

555 The West Mall - Zoning By-law Amendment Application – Request for Directions Report

Date: June 21, 2019

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 2 - Etobicoke Centre

Planning Application Number: 16 247312 WET 03 OZ

SUMMARY

The owner of the site at 555 The West Mall has appealed this Zoning By-law Amendment application to the Local Planning Appeal Tribunal (the "LPAT"), formerly the Ontario Municipal Board, citing City Council's failure to make a decision on the application within the time period prescribed under the *Planning Act*. The appeal was filed on November 9, 2017 and is considered a "legacy" appeal under the transition regulations of the *LPAT Act*.

The purpose of this report is to seek City Council's direction for the City Solicitor and other appropriate City staff to attend the LPAT in support of a revised proposal (subject to a number of conditions) submitted by the applicant on April 29, 2019. A Pre-Hearing Conference was held at the LPAT on May 6, 2019 in which requests for status in the proceeding and next steps were established. A second Pre-Hearing Conference is scheduled for August 23, 2019 to either consider a settlement or consider a draft procedural order and issues list for a hearing.

The original application submitted on November 4, 2016, proposed to amend the former City of Etobicoke Zoning Code and City of Toronto Zoning By-law No. 569-2013 to permit a 24-storey (69 m in height, excluding the mechanical penthouse) purpose built rental apartment building with 293 residential dwelling units to the north of an existing 14-storey, 119 unit residential rental apartment building on the site. The proposed development (including the existing building) had a proposed total gross floor area of 34,591 m² and a total Floor Space Index of 4.02 times the area of the lot. The existing and proposed building would be served by a shared 4-level underground parking garage. The existing 14-storey rental apartment building on the site would be retained.

The revised proposal modifies the development by reducing the height of the proposed apartment building to 22 storeys (61.4 m in height, excluding the mechanical penthouse), reducing the number of residential dwelling units to 256 and decreasing the total gross floor area (including the existing building on the site) to 30,458 m² for a total

Floor Space Index of 3.54 times the area of the lot. Other minor modifications to the built form, site layout and access are also proposed.

The revised proposal is consistent with the Provincial Policy Statement (2014) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019). The proposal is appropriate for the site and is compatible with the surrounding area.

The revised proposal conforms to the *Apartment Neighbourhoods* Official Plan designation as the proposed building represents compatible intensification and would provide new purpose built rental infill housing and improve the existing rental apartment building on the site.

This report recommends that City Council direct the City Solicitor, together with appropriate City staff, to support the revised proposal at the LPAT, subject to a number of conditions.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff to attend the LPAT hearing for 555 The West Mall in support of the revised proposal outlined in the June 21, 2019 report from the Director, Community Planning, Etobicoke York District to Etobicoke York Community Council.

2. In the event the LPAT allows the appeal of the Zoning By-law Amendment application, in whole or in part, City Council direct the City Solicitor to request that the LPAT withhold its Order(s) approving the Zoning By-law Amendments until such time as the City Solicitor, in consultation with the Chief Planner and Executive Director, City Planning and the owner provides draft by-laws to the LPAT in a form and content to the satisfaction of the Director, Community Planning, Etobicoke York District, and pending:

a. Confirmation from the City Solicitor that the owner has submitted to the General Manager of Transportation Services for review and acceptance, revised plans clarifying the discrepancy in the parking supply between the proposed underground parking garage plans and the revised site statistics.

b. Confirmation from the City Solicitor that the owner has submitted to the General Manager of Transportation Services for review and acceptance, revised underground parking garage plans illustrating that the typical parking space dimensions and the proposed drive aisle widths comply with the minimum requirements of Zoning By-law No. 569-2013.

c. The revised proposal providing a parking supply and parking space dimensions that comply with the minimum requirements of Zoning By-law No. 569-2013 for "All Other Areas".

d. The revised proposal providing a minimum of one Type 'G' loading space with size dimensions that comply with the minimum loading space requirements in Zoning By-law No. 569-2013.

e. Confirmation from the City Solicitor that the owner has entered into and registered on title an Agreement under Section 37 of the *Planning Act* to secure the following facilities, services and matters at the owners expense:

i. Prior to the issuance of the first-above grade building permit for the development, the owner shall pay to the City the sum of \$550,000 to be used in Ward 2 and allocated towards the following community benefits to the satisfaction of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor:

- Streetscaping along The West Mall in the vicinity of the property including streetscape improvements that comply with the Streetscape Manual and/or are to the satisfaction of the Chief Planner and Executive Director, City Planning;
- Capital upgrades and improvements to the Toronto Community Housing Corporation property at 559 The West Mall;
- Improvements to local parks in the Ward; and
- Improvements to the Etobicoke Olympium Community Centre.

ii. The above required cash contribution in 2.e.i. is to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of the execution of the Section 37 Agreement to the date the payment is made.

iii. In the event the cash contribution required in Recommendation 2.e.i. has not been used for the intended purpose within three (3) years of the Zoning By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the property.

3. City Council direct that the following matters be secured in the Section 37 Agreement as a legal convenience to support development:

a. The owner to provide and maintain the 119 existing rental housing units at 555 The West Mall as rental housing a period of at least 20 years, from the date of the By-law coming into full force and effect, with all associated facilities and

building amenity improvements to be secured for the rental housing units, at no extra cost to the existing tenants, and with no applications for demolition or conversion from residential rental use, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

b. Prior to the issuance of the first building permit, the owner to submit a Construction Mitigation and Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning.

c. The owner to construct and maintain at least 628 m² of ground floor indoor amenity space in the new building at 555 The West Mall to be shared by tenants of both buildings.

d. The owner to provide and maintain new indoor amenity space comprised of at least the following: a multi-purpose room to be appropriately furnished and having direct access to a washroom; and a fully outfitted fitness and exercise room. Outdoor amenity space is to be provided that will include at least a children's play area with a minimum of two benches for seating. This indoor and outdoor amenity space is to be provided to the satisfaction of the Chief Planner and Executive Director, City Planning.

e. The owner to make available to tenants of both buildings all ground floor indoor and all outdoor amenity spaces generally as illustrated on the Ground Floor Plan submitted by the applicant in the revised proposal, for the proposed 22-storey building and existing building, without the need to pre-book or pay a fee, unless specifically required as a customary practice for private bookings.

f. Prior to Site Plan Approval, the owner to submit an updated Noise Feasibility Assessment/Addendum Letter to be further peer reviewed and resolved to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning. The owner shall construct and maintain any required noise mitigation measures, to be secured through the Site Plan review process, to the satisfaction of the Chief Planner and Executive Director, City Planning.

g. The owner to implement the wind control measures identified in the Pedestrian Wind Study dated October 31, 2018 prepared by RWDI, and the updated Pedestrian Wind Conditions Addendum Letter, dated April 24, 2019 prepared by RWDI to the satisfaction of the Chief Planner and Executive Director, City Planning. Such measures to be secured through the Site Plan review process.

h. The owner to construct and maintain the development in accordance with the Tier 1 performance measures of the Toronto Green Standard.

i. A minimum of 10% of all units shown on the plans for the entire development shall be provided as three-bedroom units.

j. The owner to obtain all required permit(s) from the Ministry of Transportation prior to any construction.

k. The owner to notify NAV Canada a minimum of 10 days prior to the start of construction.

4. City Council authorize the City Solicitor and appropriate City staff to take any necessary steps to implement the foregoing.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

PROPOSAL

Current Revised Proposal

The revised application proposes a new 22-storey purpose built rental apartment building, 61.4 m in height (excluding the mechanical penthouse) and 67.5 m in height measured to the top of the mechanical penthouse. The proposed residential gross floor area would be 17,928 m² resulting in a Floor Space Index (FSI) of 2.08 times the area of the development portion of the lot (see Attachment 1: Application Data Sheet). The subject site including both the proposed and existing buildings would have a total combined gross floor area of 30,458 m² resulting in a combined density of 3.54 times the area of the lot.

The proposed building would be situated behind the existing building at the north end of the lot currently containing a surface parking lot. The front entrance to the main lobby would face south. The proposed building would include a podium with a tower element above.

Podium

The podium of the proposed building is irregular in shape with its greatest depth at the west end of the site and narrowest depth at the east end of the site. The height of the base would range from 3-5 storeys and up to 13.9 m in height.

The podium of the building would be setback 7.7 m from the east property line with the tower portion setback 15 m from the east property line. The two-storey loading space/garage entrance would be integrated into the podium and would be setback approximately 3 m from the east property line above grade and setback 0.5 m from the east property line below grade for the underground parking garage. The podium of the building would be setback 9.8 m from the west property line with the tower portion setback approximately 15 m from the west property line.

The first floor of the podium would contain the main lobby (open to the second floor above), mail room, shared washrooms, management office and 3 indoor shared

amenity areas (2 party rooms and 1 fitness room). The second, third, fourth and fifth floors would contain dwelling units. All dwelling units would have access to private balconies or terraces.

Tower

The proposed building has a tower element containing floors 6 to 22. The sixth floor is proposed to contain dwelling units, two shared indoor amenity spaces (party rooms) and an outdoor shared amenity space terrace. Floors 7-22 would contain dwelling units. The tower floor plate would be 750 m² and would have a separation distance of 26 m from the existing 14-storey apartment building to the south (see Attachments 6-9: Elevations).

The proposed building would be setback approximately 60.8 m from the south property line with no tower setback on the south façade. The proposed building would be setback approximately 14 m from the north property line above grade in accordance with the Ministry of Transportation (MTO) setback requirements and the below grade parking garage would be setback 7 m from the north property line below grade.

Unit Mix

The proposed building would contain 256 dwelling units, consisting of: 12 bachelor units (5%); 166 one bedroom units (65%); 59 two bedroom units (23%); and 19 three bedroom units (7%).

The existing apartment building on the site contains 119 units, consisting of 10 bachelor units (9%); 12 one bedroom units (10%); 74 two bedroom units (62%); and 23 three bedroom units (19%).

The entire development would contain a total of 11% three bedroom units.

Amenity Space

A total of 1,971 m² of amenity space is proposed, comprised of 838 m² of indoor amenity space (on the ground floor and 6th floor) and 1,133 m² of outdoor amenity space (on the ground floor and 6th floor).

Approximately 628 m² of the ground floor of the proposed building would be utilized for indoor amenity space. Exterior amenities would include a children's play area, a mini-soccer pitch and a dog run. All the indoor and outdoor space and amenities would be available to residents of both the existing and proposed buildings. The interior and exterior amenity space on the proposed building's 6th floor would be available for use by residents of the proposed building only.

Site Access, Parking and Servicing

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

The site currently contains a surface parking lot and a below-grade parking garage. The existing site layout would be reconfigured to reduce the amount of asphalt by relocating some of the existing surface parking spaces into the proposed new 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 of both the existing and proposed buildings.

Currently, the existing garage encroaches below-grade into the 14 m MTO setback requirement from the north lot line. The MTO has agreed to permit the reconstruction of the new garage with a 7 m encroachment into the 14 m MTO setback. Presently, tenants with a below-grade parking space access the existing building through a connection into the basement of the apartment building. This below grade connection would be maintained in the P1 level so tenants of the existing building would still have direct access between P1 and the existing apartment building.

A total of 435 vehicular parking spaces are proposed on the site comprised of 360 resident spaces and 75 visitor spaces (of which 25 spaces would be located at the surface level throughout the site). One Type G loading space would be provided at the east end of the site adjacent to the existing apartment building.

A total of 194 bicycle parking spaces would be provided, comprised of 176 resident spaces located on the P1 level of the below grade garage and 18 visitor spaces located at surface level on the west end of the lot.

With respect to solid waste, the existing building has a chute for garbage and residents take recycling to the ground floor garbage room and place it into bins. Site staff empty recycling bins into larger bins currently stored outside at the rear of the building. In the post site development condition, site staff would move garbage and recycling from the existing building to be stored in a room in the proposed building so that outside storage of bins would no longer be needed.

The proposed building would have a tri-sorter for waste. Garbage for the proposed building would be stored in the garbage room on level P1 of the parking garage. Site staff would move the bins from P1 to the staging area on garbage pick-up day(s). The waste arrangement would be refined and finalized through the Site Plan review process should this application be approved and secured as part of the overall site improvements for the proposal.

Changes Between the Original Proposal and the Current Proposal

The revised proposal was submitted on April 30, 2019 and incorporates a number of changes from the original proposal submitted on November 4, 2016, as well as subsequent revisions leading up to this current submission. The main revisions include:

- A reduced building height from 24 to 22-storeys (69.1 m to 61.4 m in height);
- A decrease in the proposed number of dwelling units from 293 to 256 (37 unit reduction);
- A reduced GFA from 22,061 m² to 17,928 m² (19% reduction);
- A reduced tower floor plate size from 882 m² to 750 m²;
- An increased separation distance from 25 m to 26 m between the existing and proposed apartment buildings;
- Increased the east and west tower setbacks from 10 m to 15 m;
- Increased the east podium setback from 0.5 m to 3 m for the integrated two-storey loading/garage;
- Relocated the proposed parking ramp from the west to the east side of the new building in order to provide safety and continuity of the proposed walkway connection from The West Mall to the front door of the building;
- Added shared amenity space to the 6th floor terrace facing west;
- Added an outdoor playground area, dog run area and mini soccer pitch;
- Added a 2.1 m wide pedestrian walkway to Rathburn Road with direct visual and physical access to the site and building entrances;
- Relocated the garbage pickup area from the outside of the existing building to the inside of the proposed building;
- Screened the proposed garbage pickup/loading area/truck turnaround area with trees to mitigate potential impacts; and
- Reduced hard surface area and added soft landscaping throughout the site.

Staff have been advised that since the owner's purchase of the building in 2011, various improvements have been made to the existing building and site, such as: renovation of the lobby and corridors; security upgrades; landscaping and entrance upgrades including glazing, pavers and signage; elevator modernization; refurbishment of the building envelope and coating; new balcony railings; parking garage rehabilitation; and energy initiatives such as new heating/hot water boilers and HVAC automation.

Site and Surrounding Area

The subject site is located on the east side of The West Mall, south of Rathburn Road and west of Highway 427 (see Attachment 2: Location Map). The lot is generally rectangular in shape with a total of area of approximately 0.86 ha, 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 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 the MTO staff have

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, 119 unit residential rental apartment building built in 1969 containing 12,530 m² of residential gross floor area which represents 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 to the 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.

Reasons for the Application

A Zoning By-law Amendment is required to permit a second apartment building on the subject site in the form, height and density of development proposed.

APPLICATION BACKGROUND

The subject site was the subject of two Committee of Adjustment applications to increase the maximum number of dwelling units permitted 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.

The owners have discussed various redevelopment proposals and development concepts with Planning staff since 2012. A pre-application meeting was held 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 podium and 3 levels of underground parking. Staff provided a number of comments including: a recommendation to lower the podium 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.

The current application to amend the Zoning By-law was submitted on November 4, 2016 and deemed complete on June 1, 2017. A Preliminary Report on the application was adopted by Etobicoke York Community Council on April 4, 2017 authorizing staff to conduct a community consultation meeting with an expanded notification area. The Preliminary Report can be viewed at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EY21.8>

Various additional consultations took place with the applicant. The community consultation undertaken in relation to this application is summarized in the Comments section of this report.

On November 9, 2017, the owner appealed the Zoning By-law Amendment application to the Local Planning Appeal Tribunal (LPAT), formerly the Ontario Municipal Board, citing City Council's failure to make a decision on the application within the time period prescribed under the *Planning Act*.

The current revised proposal was submitted on April 30, 2019.

An LPAT Pre-Hearing Conference was held on May 6, 2019 in which requests for status in the proceeding and next steps were established. A second Pre-Hearing Conference at the LPAT is scheduled for August 23, 2019 to either consider a settlement of the appeal or consider a draft procedural order and issues list for a hearing.

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Planning and Urban Design Rationale Report;
- Housing Issues Report;
- Community Services and Facilities Study;
- Urban Transportation Considerations Report;
- Functional Servicing and Stormwater Management Report;
- Downstream Sanitary Sewer Analysis;
- Hydrogeological Assessment;

- Public Consultation Strategy;
- Shadow Study;
- Pedestrian Wind Study;
- Noise Feasibility Assessment;
- Toronto Green Standard Checklist;
- Draft Zoning By-law Amendments;
- Stage 1 Archaeological Assessment; and
- Arborist Report.

The above current planning information for the application is available at the Application Information Centre (AIC) website at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

Agency Circulation Outcomes

The application, together with the applicable reports noted above, was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards and future conditions of Site Plan Control approval if this application is approved.

POLICY CONSIDERATIONS

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014)

The Provincial Policy Statement (2014) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that: "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

Provincial Plans

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. City Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by City Council shall also be consistent with the PPS and conform with Provincial Plans.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan (2019) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act* that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2019). Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform with the Growth Plan.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Chapter 2 - Shaping the City

Section 2.3.1 of the Official Plan regarding *Healthy Neighbourhoods* establish that developments in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will:

- a) Be compatible with those *Neighbourhoods*;
- b) Provide a gradual transition of scale and density, as necessary to achieve the objectives of the Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) Maintain adequate light and privacy for residents in those *Neighbourhoods*;

d) Orient and screen lighting and amenity areas so as to minimize impacts on adjacent land in those *Neighbourhoods*;

e) Locate, screen and/or enclose service areas, any surface parking and accesses to underground parking to minimize impacts on adjacent land in those *Neighbourhoods*; and

f) Attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Chapter 3 - Building a Successful City

The Official Plan includes Public Realm policies that guide the development of streets, sidewalks and boulevards. Policy 3.1.1.6 sets out parameters so that the design of sidewalks and boulevards provide safe, attractive, interesting and comfortable spaces for pedestrians.

The development criteria identified in the *Apartment Neighbourhoods* and *Healthy Neighbourhoods* policies are supplemented by additional development criteria in the Built Form policies, contained in Section 3.1.2 of the Official Plan. Section 3.1.2 states that most of the City's future development will be infill and redevelopment sites and, as such, will need to fit in, respect and improve the character of the surrounding area. It also states that development must be conceived not only in terms of the individual building site and program, but also in terms of how that site, building and its façade fits within the existing and/or planned context of the neighbourhood and the City.

Built Form Policy 3.1.2.3 emphasizes the importance of ensuring that new development fits within its existing and/or planned context, while limiting impacts on neighbouring streets, parks and open spaces. New buildings are required to provide appropriate massing and transition in scale that will respect the character of the surrounding area. New development will also be massed to provide for adequate light and privacy and adequately limit any resulting shadowing of, and uncomfortable wind conditions on, neighbouring streets, properties, parks and open space. Further, the policies provide direction on matters related to site design and layout, provision of amenities, design of new streets and organization of access, parking and service areas.

The Official Plan Built Form policies (Section 3.1.3) set out development criteria for tall buildings. Tall buildings are to be comprised of three components: the base, the middle and the top. Each of these three components of tall buildings helps to support the location and design of tall buildings to fit harmoniously into the existing and planned context and serve as significant visual landmarks for the City.

Section 3.2.1 includes policies that encourage the provision of a full range of housing, in terms of form, tenure and affordability, and the protection of rental housing units. Policy

3.2.1.5, Housing, provides that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development:

- a) Will secure as rental housing, the existing rental housing units which have affordable rents and mid-range rents; and
- b) May secure any needed improvements and renovations to the existing rental housing, in accordance with and subject to the height and density incentives of Section 5.1.1 of the Plan, without pass-through of such costs in rents to tenants.

Chapter 4- Land Use Designations

The property is designated *Apartment Neighbourhoods* on Map 14 – Land Use Map in the Official Plan (see Attachment 3: Official Plan Land Use Map). *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. The Official Plan states that *Apartment Neighbourhoods* are distinguished from low-rise *Neighbourhoods* because a greater scale of buildings is permitted and different scale related criteria are needed to guide development. 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:

- 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 the Official Plan;
- b) Locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*;
- c) 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;
- 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.

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 establishes that compatible infill development may be permitted on a site within a developed *Apartment Neighbourhoods* with one or more existing apartment buildings which improves the existing site conditions through various means. Key evaluative criteria are:

- Meeting the development criteria set out in Section 4.2.2;
- Being compatible with the scale, including height and massing, of the existing apartment building(s) on and adjacent to the site;
- Providing separation distances between buildings on and adjacent to the site so as to achieve adequate sunlight and privacy;
- Maintaining or replacing an appropriate level of residential amenity on the site;
- Providing 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;
- Maintaining adequate sunlight, privacy and areas of landscaped open space for both new and existing residents;
- Organizing 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;
- Providing adequate on-site, below grade, shared vehicular parking for both new and existing development, with any surface parking appropriately screened;
- Preserving and/or replacing important landscape features and walkways and create such features where they did not previously exist;
- Improving pedestrian access to the buildings from public sidewalks and through the site;
- Providing needed improvements, renovations and retrofits to the existing rental housing to extend the life of the existing buildings to remain;
- Consolidating loading, servicing and delivery facilities; and
- Preserving or providing adequate alternative on-site recreational space for residents.

Chapter 5 - Implementation Plans and Strategies

Section 37 of the *Planning Act* allows the City to enter into an agreement with an applicant to grant a height and/or density increase for a project that is greater than the zoning by-law would otherwise permit in return for community benefits. The Official Plan Policy 5.1.1 and City Council's approved Section 37 protocol requires that the proposed development represent good planning and meet a minimum size requirement of 10,000 m² and an increase in density of at least 1,500 m². Details of a Section 37 Agreement between the applicant and the City are determined, in consultation with the Ward Councillor, if the project is ultimately considered to be good planning and recommended for approval.

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City-Building, states that Guidelines will be adopted to advance the vision, objectives and policies of the Plan. Urban Design Guidelines specifically are intended "to provide a more detailed framework for built form and public improvements in growth areas."

The outcome of the staff analysis and review of relevant Official Plan policies and designations are summarized in the Comments section of this report. The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Zoning

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) (see Attachment 4: Existing Zoning By-law Map). The RA (Residential Apartment) zone permits apartment buildings and other conditional uses with a maximum permitted height of 14.0 m; a maximum lot coverage of 40%; minimum lot frontage of 24 m; 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. Site Specific By-law 1989-49 reduces the required landscaped open space from 70% to 58% and legalizes additional surface parking on the site.

Design Guidelines

City-Wide Tall Building Design Guidelines

City Council has adopted City-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of 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 Tall Building Design Guidelines serve the policy intent of Policy 1 in Section 5.3.2 of the Official Plan regarding design guidelines and help to implement Policy 3.1.3 with respect to Built Form - Tall Buildings and other policies within the Plan related to the design and development of tall buildings in Toronto. Key design tools to ensure that new tall buildings conform to the City design policies and address urban design matters are:

- Providing fit and transition in scale by applying angular planes, minimum horizontal separation distances, and other building envelope controls such as stepping height limits, building setbacks and stepbacks, to transition from tall buildings down to lower-scale buildings to provide access to sunlight and sky views for surrounding streets, open spaces and neighbouring properties;
- Ensuring that the scale of the base of the building is appropriate to adjacent streets and integrates with adjacent buildings;
- Reducing the floor plate size of the middle of the tall building by creating "point towers" and creating an appropriate space between point towers to provide adequate privacy and light and to minimize any shadowing and uncomfortable wind conditions on the surrounding neighborhoods and streets; and
- Designing the top of the tall buildings to contribute to the skyline character.

The link to the guidelines is here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

Growing Up: Planning for Children in New Vertical Communities

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is to ensure that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale. The Growing Up Draft Urban Design Guidelines were considered in the review of this proposal.

Site Plan Control

The proposed development is subject to Site Plan Control. An application for Site Plan Control was submitted on November 12, 2018 and is currently under review.

Tenure

The applicant has advised that the proposed 256 residential units would be rental units.

COMMENTS

Planning Act, Provincial Policy Statement and Provincial Plans

The *Planning Act*, Section 2 states that municipalities must have regard for matters of Provincial interest. Some of the key matters specified in Section 2 are: (h) the orderly development of safe and healthy communities; (j) the adequate provision of a full range of housing, including affordable housing; (p) the appropriate location of growth and development; and (r) the promotion of built form that, (i) is well-designed, (ii) encourages a sense of place and (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The proposed development has regard to relevant matters of Provincial interest in Section 2 of the *Planning Act*, particularly with respect to providing a full range of housing such as providing rental housing and family oriented larger sized units; proposing a compatible infill apartment rental building on an *Apartment Neighbourhoods* designated site that can accommodate growth; and the promotion of well-designed built form.

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2019) as follows:

The Provincial Policy Statement (PPS) 2014 states that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment within existing settlement areas. New development is to have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities. Policy 1.1.3.3 of the PPS refers to planning authorities identifying appropriate locations and promoting opportunities for intensification and redevelopment and Policy 1.1.3.4 refers to appropriate development standards which facilitate intensification, redevelopment and compact form, while maintaining appropriate levels of public health and safety. The proposal supports intensification policy objectives by focusing growth in an existing settlement area. The proposed development provides for the efficient use of land and utilization of existing services and infrastructure.

The City of Toronto Official Plan policies (particularly the Built Form, *Apartment Neighbourhoods* and Housing Policies) allow for growth where compatible infill development criterion can be met. Further, the Tall Building Design Guidelines and the Growing Up Guidelines are prescriptive with respect to the design of this type of built form and how it would relate to its existing context.

The proposed infill rental apartment building represents an appropriate scale of intensification as it is compatible within its existing and planned *Apartment Neighbourhoods* context and in keeping with Official Plan policies and design guidelines regarding built form and growth. The current proposal conforms with the municipally established policies for growth and therefore is consistent with the PPS.

The Growth Plan (2019) requires municipalities through their Official Plans to identify intensification areas, encourage intensification generally in the built-up area and identify the appropriate type and scale of development in these areas (Policy 2.2.2.3). Municipalities are also directed to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form.

Also, the Growth Plan (2019) reinforces the PPS 2014's goal of sustaining long-term economic prosperity via land use planning. One of the Growth Plan's primary objectives is to achieve "complete communities", described in part by Policy 2.2.1.4 as places that (amongst other things):

- Provide a diverse range and mix of housing options;
- Ensures all intensification areas be planned and designed to provide high quality public open spaces with site design and urban design standards that create attractive and vibrant places and to achieve an appropriate transition of built form to adjacent areas;
- Mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions and contribute towards the achievement of low-carbon communities; and
- Integrate green infrastructure and low impact development.

The proposal conforms to the Growth Plan (2019) which establishes that population growth will be accommodated by directing new growth to the built up areas of the community through intensification. The application proposes compatible and appropriate intensification in a built up area which is supported by public transit. This infill rental apartment building would make efficient use of land, existing infrastructure and existing services. The proposed development is of a compact and efficient form that incorporates an appropriate transition in the height and scale of built form to adjacent areas. The proposal would reduce sprawl and support environmental sustainability. It would provide new rental housing with a range of unit sizes to serve the surrounding neighbourhood. In addition, the development would increase indoor/outdoor amenity areas on the site and provide quality open space and landscaped areas to create a vibrant place.

Section 5.2.4.5.b) of the Growth Plan (2019) requires that the type and scale of development be contextually appropriate. In planning to achieve the minimum intensification and density targets in the Growth Plan, municipalities are directed by Policy 5.2.5.6 to develop and implement urban design and site design through Official Plan policies and other supporting documents that direct the development of a high quality public realm and compact built form. The City has implemented this requirement through the adoption of a number of Official Plan policies and design guidelines pertaining to Healthy Neighbourhoods, Built Form, Public Realm, Tall Building Design Guidelines and Growing Up Design Guidelines.

The current proposal conforms to these policies and supports these guidelines as the application proposes compatible infill development with a height and density that fits within the existing and planned context within an *Apartment Neighbourhoods* area. As such, this proposal conforms to the Growth Plan (2019) as it complies with the municipal direction for location and form of growth.

Land Use

The property is designated *Apartment Neighbourhoods* on Map 14 – Land Use Map in the Official Plan (see Attachment 3: Official Plan Land Use Map). The residential use proposed by this development is permitted in areas designated *Apartment Neighbourhoods* and by the applicable Zoning By-laws.

Although significant growth is generally not intended within developed *Apartment Neighbourhoods*, compatible infill development may be permitted on a site containing an existing apartment building that has sufficient underutilized space to accommodate one or more new buildings, while providing good quality of life for both new and existing residents subject to meeting specific infill development criteria to improve the existing site conditions as outlined in Policy 4.2.3 of the Official Plan and discussed in the following sections of this report.

Further, the proposed residential use and rental tenure of the proposal would also meet the intent of Policy 2.1(1)(f) of the Official Plan which encourages municipalities to provide a full range of housing types in terms of form, tenure and affordability, particularly the construction of rental housing.

Staff are of the opinion the revised proposal is an appropriate development for the site that fits within its existing and planned context as well as meeting Official Plan policies and Urban Design Guidelines regarding built form, public realm, massing, transition and scale. Therefore, the proposed land use is acceptable for the site

Density

The density of the proposed building was reduced from a gross floor area of 22,061 m² to 17,928 m². The total proposed density for the development, including the existing apartment building, is 3.5 times the area of the lot reduced from 4.02 times the area of the lot as originally proposed. The proposed number of units in the new building was reduced to 256 units from 293. The zoning standards applicable to the site do not include a maximum permitted density ratio for the site. However, a maximum permitted lot coverage of 40% under By-law 569-2013 applies to the site. The development has a proposed lot coverage of 28%. Planning staff note the density of other recently approved tall building developments in the area range between 3.25 – 3.97 times the area of the lot. As such, the proposed density of 3.5 times the area of the lot is also in keeping with the recently approved developments in the area.

The setbacks and stepbacks of the proposed building in conjunction with the slim tower floor plate and separation distance of 26 m between the existing and proposed building would also mitigate the impacts of density on the site.

Given the revised proposal meets many of the Zoning By-law standards, Official Plan policies with respect to built form, massing and transition as well as the Tall Building Design Guidelines and the Growing Up Guidelines, staff are of the opinion that the proposed density is acceptable within the site's existing and planned *Apartment Neighbourhoods* context.

Building Height and Massing

The Built Form policies in Chapter 3 of the Official Plan require new development to fit with the surrounding area or planned context. Section 3.1.2.3 of the Official Plan states that new development will be massed and its exterior façade designed to fit harmoniously into its existing and/or planned context.

A review of the existing context of the area shows that there is ongoing infill and intensification along the Highway 427 corridor. In general, the tallest building heights are sited closest to Highway 427 with lower building heights and mid-rise buildings transitioning down to lower-scale areas and lands designated *Neighbourhoods*. In the surrounding area, existing and approved building heights range from 22 to 43-storeys adjacent to the Highway 427 corridor, several of which are located on lands designated *Mixed Use Areas*.

The West Mall is characterized by mid-century mid-rise (5-6 storey) buildings interspersed with taller buildings on the east side and low-rise apartments and townhouses on the west side. Rathburn Road is characterized by low-rise buildings with the exception of a 7 storey building directly across from the subject site. Staff are of the opinion the proposed tall building is supportable given the height, placement, massing and articulation of the base and tower element which ensures compatibility and fit within the site and the broader *Apartment Neighbourhoods* context.

Planning staff are of the opinion the revised proposal fits within the existing and planned context and is compatible and an appropriate infill development, given its proximity to the abutting Rathburn Road/Highway 427 on-ramp and the existing/recently approved building heights in the surrounding area. The proposed 22-storey building has been massed and designed to be in keeping with the Official Plan's policies for Healthy Neighbourhoods, Built Form, *Apartment Neighbourhoods* and the City-wide Tall Building Design Guidelines. The proposal:

- Meets the intent of *Apartment Neighbourhoods* Policy 4.2.2 and achieves the evaluative criteria set out in Policy 4.2.3 regarding compatible infill development;
- Is located on a site with a size and depth (0.86 ha in area and 113 m deep) which can adequately accommodate two apartment buildings;

- Provides a compatible infill development representing appropriate intensification designed accordingly and located on a site containing an existing apartment building and a large surface parking area;
- Promotes renewal and retrofitting of an older apartment building and implements a range of improvements (particularly regarding increased indoor/outdoor amenity area) for the existing residents on site;
- Is designed with a building height and massing which would represent an appropriate fit and scale within its surrounding context and would provide transition to adjacent properties through proposed stepbacks and setbacks.
- Includes appropriate tower placement on the northerly portion of the site with setbacks from the street and property lines;
- Contains a tall building with a well defined and appropriately scaled 5-storey podium;
- Is designed with a podium ranging from 3-5 storeys and up to 13.5 in height (less than the 24 m maximum height recommended for a base building and less than the 30 m Rathburn Road Right-of-Way) to provide transition to the existing townhouses and *Neighbourhoods* area to the west;
- Includes a tall building orientation and design with a slim tower plate of 750 m² which would minimize shadow and wind impacts;
- Provides a tower separation distance greater than 25 m to allow for adequate privacy, sunlight and protected skyline views and view corridors of the city; and
- Does not penetrate a 45 degree angular plane taken from the nearest *Neighbourhoods* designated property.

Further, the applicant has advised the height of the mechanical penthouse would be reduced to 5.5 m and staff would include this provision in the Draft Zoning By-law Amendments.

Sun and Shadow

Sun, shadow and wind impacts are important as they affect thermal comfort (enjoyment) of being outside and the provision of adequate light. Shadows are impacted by the size, location and shape of building floor plates, building heights, building setbacks as well as the time of year and angle of the sun.

There are a number of Official Plan policies that address appropriate sun and shadow impacts. Policy 3.1.2.3 e) refers to providing adequate light and limiting shadows on streets, properties and open spaces. Policy 4.2.2 b) of the Official Plan provides that development in *Apartment Neighbourhoods* will contribute to the quality of life by 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.

Staff note that the proposed development is not located near any designated *Parks and Open Space Areas*. The lands to the west and portions of the lands to the southwest of The West Mall are designated *Neighbourhoods*.

The applicant submitted a shadow study of the proposed development for the dates of March 21st, June 21st and September 21st for each hour between 9:18 a.m. and 6:18 p.m. The shadow study demonstrated there would be no incremental shadow impacts on lands designated *Neighbourhoods* and no shadow impacts on the sidewalk along the West Mall. The shadow study shows that there would be an incremental shadow impact on the Rathburn Road sidewalk from 9:18 a.m. to 2:18 p.m. on March 21st and September 21st.

The shadow study also shows that shadows would move quickly across the site and would create minimal new shadows on the proposed main outdoor amenity area (children's playground/seating area) and the existing building.

Staff also conducted a separate shadow and view study in response to public concerns and found the proposed building briefly casts some shadow on the edge of the adjacent property to the west designated *Apartment Neighbourhoods* from 9:18 a.m. to 10:18 a.m. during all seasons and from 4:18 p.m. to 6:18 p.m. during all seasons on the edge of the adjacent property to the east designated *Apartment Neighbourhoods*. The adjacent property to the east at 551 The West Mall also shadows the subject site in various morning hours during all seasons.

The proposed apartment building has a 750 m² tower floor plate that would cast no new shadows onto the nearby *Neighbourhoods* lands, minimal new shadows on the site and limited shadows on the public realm. Therefore, Planning staff are of the opinion the proposal would adequately limit shadow impacts and provide adequate sunlight in accordance with Official Plan Policy.

Light, View and Privacy

Light, view and privacy impacts are generally addressed through a combination of spatial separation, orientation and mitigation measures between buildings. The City through its Official Plan policies, zoning by-laws and urban design guidelines seeks to ensure development has minimal sunlight and view impacts on the pedestrian realm and on the surrounding area, including adjacent properties, parks and low rise neighbourhoods.

Policy 4.2.3 b) of the Official Plan establishes that infill development may be permitted on a site containing an existing apartment building which provides separation distances between buildings on and adjacent to the site so as to achieve adequate sunlight and privacy.

The proposed building would be set back approximately 14 m from the north property line and approximately 60 m from the south property line. The tower portion would be setback 15 m from the east property line (with the exception of the garage entrance which is setback approximately 3 m from the east property line) and 15 m from the west property line. These setbacks would provide appropriate privacy and light into the proposed units.

The City-wide Tall Building Design Guidelines recommend a minimum separation distance of 25 metres between the exterior walls of towers (excluding balconies). Initially the proposed building had a separation distance of 25 m to the existing on site building as well as a tower floor plate of 832 m². Planning staff requested the separation distance between buildings be increased and the size of the floor plate be reduced in keeping with the existing context of the area and the Tall Building Design Guidelines. The revised proposal contains a separation distance of 26 m between buildings on site and a tower floor plate size of 750 m². Planning staff note the separation distance is constrained by the required 14 m MTO setback to the north and cannot be increased any further. The revised separation distance, setbacks and floor plate size would be secured in the Draft Zoning By-law Amendments.

The adjacent site to the east at 551 The West Mall contains an existing 15-storey residential condominium building with 3 wings generally facing south, west and east. The closest wing of the existing building at 551 The West Mall has a separation distance of approximately 41 m to the existing 14-storey building on the subject site. The distance between the closest wing of the building at 551 The West Mall and the proposed building would be approximately 52 m. Staff note that views from the building at 551 The West Mall looking northwest from the south wing are partially blocked by the building itself (551 The West Mall) as well as the existing 14-storey building at 555 The West Mall. However, views would still be available from the south wing of the building at 551 The West Mall looking southwest. Thus, staff note there would still be views facing other directions available for most of the units in the 551 The West Mall building.

Planning staff are of the opinion the proposed tower separation distances, slim floor plate of the tower, setbacks/stepbacks and lack of shadows into nearby *Neighbourhoods* areas would provide for adequate sunlight penetration, views and overall privacy.

Wind

Official Plan policies establish that new development should not result in uncomfortable wind impacts. The development of the site should be designed to ensure that comfortable wind conditions are maintained on the streets and public spaces around buildings as well as for the building itself (amenity areas and balconies). Outdoor amenity spaces are to be comfortable for sitting in the spring, fall and summer months. Building entrances are to be comfortable for standing during all times of the year and public sidewalks and walkways are to be comfortable for walking throughout all times of the year.

The applicant submitted a Pedestrian Wind Study dated October 31, 2018 by RWDI based on the previous proposal. The wind study tunnel test initially demonstrated higher-than-desired wind speeds could be expected at the main entrance along the south façade during the winter and on the 6th storey private and public amenity terraces on the north and west side. The wind study report recommended mitigation measures to enhance wind comfort. In addition, staff advised that modifications to the building

facades and/or massing may also be required to ensure safe and comfortable wind conditions.

Subsequently, the applicant submitted an updated Pedestrian Wind Conditions Addendum Letter by RWDI dated April 24, 2019 based on the revised proposal which incorporates proposed design modifications and measures to mitigate wind. In the revised proposal, both main entrances would be recessed from the building façade and windscreens would be installed on both sides of the entrance on the east side. The Pedestrian Wind Conditions Addendum Letter finds these proposed changes would improve the wind conditions at the entrances and as a result acceptable standing conditions would be expected at both entrances throughout the year, which meets the recommended comfort criterion for entrances. Further, the Addendum Letter notes that the terrace along the north side of the 3rd floor was removed and thus eliminates the higher-than-desired wind condition in this area.

The owner will be required to implement the wind control measures identified in the Pedestrian Wind Study and the updated Pedestrian Wind Conditions Addendum Letter, prepared by RWDI to the satisfaction of the Chief Planner and Executive Director, City Planning. Any required mitigation measures would be secured through the Site Plan Control review process.

Traffic Impact

The applicant submitted a Transportation Impact Study titled "Urban Transportation Considerations", dated November 4, 2016, prepared by BA Group based on the original proposal containing 293 dwelling units. The consultant's analysis on the original proposal indicated that the proposed development was expected to generate 130 and 135 new two-way vehicular trips during the weekday morning and weekday afternoon peak periods, respectively. The traffic analysis revealed that the proposed development could be accommodated without any negative level of service or operational impacts on the abutting street network.

A revised Transportation Impact Study Addendum Report, dated December 1, 2017 was submitted by the applicant based on the revised proposal containing 256 dwelling units that came to the same conclusion. Transportation Services staff advise they find the Addendum Report to be acceptable and concur with the overall conclusions of the consultant.

Access and Sidewalks

The applicant proposes to maintain an existing full movement driveway to provide vehicular access the proposed building. In the revised submission, the proposed parking spaces and the waste collection area has been reconfigured within the underground parking garage. The proposed parking ramp entrance would provide a 3.65 m flat surface and the minimum 6.0 m ramp width, which is acceptable to Transportation Services staff. However, the revised underground parking plans do not indicate the proposed drive aisles have a minimum width of 6.0 m, which is

unacceptable to Transportation Services staff. The applicant is required to ensure each of the proposed drive aisle widths would comply with the minimum requirements of the Zoning By-laws.

A 2.1 m pedestrian access path connecting to Rathburn Road with direct visual and physical access to the site and building entrances is proposed. This pedestrian access is proposed within the required 14 m setback of the MTO. The MTO has accepted this pathway provided it is not essential to the development and labelled as such on the plans. This path would provide improved connections and walkability to the community. In addition, the public sidewalks along The West Mall and Rathburn Road frontages are to be upgraded to meet the minimum width requirement of 2.1 m. This would also help to animate the street frontages. The sidewalks would be further detailed and secured through the Site Plan review process, should this application be approved.

Automobile Parking

Transportation Services staff advise that given the location of the site, they can support the proposed minimum requirements for "All Other Areas" of Zoning By-law No. 569-2013 for residents and visitors parking, as follows:

- A minimum of 0.80 spaces per dwelling unit for bachelor dwelling units;
- A minimum of 0.90 spaces per dwelling unit for one-bedroom dwelling units;
- A minimum of 1.00 spaces per dwelling unit for two-bedroom dwelling units;
- A minimum of 1.20 spaces per dwelling unit for three or more bedroom dwelling unit;
- and
- A minimum of 0.20 spaces per dwelling unit for visitor parking.

The revised submission proposes a total of 435 on-site parking spaces, including 75 spaces for visitors and 360 spaces for residential tenants. Transportation Services staff advise that this is acceptable as this would comply with the minimum parking requirements of Zoning By-law No. 569-2013. However, the revised underground plans illustrate a total of 354 tenant spaces and 75 visitor spaces for a total of 429 parking spaces proposed, a discrepancy of six (6) tenant parking spaces. The applicant is required to clarify this discrepancy.

In addition, the revised underground parking garage plans do not indicate the typical parking space dimensions and, as noted above, the widths of the proposed drive aisle. Therefore, Transportation Services staff require that the plans be revised to show parking space dimensions and drive aisle widths that comply with the Zoning By-law. It is recommended that Council direct the City Solicitor to request the LPAT to withhold its Final Order approving the Zoning By-law Amendments until this information has been submitted to the City's satisfaction.

Servicing

The applicant submitted a Revised Functional Servicing and Stormwater Management Report, dated March 11, 2019 prepared by Odan-Detech. The applicant also submitted

a Hydrogeological Assessment dated March 11, 2019 prepared by Terraprobe. The reports indicate no stormwater, sanitary or groundwater issues associated with the proposal. Engineering and Construction Services staff have reviewed the reports and concur with the findings. As such, Engineering and Construction Services staff advise no revisions to the Zoning By-law Amendment applications are required.

Ministry of Transportation

The Ministry of Transportation (MTO) requires that any new buildings/structures above and below ground and any other features such as fire routes, loading docks, driveways, municipally assumed/private roads and/or servicing must be setback 14 m from the Highway 427 right-of-way. Only surplus parking is permitted within the 14 m setback.

The underground parking garage of the existing development encroaches into the 14 m MTO setback. In this case, the MTO has agreed to permit the reconstructed underground parking garage of the proposed building to encroach 7 m into the MTO setback. In addition, the dog run area, open play area and pedestrian walkway located within the 14 m MTO setback are permitted on condition that they are non essential to the proposed development and are labelled as such on the site plan drawings.

An MTO Building and Land Use Permit is required for the proposed building's underground parking garage. The MTO requires the applicant to obtain a permit(s) prior to any construction on the site. MTO permits can only be applied for after the Site Plan Control application is approved.

Housing Issues

The 119 existing rental units would be secured as rental housing for a period of at least 20 years through an agreement with the City. Tenants of the existing rental building would benefit from the provision of new amenity space on the ground floor of the new building. Providing indoor and outdoor amenity space beyond what is required for only the new building supports both the ongoing viability of the existing building as purpose-built rental housing as well as the objective of providing a benefit to existing tenants through improved shared amenity space.

The new indoor amenity space would include a multi-purpose room available for tenant meetings, reading or study and fitness and exercise room, as well as outdoor amenity space improvements in the form of a children's play area. Tenants will be consulted on the final designs for the indoor and outdoor amenity space to ensure it meets the needs of current and future tenants. Tenants of both the existing and new building would have access to the amenity space on the ground floor of the new building.

The proposal for improvements to the existing rental building and agreement to maintain the tenure as rental housing conforms with Official Plan Policy 3.2.1.5.

Staff will work with the owner to finalize Construction Mitigation and Tenant Communication strategies to ensure that construction activity does not unduly impact existing tenants. This will be secured through the Section 37 Agreement to be registered on title.

The City Council-adopted Growing Up: Planning for Children in New Vertical Communities draft Urban Design Guidelines also provide guidance on the proportion and size of larger units recommended in new multi-unit residential developments. The development would contain 11% three bedroom units overall which generally supports the objectives of the Growing Up Guidelines, Official Plan housing policies, and the Growth Plan's growth management and housing policies to accommodate a broad range of households, including families with children. The size of the units would be further refined through the Site Plan review process should this application be approved.

Staff recommend the requirement that the lands have a minimum of 10% of all the units being three-bedroom units be secured as a legal convenience in the Section 37 Agreement and in the Draft Zoning By-law Amendments should the application be approved by the LPAT.

Open Space/Parkland

Parks are essential to making Toronto an attractive place to live, work and visit. They offer a broad range of outdoor leisure and recreation opportunities, transportation routes and places for residents to interact with nature and with each other. Public parks and open spaces perform a variety of critical functions that improve and maintain our city's health including helping mitigate the effects of climate change. In the context of a rapidly growing city, it is imperative to enhance and expand the amount of public parkland provided to residents and visitors alike.

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu which is acceptable to Parks, Forestry and Recreation staff. The residential component of this proposal is subject to a cap of 10% parkland dedication. The value of the cash-in-lieu of parkland dedication will be appraised by Real Estate Services staff. The appraisal will be conducted upon the submission of an application for the first above ground building permit and is valid for six months. Payment will be required prior to the issuance of said permit.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. The site was identified to have archaeological potential. The applicant submitted a Stage 1 Archaeological Assessment dated October 28, 2016 which found no archaeological resources on the site. Heritage Preservation Services staff reviewed the submitted report and concur with this assessment.

Tree Preservation

City of Toronto By-laws provide for the protection of trees situated on both private and City property. The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

An Arborist Report and Tree Inventory and Protection Plan were submitted with the application. The submitted plans indicate that 8 protected private trees located on and along the property line of the subject site would require removal to accommodate the proposal. No City street trees would require removal.

The Landscape Plan shows 27 new large growing shade trees are proposed on private property and 4 new trees are proposed on the City road allowance. Urban Forestry staff advise that the current proposed 27 new trees on private property satisfy the standard 3:1 replacement ratio requirement to compensate for the loss of 8 protected private trees proposed for removal. The Ministry of Transportation (MTO) staff advise that no landscaping such as trees shall be located within the MTO setback lands.

Regarding the 4 new trees proposed on the City road allowance, Urban Forestry staff require a Tree Planting Security in the amount of \$2,332 (at \$583/tree) to ensure the planting and survival of trees to be planted.

Urban Forestry staff do not object to the proposed Zoning By-law Amendment application based on the above being addressed through the Site Plan review process.

Toronto Green Standard

City Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. The applicant is required to meet Tier 1 of the TGS. Tier 1 performance measures related to automobile infrastructure, cycling infrastructure and the storage and collection of recycling and organic waste would be secured in the Draft Zoning By-law Amendments. Other applicable Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Community Services Assessment

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports a healthy, safe, liveable and accessible City. Providing for a full range of community services and facilities in areas experiencing major or incremental growth is a responsibility shared by the City, public agencies and the development community.

The applicant submitted a Community Services and Facilities Study in support of the application. The study identified the following:

- The number of child care spaces generated from this development would not warrant the need for additional child care space;
- The proposed development would generate a pupil yield of 33 Elementary and 21 Secondary pupils for the Toronto District School Board (TDSB) and 12 Elementary and 8 Secondary pupils for the Toronto Catholic District School Board (TCDSB);
- Regarding the TDSB, the two elementary schools and the one secondary school serving the study area have capacity;
- All three secondary schools of the TCDSB serving the study area are currently operating over capacity and students would have to be bused to other schools outside the study area or accommodated by increasing capacity on the school sites through the use of portables;
- Although both the TDSB and the TCDSB were directly circulated on this application, no comments/conditions were received;
- The two Community Centres (Centennial Park Arena and the Etobicoke Olympium) serving the study area are highly used and have programming that is currently running at capacity;
- The Lakeshore Area Multi-Service Project (LAMP) Community Health Centre is operating over capacity and is in need of funding to support the provision of additional social and medical services to meet demands; and
- City staff identify the need to ensure capacity for programming at Etobicoke Olympium, particularly for senior recreation activities and to increase the capacity of LAMP.

The above has been considered in the review of this application and has been reflected in the recommended allocation of Section 37 benefits.

Noise

A Noise Feasibility Assessment dated November 3, 2017 and a revised Noise Feasibility Assessment dated April 25, 2019, prepared by RWDI was submitted in support of the original and revised proposal. The Noise Feasibility Assessments determined that there are no significant sources of vibration in the area and thus a vibration study is not required. However, the Noise Feasibility Assessments identified the following mitigation measures would be required to facilitate the development:

- Non-glazing components would need to be of high sound transmission class and may need to be constructed of brick veneer or masonry equivalent;
- A central air conditioning system is required to be provided;
- Upgraded window and operable door glazing above the Ontario Building Code requirements;
- Implementation of rooftop barriers to protect outdoor amenity and outdoor living areas;
- Mechanical units to meet the NPC-300 requirements; and
- Inclusion of applicable MECP's warning clauses in development and purchase and sale agreements.

The Noise Feasibility Assessments also indicated the mitigation requirements listed above should be verified at a further stage of the development when detailed design drawings, including mechanical equipment information, become available and can be verified by an acoustical engineer.

At the cost of the applicant, both Assessments were peer reviewed by WSP Canada Inc., on behalf of the City, to assess the identified noise impacts and the proposed mitigation measures. The Peer Reviewer reviewed the analysis and concurred with the recommended mitigation measures. However, other key matters were found to be outstanding such as: the impact of noise generated by the proposed development on the surrounding environment; impact of noise from the proposed development on itself; clarification that noise from surrounding mechanical units on adjacent properties would not impact the proposed development; clarification as to why The West Mall traffic segment split was done at Cambrian Road and not at Rathburn Road; and clarification as to why Highway 427 was split only into two segments for 18 lanes of traffic. WSP has advised that an updated Noise Feasibility Addendum Letter should be submitted to address the comments noted in their "Peer Review on 2nd Submission of Noise Feasibility Study - 555 The West Mall" letter dated May 24, 2019.

Through the Site Plan review process, the owner will be required to submit an updated Noise Feasibility Assessment/Addendum Letter to be further peer reviewed and resolved to the satisfaction of the City Solicitor, and Chief Planner and Executive Director, City Planning. Also, it is recommended that the noise mitigation measures be secured in a site plan agreement should the application be approved.

Greater Toronto Airport Authority and Nav Canada

The Greater Toronto Airport Authority (GTAA) and Nav Canada have advised they have no objections to the proposed building height. However, Nav Canada has requested that the owner notify NAV Canada a minimum of 10 days prior to the start of construction. This report recommends that a condition in this regard be secured as a legal convenience in the Section 37 Agreement.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*.

While the proposed development exceeds the height limit of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning. It is therefore recommended that the owner be required to enter into an Agreement under Section 37 of the *Planning Act* to secure the following community benefits:

1. a) Prior to the issuance of the first-above grade building permit, the owner shall pay to the City the sum of \$550,000 to be used in Ward 2 and allocated towards:
 - i. Streetscaping along The West Mall in the vicinity of the property including streetscape improvements that comply with the Streetscape Manual and/or are to the satisfaction of the Chief Planner and Executive Director, City Planning;
 - ii. Capital upgrades and improvements to the Toronto Community Housing Corporation property at 559 The West Mall;
 - iii. Improvements to local parks in the Ward; and
 - iv. Improvements to the Etobicoke Olympium Community Centre.
 - b. The above noted cash contribution is to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of the execution of the Section 37 Agreement to the date the payment is made; and
 - c. In the event the cash contribution required above has not been used for the intended purpose within three (3) years of the Zoning By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is/are identified in the Toronto Official Plan and will benefit the community in the vicinity of the property.
2. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

- a. The owner to provide and maintain the 119 existing rental housing units at 555 The West Mall as rental housing for a period of at least 20 years, from the date of the By-law coming into full force and effect, with all associated facilities and building amenity improvements to be secured for the rental housing units, at no extra cost to the existing tenants, and with no applications for demolition or conversion from residential rental use, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.
- b. Prior to the issuance of the first building permit, the owner to submit a Construction Mitigation and Tenant Communication Plan to the satisfaction of the Chief Planner and Executive Director, City Planning.
- c. The owner to construct and maintain at least 628 m² of ground floor indoor amenity space in the new building at 555 The West Mall to be shared by tenants of both buildings.
- d. The owner to provide and maintain new indoor amenity space comprised at least the following: a multi-purpose room to be appropriately furnished and have direct access to a washroom; and a fully outfitted fitness and exercise room. Outdoor amenity space is to be provided that will include at least a children's play area with a minimum of two benches for seating. This indoor and outdoor amenity space is to be provided to the satisfaction of the Chief Planner and Executive Director, City Planning.
- e. The owner to make available to tenants of both buildings all ground floor indoor and all outdoor amenity spaces generally as illustrated on the Ground Floor Plan submitted by the applicant in the revised proposal, for the proposed 22-storey building and existing building, without the need to pre-book or pay a fee, unless specifically required as a customary practice for private bookings.
- f. Prior to Site Plan Approval, the owner to submit an updated Noise Feasibility Assessment/Addendum Letter to be further peer reviewed and resolved to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning. The owner shall construct and maintain any required noise mitigation measures, to be secured through the Site Plan review process, to the satisfaction of the Chief Planner and Executive Director, City Planning.
- g. The owner to implement the wind control measures identified in the Pedestrian Wind Study dated October 31, 2018 prepared by RWDI, and the updated Pedestrian Wind Conditions Addendum Letter, dated April 24, 2019 prepared by RWDI to the satisfaction of the Chief Planner and Executive Director, City Planning. Such measures to be secured through the Site Plan review process.
- h. The owner to construct and maintain the development in accordance with the Tier 1 performance measures of the Toronto Green Standard.

- i. A minimum of 10% of all units shown on the plans for the entire development shall be provided as three-bedroom units.
- j. The owner to obtain all required permit(s) from the Ministry of Transportation prior to any construction.
- k. The owner to notify NAV Canada a minimum of 10 days prior to the start of construction.

Community Consultation

Planning staff, in coordination with the Ward Councillor held a community consultation meeting with respect to the original application on May 16, 2017. Approximately 70 members of the public attended the meeting. The majority of the residents in attendance were from the adjacent residential building to the east at 551 The West Mall. A petition opposing the proposal with 422 signatures from the residents of 551 The West Mall was submitted. The attendees asked questions and raised a number of issues and concerns, including the following:

- Overcrowding and density concerns resulting from the lack of space on the site for a second apartment building;
- The proposed height and density of the new building is too high;
- Current crime and violence in the area that would be worsened by the increase in density from this proposal;
- Loss of green space and openness unique to Etobicoke;
- Decrease in quality of life for residents in the area;
- Loss of views, particularly western views from the adjacent building at 551 The West Mall;
- Loss of sunlight and privacy;
- Increased strain on water and hydro services;
- Increased stormwater run off and flooding on the 551 The West Mall site;
- Increased wind;
- Not enough room for emergency vehicle access on site;
- Need for shared indoor amenity space for existing residents on the site;
- Air quality is poor in the area and there would be an increase in pollution;
- Increase in rental buildings would unbalance the community;
- The proposed driveway, underground garage and garbage storage would be located only 0.5 m away from the east property line and impact the adjacent building at 551 The West Mall;
- Significant existing litter on the existing property grounds;
- Increased traffic congestion;
- Poor transit service in the area;
- Increased strain on the existing schools;
- Preference for townhouses on site over a second apartment building;

- Increased pollution, dust, noise and lack of parking during construction would affect adjacent properties; and
- Possibility to stop the development.

A few members of the public have emailed and submitted letters outlining concerns similar to the above.

The President of the Condominium Board of 551 The West Mall also presented the collective concerns of the Board which reiterated the comments listed above and added concerns associated with the proposal regarding: traffic increase on The West Mall due to the vehicular inaccessibility to Rathburn Road; difficulty in turning left out of 551 and 555 The West Mall due to traffic; the site's location on a bend and TTC bus stops which are located on both sides of the road creating blind corners; the tallest building between Burnhamthorpe Road and Rathburn Road is 19-storeys; the proposal eliminates the existing tower in the park condition; decrease in property values; and the difference between the rights of renters and property owners who cannot easily move.

Planning staff met with the President of the Condominium Board as well as one of the residents from 551 The West Mall and Councillor Holyday in December 2018 regarding the above concerns/comments. Another meeting was held on June 19, 2019 between Planning staff and an individual from 551 The West Mall, who expressed concerns regarding the proposed building's eastern setback, increased traffic and lack of parking during future construction of the development.

Further, staff have been advised that the owner of the site hosted two open house tenant meetings in the lobby of 555 The West Mall. The first was February 21, 2017 and the second was December 6, 2018.

Staff worked with the applicant and the community to address and resolve those matters that could be resolved through the design of the proposal and secured through the Draft Zoning By-law Amendments as outlined below.

Height and Density

The revised proposal reduced the building height, density and number of dwelling units from the original proposal to be more in keeping with the existing and planned context of the surrounding area.

Sunlight, Privacy and Views

In addition to a reduced building height and density, the revised proposal has an increased separation distance between the existing and proposed building, increased building setbacks and a decreased tower floor plate size. This would provide for increased sunlight, privacy and views.

The proposal would not introduce new shadows on lands designated *Neighbourhoods* and the shadow impacts on the existing site and surrounding area are minimal.

Staff note that some views from the adjacent condominium at 551 The West Mall are partially blocked by the building itself (due to its three wing design) as well as the existing 14-storey building at 555 The West Mall. However, views would still be available in other directions. Other modifications made to mitigate visual, noise, air quality and lighting impacts on the property to the east include: increasing the east setback of the proposed one-storey parking garage ramp entrance; increasing the tower setback on the east side; and adding trees and landscaping along the east lot line to screen the garbage/pick up loading/truck turnaround area.

Planning staff are of the opinion the proposed building setbacks and separation distances are generous and provide adequate distance between the existing building on the site and the adjacent properties to maintain adequate sunlight, privacy and views.

Improvements for the Existing Building/Site

The revised proposal would secure rental tenure for a minimum period of 20 years for the existing building on site; secure/increase the amount of indoor and outdoor amenity space on the site to be shared by existing and future residents; add trees/landscaping; improve pedestrian connectivity; and improve the current waste management and parking operations.

Construction Impacts

A Construction Management Plan would be submitted through the Site Plan Control application process to outline the approach for managing construction of the development including matters such as parking arrangements and structural foundations. This plan would be reviewed by Engineering and Construction Services for acceptance prior to Site Plan Approval.

Conclusion

The revised proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2019) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2014) and does not conflict with the Growth Plan (2019). Furthermore, the proposal is in keeping with the Toronto Official Plan, particularly as it relates to the Built Form and *Apartment Neighbourhoods* policies. Planning staff are of the opinion that the revised proposal achieves a compatible relationship between the existing building on the site as well as development in the surrounding area and thus represents an appropriate level of intensification for the site. Staff worked with the applicant and the community to address and resolve the following key concerns: reduced building height and density; increased sunlight, view and privacy; and improvements to the existing building/site for future residents. The proposal would also provide much needed family-sized dwelling units and increase the supply of rental housing in the area.

As previously outlined in the report, the technical review of the revised proposal found no unacceptable issues pertaining to servicing, location of the underground parking garage, transportation (parking, traffic and access) and public transit. Given the existing and planned context of the area, the constraints of the MTO setback requirements, the achievement of Official Plan policies and design guidelines and the lack of impacts, Planning staff support the revised proposal subject to the conditions outlined in this report.

Staff recommend that City Council direct the City Solicitor and other appropriate City staff to attend the LPAT hearing in support of the revised proposal and the appeal of the Zoning By-law Amendment application based on the conditions outlined in this report, including the finalization of the Draft Zoning By-law Amendments to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning. Should the proposal be approved by the LPAT, staff also recommend that appropriate services, facilities or matters pursuant to Section 37 of the *Planning Act* be secured in an Agreement to be registered on title, including securing rental housing matters outlined in this report and matters related to noise, wind, MTO permits, and NAV Canada construction notification requirements.

CONTACT

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SIGNATURE

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

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet
Attachment 2: Location Map
Attachment 3: Official Plan Land Use Map
Attachment 4: Existing Zoning By-law Map

Applicant Submitted Drawings

Attachment 5: Site Plan
Attachments 6-9: Elevations

Attachment 1: 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 **GRID W0304

Description:
Project Description: To amend the City of Toronto Zoning By-law No. 569-2013 and the former City of Etobicoke Zoning Code to permit a 22 storey rental apartment building with 256 units on a site containing an existing 14 storey rental apartment building.

Applicant:	Agent:	Architect:	Owner:
BOUSFIELDS INC.			IMH 555 The West Mall Ltd.

Official Plan Designation:	<i>Apartment Neighbourhoods</i>	Site Specific Provision:	Y
Zoning:	RA & R4	Historical Status:	N
Height Limit (m):	14 m	Site Plan Control Area:	Y

PROJECT INFORMATION

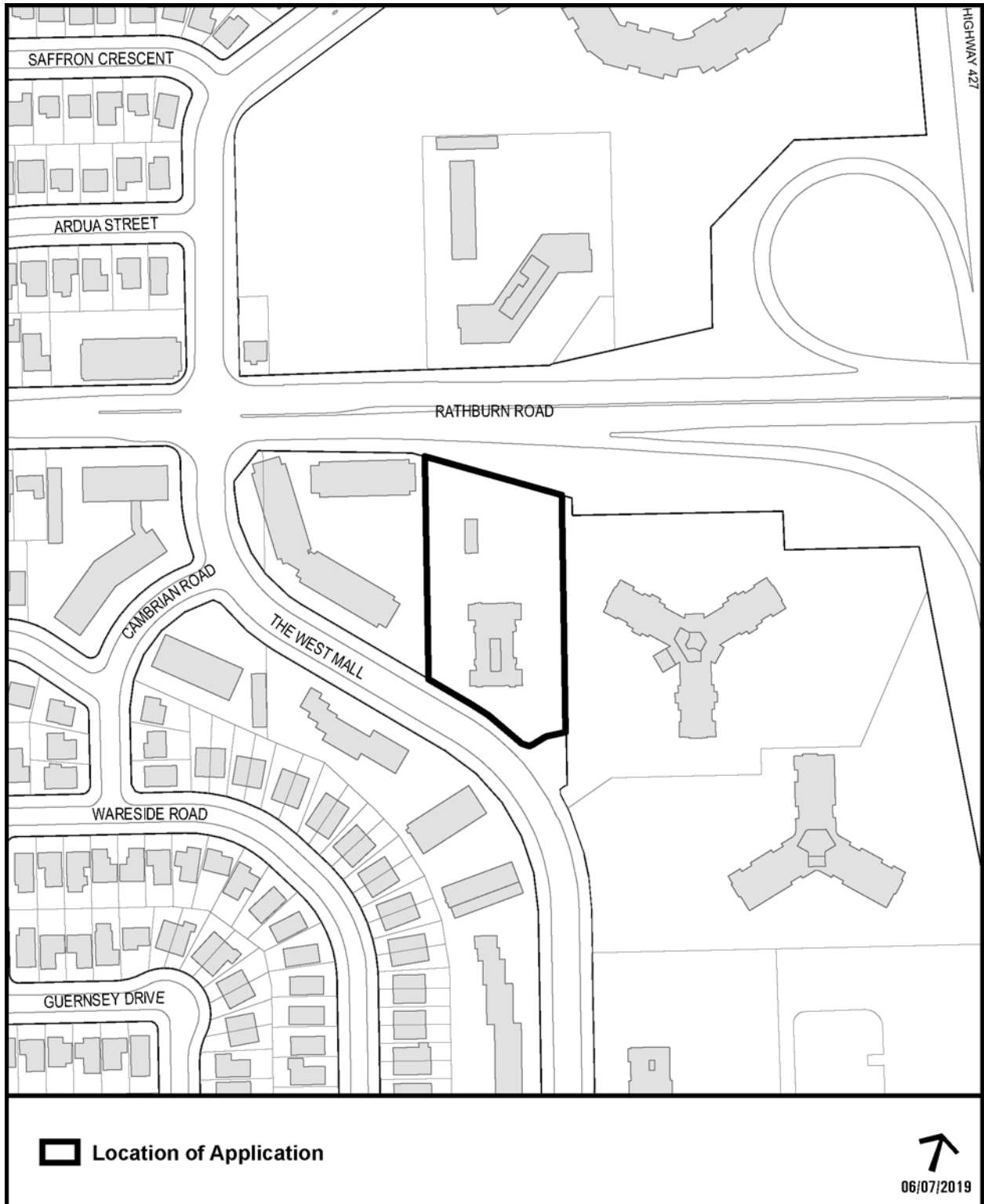
Site Area (sq. m):	8,608	Height:	Storeys:	22
Frontage (m):	59		Metres:	61.4
Depth (m):	113			
Total Ground Floor Area (sq. m):	1,576			Total
Total Residential GFA (sq. m):	17,928 (proposed only)	Parking Spaces:		435
Total Non-Residential GFA (sq. m):	0	Loading Docks		1
Total GFA (sq. m):	30,458 (existing + proposed)			
Lot Coverage Ratio (%):	28 (existing + proposed)			
Floor Space Index:	3.54 (existing and proposed)			

DWELLING UNITS (proposed building)	FLOOR AREA BREAKDOWN (upon project completion)
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Tenure Type: Rental

		Above Grade	Below Grade	
Rooms:		Residential GFA (sq. m):	17,928	0
Bachelor:	12	Retail GFA (sq. m):	0	0
1 Bedroom:	166	Office GFA (sq. m):	0	0
2 Bedroom:	59	Industrial GFA (sq. m):	0	0
3 + Bedroom:	19	Institutional/Other GFA (sq. m):	0	0
Total Units:	256			
CONTACT:	PLANNER NAME:	Nicole Ivanov, Senior Planner, Community Planning		
	TELEPHONE:	(416) 394-8227		

Attachment 2: Location Map









Attachment 3: Official Plan Land Use Map



TORONTO City Planning
Official Plan Land Use Map #14

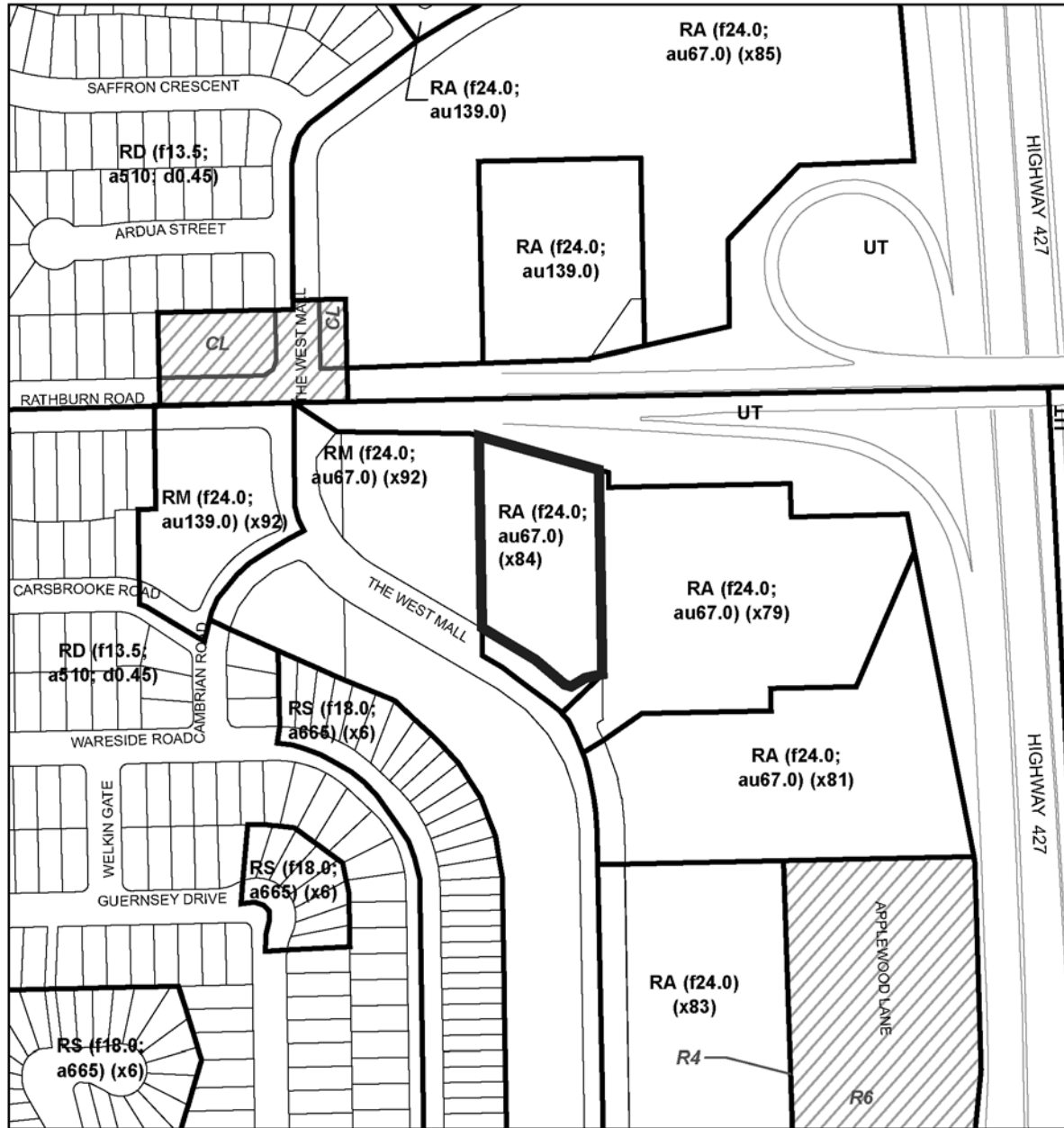
555 The West Mall

File # 16 247312 WET 03 OZ

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


 Not to Scale
 05/03/2019

Attachment 4: Existing Zoning By-law Map



Zoning By-Law No. 569-2013

555 The West Mall

File # 16 247312 WET 03 0Z

Location of Application

RD Residential Detached
RS Residential Semi-Detached

RM Residential Multiple
RA Residential Apartment
UT Utility and Transportation

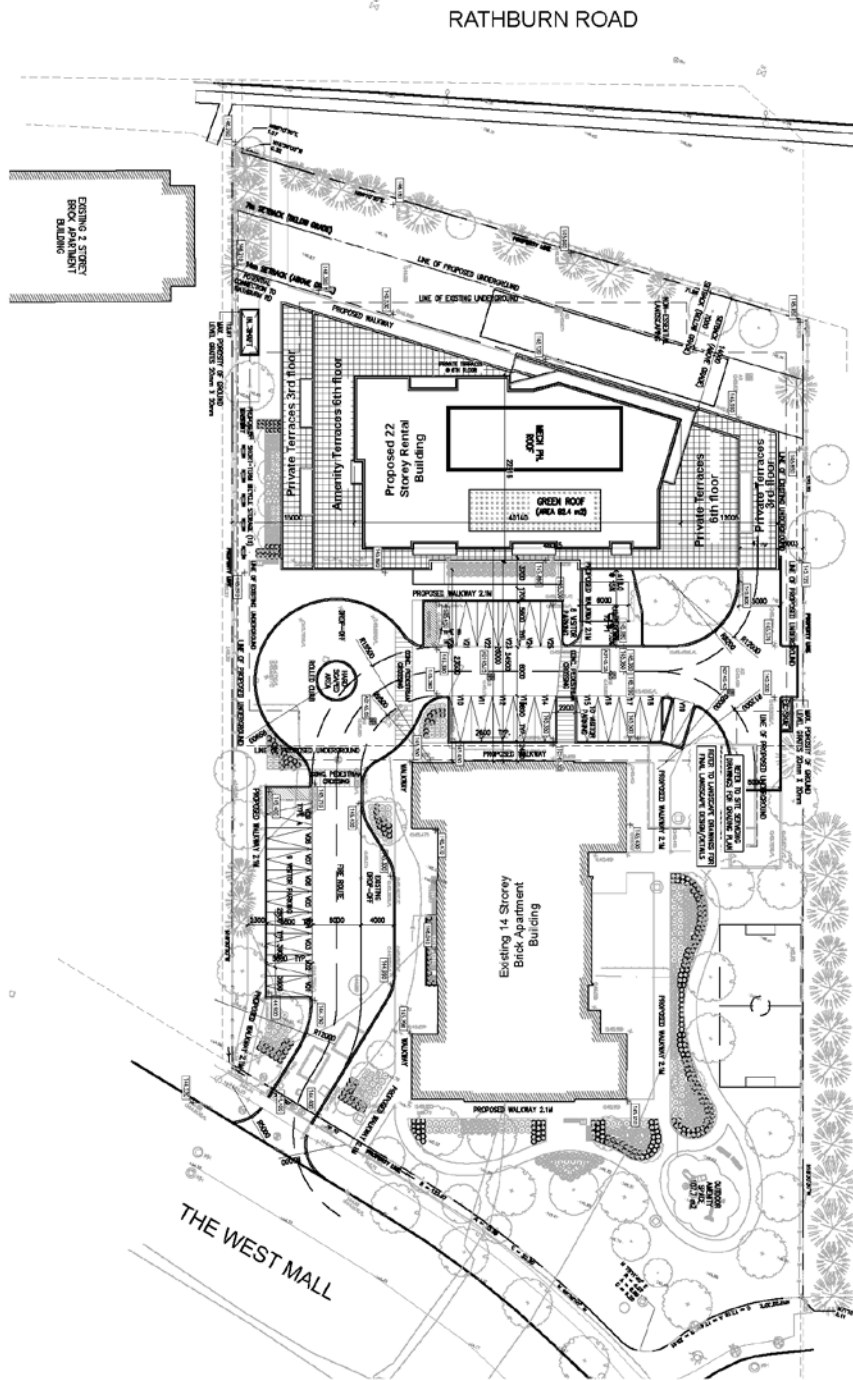
See Former City of Etobicoke By-Law No. 11,737

R4 Fourth Density Residential
R6 Sixth Density Residential
CL Limited Commercial



Not to Scale
Extracted: 05/03/2019

Attachment 5: Site Plan



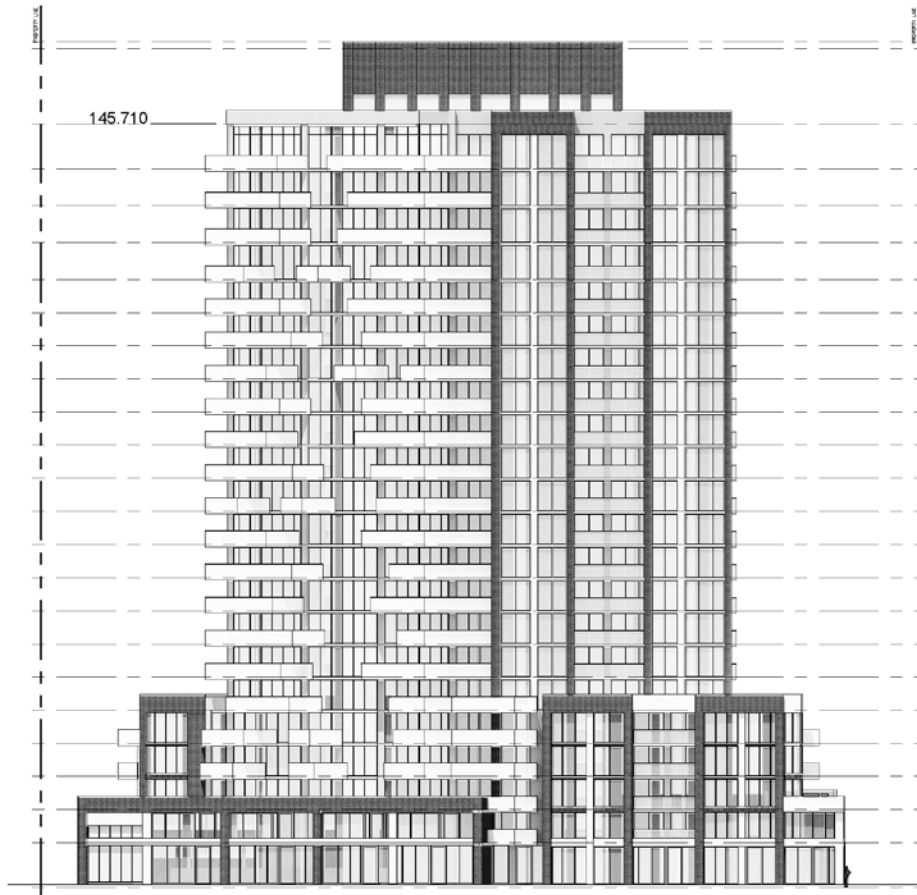
555 The West Mall

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 06/03/18

File # 16 247312 WET 03 02

Attachment 6: North Elevation



North Elevation

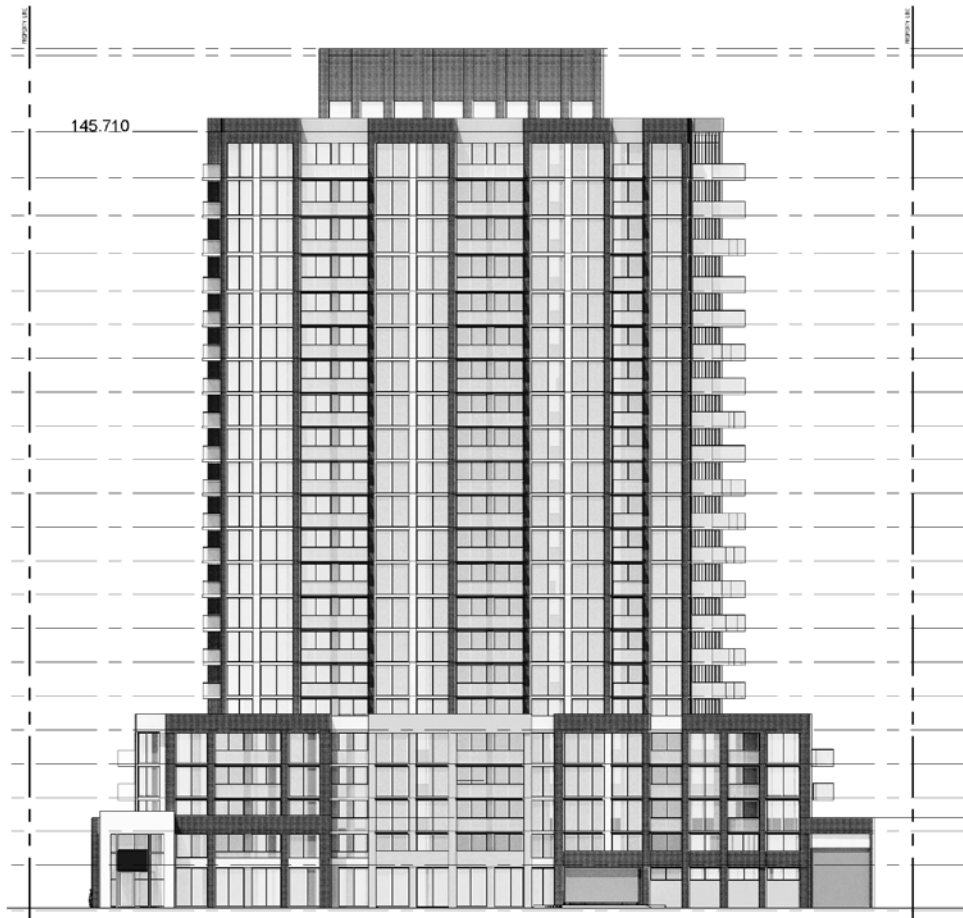
Applicant's Submitted Drawing

Not to Scale
05/03/2019

555 The West Mall

File # 16 247312 WET 03 02

Attachment 7: South Elevation



South Elevation

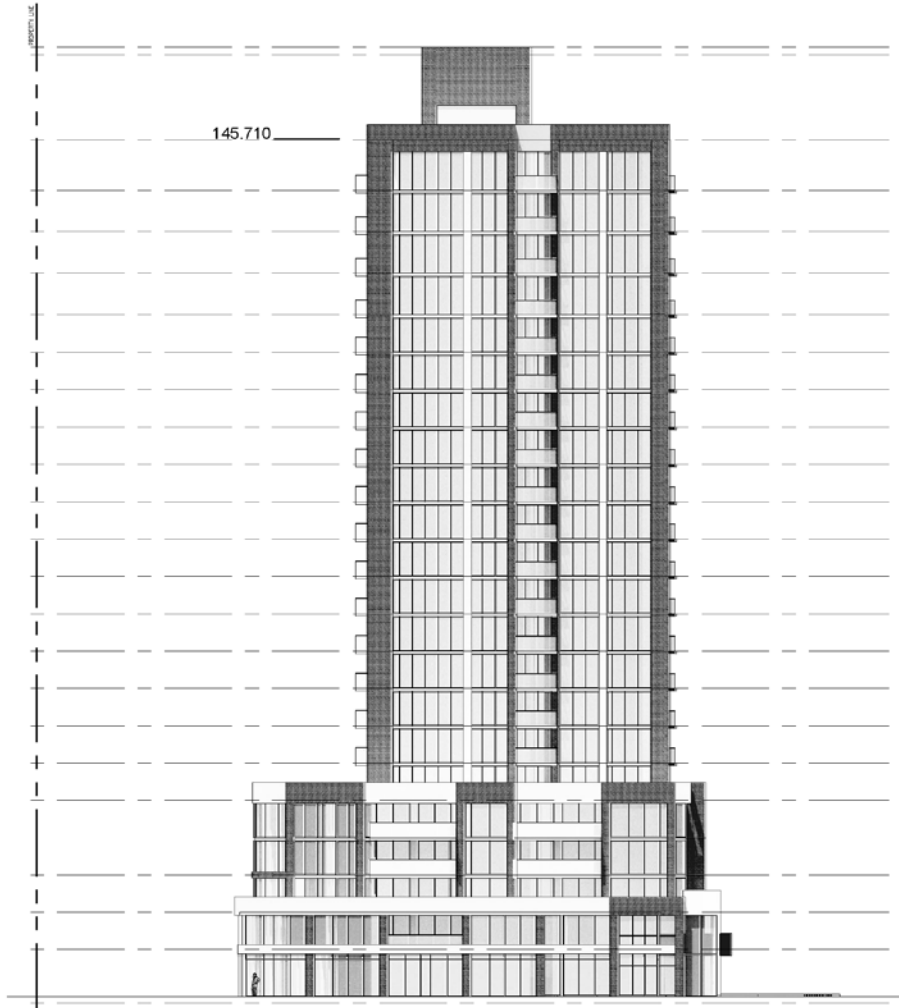
Applicant's Submitted Drawing

Not to Scale
05/03/2019

555 The West Mall

File # 16 247312 WET 03 02

Attachment 8: West Elevation



West Elevation

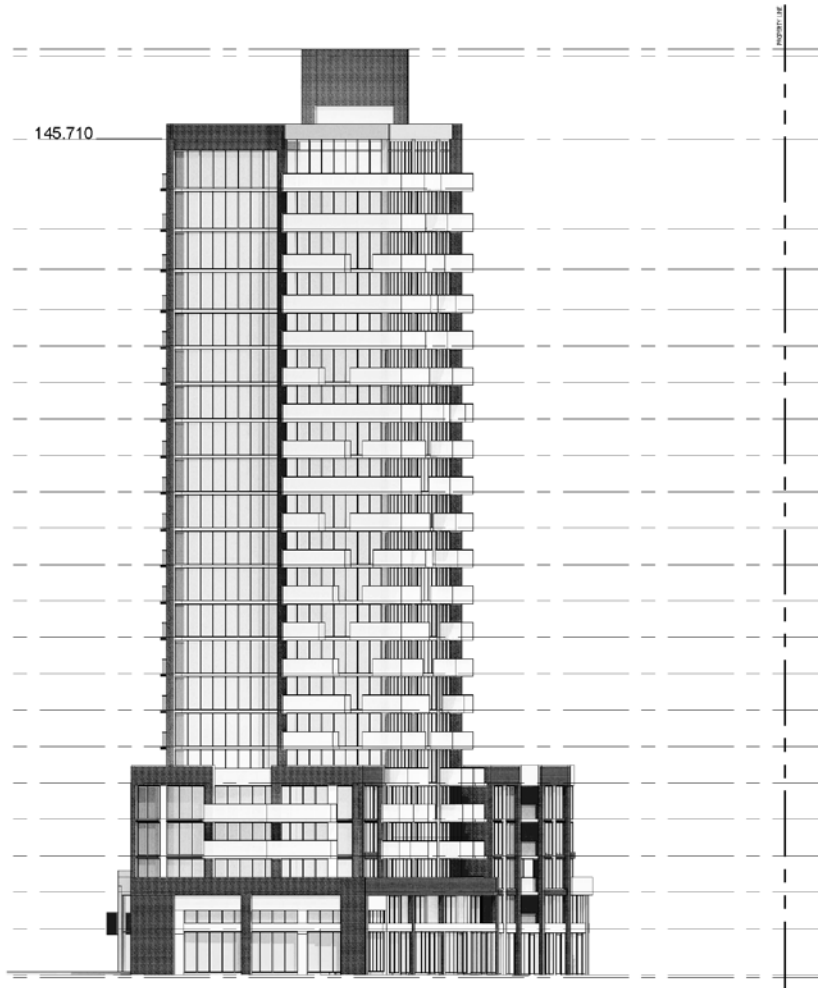
Applicant's Submitted Drawing

Not to Scale
05/03/2019

555 The West Mall

File # 16 247312 WET 03 02

Attachment 9: East Elevation



East Elevation

Applicant's Submitted Drawing

Not to Scale
05/03/2019

555 The West Mall

File # 16 247312 WET 03 02