

**555 The West Mall - Zoning By-law Amendment
Application - Preliminary Report**

Date:	March 13, 2017
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 3 – Etobicoke Centre
Reference Number:	16 247312 WET 03 OZ

SUMMARY

This application proposes to amend City of Toronto Zoning By-law No. 569-2013 and the former City of Etobicoke Zoning Code to permit a new 24-storey purpose built rental apartment building approximately 72.8 m in height (including the mechanical penthouse), to the north of an existing 14-storey rental apartment building on the lands at 555 The West Mall. The new building would contain 293 residential units and have a gross floor area of 22,061 m², resulting in Floor Space Index of 4.02 times the area of the lot (including the existing building). The existing and proposed building would be served by a shared 4-level underground parking garage with 504 vehicular parking spaces, which would allow the existing surface parking lot to be removed.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

A community consultation meeting scheduled by staff in consultation with the Ward Councillor is targeted to be held in the first quarter of 2017.

The completion of a Final Report and statutory public meeting under the *Planning Act* is targeted for the fourth



quarter of 2017. The target date for the Final Report assumes that the applicant will provide all required information promptly and that issues arising from the application can be resolved in a timely manner.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 555 The West Mall together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The subject site was the subject of two Committee of Adjustment applications to increase the maximum number of permitted dwelling units in the existing 14-storey rental apartment building. Committee of Adjustment Decision No. A77/89 approved an increase in the maximum number of dwelling units from 107 to 109. Committee of Adjustment Decision No. A235/13EYK approved an increase in the maximum number of dwelling units from 109 to 122 and allowed the minimum number of parking spaces to remain at 107.

Pre-Application Consultation

The owners have discussed various redevelopment proposals and development concepts with Planning staff since 2012. Most recently, a pre-application consultation meeting was held with the applicant in September 2014 to discuss a development concept and complete application submission requirements. The proposal was for a 24-storey rental apartment building with a 5-storey base building and 3 levels of underground parking. Staff provided a number of comments including: a recommendation to lower the base building height to better transition to the existing 2-storey townhouses immediately to the west; reduction of the tower floor plate to a maximum of 750 m² as per the Tall Building Design Guidelines; the development of a street presence along Rathburn Road; the provision of appropriate tower separation from the existing building; and a better aligned and more landscaped driveway approaching the proposed building.

ISSUE BACKGROUND

Proposal

The application proposes a new 24-storey purpose built rental apartment building approximately 72.8 m in height (including mechanical penthouse), including a 5-storey (13.9 metres) base building. The proposed residential gross floor area would be 22,061 m² resulting in a floor space index (FSI) of 2.65 times the area of the lot (see Attachment 8: Application Data Sheet). The subject site including both the proposed and existing building would have a total combined gross floor area of 34,591 m² resulting in a combined density of 4.02 times the area of the lot.

The proposed building would be situated behind the existing building at the north end of the lot. The proposed front entrance to the main lobby would face south. The proposed building would be set back approximately 14 m from the north property line, in accordance with the Ministry of Transportation (MTO) setback requirements, and setback 8 m from the east property line, with the exception of the one storey garage entrance.

Base Building or Podium

The proposed building would have a 5-storey base building (13.9 m in height) with an irregular shape with its greatest depth at the west end of the site and narrowest depth at the east end of the site. The first floor of the base building would contain the main lobby, mail room, shared washrooms, a lounge, dwelling units and an amenity area which is proposed to be open to the second floor above. The second floor would contain dwelling units, an amenity area and a party room. The third, fourth and fifth floors would contain dwelling units and bicycle storage rooms. The sixth floor is proposed to contain dwelling units and access to a shared outdoor amenity terrace. All dwelling units would have access to private balconies or terraces.

Tower

The proposed building has a tower element containing floors 6 to 24. The tower floor plate would be 832 m² and would be set back 10.4 m from the west façade of the base building. The tower setback from the base building would vary on the remaining facades and there would be no tower setback on the south façade. The tower would have a separation distance of 25 m from the existing 14-storey apartment building on the same site (see Attachments 1-5: Site Plan and Elevations).

Unit Mix

The proposed building would contain 293 dwelling units, consisting of 27 bachelor units - 9.2%; 120 one bedroom units - 41%; 36 one bedroom + den units - 12.3%; 88 two bedroom units - 30%; and 22 three bedroom units - 7.5%.

Amenity Space

A total of 2,174 m² of amenity space is proposed, comprised of 803 m² of indoor amenity space (on levels 1 and 2) and 1,371 m² of outdoor amenity space (at-grade and on level 5). While the proposed outdoor amenity space is proposed to be shared by both existing

and future residents, the indoor amenity space is proposed to be exclusive to future residents of the new building only.

Site Access, Parking and Servicing

Vehicular access to the site is provided by a driveway from The West Mall. This driveway would also serve the new building with separate drop-off and loading areas for each building, including a round-about adjacent to the lobby/entrance of the proposed new building and a lay-by in front of the existing building's entrance. The driveway would continue to a ramp on the east side of the new building that would provide access to the proposed below-grade garage.

The existing below-grade garage, which the applicant advises is in a state of disrepair, would be demolished and replaced with a new 4-level underground parking structure to be used by residents from both the existing building and proposed building. Currently, the existing garage encroaches below-grade into the 14 m MTO setback requirement from the north lot line. The applicant advises that MTO has agreed to permit the reconstruction of the new garage within the same encroachment as the existing garage.

A total of 504 vehicular parking spaces are proposed on the site. The proposed shared below-grade garage would contain 478 parking spaces, including 420 spaces for residents and 58 spaces for visitors. An additional 26 visitor surface parking spaces are proposed throughout the site.

One Type G loading space would be provided at the east end of the site adjacent to the existing apartment building.

The majority of the residential bicycle parking would be located within the below-grade garage (P1 – 23 spaces; P2 – 83 spaces; P3 – 83 spaces; P4 – 83 spaces). Visitor bicycle parking spaces would be located on P1 (18 spaces) and at-grade on the west end of the lot (11 spaces).

Site and Surrounding Area

The subject site is located along the Highway 427 corridor, on the northeast side of The West Mall, south of Rathburn Road and west of Highway 427. The lot is generally rectangular in shape with a total of area of approximately 0.86 ha, with a frontage of 59 m along The West Mall and a depth of approximately 113 m. To the north lies a 1,265 m² parcel of land fronting Rathburn Road that was originally expropriated from the subject site by the MTO to accommodate an on-ramp to Highway 427. Furthermore, the site is subject to a 14 metre setback from the Rathburn Road frontage required by the MTO for the purpose of future highway expansion. The applicant advises that the MTO has undertaken an Environmental Assessment and has recommended a reconfigured interchange which would result in the land north of the subject site no longer being required for highway operations.

The site is presently occupied by a 14-storey residential rental apartment building built in 1969 with 12,530 m² of residential gross floor area containing 119 dwelling units and has

an FSI of 1.45 times the area of the lot. The existing building has a slab-style design and is oriented in a north-south direction. The remainder of the site consists of the driveway, surface parking spaces and green space.

Surrounding land uses include the following:

North: To the immediate north of the site, on the north side of Rathburn Road is a 7-storey apartment building. A large privately owned green space is adjacent to west of the 7-storey building. Further north are two 19-storey apartment buildings and a 12-storey apartment building.

South: Immediately south of the subject site, on the west side of The West Mall, are a series of two and three storey townhouse blocks. Beyond those townhouses, further west is a low-rise neighbourhood with detached and semi-detached houses.

East: To the immediate east of the subject site are two 15-storey apartment buildings (at 551 and 545 The West Mall). Further east is Highway 427 which is 18-lanes wide at this point.

West: Immediately west of the subject site are two blocks of 2-storey apartment buildings (at 445 Rathburn Road and 559 The West Mall). Further west is a 2-storey apartment building. West of these apartment buildings are detached and semi-detached houses.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, to be consistent with the PPS.

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

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

Official Plan

The property is designated *Apartment Neighbourhoods* on Map 14 – Land Use Map in the Official Plan (see Attachment 6: Official Plan). *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. There may be opportunities for additional development on underutilized sites, either townhouses or apartments, and the Plan establishes criteria to evaluate these situations.

Policy 4.2.2 of the Official Plan provides direction for development in *Apartment Neighbourhoods*. Development in *Apartment Neighbourhoods* will contribute to the quality of life by:

- Locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Official Plan;
- Locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*;
- Locating and massing new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- Including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- Locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- Providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- Providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- 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.

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

Policy 4.2.3 of the Official Plan states that 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;
- 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 the Official 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.

The Official Plan is available on the City's website at:

<http://www1.toronto.ca/planning/chapters1-5.pdf>

Official Plan Amendment No. 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

Official Plan Amendment 320 implements the City's Tower Renewal Program by promoting the renewal and retrofitting of older apartment buildings and encouraging small scale retail, institutional uses and community facilities at grade in apartment buildings to better serve residents.

Policies in OPA 320 relating to *Apartment Neighbourhoods* address additional factors, including a broader range of improvements to existing buildings such as energy and water efficiency and waste diversion; grade-related units for families with children; and the introduction of small-scale commercial and community uses where walking access to goods and services is limited.

Zoning

On May 9, 2013 City Council enacted City-wide Zoning By-law No. 569-2013, currently under appeal to the Ontario Municipal Board. Both the former City of Etobicoke Zoning Code and City-wide Zoning By-law No. 569-2013 continue to apply to the site while By-law No. 569-2013 is under appeal.

The site is zoned R4 (Fourth Density Residential Zone) under the former City of Etobicoke Zoning Code, which permits a wide range of residential uses including apartment houses, detached dwellings, semi-detached dwellings and duplex dwellings.

Under City-wide Zoning By-law No. 569-2013, this site is zoned RA (f24.0; au67.0) (x84). The RA (Residential Apartment) zone permits apartment buildings and other conditional uses with a maximum permitted height of 14.0 metres; a maximum lot coverage of 40%; minimum lot frontage of 24 metres; and a minimum lot area required for each dwelling unit of 67 m². Exception 84 applies to the site which lists prevailing by-laws 810, 838 and 1989-49 (see Attachment 7: Zoning).

Site Plan Control

The proposed development is subject to Site Plan Control. An application for site plan control has yet to be submitted.

City-Wide Tall Building Design Guidelines

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

Tree Preservation

An Arborist Report has been submitted and identifies that permits will be required to remove 11 privately owned trees. Thirty-nine (39) new trees are proposed to be planted on the site. The Arborist Report and the Landscaping Plan are being reviewed by Urban Forestry staff.

Tenure

The applicant has advised that the proposed 293 residential units would be rental units.

Reasons for the Application

A Zoning By-law Amendment is required to permit a second apartment building on the subject site in the form, type, height and density of development proposed. Other areas of non-compliance may be identified through the zoning review currently being undertaken by Toronto Building staff.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning and Urban Design Rationale Report;
- Community Services and Facilities Study;
- Urban Transportation Considerations Report;
- Functional Servicing and Stormwater Management Report;
- Downstream Sanitary Sewer Analysis;
- Public Consultation Strategy;
- Shadow Study;
- Toronto Green Standard Checklist;
- Stage 1 and 2 Archaeological Assessment; and
- Arborist Report.

Copies of the submitted reports/studies are available on the City's Application Information Centre website at:

<http://app.toronto.ca/DevelopmentApplications/associatedApplicationsList.do?action=init&folderRsn=4057125&isCofASearch=false>

A Notification of Incomplete Application issued on December 5, 2016 identifies that a Hydro-geological Report is required for a complete application submission. The outstanding report has not been submitted to date.

Issues to be Resolved

The application has been circulated to City divisions and public agencies for comment. Issues identified on a preliminary basis include, but are not necessarily limited to:

- Conformity with the Provincial Policy Statement and the Growth Plan.
- Conformity with the Official Plan policies, including development criteria for *Apartment Neighbourhoods*.
- Site design, organization and layout with respect to:
 - Compatibility and transition to adjacent lower scale buildings;
 - Tower height;
 - Tower floor plate;
 - Base building orientation, height and massing;
 - Site circulation including location of loading space and garbage storage and staging areas;
 - Pedestrian access to Rathburn Road;
 - Relocation of visitor vehicular parking to below-grade garage;
 - Functionality and location of short-term and long-term bicycle parking;
 - Unit mix to accommodate additional family-sized units;
 - Pedestrian and above-grade amenity area wind comfort levels;

- Accessibility and design of shared amenity space; and
- Landscaping of pedestrian walkways.
- Parkland/cash in lieu dedication requirements.
- Servicing connections, adequacy of existing municipal infrastructure and identification of required improvements to support the proposed residential density.
- Transportation impacts arising from the proposed residential density.
- Adequacy of existing community services and facilities that may be required to serve the development.
- Should the application be recommended for approval, identification of appropriate community benefits under Section 37 of the *Planning Act* as a result of the proposed increase in height and density of the proposal.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

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

CONTACT

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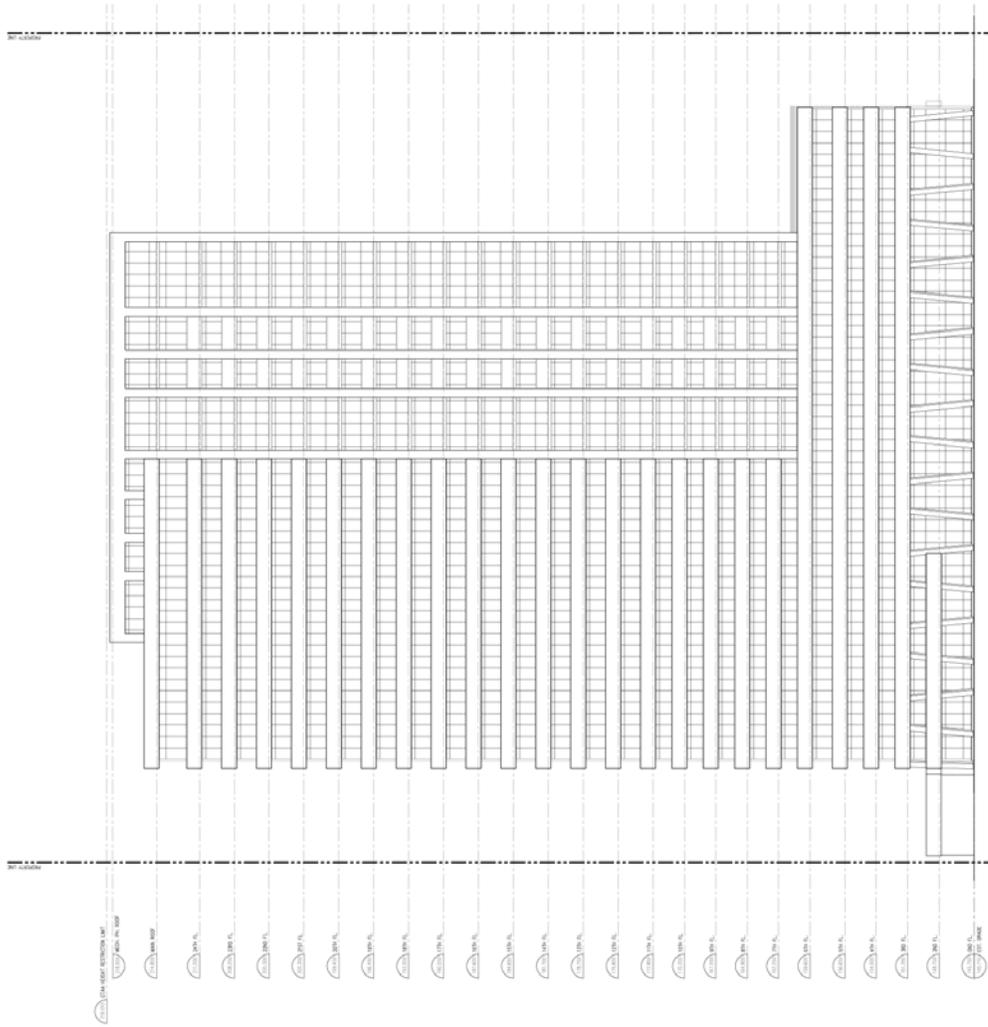
SIGNATURE

Neil Cresswell, MCIP, RPP
 Director of Community Planning
 Etobicoke York District

ATTACHMENTS

- Attachment 1: Site Plan
- Attachment 2: North Elevation
- Attachment 3: South Elevation
- Attachment 4: East Elevation
- Attachment 5: West Elevation
- Attachment 6: Official Plan
- Attachment 7: Zoning
- Attachment 8: Application Data Sheet

Attachment 2: North Elevation



North Elevation

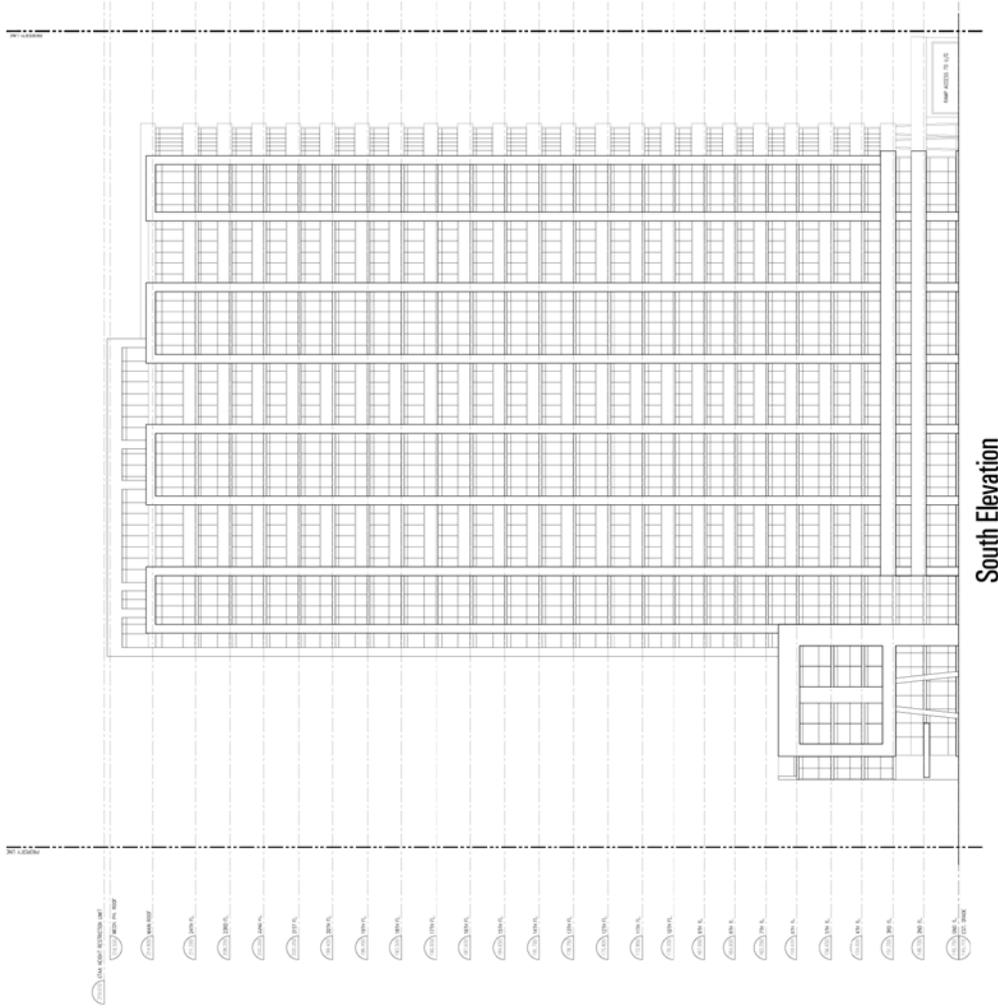
555 The West Mall

File # 16 247312 WET 03 0Z

Elevations
Applicant's Submitted Drawing

Not to Scale
01/11/17

Attachment 3: South Elevation



555 The West Mall

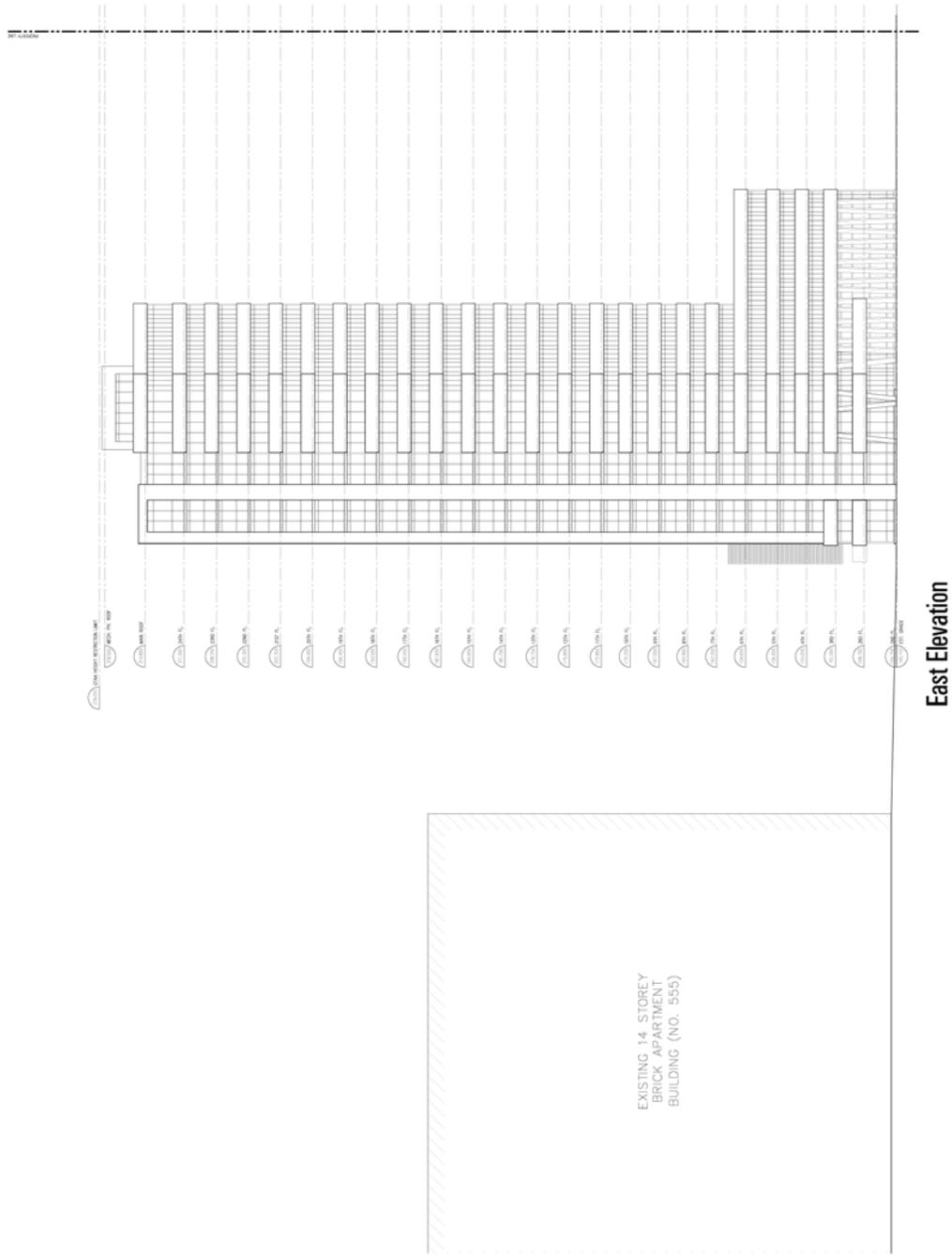
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Elevations

Applicant's Submitted Drawing

Not to Scale
01/11/17

Attachment 4: East Elevation

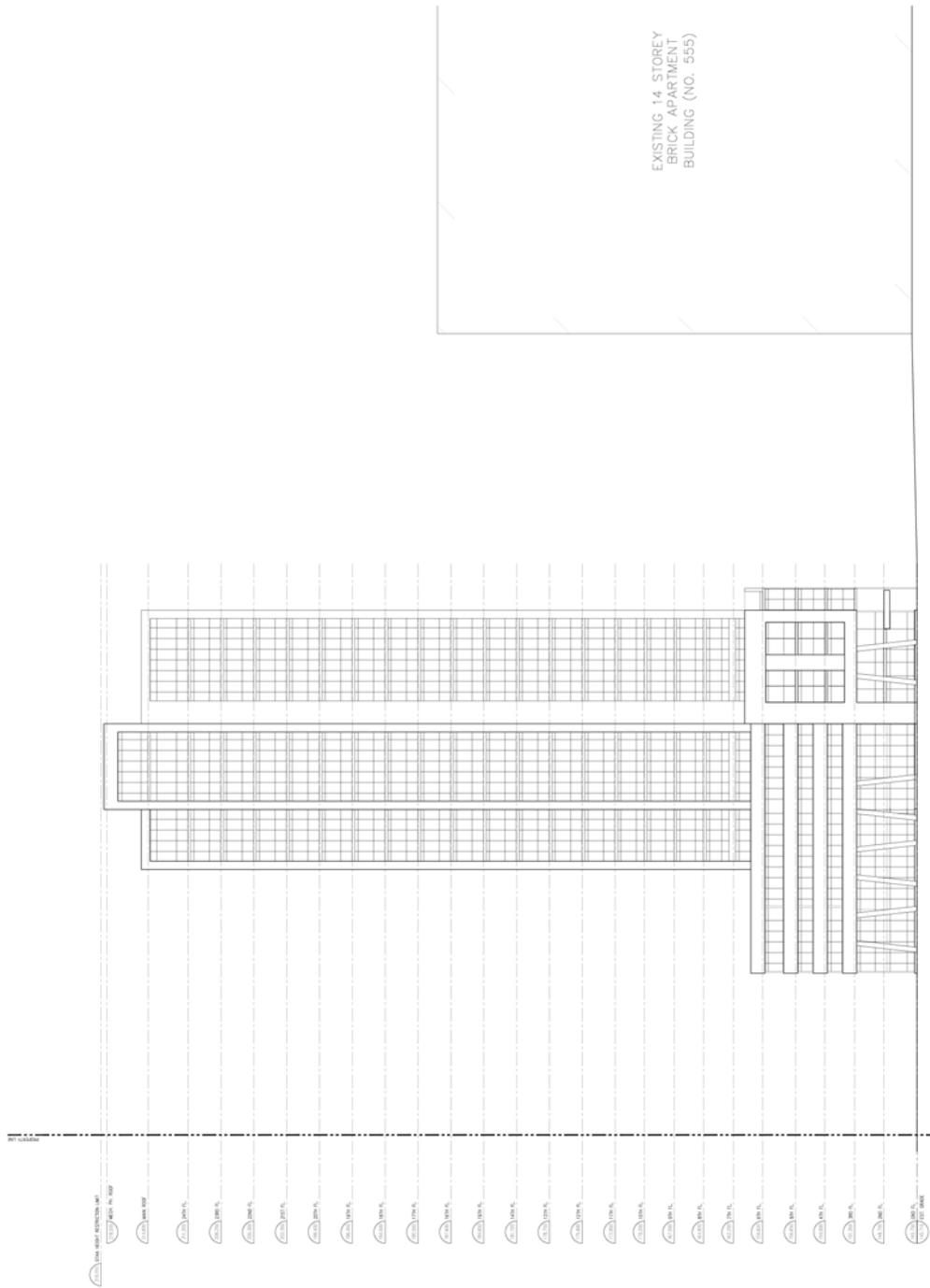


555 The West Mall

Elevations
Applicant's Submitted Drawing
Not to Scale
01/11/17

File # 16 247312 WET 03 0Z

Attachment 5: West Elevation



West Elevation

555 The West Mall

File # 16 24/7312 WET 03 0Z

Elevations
Applicant's Submitted Drawing
Not to Scale
01/11/17

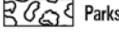
Attachment 6: Official Plan



Toronto City Planning
Extract from Official Plan

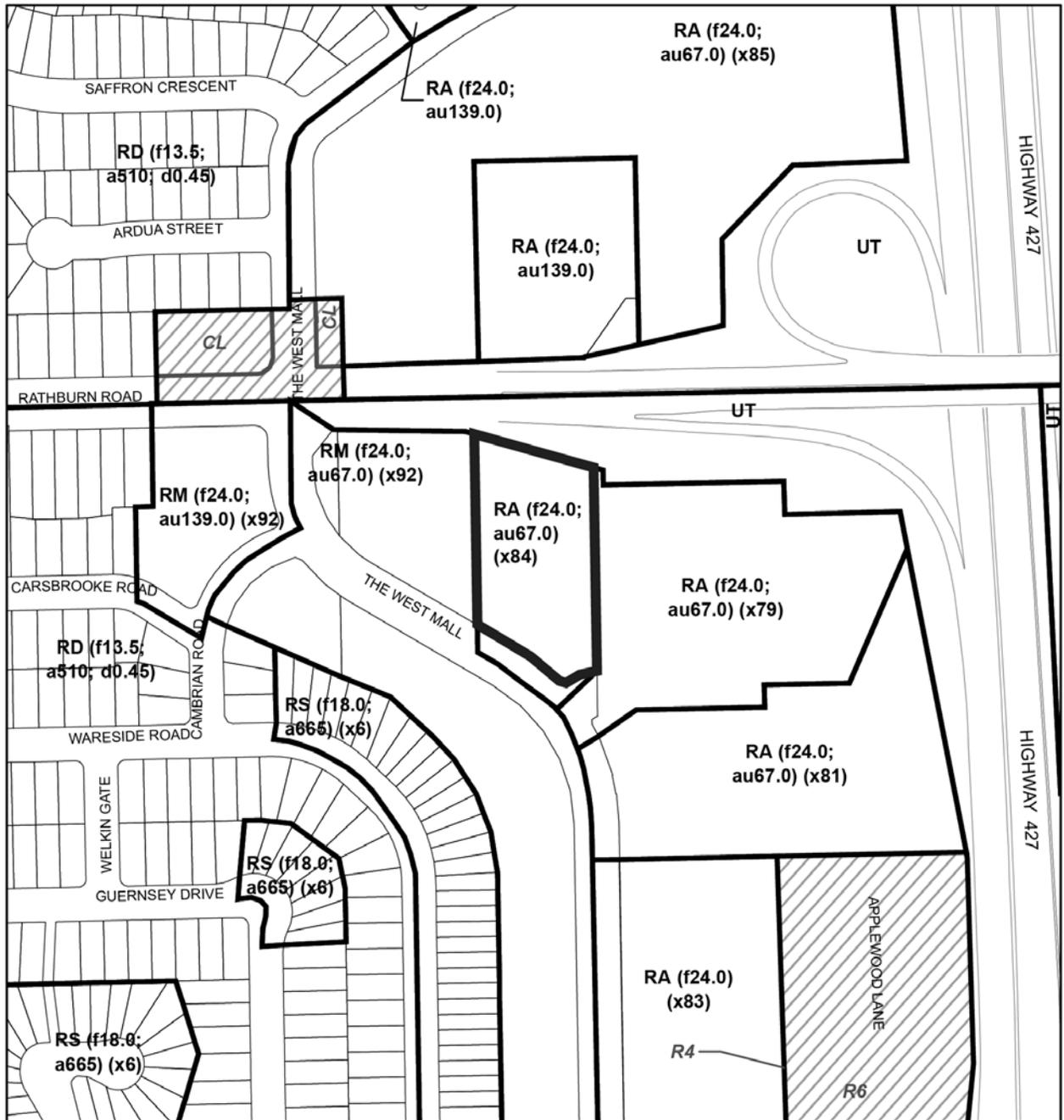
555 The West Mall

File # 16 247312 WET 03 0Z

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

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 Not to Scale
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Attachment 7: Zoning



Zoning By-Law No. 569-2013

555 The West Mall

File # 16 247312 WET 03 0Z

Location of Application

See Former City of Etobicoke By-Law No. 11,737

- | | |
|--|--|
| <p>RD Residential Detached</p> <p>RS Residential Semi-Detached</p> | <p>RM Residential Multiple</p> <p>RA Residential Apartment</p> <p>UT Utility and Transportation</p> |
|--|--|

- | | |
|--|-------------------------------------|
| <p>R4 Fourth Density Residential</p> <p>R6 Sixth Density Residential</p> | <p>CL Limited Commercial</p> |
|--|-------------------------------------|



Not to Scale
Extracted: 01/11/2017

Attachment 8: Application Data Sheet

Application Type:	Rezoning	Application Number:	16 247312 WET 03 OZ
Details:	Rezoning, Standard	Application Date:	November 4, 2016

Municipal Address: 555 THE WEST MALL
 Location Description: PLAN M833 PT BLK B RP R3727 PARTS 4 TO 8 **GRID W0304
 Project Description: Proposal for a 24-storey rental building having 293 units on a site containing an existing 14 storey rental building. The site would have a total gfa of 34,592 m² and an FSI of 4.02 times the area of the lot

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC			BADENHURST-555 THE WEST MALL LTD

PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhoods	Site Specific Provision: Y
Zoning: RA		Historical Status: N
Height Limit (m): 14 m		Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq. m):	8608.69	Height:	Storeys:	24
Frontage (m):	59		Metres:	69.1
Depth (m):	113			
Total Ground Floor Area (sq. m):	1,270.62 (proposed only)			Total
Total Residential GFA (sq. m):	22,061.46 (proposed only)		Parking Spaces:	504
Total Non-Residential GFA (sq. m):	0		Loading Docks	1
Total GFA (sq. m):	22,061.46 (proposed only); 34,591.46 (proposed + existing building)			
Lot Coverage Ratio (%):	0			
Floor Space Index:	2.65 (proposed); 4.02 (includes proposed + existing building)			

DWELLING UNITS (proposed building)

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type: Rental			
Rooms:	0	Residential GFA (sq. m):	22,061.46
Bachelor:	27	Retail GFA (sq. m):	0
1 Bedroom:	156	Office GFA (sq. m):	0
2 Bedroom:	88	Industrial GFA (sq. m):	0
3 + Bedroom:	22	Institutional/Other GFA (sq. m):	0
Total Units:	293		

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