

## **900 to 940 The East Mall – Official Plan and Zoning By-law Amendment Applications – Final Report**

Date: June 8, 2022

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 2 - Etobicoke Centre

**Planning Application Number:** 19 236352 WET 02 OZ

### **SUMMARY**

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This application proposes to amend the Official Plan and city-wide Zoning By-law 569-2013 for the lands municipally known as 900 to 940 The East Mall to permit a phased mixed use development comprised of four buildings, ranging from 20 to 21 storeys (71.6 metres in height, including mechanical penthouses) and containing a total of 836 dwelling units, including eight affordable ownership units. The development would have a total gross floor area of 72,146 square metres, of which 65,873 square metres would be for residential uses and 7,918 square metres would be for non-residential uses including 890 square metres of retail space, 148 square metres of interior daycare space and 5,235 square metres of office space. A total of 776 parking spaces are proposed within a four level below-grade parking garage. In addition, a 2,346 square metre new public park is proposed at the southeast corner of the site.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law. The proposal represents appropriate intensification, conforms with the Official Plan and is consistent with the Tall Building Design Guidelines. The proposal fits within the existing and planned context and includes eight affordable ownership units and a new public park.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 900 to 940 The East Mall, substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5 to this report.
2. City Council amend city-wide Zoning By-law 569-2013, for the lands at 900 to 940 The East Mall, substantially in accordance with the draft Zoning By-law Amendment to city-wide Zoning By-law 569-2013 attached as Attachment No. 6 to this report.
3. City Council authorize the City Solicitor to submit the necessary bill(s) to implement the foregoing recommendation(s) provided the City Solicitor is satisfied that the appropriate legal mechanisms are in place to ensure that no building permit will issue until such time as the Section 37 Agreement is executed and registered.
4. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
5. City Council require the owner to enter into an agreement pursuant to Section 37 of the *Planning Act* and other necessary agreement(s), including provision of indemnity, insurance, financial security, maintenance, HST and indexing, as applicable, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, as follows:
  - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows:
    1. Prior to the issuance of the first above-grade building permit, the owner shall make a financial contribution to the City in the amount of \$1,000,000 by certified cheque to the Treasurer, City of Toronto, to be used towards park improvements for West Deane Park and/or other parks or capital improvements that would benefit the community in the vicinity of the lands, to the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor;
    2. The financial contribution pursuant to Recommendation 5.a.1. above shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the date of payment;
    3. In the event the financial contribution in Recommendation 5.a.1. above has not been used for the intended purposes within three years of the by-law coming into full force and effect, the contribution may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor, provided that the purpose(s) is identified in the Official Plan and will benefit the community in the vicinity of the lands;

4. The provision and conveyance at nominal charge of at least eight Affordable Ownership Units with an approximate total net floor area of 460 square metres to Toronto Artscape Inc. or a similar non-profit housing provider for affordable ownership housing on the following terms:
  - a. The Affordable Ownership Units will be comprised of studio, one- and two-bedroom units, provided that there is no more than one studio unit, and at least two two-bedroom units that have an average size of 82 square metres;
  - b. All of the Affordable Ownership Units will be constructed to a fully-finished condition, to a similar standard as the units in the remainder of the development;
  - c. The units will be constructed in the first phase of development and unit occupants will have access to all building facilities and amenities on the same terms and conditions as the all other residents;
  - d. There shall be no closing adjustments made with respect to the Affordable Ownership Units transferred to the Provider, other than adjustments for monthly occupancy fees or common expense fees and realty taxes for the year in which the final closing date occurs, adjusted and payable on either the interim occupancy or final closing date of the sale of each unit; and
  - e. The owner shall submit, in consultation with the Provider, the proposed layouts and locations of the units as part of the application for Site Plan Control approval, and the final design and location of the units shall be to the satisfaction of the Chief Planner and Executive Director, prior to Site Plan Control approval;
5. The owner shall enter into Agreements of Purchase and Sale ("the APS") for the Affordable Ownership Units with the Provider and/or the City prior to the issuance of the first building permit for the first residential building on the lands pursuant to Recommendation 5.a.4. and the APS will be assignable at no additional cost;
6. The owner shall enter into and register a Section 118 restriction under the Land Titles Act prior to first above-grade building permit for the first residential building on the lands to enable the implementation of the affordable housing provisions of the Section 37 agreement to the satisfaction of the City Solicitor in consultation with Chief Planner and Executive Director, City Planning.

b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support the development:

1. The owner is required to pay for all costs associated with the following road improvements and install them in accordance with the approved plans to the satisfaction of the General Manager, Transportation Services, and will be a condition of Site Plan Control approval, including the approved signal drawings and the approved functional pavement marking and signage plans:
  - a. Modifications to the signal timing plan at the Eglinton Avenue West/The West Mall/Highway 427 Off-Ramp Intersection by introducing a protected right-turn phase, which will operate in conjunction with the westbound left-turn phase and maintain the existing cycle lengths;
  - b. Modifications to the signal timing plan at the Eglinton Avenue West/Martin Grove Road Intersection to allow more green time for the east-west movements and maintain the existing cycle lengths;
  - c. An approximate 85-metre extension of the centre medium for the northbound approach at the Eglinton Avenue West/Highway 427 Off-Ramp Intersection;
  - d. The installation of a dedicated southbound right-turn deceleration lane at the proposed northerly site access driveway; and
  - e. An eastbound right-turn on red light restriction at Eglinton Avenue West/The East Mall/Highway 427 intersection, as required by the Ministry of Transportation.
2. The owner must submit the following to the satisfaction of the General Manager, Transportation Services prior to Site Plan Control approval:
  - a. Acceptable functional pavement, signage plans, engineering drawings and cost estimates associated with the required road improvements identified above.
3. The owner shall construct and maintain the development of the site in accordance with Tier 1, Toronto Green Standard, and the owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan control application for each building on the site, and the owner shall construct and maintain the development in accordance with Tier 1, to the satisfaction of the Chief Planner and Executive Director, City Planning.
4. The owner shall satisfy applicable signage requirements of the Toronto District School Board (TDSB) and the Toronto Catholic District School Board (TCDSB) and shall insert warning clauses in purchase and

sale/tenancy agreements as required in connection with student accommodation.

5. The owner shall make satisfactory arrangements with Engineering and Construction Services and enter into the appropriate agreement(s) with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support the development, according to the Functional Servicing Report accepted by the Chief Engineer and Executive Director of Engineering and Construction Services.
6. The following matters regarding the required parkland conveyance shall be secured, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor, including:
  - a. Conveyance of land to the City for public parkland, with a minimum size of 2,347 square metres as generally depicted in Diagram 1 of the Draft Zoning By-law Amendment;
  - b. Securing the design and construction of the new public park to Above Base Park Improvements; and
  - c. All other conditions such as, but not limited to: Parkland Dedication; Limiting Distance; Environmental Assessment; Park Construction and Base Park Improvements; Temporary Fencing; Warranty; Above Base Park Improvements; and Credit Against Development Charges for Above Base Park Improvements as outlined in the memorandum from Parks, Forestry and Recreation dated August 12, 2021, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
7. The owner shall, at its own expense address the following matters in any application for Site Plan Control approval for the development, which shall be determined and secured in a Site Plan Agreement(s) with the City, as applicable, all to the satisfaction of the Chief Planner and Executive Director, City Planning:
  - a. Obtain all required permit(s) from the Ministry of Transportation (MTO) prior to any construction and for all signs visible to Highway 427. MTO permits can only be applied once Site Plan Control approval is granted;
  - b. Implement any required noise and vibration abatement measures or other recommendations, as detailed in the Noise and Vibration Impact Study, dated October 2019 and revised April 2022, prepared by J.E. Coulter Associates Ltd., as may be amended through a peer review process, undertaken through the Site Plan

Control application process, at the expense of the owner, to the satisfaction of the Chief Planner and Executive Director, City Planning;

- c. Implement any required air quality, dust and odour abatement measures or other recommendations, as detailed in the Compatibility and Mitigation Study for Air Quality, Dust and Odour, dated February 2022, prepared by SLR Consulting (Canada) Ltd., as may be amended through a peer review process, undertaken through the Site Plan Control application process, at the expense of the owner, to the satisfaction of the Chief Planner and Executive Director, City Planning;
- d. Implement any wind control measures identified in the Pedestrian Level Wind Study, dated June 3, 2021, prepared by Gradient Wind Engineers, and any future addendum, to the satisfaction of the Chief Planner and Executive Director, City Planning, to be secured through the Site Plan Control application review process;
- e. Satisfy the requirements of Metrolinx particularly regarding noise and vibration attention requirements, warning clauses in purchase and sale/tenancy agreements, and construction traffic management plan and schedules;
- f. Construction of a bus stop platform and associated connections on the Eglinton Avenue West frontage to the satisfaction of the Toronto Transit Commission;
- g. Incorporation in the construction of the building of exterior materials shown on 1:50 scale drawings as approved by the Chief Planner and Executive Director, City Planning and submitted as part of the Site Plan Control approval process;
- h. Reconstruction of the City sidewalks to City standards along the frontages of The East Mall and Eglinton Avenue West, to the satisfaction of the General Manager, Transportation Services; and
- i. The construction management plan include on-site contact during the construction process for residents and stakeholders to contact.

6. The following conditions shall be added as Holding Provisions to the Draft Zoning By-law Amendment to city-wide Zoning By-law 569-2013 for the lands at 900-940 The East Mall, attached as Attachment No. 6 to this report, if the conditions are not satisfied prior to the July 19-20 City Council meeting:

- a. The owner shall address all outstanding issues raised by Engineering and Construction Services as they relate to the Zoning By-law Amendment

application as set out in their memo dated January 17, 2022 or as may be updated in response to further submission(s) filed by the owner, to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services;

- b. The owner shall submit a Functional Servicing Report to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services. The report shall determine the storm water runoff, sanitary flow and water supply demand resulting from the proposed development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the development; and
- c. The owner shall provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 68-10.

7. City Council accept an on-site parkland dedication by the owner having an area of not less than 2,347 square metres to satisfy the owner's parkland contribution required pursuant to Section 42 of the *Planning Act*, with such on-site parkland to be conveyed to the City prior to the issuance of any above grade building permit for the lands, to the satisfaction of the General Manager, Parks, Forestry and Recreation, the Director, Real Estate Services and the City Solicitor.

- a. The subject parkland conveyance is to be free and clear, above and below grade of all physical and title encumbrances and encroachments, including surface and subsurface easements, unless otherwise approved by the General Manager, Parks, Forestry and Recreation; and
- b. The owner is to pay for the costs of the preparation and registration of all relevant documents, and shall provide to the satisfaction of the City Solicitor all legal descriptions and applicable reference plans of survey for the new parkland.

8. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry and Recreation, and the development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, Parks, Forestry and Recreation, and the Parks and Recreation component of Development Charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time-to-time.

## **FINANCIAL IMPACT**

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

## **DECISION HISTORY**

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A pre-application meeting was held on June 9, 2019. The current application was submitted on October 15, 2019 and deemed complete on November 20, 2019. A Preliminary Report on the application was adopted by Etobicoke York Community Council on March 12, 2020 authorizing staff to conduct a community consultation meeting with an expanded notification area and to include Toronto Public Health in the circulation for comments with emphasis on aircraft, highway, and transportation related noise and air quality. The Preliminary Report can be viewed through the following link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EY14.2>

Additional consultations took place between staff, the Councillor, applicant and the residents association. Community consultation is summarized in the Comments section of this report.

## **PROPOSAL**

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This application proposes to amend the Official Plan and city-wide Zoning By-law 569-2013 for the lands at 900 to 940 The East Mall to permit a phased mixed use development. The development would be comprised of four buildings, ranging from 20 to 21 storeys (71.6 m in height, including mechanical penthouses) and would contain a total of 836 condominium dwelling units, including eight affordable ownership units. The proposed development would have a total gross floor area of 72,146 square metres, of which 65,873 square metres would be for residential uses and 6,273 square metres would be for non-residential uses including 890 square metres of retail space, 148 square metres of interior daycare space and 5,235 square metres of office space.

The site is irregular in shape with a total area of approximately 16,884 square metres (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 20 storeys in height and located at the northeast corner of the site, fronting The East Mall, Eglinton Avenue West and the proposed private road. It would be connected to Building 3 by a five-storey base building. Buildings 3 and 4, both 21 storeys in height, 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 five-storey base building. Building 2 would be a standalone building, 21 storeys in height, located south of Building 1 and would also front The East Mall and the proposed private road.



Building 1 would contain a total of 5,235 square metres of office space on the second, third, fourth and fifth floors. The proposed office space would replace a significant portion of the existing office gross floor area on the subject site. The proposal would also incorporate a daycare, including a 300 square metres fenced outdoor playground, on the ground floor of Building 2. Retail spaces are proposed on the ground floors of Buildings 1 and 2. In each building, residential lobbies would also be situated on the ground floors. Within Buildings 2 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.

Of the 836 dwelling units proposed, 46 (5.5%) would be bachelor units, 429 (51.3%) would be one-bedroom units, 270 (32.3%) would be two-bedroom units, and 91 (10.9%) would be three-bedroom units. The development would contain a total of 1,672 square metres (2.0 square metres per dwelling unit) of indoor amenity space and 1,968 square metres (2.4 square metres per dwelling unit) of outdoor amenity space provided through outdoor terraces with seating areas and a pool, indoor amenity rooms, a dog wash room and guest suites.

The proposal includes a public park at the southeast corner of the site that would have an area of 2,347 square metres.

The proposed development would be constructed in two phases. Phase 1 would encompass Buildings 1 and 2 (including the northern portion of the four-level below-grade parking garage), the proposed public park, and the entirety of the proposed private road. Phase 2 would consist of Buildings 3 and 4 (including the balance of the four-level below-grade parking garage). Phase 1 would include 386 dwelling units and Phase 2 would have 450 dwelling units.

The development would include a total of 776 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. The parking supply would consist of 623 spaces for residents, 138 shared visitor and non-residential spaces and 15 car share spaces. There are two ingress/egress ramps proposed to the below-grade parking garage located between Buildings 1 and 3 and Buildings 3 and 4. One Type G loading space, one Type B loading space and three Type C loading spaces are proposed to service the development. A total of 656 bicycle parking spaces are proposed to be provided including: 570 long-term and 59 short-term bicycle parking spaces for residential use; eight long-term and 11 short-term bicycle parking spaces for office use; and two long-term and six short-term bicycle parking spaces for retail use.

Vehicular access to the site would be provided via two access points along The East Mall, generally at the site's existing driveway locations, which would be connected by a new internal private road. The below-grade parking garage and loading facilities would be accessed from the private road. The new road would be 8.5 metres wide and would serve as a fire route. The two vehicular access points on The East Mall would be stop-controlled. The north driveway would be restricted to right-in/right-out access and the

south driveway would provide for full movements. Four vehicle lay-by spaces are proposed on the east side of the road to accommodate pick-up/drop-off operations for the proposed daycare.

Attachments 7 and 8 (Site Plan and Elevations) illustrate the development proposal for the subject site.

### **Site and Surrounding Area**

The subject site is located on the west side of The East Mall, on the south side 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, containing a total gross floor area of 6,188 square metres, 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. Along Eglinton Avenue West, to the northeast, are several apartment buildings, generally ranging from 11 to 22 storeys in height.

East: On the east side of The East Mall is the Mimico Creek and associated valley lands, and the West Deane Park Trail.

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.

### **Reasons for 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 city-wide Zoning By-law 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.

## **APPLICATION BACKGROUND**

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### **Application Submission Requirements**

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

- Planning Rationale;
- Survey Plans;
- Architectural Plans;
- Landscape and Lighting Plans;
- Tree Inventory and Preservation Plan;
- Civil Plans;
- Arborist Report;
- Community Services and Facilities Study;
- Public Consultation Strategy;
- Pedestrian Level Wind Study;
- Sun/Shadow Study;
- Functional Servicing Report;
- Stormwater Management Report;
- Hydrogeological Review;
- Geotechnical Study;
- Transportation Impact Study;
- Noise and Vibration Impact Study;
- Air Quality Study;
- Draft Official Plan Amendment;
- Draft Zoning By-law Amendment;
- Toronto Green Standard Template and Checklist;
- Energy Efficiency Report; and
- Computer-Generated Building Massing Model.

The above materials are available online at the Application Information Centre (AIC) and may be found at the following link:

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

### **Agency Circulation Outcomes**

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City Divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Official Plan amendments and Zoning By-law standards.

## **POLICY CONSIDERATIONS**

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### **Planning Act**

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities. The outcome of staff analysis and review of relevant matters of provincial interest are summarized in the Comments section of this report.

## **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 plan control.

### **The Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) (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 use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

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 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 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 4.6 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. 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 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 Council shall also be consistent with the PPS and conform with Provincial Plans.

### **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) 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 (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act*.

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, and better connected 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 (2020) 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 (2020) 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 Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

Staff have reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the report.

## **Toronto Official Plan**

The site is designated Mixed Use Areas on Map 14 – Land Use Plan of the Official Plan (see Attachment 3: Official Plan Land Use Map) and is subject to Site and Area Specific Policy 27 (SASP 27). The site is located on a transit corridor along Eglinton Avenue West as identified on Map 4 - Higher Order Transit Corridor of the Official Plan.

This application has been reviewed against the policies of the City of Toronto Official Plan. Key policies include:

### **Chapter 2 – Shaping the City**

*Section 2.2 - Structuring Growth In The City: Integrating Land Use And Transportation*  
Policy 2.2.5 states that the City's servicing for water, wastewater and stormwater management infrastructure will be maintained and developed to support the city-building objectives by providing adequate facilities to support new development and maintaining the infrastructure in a state of good repair.

#### *Section 2.3.1 - Healthy Neighbourhoods*

Policy 2.3.1.3 requires developments in Mixed Use Areas, Regeneration Areas, and Apartment Neighbourhoods that are adjacent or close to Neighbourhoods, to be compatible with those Neighbourhoods. Development will gradually transition in scale and density through step-downs and setbacks, maintaining adequate light and privacy of the Neighbourhoods. Development will mitigate impacts on Neighbourhoods as follows: orientation and screening of lighting and amenity areas; attenuation of traffic and parking impacts on adjacent streets; and placement and screening of parking, servicing, and access areas in underground and above-grade structures.

### **Chapter 3 – Building a Successful City**

#### *Section 3.1.1 - The Public Realm*

Policy 3.1.1.1 defines the public realm as all public spaces and private spaces that are publicly accessible, while Policy 3.1.1.2 directs the public realm to be the organizing framework for development and to foster and contribute to complete and walkable communities and the physical character of the city and its neighbourhoods.

Policy 3.1.1.9 states that new streets will be public streets unless otherwise deemed appropriate by the City. Private streets, where they are deemed to be appropriate, will be designed to connect to and integrate into the broader public street network and meet the design objectives for new public streets.

Policy 3.1.1.13 requires sidewalks to be designed to provide safe, attractive, interesting and comfortable spaces for users of all ages and abilities. Further, Policy 3.1.1.14 requires that design measures which promote pedestrian safety and security will be applied to streetscapes, lanes, parks, other public and private open spaces, and all new and renovated buildings.

Policy 3.1.1.16 states that all development will prioritize the preservation, long-term growth, and numerical increase of trees, and new development proposals must demonstrate how this will be achieved.

In accordance with Policy 3.1.1.18(c), new parks and open spaces will be located and designed to provide a comfortable setting with wind and sunlight conditions that promote use and enjoyment of the space for community events and users of all ages and abilities.

#### *Section 3.1.2: Built Form*

Policies 3.1.2.1, 3.1.2.5, and 3.1.2.6 direct development to be located and organized to fit within its existing and planned context. Development is to transition in scale between areas of different building heights and intensities of use while considering the existing and planned context of neighbouring properties and the public realm. The massing of new development is required to frame and define the public realm while ensuring appropriate levels of sunlight on public sidewalks and parks.

Policy 3.1.2.3 provides greater specifics on transition by stating that development will provide setbacks and separation distances from neighbouring properties and adjacent windowed walls, in order to protect privacy.

Policy 3.1.2.4 requires that development locate and organize vehicle parking and vehicular access, servicing, storage areas and utilities to minimize their impact and improve the safety and attractiveness of the public realm, the site and surrounding properties.

Policies 3.1.2.11, 3.1.2.12 and 3.1.2.13 encourage new indoor and outdoor amenity spaces be provided in multi-unit residential development, and that it be high quality, well designed and consider the needs of all ages and abilities over time and throughout the year. Outdoor amenity spaces should be located above-grade, have access to daylight, direct access to sunlight, provide comfortable wind, shadow and noise conditions, be located away from and physically separated from loading and servicing areas, have generous well designed landscaped areas to offer privacy and an interface with the public realm, accommodate mature trees and promote use in all seasons.

#### *Section 3.1.3: Built Form – Tall Buildings*

Tall buildings are desirable in the right places but they do not belong everywhere. When appropriately located and designed, tall buildings can support and draw attention to the city structure, visually reinforcing our civic centres and other areas of civic importance. Tall buildings come with larger civic responsibilities and obligations than other buildings.

To ensure that tall buildings fit within their existing and planned context and limit local impacts, Policy 3.1.3.1 states that tall buildings should be designed to consist of three parts, carefully integrated into a single whole: base building, middle and top. Policy 3.1.3.2 requires tall building proposals to address key urban design considerations, including: meeting the built form principles of the Official Plan; demonstrating how the proposed building and site design contribute to and reinforce the overall city structure;

demonstrating how the proposed building and site design relate to the existing and/or planned context; taking into account the relationship of the site to topography and other tall buildings; providing high quality, comfortable and usable publicly accessible open space areas; and meeting the other goals and objectives of the Plan.

### *Section 3.2.1: Housing*

Adequate and affordable housing is a basic requirement for everyone. Current and future residents must be able to access and maintain adequate, affordable and appropriate housing. The city's quality of life, economic competitiveness, social cohesion, as well as its balance and diversity depend on it. Policy 3.2.1.1 requires that a full range of housing, in terms of form, tenure and affordability be provided.

## **Chapter 4 – Land Use Designations**

### *Section 4.3 – Parks and Open Spaces*

East of the 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 as identified on Maps 2 and 9 of the Official Plan, and are designated Natural Areas on Map 14 – Land Use Plan. In accordance with Policy 4.3.3, Natural Areas will be maintained in a primarily natural state.

### *Section 4.5: Mixed Use Areas*

The site is designated Mixed Use Areas on Map 14 – Land Use Plan of the Official Plan. Section 4.5 states that the Mixed Use Areas designation is made up of a broad range of commercial, residential and institutional uses, in single use or mixed use buildings.

Development in Mixed Use Areas is subject to development criteria as outlined by Policy 4.5.2 such as: create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meets the needs of the community; locate and mass new buildings to provide a transition between areas of different development intensity and scale; locate and mass new buildings to adequately limit shadow impacts on adjacent Neighbourhoods, particularly during the spring and fall equinoxes; locate and mass new buildings to frame the edges of streets with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets; provide an attractive, comfortable pedestrian environment; provide good site access and circulation and an adequate supply of parking for residents and visitors; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

## **Chapter 5 – Implementation**

### *Section 5.1.1 - Height and/or Density Incentives*

Section 5.1.1 of the Official Plan provides for the use of Section 37 of the *Planning Act* to secure community benefits in exchange for increased height and density for new development, provided the development constitutes good planning, is consistent with the policies and objectives of the Plan and complies with the built form policies and all



applicable neighbourhood protection policies of the Plan. The community benefit to be secured must bear a reasonable relationship to the increased height and/or density of the proposed development and have an appropriate geographic relationship with the proposed development.

#### *Section 5.1.2 - Holding By-laws*

In accordance with Policy 5.1.2.1, a holding provision may be placed on lands where the ultimate desired use of the lands is specified but development cannot take place until conditions set out in the Plan or by-law are satisfied. Policy 5.1.2.2 states that conditions to be met prior to the removal of the holding provision may include transportation or servicing improvements and professional or technical studies to assess potential development impacts.

### **Chapter 7 – Site and Area Specific Policies**

The site is subject to Site and Area Specific Policy 27 (SASP 27). SASP 27 states that residential uses are not permitted on the site.

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

The outcome of staff analysis and review of relevant Official Plan policies and designations and Site and Area Specific Policies noted above are summarized in the Comments section of the report.

### **Zoning**

The site is zoned Limited Commercial (CL) under the former City of Etobicoke Zoning Code, as amended by By-law 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 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 1986-236 of the former City of Etobicoke Zoning Code, which is noted above. This zoning does not permit residential uses (see Attachment 4: Existing Zoning By-law Map).

Zoning By-law No. 569-2013 can be found here:

<https://www.toronto.ca/citygovernment/planning-development/zoning-by-law-preliminary-zoning-reviews/zoningby-law-569-2013-2/>.

### **Eglinton Crosstown Light Rail Transit & Faster Transit Act**

Eglinton Avenue West is identified as a Transit Corridor on Map 4 – Higher Order Transit Corridors of the Official Plan. The Toronto Transit Commission completed a Final Report – 900 to 940 The East Mall

Transit Project Assessment Process (TPAP) and an Environmental Assessment (EA) for the implementation of a light rail transit (LRT) system within the Eglinton Avenue corridor extending from Kennedy Road to Lester B. Pearson International Airport. The study recommended construction of an LRT facility within an exclusive at-grade right-of-way in the centre of Eglinton Avenue West. In July 2016, City Council approved an Eglinton West LRT extension with between eight and 12 stops from Mount Dennis to Renforth Drive.

In March 2020, Metrolinx announced the commencement of a fully grade-separated LRT, referred as the Eglinton Crosstown West Extension, which differs from the previously recommended at-grade LRT. This new transit line would be an extension of the Eglinton Crosstown LRT and would include alignments that would be primarily underground, with some sections elevated (Jane Street and Scarlett Road) and at-grade (Renforth/Commerce). It would include seven stops (Jane Street, Scarlett Road, Royal York Road, Islington Avenue, Kipling Avenue, Martin Grove Road, and Renforth/Commerce).

The proposed development would create opportunities to make efficient use of proposed infrastructure, which includes the future Eglinton West LRT and the stations proposed east and west of the site, and increases accessibility and minimizes auto-dependency for residents.

## **Design Guidelines**

Part III of the Provincial Policy Statement (2020) under section titled "Guidance Material" states that guidance material and technical criteria may be issued from time to time to assist planning authorities and decision-makers with implementing the policies of the Plan.

Policy 1 in Section 5.3.2 Implementation Plans and Strategies for City Building of the Official Plan 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."

## **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 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**

On July 28, 2020, City Council adopted the updated Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines ("Growing Up Guidelines"). The update was based on the continued review and assessment from the draft guidelines

adopted by Council in July 2017. The objective of the Growing Up 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 guidelines can be found here:

<https://www.toronto.ca/city-government/planningdevelopment/planning-studies-initiatives/growing-up-planning-for-children-in-newvertical-communities/>

### **Retail Design Manual**

On October 27, 2020, City Council adopted the Retail Design Manual. The Retail Design Manual is a collection of best practices and is intended to provide guidance on developing ground floor retail spaces. City's ability to deliver on the objectives of complete communities and great streets are closely tied to its ability to secure successful, resilient, dynamic and vibrant retail uses through the development review process. The Guidelines can be found here:

<https://www.toronto.ca/wpcontent/uploads/2020/01/960d-Toronto-Retail-Design-Manual-December-2019.pdf>

### **Pet Friendly Design for High Density Communities**

The purpose of this document is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities. The Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/planning-studies-initiatives/pet-friendly-designguidelines-for-high-density-communities/>

### **Site Plan Control**

A Site Plan Control application (File No. 20 173796 WET 02 SA) was submitted by the applicant on July 28, 2020 and is currently being reviewed by staff.

## **COMMENTS**

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### **Planning Act**

The current application has regard to relevant matters of provincial interest in Section 2 of the *Planning Act*. These include:

- (f) The adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (h) The orderly development of safe and healthy communities;
- (i) The adequate provision and distribution of educational, health, social, cultural and recreational facilities;

- (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; and
- (r) The promotion of a 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 development is an appropriate location for residential intensification, supportive of current and future transit, represents an appropriate built form that provides a range and mix of housing, including family sized units and affordable ownership units, and employment opportunities through the proposed office and retail spaces, and promotes a vibrant public realm/streetscape. In addition, the new public park encourages a sense of place for residents and the greater community. These provincial interests are further articulated through the PPS (2020) and the Growth Plan (2020).

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

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020). Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020).

### **PPS (2020)**

The PPS came into effect on May 1, 2020 and provides policy direction on matters of provincial interest related to land use planning and development. City Council's planning decisions are required to be consistent with the PPS. This application has been reviewed against the policies of the PPS (2020) and key policies include:

Policy 1.1.1 states that healthy, livable and safe communities are sustained by: promoting efficient development and land use patterns; accommodating an appropriate range and mix of residential uses, including second units, affordable housing and housing for older persons.

Policy 1.1.3.1 states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.

Policy 1.1.3.2 states that land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available; support active transportation; and are transit-supportive.

Policy 1.1.3.3 states that planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated.

Policy 1.1.3.4 states that development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.1.3.6 states that new development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Policy 1.2.6.1 states that major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, and minimize risk to public health and safety.

Policy 1.4.3 directs planning authorities to provide a range of housing types and densities to meet projected requirements of current and future residents. This policy directs planning authorities to permit and facilitate all forms of housing required to meet the social, health and well-being requirements of current and future residents, and all forms of residential intensification and redevelopment where existing or planned infrastructure can accommodate projected needs. This policy further directs planning authorities to promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed. Planning authorities are also directed to establish development standards for residential intensification which minimize the cost of housing and facilitate compact form.

Policy 1.5.1(a) and (b) states that healthy, active communities should be promoted by: planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and planning and providing for a full range and equitable distribution of publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and where practical, water-based resources.

Policy 1.6.6.1 states that planning for sewage and water services shall: accommodate forecast growth in a manner that promotes efficient use and optimization of existing municipal sewage services; ensure that these systems are provided in a manner that can be sustained, prepares for the impacts of a changing climate, is feasible and financially viable over their lifecycle; and protects human health and safety, and the natural environment.

Policy 1.6.6.7 provides that planning for stormwater management shall: be integrated with planning for sewage and water services; minimize or prevent contaminants; minimize erosion and changes in water balance; mitigate risks to human health, safety and the environment; maximize the extent and function of vegetative and pervious surfaces; and promote stormwater management best practices.

Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation.

Policy 4.6 states that the official plan is the most important vehicle for implementation of the PPS and that official plans shall identify provincial interests, as identified in Section 2 of the *Planning Act*, which includes the promotion of a well-designed built form.

The proposal is located on a higher order transit corridor. The proposed mixed use development would promote intensification through a compact urban form, would result in both a variety of residential unit types (ranging from one to three-bedroom units) and commercial uses, including office and retail space, that utilize existing services within an existing built-up area, and represents an efficient land use pattern that would minimize land consumption. Based on the analysis of the policies, the application and the draft Official Plan and Zoning By-law Amendments are consistent with the PPS (2020).

### **Growth Plan (2020)**

The Growth Plan (2020) provides a framework for managing growth in the Greater Golden Horseshoe. City Council's planning decisions are required to conform with the Growth Plan. This application has been reviewed against the policies of the Growth Plan (2020) and key policies include:

Policy 2.2.1.3 c) directs municipalities to undertake integrated planning to manage forecasted growth which will provide for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

Policy 2.2.1.4 c), d) and e) state that applying the policies of the Growth Plan will support the achievement of complete communities that: provide a diverse range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; expand convenient access to transportation options and publicly-accessible open spaces and parks; and provide for a more compact built form and a vibrant public realm.

Policy 2.2.2.3 c) states that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will encourage intensification generally throughout the delineated built-up areas.

Policy 2.2.4.10 directs that lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.

Policy 2.2.5.3 states that retail and office uses will be directed to locations that support active transportation and have existing or planned transit.

Policy 2.2.6.3 states that to support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.

Policy 3.2.6.1 states that municipalities will generate sufficient revenue to recover the full costs of providing and maintaining municipal water and wastewater systems.

The proposal conforms with the above noted policies by: promoting intensification within a built-up area; contributing to a range of housing options; providing a compact built form and office and retail uses in close proximity to public transit; providing public realm improvements; and contributing to the overall achievement of a complete community. Based on the analysis of the Growth Plan (2020) policies, the application and draft Official Plan and Zoning By-law Amendments conform to the Growth Plan (2020).

## **Land Use**

This application has been reviewed against the Official Plan policies described in the Policy Considerations section of this report as well as the policies of the Toronto Official Plan as a whole.

The site is designated Mixed Use Areas in the Official Plan, which are areas anticipated to absorb most of the city's anticipated growth in retail, office and housing, provided new development is compatible with neighbouring land uses. The site is subject to SASP 27 which does not permit residential uses. The site is zoned Limited Commercial (CL) under the former City of Etobicoke Zoning Code and Commercial Residential under city-wide Zoning By-law 569-2013; neither permit residential uses.

Policy 4.5.2 (a) and (b) of the Official Plan state that, in Mixed Use Areas, development will: create a balance of high quality commercial, residential, institutional and open space that reduces automobile dependency and meets the needs of the local community; and provide for new jobs and homes for Toronto's growing population on underutilized lands in the Downtown and Central Waterfront, Centres, Avenues and other lands designated Mixed Use Areas, creating and sustaining well-paid, safe and fulfilling employment opportunities for all Torontonians.

The Mixed Use Areas designation permits the proposed mix of retail, office, residential, institutional, park and open space uses. The general area is currently characterized by low-rise residential and office uses as well as high-rise residential buildings. Planning staff are of the opinion the proposed uses conform to the land uses contemplated in the

Mixed Use Areas designation and facilitate the overall intent of the Mixed Use Areas designation. The proposed development would create a location where residents could live, work, and shop. The proposal is transit supportive and compatible with the existing and planned uses in the area, mitigating potential adverse effects of noise, vibration and air quality.

### **Noise and Vibration Impact**

The applicant retained J.E. Coulter Associates Ltd. to prepare a Noise and Vibration Impact Study, dated October 9, 2019 and revised April 4, 2022. As a result of the impacts of sounds generated by the adjacent transportation sources, the study provided mitigation recommendations for the proposal including:

- The installation of central air conditioning for all units;
- Future residents to be warned of potential high sound levels through appropriate warning clauses in all agreements of purchase and sale or lease;
- 2.6-metre noise barriers be provided for the outdoor amenity areas on the sixth floor between Buildings 3 and 4, and Buildings 1 and 3;
- A 1.3-metre noise barrier be provided for the outdoor amenity area on the seventh storey of Building 2 and the eighth storey private terraces of Building 1.
- All units be provided with minimum STC 36 windows and the final unit layout and building plans be reviewed by a qualified acoustical engineer to determine the glazing is appropriate to meet the indoor noise criteria;
- Exterior spandrel panels of the buildings to be STC 43 and exterior masonry assemblies to be STC 55; and
- The development's mechanical and electrical equipment be reviewed through the final design stages to confirm applicable guidelines are met.

Cambium Inc. was retained to peer review the Noise and Vibration Impact Study and supporting materials on behalf of the City to provide an opinion on the sufficiency and accuracy of the submitted materials, and concurrence with the opinions of the study and associated documentation. Cambium Inc. reviewed the revised study and generally concurred and accepted the analysis, methodology, mitigation measures and conclusions of the report, and recommended a detailed study be required and further reviewed through the Site Plan Control application process at the final design stages.

### **Air Quality**

Etobicoke York Community Council requested that Toronto Public Health be included in the circulation for comments, with emphasis on the review of aircraft, highway and transportation related noise and air quality related to the proposed development.

City Planning staff note the site is designated Mixed Use Area in the Official Plan, which contemplates residential uses on the site and the existing context includes residential development along the Highway 427 corridor.



The applicant retained SLR Consulting (Canada) Ltd. to prepare a Compatibility and Mitigation Study, dated October 2019 and updated February 2022, focusing on transportation-related air pollution and industrial air quality, odour and dust emissions, and a Traffic Related Air Pollution (TRAP) Study, dated February 2022. The assessment concludes the site is anticipated to be compatible with the surrounding land uses as the applicable policies and guidelines are met, and recommends the following mitigation measures be considered for all buildings proposed on the subject site:

- Locate fresh air intakes for the buildings at roof level where roadway concentrations are predicted to be the lowest;
- Utilize a centralized heating, ventilation and air conditioning system;
- Include MERV-8 rated filters at a minimum on the fresh air intakes to the buildings;
- Consider timing the ventilation schedule to minimize the amount of fresh air brought into the buildings during the peak vehicle volumes; and
- Design the mechanical HVAC to provide more make-up air than is exhausted to slightly pressurize the buildings positively, minimizing the infiltration of polluted air through each building envelope.

Cambium Inc. was retained to peer review the studies on behalf of the City in accordance with the City Planning Division's current processes and Terms of Reference for Air Quality studies. Cambium Inc. reviewed the updated study and the supporting TRAP report and concurs with the conclusions and potential mitigation measures that were recommended to consider in the final design stage through the Site Plan Control application process. Further, Cambium Inc. noted that mitigation requirements for balconies were not addressed and should be considered in updated studies as warranted through the Site Plan Control application process.

Toronto Public Health staff have recently reviewed the above noted studies and the proposal, and note that the studies and peer review predict no adverse impact with regards to odour and dust at the development site. Toronto Public Health staff are in agreement with the recommended air quality mitigation measures listed above.

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

The proposed density, height and massing has been reviewed against the Official Plan policies and relevant design guidelines referenced in the Policy Considerations section of this report. Section 3.1.2 Built Form has been updated through Official Plan Amendment 480 and came into effect on September 21, 2020. The previous version of Section 3.1.2, which still applies to the proposed development because it was in effect at the time the application was deemed complete, has also been used in the evaluation.

The proposed mixed use development is comprised of four tall buildings, 20 to 21 storeys in height. The Official Plan requires tall buildings to be comprised of three parts, the base, the middle and the top, which are to be carefully integrated into a single whole. The base building should provide definition and support at an appropriate scale and integrate with adjacent buildings. In accordance with the direction provided in the

Official Plan, the middle of the tower should be designed with a floor plate size and shape with appropriate dimensions for the site. Taller buildings are to be located to ensure adequate access to sky view. The Tall Building Design Guidelines direct that the top of tall buildings shall contribute to the skyline character and integrate roof top mechanical systems into the design.

Staff have worked with the applicant to shape both the base buildings and the towers to achieve an appropriate fit in keeping with the existing and planned context of the area. As noted, Eglinton Avenue West is identified as a Higher Order Transit Corridor at this location. A review of the existing built form context illustrates that northeast of the subject site, along Eglinton Avenue West, are several apartment buildings generally ranging from 11 to 22 storeys in height, and to the south of the site is a low-rise residential area with one and two-storey detached dwellings.

A recurring policy requirement within the Official Plan is to locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing setbacks from and/or a stepping down of heights towards lower-scale neighbourhoods and the public realm. The Tall Building Design Guidelines also require tall buildings to fit within the existing and planned context and provide appropriate transition in scale to lower-scaled buildings, parks and open space. Within the Tall Building Design Guidelines it states that, unless otherwise specified in a City approved policy, or guideline, a 45-degree angular plane, measured from the relevant property lines, is typically used to provide transition in scale from tall building developments down to lower-scale residential areas, parks and open spaces.

The proposed development is shaped and situated to be below the 45-degree angular plane as measured from the adjacent low-rise residential area, designated Neighbourhoods and the valley lands on the east side of The East Mall, designated Natural Areas. In addition to the angular plane, the proposed buildings have been shaped through setbacks and stepbacks to provide transition to the lower-scale residential area and open space.

Buildings 1 and 2 are set back 4.8 metres from The East Mall property line, Building 2 is setback 12 metres from the Eglinton Avenue West property line to the north, and Building 3 and 4 provide a 14-metre setback from the highway corridor as required by the Ministry of Transportation (MTO). Within the base building of Building 4, which is located north of the low-rise residential area on the north side of The East Mall, are two-storey townhouse residential units that are set back 5.1 metres from the property line. The overall building height of this base building that is shared with Buildings 2 and 3 has been reduced from six (19.3 metres) to five storeys (16.3 metres). The tower component of Building 4 has been set back a minimum of nine metres from The East Mall property line to the south. The upper storeys, floors 15 through 21, are additionally stepped back from the property line, which gradually shifts the massing of the building north, within the required angular plane. Similarly, the massing of Buildings 1 and 2 are pulled away from The East Mall and adjacent Mimico Creek valley lands through the stepping back of the upper storeys of the towers. City Planning staff are of the opinion

that the proposal meets the intent of the transition policies of the Official Plan through the proposed setbacks and stepbacks and the application of a 45-degree angular plane from the adjacent Neighbourhoods and Natural Areas.

The proposed development provides tower separation distances between each of the proposed buildings that range from a minimum of 27.5 metres to 28.5 metres. These tower separation distances are maintained through the unique curvature of the tower floor plates of each building. Staff are of the opinion that the proposed shapes of the buildings would set a positive precedent for the skyline character in this area. The four proposed towers would each have an average tower floor plate area of less than 750 square metres. The proposed development is shaped and situated to provide appropriate setbacks to the property lines, transition in scale, contribute to the public realm, and provide appropriate setbacks from the abutting MTO lands, in keeping with the Official Plan policies. The tower separation distances, floor plate size and curvature of the proposed towers, established through various stepbacks, would be secured in the draft Zoning By-law Amendment should the application be approved.

### **Sun, Shadow, Wind**

The applicant provided a shadow study illustrating the shadow movements during the spring and fall equinoxes. The proposed development would not cast shadow on the low-rise residential area to the south. The shape of the proposed buildings provide a narrow elongated shadow that would move quickly across the Highway 427 corridor and associated interchange system, Eglinton Avenue West and the valley lands to the east associated with the Mimico Creek. As demonstrated through the shadow study, six to seven hours of sunlight would be maintained on the valley lands during the spring and fall equinoxes. During the summer solstice, seven hours of sunlight would be provided on the valley lands and five hours during the winter solstice. It is also noted that the proposed development would begin to cast some shadows on the proposed public park, located at the southeast corner of the site, after 3:00 pm during the spring, summer and fall. City Planning staff are of the opinion the shadow impacts created by the proposed development are acceptable.

The applicant also submitted a Pedestrian Level Wind Study, dated June 3, 2021, prepared by Gradient Wind Engineers and Scientists. The study concludes that most grade-level areas within and surrounding the subject site are predicted to experience conditions that are considered acceptable for the intended pedestrian uses throughout the year, with the exception of some areas that will require mitigation. Conditions within the north-south passageway beneath the base building are expected to be suitable for a mix of sitting and standing during the summer season with the implementation of an extended 2.4-metre tall curtain wall along the north façade. Conditions over the northwest amenity terrace on the sixth storey are predicted to be mostly suitable for a mix of sitting and standing during the typical use period of late spring through early autumn with the extension of a canopy from the west side of Building 1 over the majority of the north half of the terrace. To improve conditions over the south amenity terrace on the sixth storey for a suitable mix of sitting and standing during the typical use period, it

is recommended that a canopy extending from Buildings 3 and 4 be considered and a 2.85-metre tall guard is maintained on the west perimeter of the terrace.

Through the Site Plan Control application review process, the final design of the amenity terrace areas and wind mitigation measures would be secured to ensure the wind effects are acceptable, should this application be approved.

### **Greater Toronto Airports Authority**

The site is located within the Greater Toronto Airports Authority (GTAA) area. According to the Airport Zoning Regulations for Toronto Pearson International Airport, the maximum allowable elevation under the obstacle zoning restrictions is 219.46 metres above sea level. The heights of the proposed buildings, which are 216.75 metres above sea level (71.6 metres in building height), would be within the allowable height limits associated with the regulations. Furthermore, GTAA advised that the site is located outside of the Airport Operating Area and as such, recommended that acoustic design features be incorporated in the building components to the satisfaction of the City of Toronto.

### **Ministry of Transportation**

Highway 427 and Eglinton Avenue West abutting the subject site are under the jurisdiction of the Ministry of Transportation (MTO). In review of the initial application, MTO required proposed Building 1 to be set back a minimum of 14 metres from the Eglinton Avenue West MTO property line. In addition, MTO required the northern access point of the proposed private road to be revised due to its distance from the Highway 427 off-ramp and Eglinton Avenue West intersection. In accordance with the MTO's access management standards, the minimum required distance from this intersection to the site's vehicular access is 200 metres. Based on these requirements, the proposed development would require substantial revisions to meet the MTO standards.

Through further review of the application, the MTO subsequently advised that a reduced setback of 10 metres would be permitted along Eglinton Avenue West for this development. The 10-metre setback is measured from the MTO designated property limit along Eglinton Avenue West and is to apply to all above and below grade structures, including but not limited to underground parking facilities, and all essential features on the site. In addition, the MTO advised that the north driveway would be permitted with a right-in/right-out access, provided that a no right turn on red restriction is implemented on Eglinton Avenue West eastbound at The East Mall intersection to prevent weaving issues of vehicles entering the site from the Highway 427 off-ramp. The application has been revised to meet the above noted setback requirements. Staff recommend the right turn restriction be implemented and secured as required by the MTO should the application be approved.

## **Traffic Impact and Parking**

In support of the revised development proposal, the applicant's transportation consultant, BA Consulting Group Ltd., prepared an Urban Transportation Considerations Report, dated June 3, 2021 and a subsequent addendum dated April 26, 2022. This report updates previously submitted reports, dated October 10, 2019 and July 23, 2020. The report estimates that the proposed development would generate 130 and 175 new two-way trips during the morning and afternoon peak hours upon completion of Phase 1, and 245 and 310 new two-way trips during the morning and afternoon peak hours upon the full build-out of the proposed development. These volumes take into account the removal of existing traffic volumes that are generated by the current uses on the site. Based on the projected vehicular traffic volumes, the applicant's transportation consultant concludes that the traffic generated by the proposed development can be accommodated on the area road network without undue impact. Transportation Services staff agree with the consultant's conclusions noted in the report and find the traffic impacts of the proposal acceptable provided that the road improvements are implemented at the owner's expense prior to the completion of Phase 1 of the proposed development, to the satisfaction of the General Manager, Transportation Services.

A total of 776 parking spaces are proposed to serve the development within the four level underground parking garage. This parking supply consists of 623 resident parking spaces, 138 shared visitor and non-residential parking spaces and 15 car share spaces. Transportation Services staff find the proposed parking supply acceptable and require all parking spaces to comply with the minimum dimensional requirements of city-wide Zoning By-law 569-2013, as well as accessible parking spaces, as amended by By-law 579-2017.

The current application proposes four vehicle layby spaces at-grade to accommodate pick-up/drop-off operations for the proposed daycare use. The applicant submitted justification in support of the pick-up/drop-off activity generated by the proposed daycare. While Transportation Services staff agree with the pick-up/drop-off demand projection that was derived by the consultant, staff advise that the lay-by facilities will need to be lengthened to allow for an additional parking space to be provided. Through the Site Plan Control application process, the owner will be required to revise the proposal accordingly.

## **Driveway Access and Site Circulation**

Vehicular access to the site would be provided by two access driveways off The East Mall, generally at the site's existing driveway locations. The northerly driveway would be located approximately 80 metres south of Eglinton Avenue West and would function with right-in/right-out movements only. The southerly driveway would be located approximately 180 metres south of Eglinton Avenue West and would function with full movements. Both driveways would be connected by a new internal private road that would be built entirely as part of Phase 1 of the proposed development. The new road would be 8.5 metres wide and would serve as a fire route. In accordance with the MTO's requirements, Transportation Services staff recommend that a no right on red

light restriction be implemented on Eglinton Avenue West eastbound at The East Mall to mitigate potential weaving issues with vehicles entering the northerly driveway of the site from the Highway 427 off-ramp, should the application as proposed be approved.

Staff worked with the applicant to revise the design of the private road to meet the City's design objectives for new streets to safely accommodate all users and modes. The initial application proposed twelve vehicle layby spaces and ten Type C layby loading spaces along both sides of the private road. In accordance with Official Plan Policy 3.1.1.17, 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. Further, in accordance with Official Plan Policy 3.1.2.2(d) and (e), new development is to locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on their property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by providing underground parking where appropriate and limiting surface parking between the front face of a building and the public street or sidewalk. The application has been revised. The above noted loading spaces have been relocated within the building envelopes and the vehicular parking spaces have been relocated below-grade, with the exception of four layby parking spaces that would accommodate the pick-up/drop-off operations for the proposed daycare.

## **Loading**

A total of five loading spaces are proposed to serve the development, including one Type G loading space, one Type B loading space and three Type C loading spaces. The Type G and B loading spaces would be located in a centralized loading facility within the shared base building between Buildings 1 and 2. Each Type C loading space would respectively be located within Buildings 1, 2 and 4. All loading spaces would be accessed from the proposed private road. In accordance with the submitted Urban Transportation Considerations Update Report, dated June 3, 2021, prepared by BA Consulting Group Ltd., the central loading facility is intended to accommodate the loading/delivery and solid waste/recycling needs of the entire development and is to be managed by a building facility coordinator, who is to make efficient use of the loading facilities by scheduling deliveries and waste/recycling collection. On this basis, Transportation Services staff advise that the proposed loading space supply is acceptable.

In review of the vehicle maneuvering diagrams provided, Transportation Services staff note that turning manoeuvres by vehicles using the Type B and G loading spaces would occur near the ramp that leads to the underground parking garage. In order to address this matter, the submitted site plan illustrates the installation of flashing warning lights, and an audible and visual warning system that will advise motorists exiting the parking garage of service vehicle manoeuvring taking place at the centralized loading facility. A notation has also been included on the site plan regarding the provision of a trained on-site staff member to act as a flag person during loading activity. Transportation Services staff find the above noted provisions acceptable.

## **Bicycle Parking**

Official Plan policies encourage reduced automobile dependency and promote alternative modes of transportation. The policies look to increase opportunities for better walking and cycling conditions for residents. The application proposes a total of 656 bicycle parking spaces to be provided including: 570 long-term and 59 short-term bicycle parking spaces for residential use; eight long-term and 11 short-term bicycle parking spaces for office use; and two long-term and six short-term bicycle parking spaces for retail use.

The long-term bicycle parking spaces are proposed to be located on the first level of the underground parking garage. The proposed short-term spaces would be located at-grade near the entrances for Buildings 1, 2 and 4. The proposed bicycle parking spaces for this development would comply with the bicycle parking requirements in city-wide Zoning By-law 569-2013. Details with respect to the location, design and layout for the bicycle parking would be secured through the Site Plan Control application review process for this development.

## **Streetscape and Public Realm**

The Official Plan requires that new development enhance the existing streetscape by locating massing to define edges of streets with good proportion. The Official Plan also requires that attention be given to the streetscape by ensuring that these areas are attractive, comfortable and functional for pedestrians through landscaping and setbacks that create attractive transitions from public and private realms.

Currently, an approximate 1.5 metres wide concrete municipal sidewalk exists along The East Mall frontage of the subject site. In order to comply with current City standards and the requirements of the Accessibility for Ontarians with Disabilities Act (AODA), the applicant is required to reconstruct the sidewalks to provide continuous 2.1 metres wide clear linear paths of public sidewalk along the frontages of the site. The site plan and landscape plans submitted adequately illustrate the installation of the required sidewalks. Along The East Mall, the landscape plans also demonstrate additional tree plantings within the City road allowance to provide a continuous row of street trees. On Eglinton Avenue West, Building 1 is proposed to be set back 12.5 metres which would allow the development to provide for street trees and other streetscape improvements. Through the Site Plan Control application review process, the owner would be required to identify landscape opportunities for trees along both the Eglinton Avenue West and Highway 427 MTO setback area in consultation with MTO and City staff. The required 2.1-metre wide municipal sidewalks and final streetscape design would be secured through the Site Plan Control application review process.

City Planning staff are of the opinion that the proposed development would provide improved, landscaped and connected pedestrian-oriented streetscapes along both The East Mall and Eglinton Avenue West.

The existing Toronto Transit Commission (TTC) eastbound stop 2343 on Eglinton Avenue West at The East Mall is to be relocated approximately four metres west of its

existing location. To provide adequate room for accessible ramps on TTC buses and to accommodate both standard and articulated buses, the TTC requires the owner to provide a level concrete platform at least 16 metres in length and 2.4 metres in width from the curb. In addition, the owner is required to provide a concrete connection from the end of the platform to the path as there is a multi-use path south of the bus stop area. To improve the waiting area, the TTC also requests a concrete connection be provided east of the bus shelter to the existing concrete pad. As a legal convenience, staff recommend the agreement pursuant to Section 37 be used to secure the TTC bus stop requirements.

## **Servicing**

Engineering and Construction Services staff reviewed a Functional Servicing and Stormwater Management Report, revised November 2021, prepared by The Municipal Infrastructure Group Ltd., in addition to a Downstream Sanitary and Hydrant Flow Test Analysis, and Hydrogeological Review and Servicing Groundwater Review Summary submitted with the application. For the City to take on the existing sanitary connection as a City sewer, the owner is required to revise the Functional Servicing and Stormwater Management Report. In particular, the report is to be revised to demonstrate that the sewers meet current City and Ministry of Environment, Conservation and Parks (MECP) sewer standards and guidelines, and obtain MECP Environmental Compliance Approval (ECA) for the proposed and existing sewers. If these requirements are not met, staff advise that the owner will be required to provide a new network of sanitary sewers along The East Mall and connect downstream to the existing City sanitary sewer. This report includes recommendations that Holding Provisions be included in the Draft Zoning By-law Amendment to address the outstanding servicing requirements, should the applicant not provide a revised Functional Servicing Report to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services prior to the July 19-20 City Council meeting.

## **Local School Boards**

The Toronto District School Board (TDSB) has advised that there may be insufficient capacity at the local elementary schools, Princess Margaret Junior School and John G. Althouse Middle School, to accommodate students anticipated from this development at this time. The TDSB will continue to monitor development in the community. Accordingly, as conditions of approval, the TDSB have requested signs to be maintained and warning clauses be included in all offers of purchase and sale of residential units, advising of the potential inability to accommodate students locally and on busing procedures. These requirements are proposed to be secured in the Section 37 Agreement and subsequent Site Plan Agreement(s), should this application be approved.

The Toronto Catholic District School Board (TCDSB) has advised the subject site falls within the fixed attendance boundary of St. Gregory Catholic School and the closest secondary schools serving this area are Michael Power/St. Joseph High School and



Monsignor Percy Johnson Catholic Secondary School. At this time, the local elementary and secondary schools are operating at capacity and cannot accommodate additional students from the proposed development. The TCDSB has requested that, as a condition of approval, the applicant erect and maintain signs on the site advising that sufficient accommodation might not be locally available for all students. The TCDSB has also requested warning clauses be included in all offers of purchase and sale of residential units advising of the potential inability to accommodate students locally. These requirements are proposed to be secured in the Section 37 Agreement and subsequent Site Plan Agreement(s), should this application be approved.

### **Housing, Tenure and Family-Size Units**

The Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2020) acknowledge the importance of providing a full range of housing as a matter of Provincial interest. The provision of affordable, secure and diverse housing stock to meet housing needs for a wide range of people throughout their life cycle is essential to the creation of complete communities. Further to this policy direction, Official Plan Policy 3.2.1.1 states that a full range of housing, in terms of form, tenure and affordability will be provided and maintained to meet the current and future needs of residents.

The Growing-Up Guidelines provide similar direction on the recommended mix of residential unit types and provide appropriate units sizes for multi-unit developments to accommodate the growing demand for family-oriented housing in vertical communities. The Guidelines recommend that a building provide a minimum of 25% large units: 10% of the units should be three-bedroom units and 15% of the units should be two-bedroom units. Furthermore, the Guidelines outline an ideal range of unit sizes to represent a diversity of bedroom sizes while maintaining sufficient common space to ensure their functionality. Two-bedroom units should have a floor area of 87 to 90 square metres and three-bedroom units should have a floor area of 100 to 106 square metres.

The proposal meets and exceeds the requirements for minimum number of family-sized dwelling units. Of the 836 dwelling units proposed, 270 are two-bedroom (32.3%) and 91 would be three-bedroom units (10.9%). City Planning staff are satisfied with the unit mix within the development. The proposed unit mix would generally be secured through the proposed Zoning By-law Amendment and Section 37 Agreement.

### **Affordable Housing**

The applicant has agreed to convey eight affordable ownership housing units to a non-profit affordable ownership provider as part of the Section 37 community contribution for the proposed development, conforming to the objectives the Official Plan, which supports a mix of housing tenures.

The affordable ownership units will be comprised of one studio, five one-bedroom, and two two-bedroom units, with a total net floor area of at least 460 square metres (4,954 square feet). The final location, sizes and layouts of the units will be determined as part

of Site Plan Control approval. The two-bedroom units will have an average size of 82 square meters, while the studio and one-bedroom units will be similar in size to the market units in the development. The units will be secured at the Official Plan affordable ownership housing price and maintained as affordable housing for a period of at least 45 years.

The owner has agreed to provide the units in the first phase of the development. Each unit will be finished to a similar standard as the other units throughout this development. The occupants of the affordable units will have the same access to facilities and amenities, on the same terms and conditions, as all other residents in the development.

The developer is currently proposing to work with Toronto Artscape Inc. as the non-profit housing provider to operate these units. Toronto Artscape Inc. proposes to sell these units to eligible households at prices that meet the Official Plan affordable ownership housing definition, as well as apply restrictions on the resale price of the units.

In the event that Toronto Artscape Inc. is unable to enter into Agreements of Purchase and Sale and find eligible purchasers, the City may assign the affordable units to another non-profit provider. If another provider cannot be found, the City may sell these units at fair market value with the proceeds going to the City's Capital Revolving Fund for Affordable Housing with the funds to be spent in Ward 2.

### **Open Space/Parkland**

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 1.57 to 2.99 hectares of local parkland per 1,000 people. The site is in the second highest 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.

For sites that are one to five hectares in size, a cap of 15% of the development site is applied to the residential use while the non-residential use is subject to a two percent parkland dedication. In total, the parkland dedication requirement is 2,340.81 square metres. The applicant is required to satisfy this parkland dedication requirement through an on-site dedication. The proposal includes an on-site parkland dedication of 2,347 square metres through a new public park to be located at the southeast corner of the site on The East Mall. Parks, Forestry and Recreation staff have determined that the size, shape and location of the proposed park is acceptable. City Planning staff note that the new public park would increase the supply of parkland in the area, support the proposed density and facilitate social gathering, thereby contributing to a complete community.

Parks, Forestry and Recreation staff have requested numerous conditions pertaining to the provision of the new public park such as, but not limited to: Parkland Dedication;

Limiting Distance; Environmental Assessment; Park Construction and Base Park Improvements; Temporary Fencing; Warranty; Above Base Park Improvements; and Credit against Development Charges for Above Base Park Improvements. Staff recommend that these conditions be satisfied and secured.

### **Natural Heritage Protection**

The 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, Official Plan policies have been adopted by City Council to increase tree canopy coverage. City Council has adopted the objective of increasing the existing 27 percent tree canopy coverage to 40 percent. Policy 3.4.1 (d) 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 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 submitted Arborist Report, prepared by Thomson Watson Consulting Arborists Inc., dated May 27, 2021, indicates the applicant is proposing to remove two protected privately-owned trees and 16 City-owned trees, and injure three protected privately-owned trees and 17 City-owned trees. Urban Forestry staff reviewed the submitted Application to Injure or Destroy Trees to remove and injure the privately owned trees. The applicant is required to submit an additional application to injure and remove the above noted City trees through the Site Plan Control application process.

The Landscape Plans, prepared by Marten-Nikzad Landscape Architects Inc., dated June 3, 2021, show 74 new trees proposed on private property and 11 new trees on the City road allowance. Urban Forestry confirms that the plans are acceptable at this time with conditions to be issued and addressed through the Site Plan Control application review process.

## **Toronto Green Standard**

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 is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Performance measures for the Tier 1 development features will be secured through the Site Plan Control application review process.

## **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 City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible. 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 CS&F Study prepared by Hunter Planning and Development, dated October, 2019. Staff reviewed the study and identified the following contributions could be considered, should community benefits be considered as part of the evaluation of the proposed development:

- 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.

## **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 and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The community benefits recommended to be secured in the Section 37 Agreement are as follows:

- The owner to provide a cash contribution to the City in the amount of \$1,000,000 to be used towards park improvements for West Deane Park and/or other parks or capital improvements that would benefit the community in the vicinity of the lands; and
- The owner to provide and convey at nominal charge at least eight Affordable Ownership Units with an approximated net floor area of 460 square metres to Toronto Artscape Inc. or a similar non-profit provider. The Affordable Ownership Units are to be comprised of studio, one- and two-bedroom units, provided that there is no more than one studio unit, and at least two two-bedroom units that have an average size of 82 square metres.

The Section 37 Agreement is also used as a legal convenience to secure obligations noted in the report and as listed in the recommendations of this report.

## **Community Consultation**

City Planning staff, in consultation with the Ward Councillor, hosted a virtual community consultation meeting on November 30, 2020. In total, approximately 50 members of the public attended along with City staff, the applicant and their consulting team. Planning staff presented the existing planning framework and an overview of the application. The applicant provided further details on the proposal and its planning rationale. The main issues raised at the meeting include the following: scale, height and density of the proposed development; potential privacy and overlook issues with the low-rise residential area to the south; sufficiency of parking spaces for the proposal; traffic congestion on Eglinton Avenue West and The East Mall; pedestrians' and cyclists' safety at the intersection of Eglinton Avenue West, The East Mall and the Eglinton West Trail; noise and pollution in the area; the introduction of residential uses on the site; adequacy of servicing for the development; and capacity of schools in the area. Additional meetings took place between staff, the Councillor and the West Deane Residents' Association in 2021 to discuss concerns related to site access and traffic volumes generated by the proposed development.

## **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Toronto Official Plan. The proposal is consistent with the PPS

(2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan, particularly as it relates to the Mixed Use Areas, Built Form, Public Realm and Healthy Neighbourhoods policies. Staff worked with the applicant to resolve concerns. Staff recommend that Council support approval of the application, subject to the recommendations outlined in this report.

## **CONTACT**

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Tel. No.: 416-394-6008  
E-mail: [Olivia.Antonel@toronto.ca](mailto:Olivia.Antonel@toronto.ca)

## **SIGNATURE**

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Michael Mizzi, MCIP, RPP  
Director, Community Planning  
Etobicoke York District

## **ATTACHMENTS**

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### **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
- Attachment 5: Draft Official Plan Amendment
- Attachment 6: Draft Zoning By-law Amendment to city-wide Zoning By-law 569-2013

### **Applicant Submitted Drawings**

- Attachment 7: Site Plan
- Attachment 8: Elevations

## APPLICATION DATA SHEET

**Municipal Address:** 900-940 The East Mall      **Date Received:** October 15, 2019

**Application Number:** 19 236352 WET 02 OZ

**Application Type:** OPA / Rezoning, OPA & Rezoning

**Project Description:** This application seeks to amend the Official Plan and Zoning By-law to permit a phased mixed use development consisting of four buildings ranging from 20 to 21 storeys that will include 836 residential units, non-residential uses (retail, daycare and office space), and a public park that would be 2,347 square metres in area. The proposed total gross floor area is 72,146 square metres, of which 65,873 square metres would be residential and 6,273 square metres would be comprised of non-residential uses.

<b>Applicant</b>	<b>Agent</b>	<b>Architect</b>	<b>Owner</b>
900 TEM INC			900 TEM INC

### EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP 27
Zoning:	CR 0.65 (c0.65; r0.0) SS2 (x1117)	Heritage Designation:	
Height Limit (m):		Site Plan Control Area:	

### PROJECT INFORMATION

Site Area (sq m): 16,884      Frontage (m): 376      Depth (m): 89

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	3,428		5,338	5,338
Residential GFA (sq m):			65,873	65,873
Non-Residential GFA (sq m):	6,187		6,273	6,273
<b>Total GFA (sq m):</b>	<b>6,187</b>		<b>72,146</b>	<b>72,146</b>
Height - Storeys:	3		21	21
Height - Metres:	9		72	72

Lot Coverage Ratio (%):      Floor Space Index: 4.27

<b>Floor Area Breakdown</b>	<b>Above Grade (sq m)</b>	<b>Below Grade (sq m)</b>
Residential GFA:	65,873	
Retail GFA:	890	
Office GFA:	5,235	
Industrial GFA:		
Institutional/Other GFA:	148	

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:				
Freehold:				
Condominium:			836	836
Other:				
<b>Total Units:</b>			<b>836</b>	<b>836</b>

#### **Total Residential Units by Size**

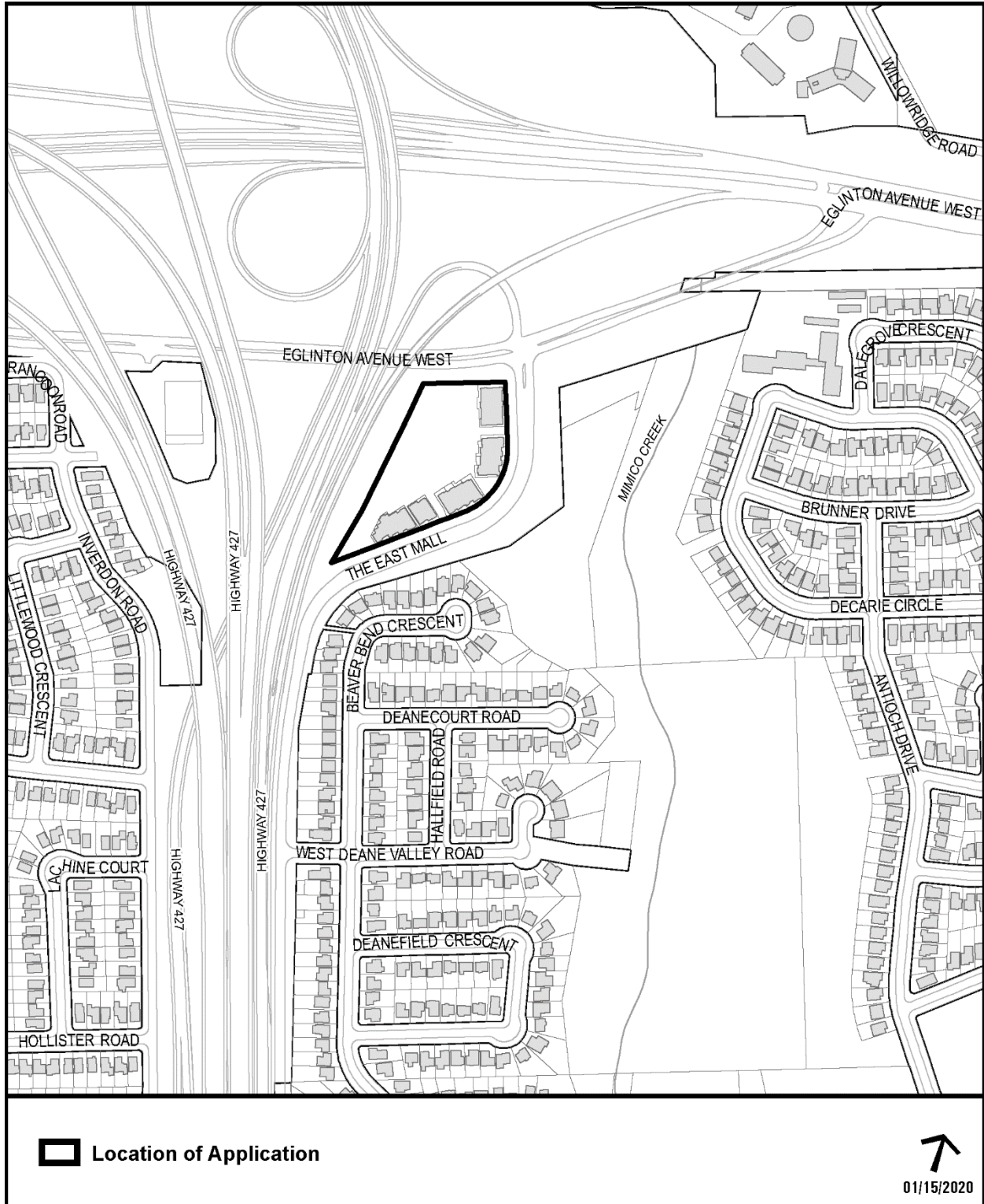
	<b>Rooms</b>	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:					
Proposed:		46	429	270	91
<b>Total Units:</b>		<b>46</b>	<b>429</b>	<b>270</b>	<b>91</b>

#### **Parking and Loading**

Parking Spaces: 776      Bicycle Parking Spaces: 656      Loading Docks: 5



Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



900-940 The East Mall

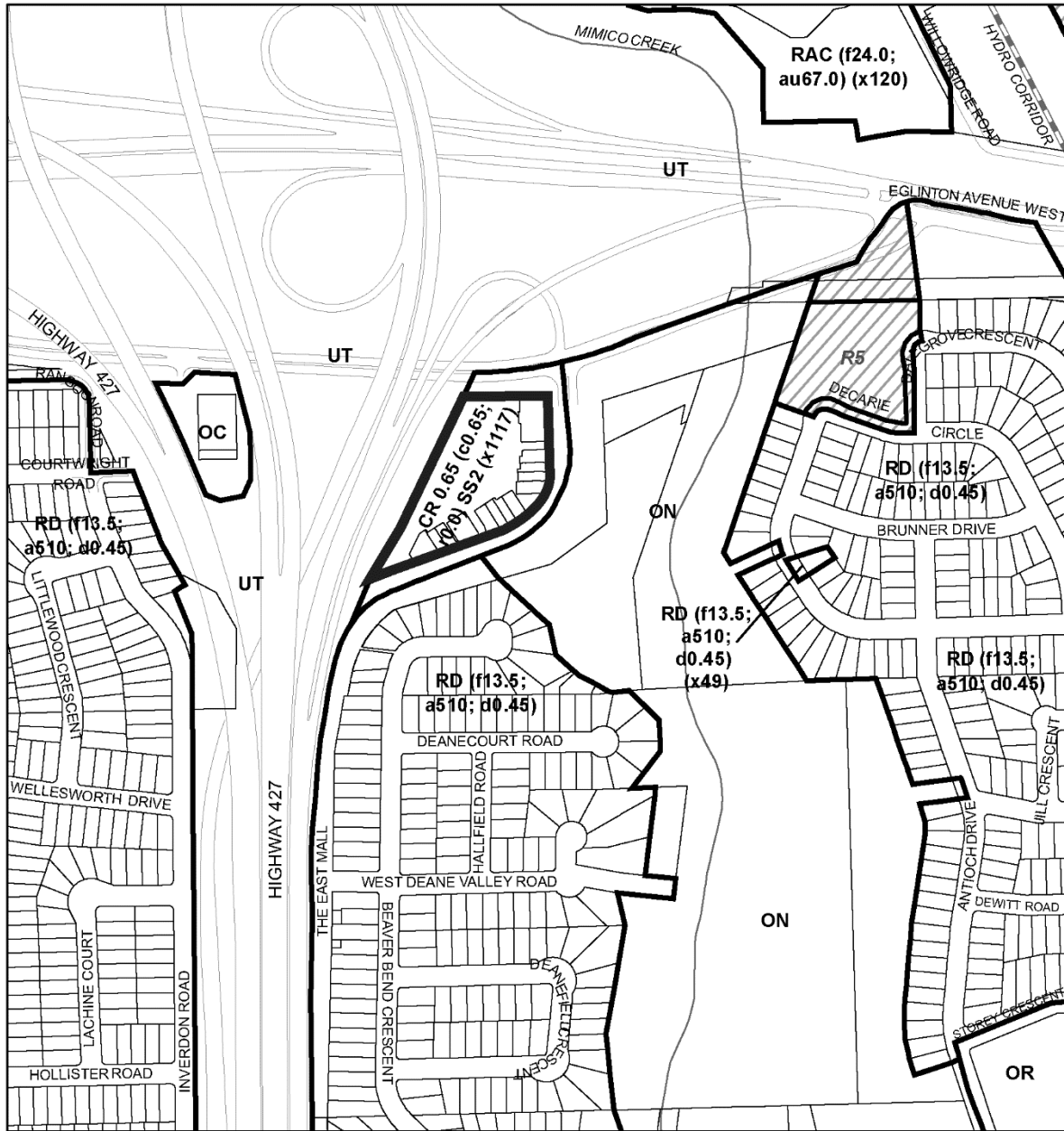
Official Plan Land Use Map #14

File # 19 236352 WET 02 0Z

Location of Application	Natural Areas	Institutional Areas	General Employment Areas
Neighbourhoods	Parks	Regeneration Areas	Core Employment Areas
Apartment Neighbourhoods	Other Open Space Areas	Utility Corridors	Special Policy Area
Mixed Use Areas			

↑  
Not to Scale  
01/14/2020

# Attachment 4: Existing Zoning By-law 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

Attachment 5: Draft Official Plan Amendment

Authority: Etobicoke York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

**CITY OF TORONTO**

**Bill XXX**

**BY-LAW XXX**

**To adopt an amendment to the Official Plan  
for the City of Toronto  
respecting the lands known municipally in the year 2021, as  
900-940 The East Mall**

Whereas authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto enacts:

1. The attached Amendment No. 594 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

Enacted and Passed this ~ day of ~, A.D. 20~.

Frances Nunziata,  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

**AMENDMENT NO. 594 TO THE OFFICIAL PLAN  
LANDS MUNICIPALLY KNOWN IN THE YEAR 2021 AS  
900-940 THE EAST MALL**

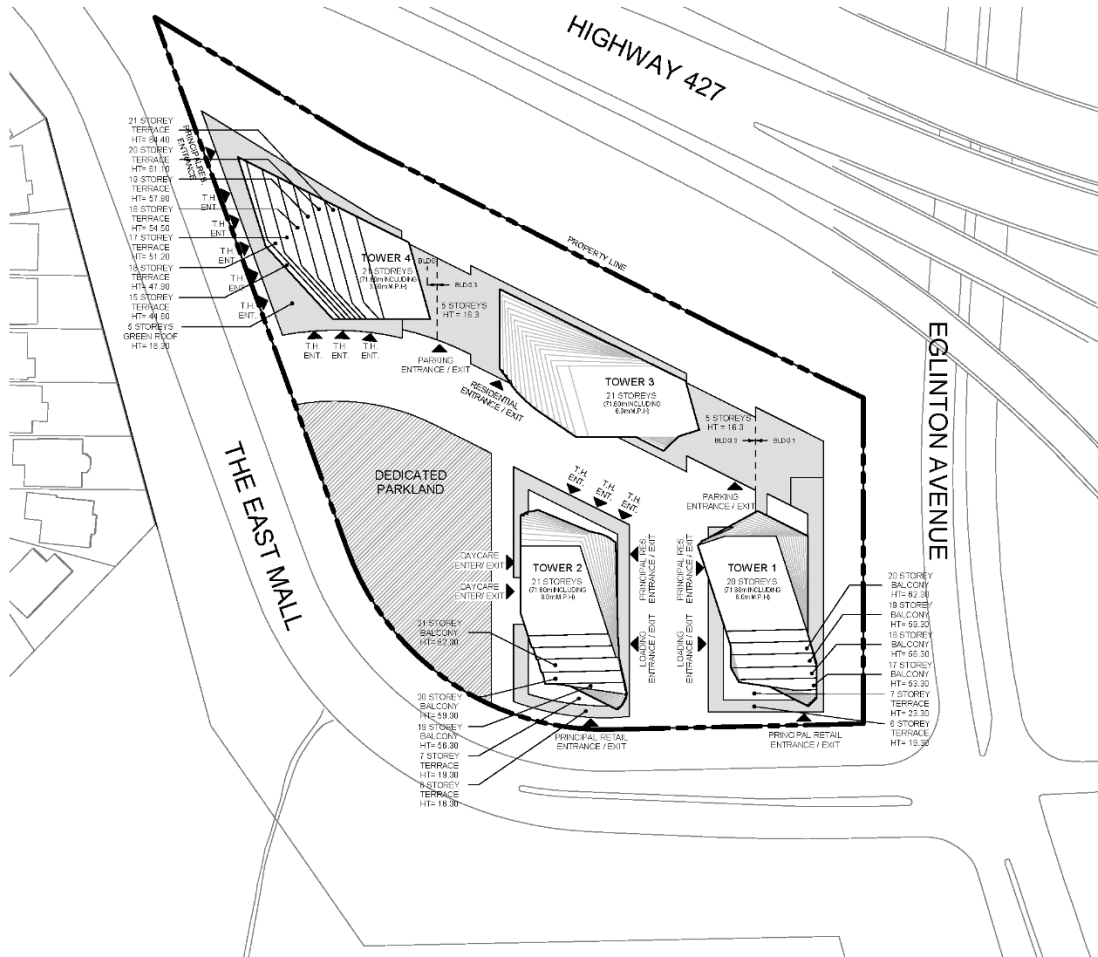
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The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by removing and repealing Site and Area Specific Policy No. 27 for the lands known municipally in 2021 as 900-940 The East Mall.
2. Map 25, Site and Area Specific Policies, is amended by deleting the lands from Site and Area Specific Policy No. 27 for the lands known municipally in 2021 as 900-940 The East Mall.

Attachment 6: Draft Zoning By-law Amendment to city-wide Zoning By-law 569-2013  
(see separate attachment)

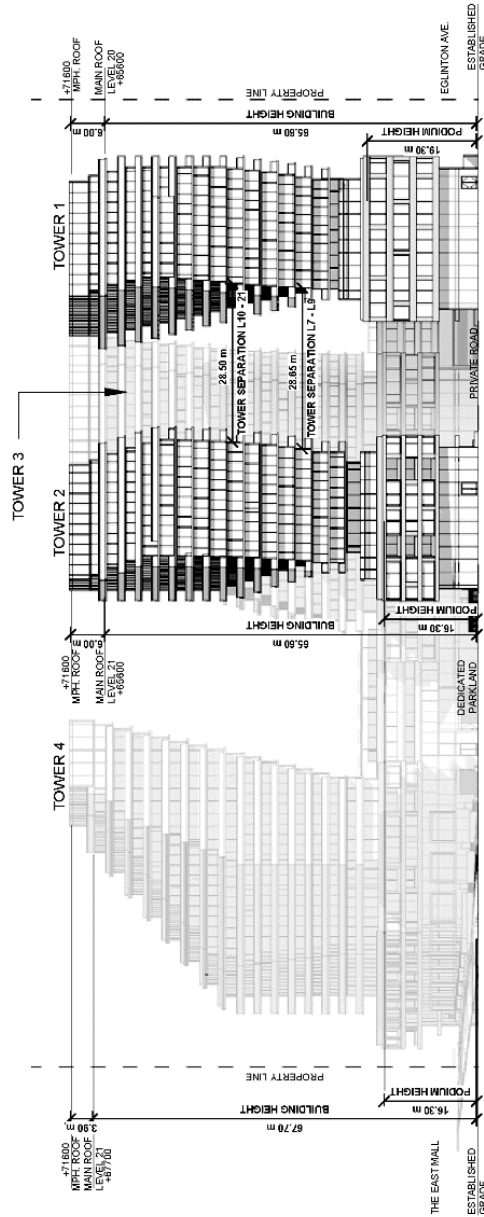
Attachment 7: Site Plan



Site Plan

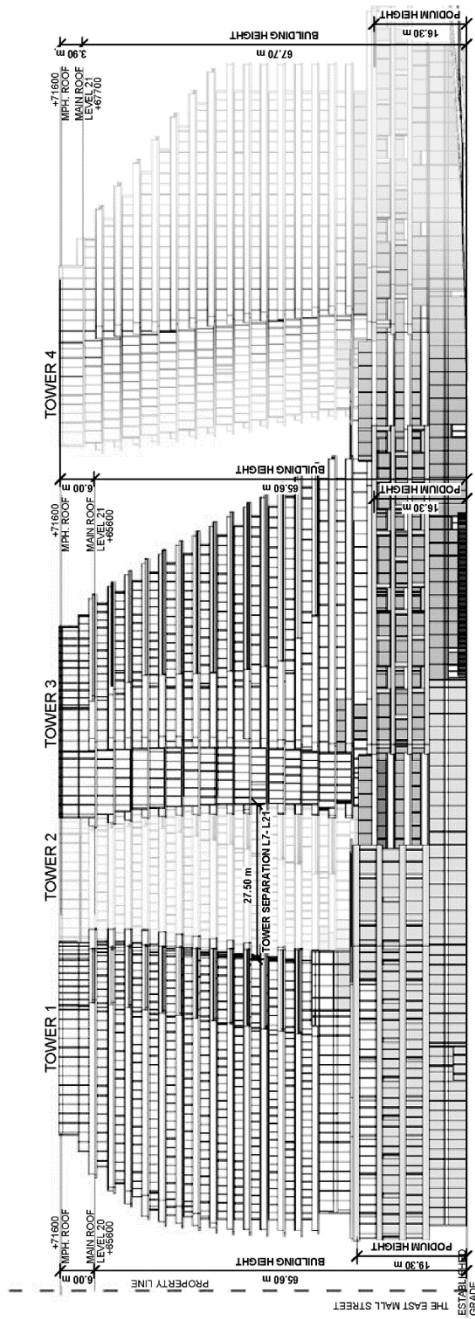


Attachment 8: Elevations

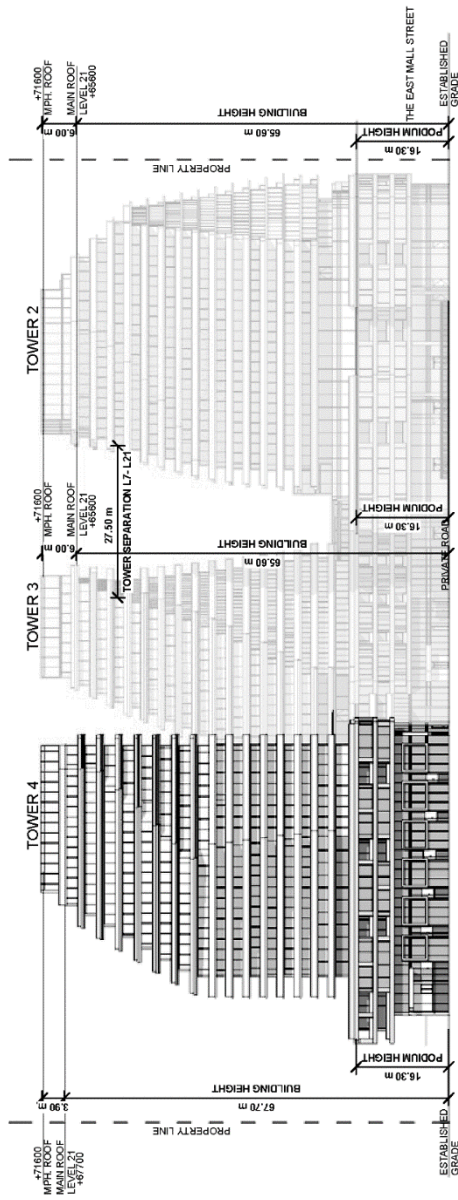


East Elevation

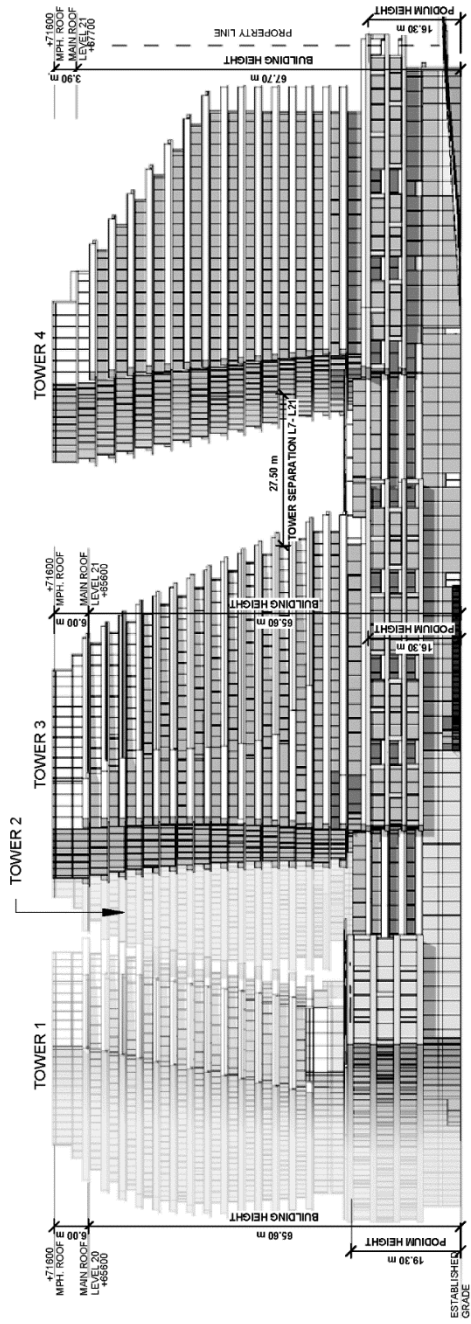




North Elevation



South Elevation



West Elevation