

900-940 The East Mall – Official Plan and Zoning By-law Amendment Application– Preliminary Report

Date: February 20, 2020

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: Ward 2 - Etobicoke Centre

Planning Application Number: 19 236352 WET 02 OZ

Notice of Complete Application Issued: December 4, 2019

Current Use(s) on Site: The development site is occupied by five three-storey office buildings, containing a total gross floor area of 6,188 m², with surface parking at the rear.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application to amend the Official Plan, the former City of Etobicoke Zoning Code and City-wide Zoning By-law No. 569-2013 for the lands municipally known as 900-940 The East Mall. The application proposes a phased mixed use development comprised of 4 buildings ranging from 20 to 21-storeys (approximately 72 m in height, including the mechanical penthouses) containing a total of 882 residential condominium units. The proposal would have a gross floor area of 83,399 m², of which 75,481 m² would be for residential uses and 7,918 m² would be for non-residential uses including retail, daycare and office space. A total of 858 parking spaces would be provided within a four level below-grade parking garage. Vehicular access to the site would be provided via a two-way private road off The East Mall. A public park is proposed at the southeast corner of the site that would adjoin a privately-owned publicly accessible open space (POPS).

Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 900-940 The East Mall together with the Ward Councillor.

2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

City Planning confirms there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

ISSUE BACKGROUND

Pre-Application Consultation

A pre-application consultation meeting was held between Planning staff and the applicant on June 5, 2019 to discuss complete application submission requirements and to identify issues with the proposal. At the meeting, a proposal similar to the current submission was discussed, with the existing buildings on site proposed to be demolished to accommodate a phased mixed use development consisting of 4 towers, ranging from 20 to 21-storeys, having a total of 900 residential units, commercial, retail and office space, a private day care facility and a new public park. Staff recommended that the office space proposed to be demolished be replaced in the new development and that separation distances between the proposed towers be increased. Staff expressed particular concerns regarding proposed Building 3 and advised that the development proposal be designed to fit into its existing context and meet the Ministry of Transportation's standards, including the required setbacks from Highway 427.

Application Description

This application proposes to amend the Official Plan, the former City of Etobicoke Zoning Code and City-wide Zoning By-law No. 569-2013 for the property at 900-940 The East Mall to permit a phased mixed use development. The development would be comprised of 4 buildings ranging from 20 to 21-storeys (approximately 72 m in height, including the mechanical penthouses) containing residential and non-residential uses including retail, daycare and office space. The proposal would have a total gross floor area of 83,399 m², of which 75,481 m² would be for residential and 7,918 m² would be for non-residential uses (1,245 m² of retail space, 221 m² of daycare space and 6,451 m² of office space).

The site is irregular in shape with a total area of approximately 16,884 m² (1.68 hectares) and is generally flat. A private road is proposed to bisect the site, connecting to The East Mall at both ends, generally at the site's existing driveway locations. Building 1 would be located at the northeast corner of the site, fronting The East Mall, Eglinton Avenue West and the proposed private road, and would be connected to Building 3 by a 6-storey podium. Buildings 3 and 4 would be located adjacent to the Highway 427 corridor on the west side of the proposed private road and would also be connected by a 6-storey podium. Building 2 would be a standalone building located south of Building 1 and would also front The East Mall and the proposed private road.

Building 1 would contain a total of 6,451 m² of office space on the second, third, fourth and fifth floors. The proposed office space would replace the existing office gross floor area on the subject site. The proposal would also incorporate a daycare, including a fenced outdoor playground, on the ground floor of proposed Building 2. Retail units are proposed on the ground floors of Buildings 1, 2 and 3. In each building, residential lobbies would also be situated on the ground floors. Within Buildings 2, 3 and 4, at-grade townhouse units would be located fronting The East Mall and the proposed private street. The upper floors of all four proposed buildings would contain residential units.

A total of 882 residential condominium units are proposed, of which: 58 (6.6%) would be bachelor units; 422 (47.8%) would be 1-bedroom units; 303 (34.4%) would be 2-bedroom units; and 99 (11.2%) would be 3-bedroom units.

The proposed development would be constructed in two phases. Phase 1 would encompass Buildings 1 and 2 (including a portion of the four-level below-grade parking garage), the proposed public park and POPS, and approximately half the proposed private road. Phase 2 would consist of Buildings 3 and 4 (including the balance of the four-level below-grade parking garage) and the remainder of the private road. It is proposed that the daycare within Phase 1 (Building 2) would not be operating until Phase 2 is substantially completed. Phase 1 would include 415 residential units and Phase 2 would have 467 residential units.

The development would include a total of 858 parking spaces that would be provided within a four level below-grade parking garage. The parking garage would extend below the entirety of the development site except beneath the proposed public park and POPS. The parking supply would consist of 699 resident spaces, 144 shared non-resident spaces and 15 car share spaces. There are two ingress/egress ramps proposed to the below-grade parking garage.

Vehicular access to the site would be provided via a new private road. The private road is proposed to connect to The East Mall at both ends, generally at the site's existing driveway locations, and is proposed to be stop controlled. The new road would be 8.5 m wide to accommodate two-way vehicle traffic and would serve as a fire route. Vehicle lay-bys are proposed on both sides of the private road to accommodate on-street loading and pick-up/drop-off operations.

The proposal includes a public park at the southeast corner of the site that would have an area of 796 m² and adjoin a privately-owned publicly accessible open space (POPS), that would have an area of 1,568 m².

The development would contain a total of 1,764 m² of indoor amenity space and 1,834 m² of outdoor amenity space provided through outdoor terraces with seating areas and a pool, indoor amenity rooms, a dog wash room and guest suites. Within Phase 1, 829.2 m² (2.0 m² per unit) of indoor amenity space and 878.8 m² (2.1 m² per unit) of outdoor amenity space is proposed. Phase 2 of the development would contain 934.5

m² (2.0 m² per unit) of indoor amenity space and 955.5 m² (2.0 m² per unit) of outdoor amenity space.

Detailed project information can be found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 1 and 2 of this report for three dimensional representations of the project in context.

Site and Surrounding Area

The subject site is located on the west side of The East Mall, south of Eglinton Avenue West. To the west of the site is the Highway 427 corridor and associated interchange system. Five three-storey office buildings currently occupy the site, with a surface parking lot at the rear. All five buildings are proposed to be demolished.

Surrounding land uses include:

- North: Abutting the site to the north, on the south side of Eglinton Avenue West, is the Eglinton West Trail and a TTC bus stop for Route 32. On the north side of Eglinton Avenue West is an exit ramp from Highway 427.
- East: On the east side of The East Mall is the Mimico Creek and associated valley lands.
- South: To the south of the site is a low-rise residential area with one and two-storey detached dwellings. A TTC bus stop for Route 11 is located to the south on the east side of The East Mall.
- West: Abutting the site to the west, is the Highway 427 corridor and interchange system associated with Eglinton Avenue West and Highways 27 and 401.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of City Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans can be found on the Ministry of Municipal Affairs and Housing website.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built

form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from the *Planning Act* of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application.

The current application is located on lands shown as *Mixed Use Areas* on Land Use Plan Map 14 of the Official Plan (see Attachment 5: Official Plan Land Use Map). *Mixed Use Areas* are made up of a broad range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities.

The application is located on lands subject to Site and Area Specific Policy No. 27 (SASP 27). SASP 27 states that residential uses are not permitted on the subject site.

Toronto Official Plan policies can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

Zoning By-laws

The site is zoned Limited Commercial (CL) under the former City of Etobicoke Zoning Code, as amended by By-law No. 1986-236. This zoning limits the uses permitted on the site to business and professional offices, as well as retail/service commercial uses. Retail/service commercial uses are limited to a maximum of 10% of the total gross floor area of all buildings on the site.

Under City-wide Zoning By-law No. 569-2013, the site is zoned Commercial Residential [CR (c0.65; r0.0) SS2 (x1117)] with a non-residential density limit of 0.65 times the lot area and is subject to Development Standard Set 2 (SS2). Exception 1117 of this By-law refers to prevailing By-law No. 1986-236 of the former City of Etobicoke Zoning Code, which is noted above. This zoning does not permit residential uses (see Attachment 7: Zoning Map).

The City's Zoning By-law No. 569-2013 can be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

The following Design Guidelines will be used in the evaluation of this application:

- City-wide Tall Buildings Design Guidelines;
- Complete Streets Guidelines;
- Growing Up: Planning for Children in New Vertical Communities;
- Bird-Friendly Development Guidelines;
- Toronto Green Standard; and
- Percent for Public Art.

The application may be subject to further Design Guidelines as the review of the application progresses.

The City's Design Guidelines can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has not been submitted.

COMMENTS

Reasons for the Application

An Official Plan Amendment is required to permit the proposed residential uses as Site and Area Specific Policy No. 27 of the Official Plan specifically states that residential uses are not permitted on the lands. An application to amend the former City of Etobicoke Zoning Code, as amended by By-law No. 1986-236, and City-wide Zoning By-law No. 569-2013 is also required to permit residential uses on the lands, as well as to establish zoning standards to facilitate the development of the proposal.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

The application will be evaluated against the *Planning Act* and applicable Provincial Plans to establish the application's consistency with the PPS (2014) and conformity with The Growth Plan (2019), especially with regard to ensuring that the development recognizes the local context in terms of appropriate intensification, the promotion of well-designed built form, housing options and whether the proposal complies with the municipal direction for growth.

Section 2 of the *Planning Act* sets out matters of provincial interest that City Council shall have regard to in making any decision under the *Planning Act*. Relevant matters of provincial interest include: (j) the adequate provision of a full range of housing, including affordable housing; (k) the adequate provision of employment opportunities; (p) the appropriate location of growth and development; (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; 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 Provincial Policy Statement (2014) contains policies related to managing and directing development. It requires that sufficient lands be made available for

intensification and redevelopment, and that planning authorities identify and promote opportunities for intensification and redevelopment, where this can be accommodated taking into account, among other things, the existing building stock and surrounding area. While the PPS (2014) encourages intensification and efficient development, it recognizes that local context is important and that well-designed built form contributes to overall long-term economic prosperity. The PPS indicates that the Official Plan is the most important vehicle for implementation and redevelopment. Policy 4.8 states that zoning and development permit by-laws are important for implementation of the PPS and that planning authorities shall keep their zoning and development permit by-laws up-to-date with their Official Plan and the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) emphasizes the importance of complete communities where a range of housing options are to be provided, and that new development should provide high quality compact built form and an attractive and vibrant public realm. The Growth Plan (2019) provides municipalities the authority to define the location and nature of growth that will occur in intensification areas in a flexible manner suitable to the local context, while still meeting the overriding objectives of the Growth Plan.

The application will be evaluated against the policies and objectives of the *Planning Act*, Provincial Policy Statement and Growth Plan, especially with regard to the promotion of well-designed built form, providing for a range of housing options and whether the proposal complies with the municipal direction for growth.

Official Plan Conformity

The Official Plan states that *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. However, not all *Mixed Use Areas* will experience the same scale or intensity of development.

Policy 4.5.2 of the Official Plan contains a number of criteria for development in *Mixed Use Areas* that refer to locating and massing new buildings to provide a transition between areas of different development intensity and scale, particularly towards lower scale *Neighbourhoods*. Development in *Mixed Use Areas* will locate and mass new buildings to adequately limit shadow impacts on adjacent *Neighbourhoods*, and 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. The development criteria policies for *Mixed Use Areas* in Section 4.5 are also supplemented by the development criteria outlined in the Built Form policies contained in Sections 3.1.2 and 3.1.3 of the Official Plan.

Section 3.1.1 of the Official Plan contains Public Realm policies that recognize the essential role of the City's streets, open spaces, parks and other key shared public assets in creating a great city. These policies aim to ensure that a high level of quality is achieved in landscaping, urban design and architecture in public works and private developments to ensure that the public realm is beautiful, comfortable, safe and accessible. Further, these policies guide the development of new streets requiring the implementation of the Complete Streets approach to develop a street network that

balances the needs and priorities of the various users and uses within the right-of-way. The Official Plan directs that new streets should be public streets. Private streets, where they are appropriate, should be designed to integrate into the public realm and meet the design objectives for new streets.

Affordable Housing and Smart Urban Growth are key Strategic Actions for the City of Toronto. Section 3.2.1 of the City's Official Plan states that a full range of housing will be provided and maintained to meet the needs of current and future residents.

East of the subject site, on the east side of The East Mall, the lands form part of the City's *Green Space System* and Natural Heritage System associated with the Mimico Creek valley, and are designated *Natural Areas*. In accordance with Policy 4.3.3 of the Official Plan, *Natural Areas* will be maintained in a primarily natural state.

The proposal will be reviewed for its conformity with the policies of the Official Plan. Staff will continue to work with the applicant in revising the application to be more in keeping with the Official Plan vision.

Built Form, Planned and Built Context

The suitability of the proposed height and massing or other built form issues will be assessed based on Section 2 of the *Planning Act*, particularly Sections 2 (p), (q) and (r) and Section 2 of *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (2019). The built form will also be assessed based on the City's Official Plan policies, the City-wide Tall Buildings Design Guidelines and other City Urban Design Guidelines. An evaluation will be made to confirm whether the proposal fits within its planned and built context. In particular, staff will be evaluating:

- Appropriateness of the proposed buildings heights;
- Appropriateness of the proposed buildings densities;
- Appropriateness of the proposed buildings massing including transition to lower scale development, angular planes, setbacks and stepbacks;
- Potential shadow impacts of the development, particularly areas designated *Neighbourhoods*, open space, the proposed public park, POPS and outdoor amenity areas on the subject site; and
- Potential wind impacts on the development and any required mitigation measures.

The applicant submitted a Shadow Study prepared by Core Architects Inc. and dated October 9, 2019. Staff are reviewing the submitted study.

The applicant also submitted a Pedestrian Level Wind Study prepared by Gradient Wind Engineering Inc. and dated October 8, 2019. The study found the proposed pedestrian thoroughway, separating Buildings 1 and 3 at grade, is expected to experience conditions too windy for walking or that could be considered unsafe. It also indicates that some uncomfortable conditions would be experienced on the Level 7 terrace between Buildings 3 and 4 along the north side of the space. The study identifies that wind mitigation measures are required for these areas, including vertical wind barriers, to

ensure comfortable conditions are provided. Further, the study recommends that building entrances be recessed within the facades or to flank the entrances with vertical, high solidity wind barriers. Staff are reviewing the appropriateness of the proposed mitigation measures.

City-Wide Tall Buildings Design Guidelines

In May 2013, Toronto City Council adopted the updated City-wide Tall Buildings Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

The City-wide Guidelines are available at:
<http://www.toronto.ca/planning/tallbuildingdesign.htm>.

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 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 will be considered in the review of this proposal.

Natural Heritage Protection

The subject site is near a Natural Heritage System associated with the Mimico Creek valley as identified on Map 9 of the Official Plan. Given that The East Mall separates the site from the Mimico Creek valley, a Natural Heritage Impact Study (NHIS) was not required as part of the application.

Tree Preservation

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).

Additionally, City Council has adopted the objective of increasing the existing 27 percent tree canopy coverage to 40 percent. Policy 3.4.1 (d) of the Official Plan states that "to support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly based on: d) preserving and enhancing the urban forest by: i) providing suitable growing environments for trees; ii) increasing tree canopy coverage and diversity, especially of long-lived native and large shade trees; and iii) regulating the injury and destruction of trees".

The applicant submitted an Arborist Report prepared by Thomson Watson Consulting Arborists Inc., dated August 26, 2019 and a Tree Preservation Plan prepared by Juhan

Marten Landscape Architect, dated October 9, 2019. The Tree Preservation Plan indicates that the development proposes to preserve two protected privately-owned trees and 19 trees located on the City road allowance. The plan also indicates that the development proposes to remove three protected privately-owned trees and 13 trees located on the City road allowance. Urban Forestry staff require revisions to the submitted Arborist Report as it indicates an additional three City-owned trees are proposed to be removed, however, it appears that they may be preserved according to the Tree Preservation Plan. The required *Application to Injure or Destroy Trees* would be reviewed and processed by Urban Forestry staff.

The Landscape Plan prepared by Juhan Marten Landscape Architect proposes 32 new trees on private property, 18 new trees on the City road allowance and 18 new trees on the proposed public park. Staff would work with the applicant to address the provision of trees and the requirement to add to the City's tree canopy.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. 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 City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. 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 (CS&F) Study prepared by Hunter Planning and Development, dated October, 2019. Staff have reviewed the study and identified the following priorities:

- Provision of a non-profit child care centre and consultation with Children's Services staff regarding the location and size of the centre;
- Funding contributions towards the Richview Branch Public Library for revitalization;
- Funding contributions towards outdoor community recreation facilities such as basketball/multi-sport courts, new sports fields, an artificial ice rink, community level skateboard park, cricket pitch, skate spots and BMX friendly features in local area parks; and/or
- Providing community space to be used by a non-profit community based organizations and in compliance with the Community Space Tenancy policy.

Infrastructure/Service Capacity

The applicant submitted a Geotechnical Engineering Report dated January 29, 2019 and a Preliminary Hydrogeological Review Summary and Report dated August 12, 2019, both prepared by Terraprobe Inc., as well as a Functional Servicing and Stormwater Management Report prepared by The Municipal Infrastructure Group Ltd. and dated October, 2019.

The purpose of these reports is to evaluate existing subsurface conditions and the effects of the development on the City's municipal servicing infrastructure and watercourses, and to identify and provide the rationale for any infrastructure or upgrades to existing infrastructure necessary to adequately service the proposed development. Staff are reviewing the submitted reports and plans.

The applicant submitted Phase 1 and Phase 2 Environmental Site Assessments prepared by Terraprobe Inc., dated January 29 and 31, 2019, in order to identify and assess areas of potential site contamination. Staff are reviewing the submitted report.

The applicant submitted an Urban Transportation Considerations report prepared by BA Consulting Group Ltd., dated October 2019, in order to evaluate the effects of the proposal on the transportation system and suggest any transportation improvements that are necessary to accommodate the travel impacts generated by the proposed development. The study concluded that the proposed development would generate a total of 0.26 and 0.30 two-way vehicular trips per residential unit during the weekday morning and afternoon peak hours, respectively. In addition, the study estimated that the proposed office component would generate 1.14 and 1.10 two-way vehicular trips per 1,000 ft² of GFA during the weekday morning and afternoon peak hours, respectively, and the proposed daycare would generate 0.46 two-way trip vehicular trips per child during the morning and afternoon peak hours.

Transportation Services staff have reviewed the study and advise that additional information is required.

The proposed parking supply of 858 spaces is deficient with respect to the minimum parking space requirements under both the former City of Etobicoke Zoning Code and City-wide Zoning By-law No. 569-2013. The applicant included parking justification in the Urban Transportation Considerations report which Transportation Services staff are reviewing.

Eglinton Avenue West LRT

The Urban Transportation Considerations report also contains a review of traffic operations at intersections in the area under both existing and future conditions, including a sensitivity analysis for the Eglinton Avenue West LRT. The subject site is located within the study area boundaries of the Eglinton West Planning and Streetscape Study that is currently being undertaken by the City. This study, which commenced in May 2018, follows the vision identified by the 2014 Eglinton Connects Study that resulted in the implementation of the Crosstown LRT corridor (Eglinton East). The Eglinton West Planning and Streetscape Study forms a part of a larger work program that includes: a refinement and optimization of the LRT alignment; an in-depth

examination of the Eglinton Avenue West/Martin Grove Road intersection; and an overarching Communications and Consultation Strategy. The resulting initiatives from these projects will articulate a clear direction for future implementation.

Ministry of Transportation

Highway 427 and Eglinton Avenue West abutting the subject site are under the jurisdiction of the Ministry of Transportation ("MTO"). MTO staff have reviewed the application and require proposed Building 1 to be set back a minimum of 14 m from the Eglinton Avenue West MTO property line. In addition, in accordance with the MTO's access management standards, the minimum required distance from the Highway 427 off-ramp and Eglinton Avenue West intersection to the site's vehicular access is 200 m. The northern access point of the proposed private road is approximately 75 m from this intersection. The applicant is required to revise the proposal to meet the MTO's standards.

Noise and Vibration

The applicant retained J.E. Coulter Associates Limited to prepare a Noise and Vibration Study, dated October 9, 2019, to analyze the potential noise impact from nearby transportation sources on the proposed development in accordance with the City of Toronto, Ministry of Transportation ("MTO") and Ministry of the Environment, Conservation and Parks ("MECP") noise guidelines. City staff will retain a third party consultant to undertake a peer review of this study, at the cost of the applicant.

The subject site is located within the Greater Toronto Airports Authority ("GTAA") area. The Airport Operating Area ("AOA") establishes the boundary of areas that are subject to high levels of aircraft noise. This site is located outside of the AOA and as such, the GTAA has recommended that acoustic design features be incorporated in the building components to the satisfaction of the City of Toronto.

Air Quality

The applicant submitted an Air Quality Review, prepared by SLR Consulting (Canada) Limited and dated October 10, 2019, to perform a Transportation Related Air Pollution (TRAP) review for the proposed development. City staff will retain a third party consultant to undertake a peer review of this study, at the cost of the applicant.

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. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant submitted a TGS Checklist with this application and it is currently being reviewed by staff. Staff will be encouraging the applicant to meet Tier 2 or higher performance measures.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

The proposal meets the Official Plan minimum size threshold of 10,000 m² for consideration of Section 37 benefits. Should the application be considered for approval, Section 37 contributions could be secured towards specific benefits for the surrounding local community, including: the provision of a non-profit child care centre; improvements to the Richview Branch Public Library; improvements towards outdoor community recreation facilities; as well as affordable housing or by securing purpose-built rental housing at mid-range or affordable rent level categories. Other facilities and/or service needs may arise during the review of the application and in consultation with the Ward Councillor.

Other Matters

Staff have identified the additional following issues:

- The tenure proposed in the current application is condominium. Staff will strongly encourage the applicant to provide purpose-built rental units at mid-range or affordable rent levels and/or affordable ownership units within this proposed development to support the City's and the Growth Plan's housing policy objectives to provide a full range of housing by tenure and affordability within new developments.
- The Official Plan directs that new streets should be public streets. The applicant should replace the private street with a public street designed to integrate into the public realm and meet the design objectives for new streets.
- Parks, Forestry and Recreation staff advise that the applicant would be required to satisfy the parkland dedication requirement, which is 2,324 m², through an on-site dedication. The applicant is required to combine the areas of the proposed public park (796 m²) and POPS (1,568 m²) and to convey these lands to the City in order to achieve the total parkland dedication requirement for the proposed development.
- Vehicle lay-bys are proposed on both sides of the proposed private road to facilitate on-street loading and pick-up operations. The applicant is to provide all loading and site servicing internal to the buildings as on-street lay-by spaces will not be accepted.

- Determining the appropriate amount and location of replacement office space on site.
- In order to comply with current City standards and the requirements of the Accessibility for Ontarians with Disabilities Act (AODA), the proposal is to be revised to provide a continuous 2.1 m wide clear linear path of public sidewalk along The East Mall and Eglinton Avenue West site frontages.
- Given the current increase in dog-owning populations, the applicant will be strongly encouraged to provide dog amenities on-site with proper disposal facilities such as dog relief stations. This would alleviate pressure on neighbourhood parks.
- The provision of public art in the proposed development and the applicant's participation in the Percent for Public Art Program and its Guidelines.

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

Staff have discussed the issues outlined in this report with the applicant. Given the nature and extent of the issues raised, staff have advised the applicant to revisit the design of the site and resubmit a revised concept more in keeping with the Official Plan vision and other requirements.

CONTACT

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SIGNATURE

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

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context, Looking Southeast

Attachment 2: 3D Model of Proposal in Context, Looking Northwest

Attachment 3: Location Map

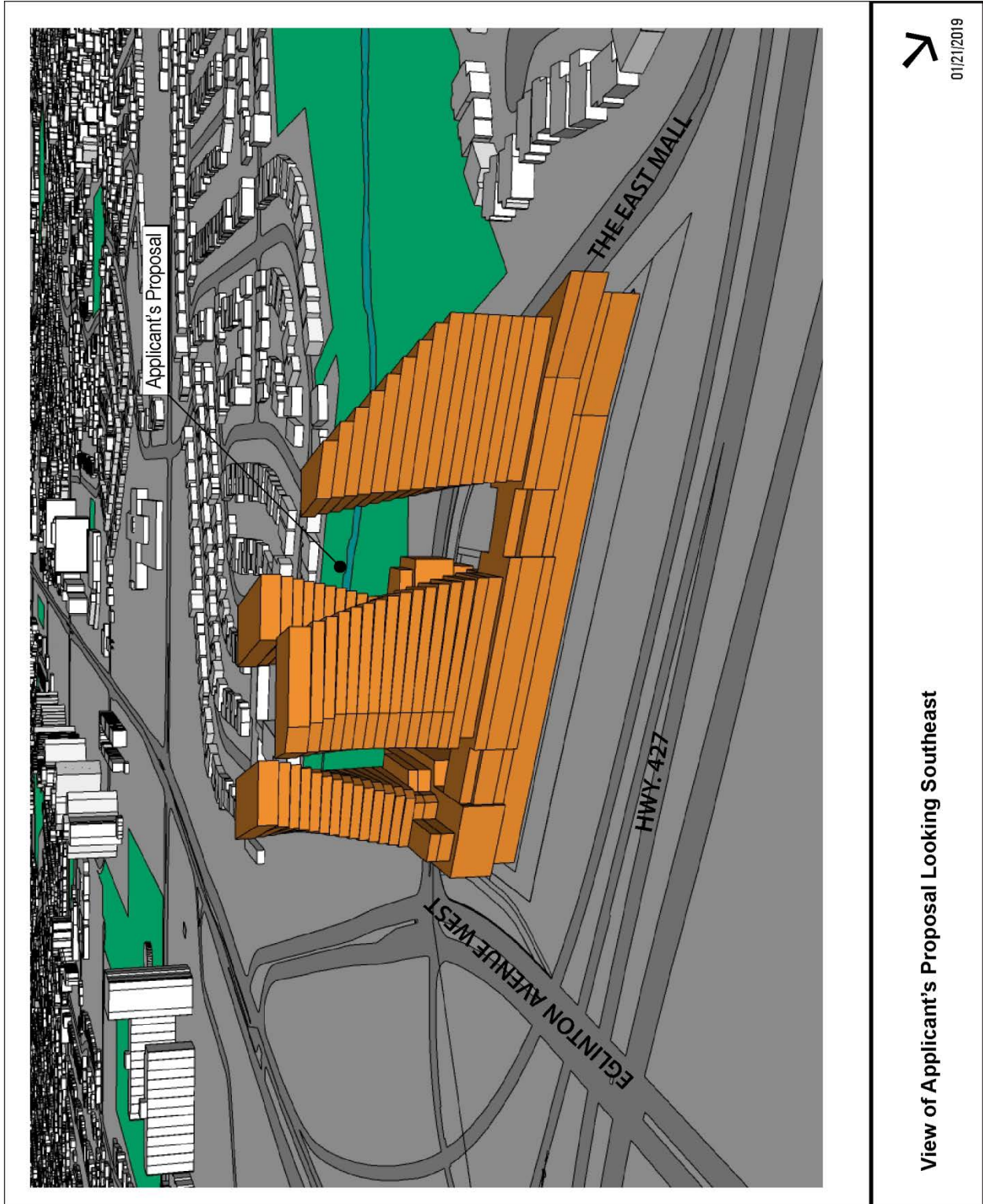
Attachment 4: Site Plan

Attachment 5: Official Plan Land Use Map

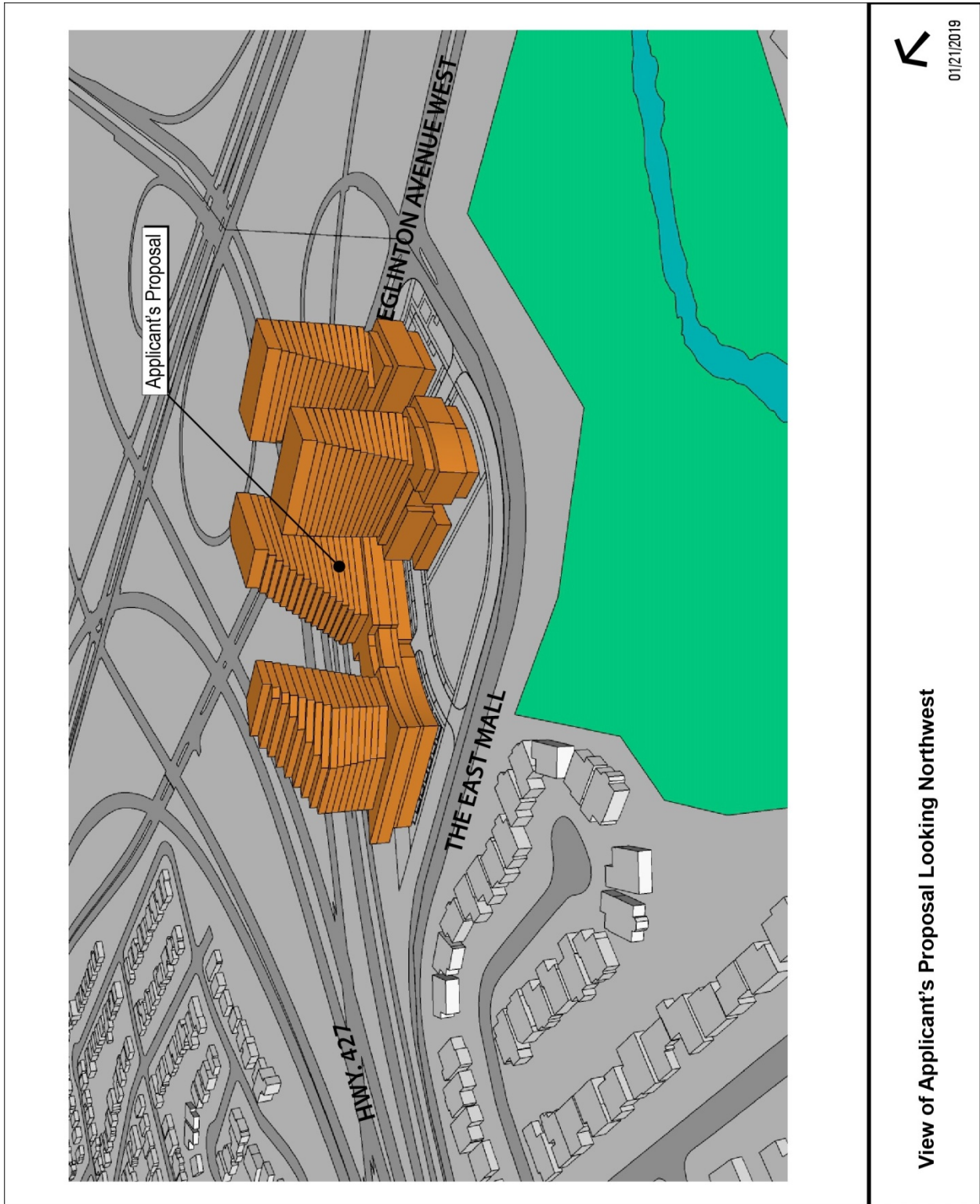
Attachment 6: Site and Area Specific Policy No. 27

Attachment 7: Zoning Map

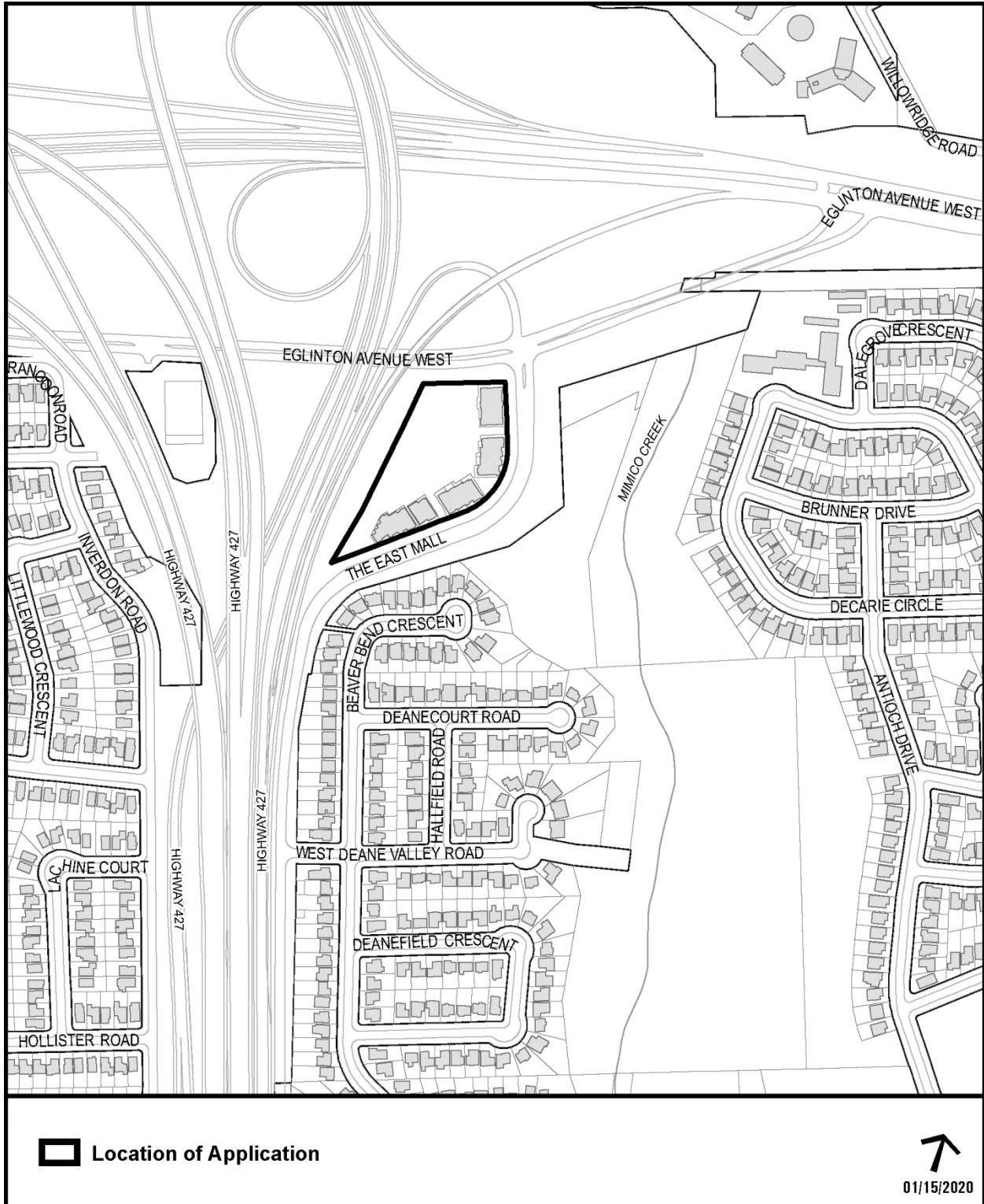
Attachment 1: 3D Model of Proposal in Context, Looking Southeast



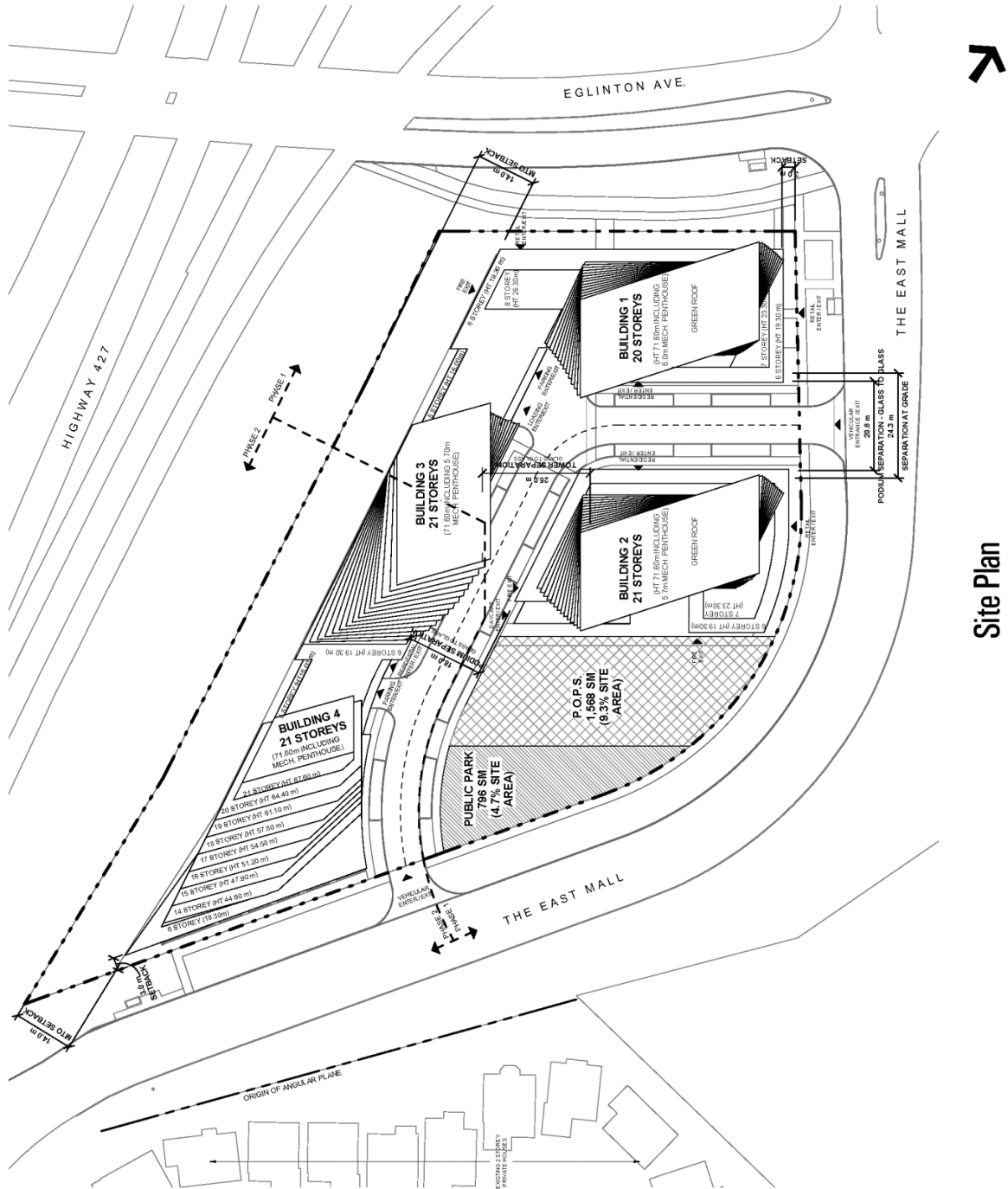
Attachment 2: 3D Model of Proposal in Context, Looking Northwest



Attachment 3: Location Map



Attachment 4: Site Plan



Site Plan

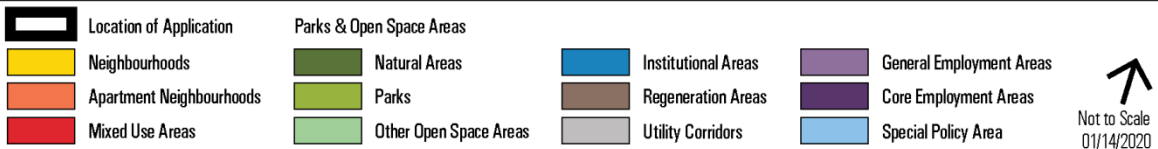
Attachment 5: Official Plan Land Use Map



900-940 The East Mall

Official Plan Land Use Map #14

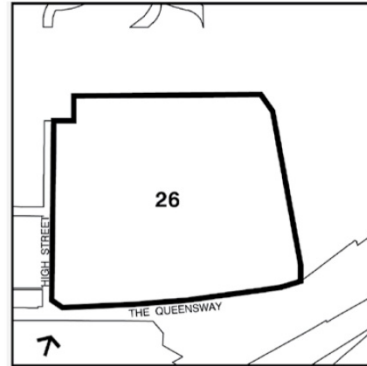
File # 19 236352 WET 02 0Z



Attachment 6: Site and Area Specific Policy No. 27

26. 130 The Queensway

Only a sewage treatment plant & associated facilities are permitted.



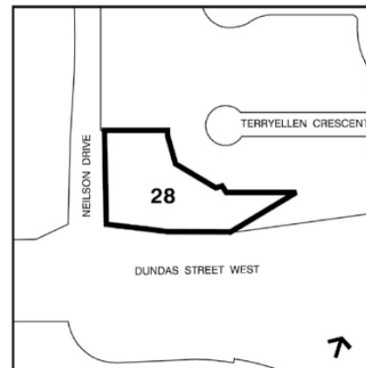
27. West Side of The East Mall, South of Eglinton Avenue

Residential uses are not permitted.

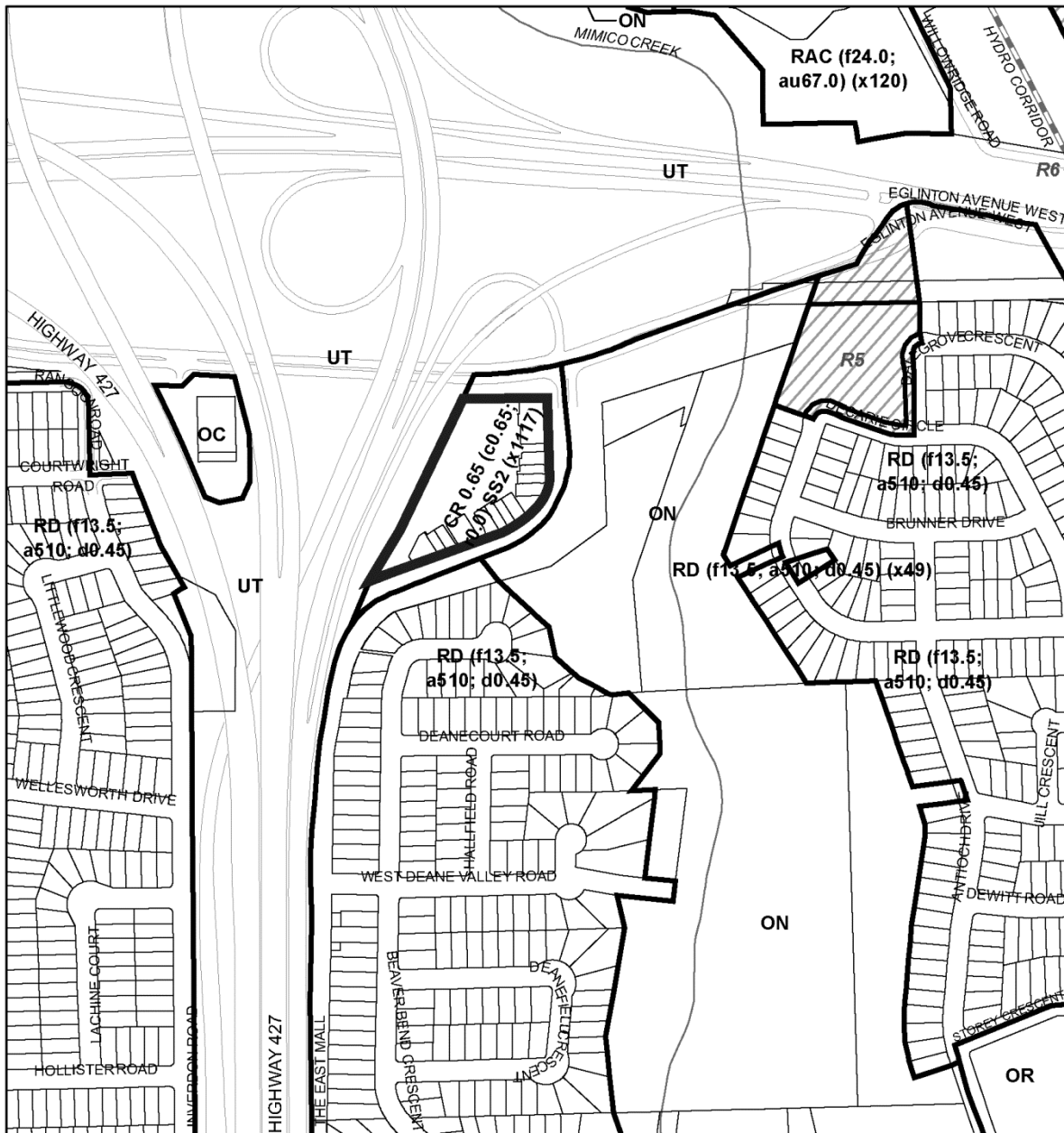


28. 11 Neilson Drive

Conversion of an existing 55 unit equity co-operative to condominium is permitted.



Attachment 7: Zoning Map



Zoning By-law 569-2013

900-940 The East Mall

File # 19 236352 WET 02 0Z

Location of Application

RD Residential Detached
RAC Residential Apartment Commercial
CR Commercial Residential

ON Open Space Natural
OR Open Space Recreation
OC Open Space Cemetery
UT Utility and Transportation

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

R5 Fifth Density Residential Zone
R6 Sixth Density Residential Zone



Not to Scale
 Extracted: 01/15/2020