard	Application Date:	February 21, 2008

Municipal Address: 2-6 EVA RD  
 Location Description: PL M865 PT BLK B RP R2874 PT 2 RP R4690 PT 1 \*\*GRID W0306  
 Project Description: Demolish existing 3 office buildings and construct 4 residential towers with increased height ranging up to 31 storeys

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
EVRAL PROPERTIES LIMITED			EVRAL PROPERTIES LIMITED

#### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	1992-221
Zoning:	CPP	Historical Status:	
Height Limit (m):	71	Site Plan Control Area:	Y

#### PROJECT INFORMATION

Site Area (sq. m):	20868	Height:	Storeys:	31
Frontage (m):	115.67		Metres:	108.43
Depth (m):	167			
Total Ground Floor Area (sq. m):	6009			<b>Total</b>
Total Residential GFA (sq. m):	81440		Parking Spaces:	1085
Total Non-Residential GFA (sq. m):	0		Loading Docks	0
Total GFA (sq. m):	81440			
Lot Coverage Ratio (%):	29			
Floor Space Index:	3.9			

#### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	542
2 Bedroom:	362
3 + Bedroom:	0
Total Units:	904

#### FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Residential GFA (sq. m):	81440	81440	0
Retail GFA (sq. m):	0	0	0
Office GFA (sq. m):	0	0	0
Industrial GFA (sq. m):	0	0	0
Institutional/Other GFA (sq. m):	0	0	0

**CONTACT: PLANNER NAME: Brian Gallaughner, Senior Planner**  
**TELEPHONE: (416) 394-8230**

## Attachment 8 – Section 37 Requirements

The community benefits to be provided as part of the Section 37 Agreement total \$1,500,000 divided as follows:

1. \$700,000 cash contribution for 10 infant daycare places at Eatonville School;
2. \$325,000 cash contribution for a new waterplay facility in West Mall Park;
3. Streetscape improvements (street trees, landscaping and 1.7 metre wide sidewalk) to Eva Road to a total value of \$50,000, which may be constructed by the owner or through a cash contribution of \$50,000;
4. \$125,000 cash contribution to a public art fund for the area
5. \$300,000 cash contribution for capital equipment at the Eatonville Branch Library

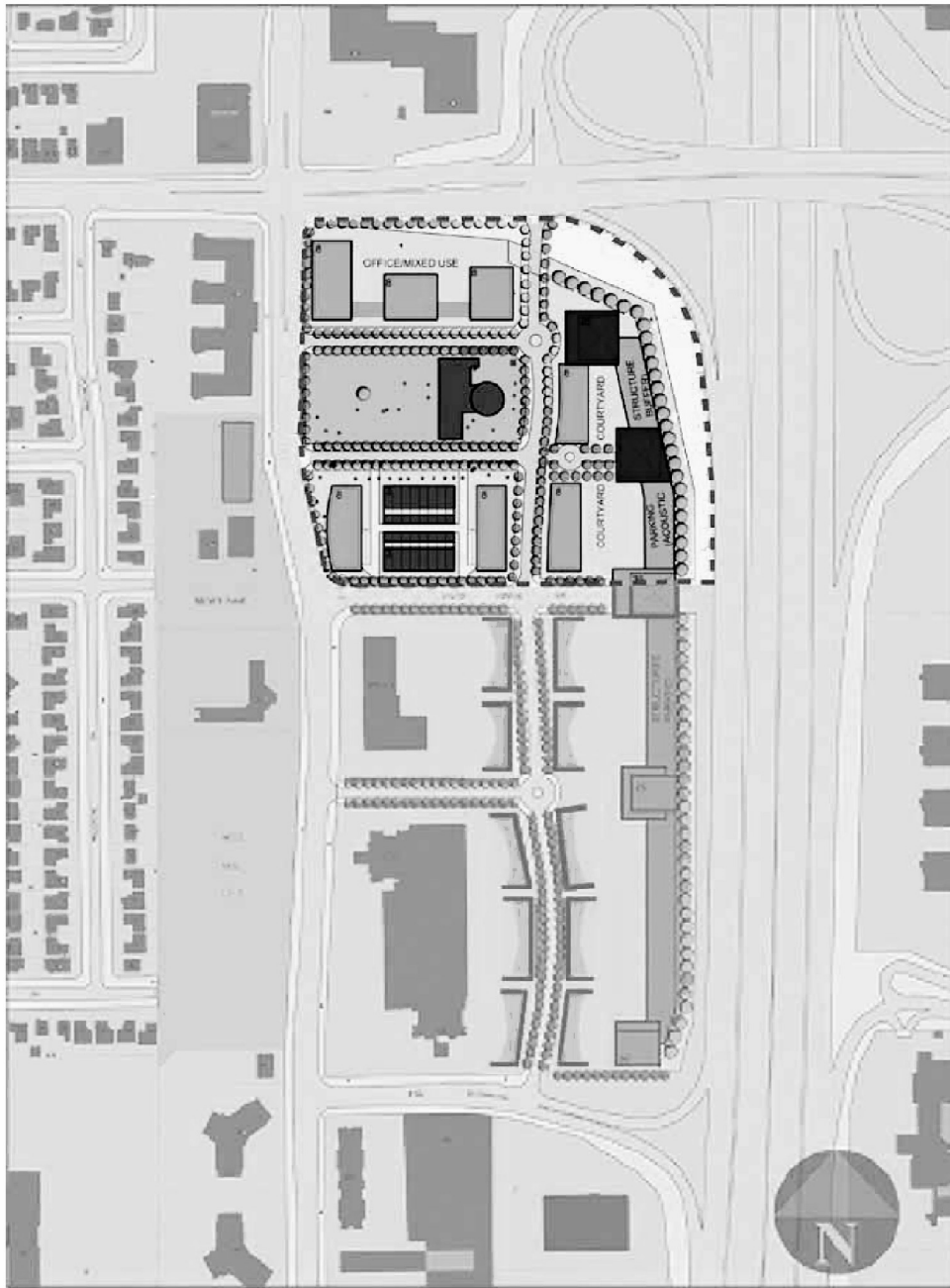
The Section 37 Agreement contains a provision whereby the value of these contributions increases in accordance with the Construction Price Index from the time to Agreement is signed (before the introduction of bills to Council) to the time the benefits are secured.

The following matters are also to be secured in the Section 37 agreement, as a legal convenience to support development:

1. Design, obtain necessary approvals for and pay the City for the installation of any improvements required to the water, sanitary sewer and storm sewer systems necessary to accommodate the proposed development;
2. Design and construction of area road improvements at no expense to the City as follows:
  - The West Mall and Burnhamthorpe Road:
    - longer northbound left turn lane;
    - longer westbound left turn lane; and
    - longer northbound right turn lane.
  - The West Mall and Bloor Street West:
    - longer southbound left turn lane;
    - longer eastbound left turn lane; and
    - new advanced green for westbound and southbound left turns;
3. Installation of transit signal priority features at no expense to the City at two of the following three intersections:
  - The West Mall and Bloor Street West;
  - The West Mall and Eva Road; and
  - The West Mall and Burnhamthorpe Road ;
4. Dedication of land, a financial contribution and a maintenance agreement (for the dedicated land before the road is built) for the proposed north-south road (see New North-South Road above);

5. Inclusion of Public and Catholic School Board warning clauses in Offers of Purchase and Sale and signs regarding possible bussing of students to schools outside the immediate neighbourhood; and
6. Inclusion of noise warning clauses in Offers of Purchase and Sale and mitigation measures.

**Attachment 9 – West District Design Initiative (WDDI)**



**West District Design Initiative (WDDI)**

**2-6 Eva Road**

Applicant's Submitted Drawing

Not to Scale 

File # 08\_112855