

2 and 10 East Mall Crescent – Zoning By-law Amendment Application – Decision Report – Approval

Date: December 22, 2023

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Wards: Ward 3 - Etobicoke-Lakeshore

Planning Application Number: 20 169076 WET 03 OZ

Related Applications: 21 213763 WET 03 SA

SUMMARY

The application proposes to amend Zoning By-law 569-2013 for the lands at 2 and 10 East Mall Crescent to permit a mixed-use development consisting of a 33-storey tall building and a nine-storey mid-rise building component, both connected by a four-storey base building. A total gross floor area of 40,550 square metres including 350 square metres of retail at grade, 606 residential units, and a floor space index of 4.3 times the lot area are proposed.

This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The Director, Community Planning, Etobicoke York District recommends that:

1. City Council amend Zoning By-law 569-2013 for the lands at 2 and 10 East Mall Crescent substantially-in-accordance with the draft Zoning By-law Amendment attached as Attachment 5 to this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. Before introducing the necessary Bill to City Council for enactment, City Council require the owner to:
 - a. Submit a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services; and

b. 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 road infrastructure, should it be determined that upgrades to infrastructure are required to support this development according to the accepted Functional Servicing and Stormwater Management Report, and Traffic Impact Study.

4. City Council recommend to the Chief Planner and Executive Director, City Planning, that the following matters, among others, be addressed through Site Plan Control review for the proposed development, pursuant to Section 114 of the City of Toronto Act, 2006, and secured in a Site Plan Agreement with the City as follows:

a. The owner shall construct and maintain two Privately-Owned Publicly Accessible Spaces (POPS) shown in Diagram 4 of the draft Zoning By-law Amendment attached as Attachment 5 to this report in accordance with the following:

1. The owner shall convey, prior to Site Plan Control approval, surface easements in perpetuity over the POPS located generally at the southeast and southwest of the site to the City for nominal consideration, all to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services, and the City Solicitor;

2. The construction of the POPS will be a post-approval condition of the Notice of Approval Conditions, to be secured as part of the Site Plan Agreement, all to the satisfaction of the Chief Planner and Executive Director, City Planning, and the General Manager, Transportation Services; and

3. The POPS will be fully accessible to the public, not gated from the street, available throughout the year (save and except for repairs or emergencies) and appropriately lit for safety after dark.

b. The owner shall consent, at their own cost, to a third-party peer review by the City of the Environmental Noise and Vibration Feasibility Study by Aeroacoustics Engineering Ltd., dated May 8, 2020, and Air Quality Assessment by RDWI, dated September 13, 2021, and shall implement the outcome of the peer review process to the satisfaction of the Chief Planner and Executive Director, City Planning;

c. The owner shall address recommendations in the Toronto Transit Commission memo, dated August 3, 2022, to the satisfaction of the General Manager, Transportation Services; and

d. The owner shall provide a revised Energy Strategy Report to the satisfaction of the Executive Director, Environment and Climate, and the Chief Planner and Executive Director, City Planning.

FINANCIAL IMPACT

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

Pre-application consultation meetings were held in October and November 2019. Starting in 2018, the applicant undertook a master planning process that included the site at 250 The East Mall prior to the pre-application consultation meetings and has been engaging with the community since. The proposal was presented to the Design Review Panel on November 28, 2019. Post pre-application meetings were held from December 2019 to February 2020. The current application was submitted on July 17, 2020 and deemed complete on December 17, 2021.

A Preliminary Report on the application was adopted by Etobicoke York Community Council on December 4, 2020 authorizing staff to conduct a community consultation meeting. The Preliminary Report can be found at the following link: [Agenda Item History - 2020.EY20.2 \(toronto.ca\)](#).

Staff conducted a Community Consultation Meeting for the application on February 4, 2021. Community consultation is summarized in the Comments section of this report.

PROPOSAL

The proposal is for an amendment to Zoning By-law 569-2013 to permit a mixed-use development consisting of a 33-storey tall building and a nine-storey mid-rise building component, both connected by a four-storey base building. The proposal includes retail at grade and POPS at the southeast and southwest corners of the site. The building would be set back along its three street frontages to provide for expanded sidewalks and an enhanced public realm.

Direct pedestrian access to the residential portions of the building is proposed from both Dundas Street West and The East Mall, and direct pedestrian access to the retail uses would be from Dundas Street West. Pedestrians would have direct access to the POPS from Dundas Street West. The existing vehicular bridge connecting the site to the Cloverdale Mall on the west is proposed to be converted into a landscaped pedestrian bridge and bicycle connection that links the POPS on the southwest of this site to Cloverdale Mall.

Vehicular access to the site is proposed via a driveway from East Mall Crescent, and would lead to underground parking, loading areas, and drop-off areas at the interior of the site. The driveway would curve around an enhanced garden at the interior of the site and would lead back to East Mall Crescent.

The table below provides a comparison of the original and revised proposals.

Category	Original Submission - July 2020	Current Submission - November 2023
Site Area in square metres	9424	9424
Gross Floor Area (GFA) in square metres	Residential: 35,515 Retail: 200 Total GFA: 35,715	Residential: 40,200 Retail: 350 Total GFA: 40,550
Floor Space Index	3.79	4.3
Coverage (%)	45	50
Storeys and Height in metres excluding Mechanical Penthouse	Tall Building: 27 storeys (92.5) Mid-rise Building: 6 storeys (24) No Base Building	Tall Building: 33 storeys (107.3) Mid-rise Building: 9 Storeys (33) Base Building: 5 Storeys including loft (16.5)
Unit Mix	Studio: 0 (0%) One-bedroom: 261 (58%) Two-bedroom: 144 (32%) Three-bedroom: 45 (10%) Total: 450	Studio: 32 (5%) One-bedroom: 379 (63%) Two-bedroom: 127 (21%) Three-bedroom: 68 (11%) Total: 606
Residential Amenity Space in square metres	Indoor: 900 Outdoor: 968	Indoor: 1212 (2 m2 per unit) Outdoor: 1212 (2 m2 per unit)
Vehicle Parking Spaces	Residential: 386 Visitor: 67 Total: 453	Residential: 121 Visitor: 32 Total: 153
Bicycle Parking	Short-term: 32 Long-term: 338 Total: 370	Short-term: 44 Long-term: 413 Total: 457

Refer to Attachment 1 for project data details.

Site and Surrounding Area

The site is located at the northwest corner of the intersection of Dundas Street West and East Mall Crescent, on the north side of Dundas Street West, with an approximate area of 9424 square metres. It is triangular in shape and is framed on three sides by Dundas Street West on the south, East Mall Crescent on the east, and The East Mall on the west. The site slopes downward towards The East Mall on the west to allow for an overhead privately-owned bridge that links this site with the Cloverdale Mall on the west.

There is a bus lay-by and transit stop in front of the site on Dundas Street West. A Petro Canada gas station has been demolished, and the one-storey Beer Store on the subject property will also be demolished to allow for the proposed development. Surrounding land uses include:

East: East Mall Crescent. Across the street are two-, three- and four-storey office buildings. Further east is the Etobicoke Centre and Cloverdale Park.

West: The East Mall, a four-lane arterial north-south road that slopes southward and passes under Dundas Street West. Across the street is Cloverdale Mall, a one-storey shopping mall built in the 1950s, surrounded by surface parking. Applications for Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision have been submitted for Cloverdale Mall and are currently under review (file nos. 20 169050 WET 03 OZ and 23 193000 WET 03 SB). Further west is Highway 427, a Provincial highway that connects the Gardiner Expressway with Highway 401 and Toronto Pearson International Airport.

North: The intersection of The East Mall and East Mall Crescent. At the northeast of this intersection is the Etobicoke Mews, a small commercial strip plaza with surface parking in front. Further north and northeast are residential neighbourhoods developed in the 1950s and 1960s, the Etobicoke Alternative Secondary School, and Silverhill Park.

South: Dundas Street West, which is identified as an Avenues. Dundas Street West is planned by Metrolinx to have a bus rapid transit line from the Kipling Mobility Hub to Hamilton. Further south is a large employment area that stretches into south Etobicoke, and the Canadian Pacific Railway line that stretches diagonally from the southwest to the northeast.

Reasons for Application

The site is currently zoned Commercial Residential CR 0.5 (c0.5; r0.0) SS3 (x875) with no residential permissions under Zoning By-law 569-2013. It is designated Mixed Use Areas in the Official Plan with permissions for mixed uses, including residential uses. The Zoning By-law Amendment application seeks to implement the Official Plan by providing for mixed uses that include residential uses. It also seeks to establish appropriate site-specific performance standards including building height, gross floor area, density, and parking to allow for the proposed development.

APPLICATION BACKGROUND

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

- Air Quality Assessment;
- Arborist Report;
- Architectural Plans;
- Context Plan;
- Civil and Utilities Plans;
- Context Plan;
- Draft Zoning By-law Amendment;

- Environmental Site Assessment Phase 1;
- Functional Servicing and Stormwater Management Report;
- Geotechnical Investigation Report;
- Hydrogeological Report;
- Landscape Plans;
- Noise and Vibration Impact Study;
- Pedestrian Level Wind Study;
- Plan of Survey/Topographical Survey;
- Planning Rationale;
- Public Consultation Strategy Report;
- Public Utilities Plan;
- Project Data Sheet;
- Servicing Report Ground Water Summary;
- Soil Volume Plan
- Survey;
- Sun/Shadow Study;
- Toronto Green Standard Version 4;
- Toronto Green Standard Checklist and Statistics;
- Urban Transportation Considerations Report; and
- Tree Inventory and Preservation Plan

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 Zoning By-law standards.

POLICY AND REGULATION CONSIDERATIONS

Provincial Land-use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (2020), and shall conform to Provincial plans, including the Growth Plan (2020) for the Greater Golden Horseshoe.

Official Plan

The land use designation for the site is Mixed Use Areas. See Attachment 3 of this report for the Land Use Map. Dundas Street West is identified as an Avenues in Map 2 (Urban Structure Map) of the Official Plan, and a Higher Order Transit Corridor in Map 4 (Higher Order Transit Corridors Map). The East Mall is identified as a Major Street on Map 3 of the Official Plan (Right-of-Way Widths Associated with Major Streets). The Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Zoning

The site is zoned Commercial Residential under Zoning By-law 569-2013, with no residential permissions, with a maximum height of 11 metres, maximum floor space index of 0.5 times the lot area for commercial uses, and a maximum lot coverage of 25%. Permitted uses include artist studio, community centre, medical office, pet services and parks.

The site is also zoned Planned Commercial Regional (CPR) under the former City of Etobicoke Zoning Code. This zone does not permit residential uses. Permitted uses include large-format retail, institution uses, community centres and parks.

See Attachment 4 for the existing Zoning By-law 569-2013 Map.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Tall Building Design Guidelines;
- Mid-Rise Buildings Performance Standards and Addendum;
- Growing Up: Planning for Children in New Vertical Communities;
- Pet-Friendly Guidelines for High Density Communities; and
- Bird Friendly Development Guidelines.

Toronto Green Standard

The Toronto Green Standard (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 TGS.

Site Plan Control

A Site Plan Control application was submitted and deemed complete on December 17, 2021 (file no. 21 213763 WET 03 SA). The Site Plan Control application is currently under review.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff have reviewed the current proposal for consistency with the Provincial Policy Statement (2020) and conformity with the Growth Plan (2020). The proposal is consistent with the Provincial Policy Statement (2020) and conforms with the Growth Plan (2020).

Land Use

This application has been reviewed against the Official Plan policies described in the Policy Consideration Section of the report.

The site is designated Mixed Use Areas. The Official Plan provides that Mixed Use Areas are made up of a broad range of commercial, residential and institutional uses in single or mixed-use buildings, as well as parks and open spaces and utilities. Development in Mixed Use Areas will create a balance of high quality commercial, residential and other uses to reduce automobile dependency and meet the needs of the community. People will be able to live, work and shop in the same area, or same building, while depending less on cars. The application proposes a mix of commercial and residential uses, as well as open spaces, in conformity with the Official Plan.

The Official Plan further provides that growth within the city be directed to Centres, Avenues, Employment Areas and the Downtown in order to concentrate jobs and people in areas well served by surface transit and higher_order transit stations. The proposed development directs growth along Dundas Street West, which is identified as an Avenue and a Higher Order Transit Corridor, in conformity with the Official Plan.

Site Organization

Building Placement:

The Official Plan provides that development be located and organized to fit with its existing and planned context. Such development will frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm to improve the safety, pedestrian comfort, interest and experience, and casual views to these spaces from the development by generally locating buildings parallel to the street or along the edge of a park or open space with consistent front yard setbacks.

The proposed building is carefully placed parallel to the three streets that frame its triangular site with appropriate setbacks along Dundas Street West, The East Mall, and East Mall Crescent. The four-storey base building is the visible element that frames the streets with good street proportion and helps break undesirable downward wind flows. Staff are satisfied that the building placement frames and strengthens the edges of the three streets with good proportion and helps maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets and open spaces, in conformity with the Official Plan.

Building Entrances:

The Official Plan also provides that building entrances be located on the prominent building façades so that they front onto a public street, park or open space, and are clearly visible and directly accessible from a public street.

The principal pedestrian entrance to residential uses adjacent to Dundas Street West would be placed on the Dundas Street West façade of the building (south/front façade). The entrance to the retail uses at grade would be placed at the southeast corner of the building at the intersection of Dundas Street West and East Mall Crescent. The pedestrian entrance to residential uses facing The East Mall would be placed on The East Mall (west façade). Staff are satisfied that all building entrances would be placed on prominent building facades, would front onto public streets, would be clearly visible, and have direct access from the streets.

Ground Floor Uses:

The Official Plan provides that proposed development include ground floor uses with clear windows and entrances that allow views from and, where possible, access to adjacent streets, parks and open spaces.

The proposed building design would include ground floor uses such as an amenity space at the southwest corner of the building at the intersection of Dundas Street West and The East Mall. A privately-owned east-west pedestrian bridge at this corner would link this development to Cloverdale Mall on the west.

Retail uses are proposed at the southeast corner of the building, at the intersection of Dundas Street West and East Mall Crescent. There would be a fitness/wellness space at the south of the building, fronting Dundas Street West.

The proposed building design would include an amenity space at the intersection of The East Mall and East Mall Crescent. An outdoor amenity space would also be located at this corner.

The ground floor uses described above would include windows and entrances, and staff are satisfied that they will allow for views to and from the street, and access to the adjacent POPS and street, and would promote the CPTED (Crime Prevention Through Environmental Design) principle of eyes on the street.

Separation Distances:

The Official Plan provides that development protect for privacy within adjacent buildings by providing setbacks and separation distances from neighbouring properties and adjacent building walls containing windows. While the proposed development is framed on three sides by streets, and there is no adjacent building, the proposed mid-rise component of the building is disconnected from the tower above the fourth floor, and there would be a separation distance between both components ranging from 18.5 metres to 20.3 metres. There would also be a green roof over the fourth floor. Staff find the separation distance between the two components of the same building satisfactory to provide privacy to residents on the fifth to ninth floors on the west façade of the mid-rise component, and fifth to ninth floors on the east façade of the tall building.

Vehicular Access:

The Official Plan provides that developments will locate and organize vehicular parking, vehicular access and ramps, loading, servicing, storage areas, and utilities to minimize their impact and improve the safety and attractiveness of the public realm, the site and surrounding area by providing underground parking, where appropriate, and limiting new, and removing existing surface parking and vehicular access between the front face of a building and the public street or sidewalk, and consolidating and minimizing the width of driveways and curb-cuts across the public sidewalk.

Vehicular access to the site is proposed via a driveway from East Mall Crescent. It would lead to an interior circular garden, wrap around it, and lead back to East Mall Crescent. Access to the underground parking ramp, loading areas, and drop-off areas would be from this driveway. Despite the challenging geometry of the site, the proposal introduces an architectural screen designed to complement the building design and provide screening to the parking ramp and loading areas adjacent to East Mall Crescent

and minimize negative visual impacts to the public realm. In addition, trees and shrubs are proposed along East Mall Crescent, and would provide more screening to the parking ramp and loading areas, as well as improve the attractiveness of the public realm. One curb-cut is proposed along East Mall Crescent to accommodate the six-metre-wide vehicular driveway, in conformity with the Official Plan.

Pedestrian Access:

The Official Plan provides that development will promote civic life and provide amenity for pedestrians in the public realm to make areas adjacent to streets, parks and open spaces attractive, interesting, comfortable and functional by providing safe, direct pedestrian routes and tree plantings throughout the site.

Pedestrian access is proposed directly from the sidewalks on both Dundas Street West and The East Mall. The public sidewalks in front of Dundas Street West and The East Mall would be reconstructed with a minimum width of 2.1 metres to comply with City standards. A new 2.1-metre-wide public sidewalk would be constructed along East Mall Crescent as no sidewalk currently exists there. Tree plantings are proposed at the edges of Dundas Street West, The East Mall, and East Mall Crescent. Staff are satisfied that the proposed development provides direct and safe pedestrian routes to adjacent streets, and the tree plantings will improve the attractiveness, sustainability and comfort of the public realm, in conformity with the Official Plan.

Density, Height, Massing

Density:

The Official Plan provides that growth be directed to Centres, Avenues, Employment Areas and the Downtown in order to concentrate jobs and people in areas well served by surface transit and higher order transit stations.

While the proposed density of 4.3 times the lot area exceeds the maximum permission in Zoning By-law 569-2013, the Official Plan directs growth to Avenues such as Dundas Street West. The proposed mixed-use development, which represents growth, is sited along an Avenues and Higher Order Transit Corridor, and provides opportunities for people to live, shop and work in the same area. Staff find that the proposed density represents an appropriate level of growth to implement the vision of the Official Plan.

Height and Massing:

The Official Plan provides that development be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm by providing street wall heights and setbacks that fit harmoniously with the existing and/or planned context, and by stepping back building mass and reducing building footprints above the street wall height.

The Official Plan further provides that development provide good transition in scale between areas of different building heights and /or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm.

The site is a triangular island that is surrounded by three public streets, as further described in the Site and Surrounding Area Section of this report. There is no rear to this site. The development proposal responds to the unique context and conditions of this site.

Base Building:

The application proposes a four-storey base building that would serve to connect the tall and mid-rise components of the building. The base building would define and frame the edges of Dundas Street West, The East Mall, and East Mall Crescent with good street proportion. It would be placed parallel to the streets as discussed in the Building Placement Section of this report. The four-storey base building would fit with the three- and four-storey office buildings across East Mall Crescent. It also would fit with the character of the Neighbourhoods further north, which consists of lower scale buildings such as detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments up to four storeys in height. The mid-rise and tall building components would step back from the base building above the fourth floor.

Ground floor uses are proposed within the base building as discussed in the Ground Floor Uses Section of this report. A green roof is proposed above the base building.

Weather protection along The East Mall, Dundas Street West and East Mall Crescent is shown in diagram 4 of the draft Zoning By-law. Continuous weather protection will be addressed through the Site Plan Control review process.

Staff are satisfied that the proposed four-storey base building helps maintain a suitable street wall height, provides a good transition in scale between the proposed development and the three- and four-storey office buildings across the street, between the Mixed Use Areas and Neighborhoods further north of the site, includes active grade-related uses, and fits harmoniously within its context, in conformity with the Official Plan.

The proposed ground floor height is a minimum of 4.5 metres which is acceptable.

Mid-rise Building Component:

The Performance Standards for Mid-Rise Buildings recommend that a mid-rise building be no taller than the right-of-way width of the street on which it is sited.

The application proposes a nine-storey mid-rise building component with a four-storey base building (described in the Base Building Section of this report) that connects it with a 33-storey tall building component. At 33 metres (nine storeys), the mid-rise building component placed along Dundas Street West would maintain a moderate height no taller than the right-of-way width of Dundas Street West, which is 36 metres. Grade-related uses are proposed on the ground floor, and residential units are proposed above. A green roof is proposed over the ninth storey of the mid-rise building component. Staff find the height and massing of the mid-rise building component acceptable.

Tall Building Component:

The Official Plan provides that tall buildings are generally greater in height than the width of the adjacent right-of-way and should typically be designed to consist of a base, tower (middle), and top.

The Official Plan further provides that the tower portion of a tall building should be designed to reduce the physical and visual impacts of the tower to the public realm, limit shadow impacts on the public realm and surrounding properties, maximize access to sunlight and open views of the sky from the public realm, limit and mitigate pedestrian level wind impacts, and provide access to daylight and protect privacy in interior spaces within the tower. The Official Plan also provides that the top portion of the tall building should be designed to integrate roof top mechanical systems into the building design, contribute to the surrounding skyline identity and character, and avoid excessive lighting.

On the north facade, the tower (middle) of the tall building would contain a series of stepbacks from the four-storey base building to the 12th storey, after which it would maintain a maximum floorplate size of 792 square metres to the 33rd storey. While this site does not share any property line with a low-rise residential building within the Neighbourhoods, the series of proposed building stepbacks are designed to provide an appropriate transition from the Mixed Use Areas within where it is located to the Neighbourhoods further north. The step backs would also serve to reduce the physical presence of the tall building and help limit impacts to the public realm and surrounding properties and maximize access to sunlight and open views of the sky from the public realm. The top of the building at the 33rd storey would include an integrated mechanical penthouse and green roof that would contribute to the surrounding skyline identity and character. While the proposed tall building height and massing is acceptable, staff will seek opportunities to work with the applicant to further refine the detailed design and tower expression through the Site Plan Control process.

Greater Toronto Airport Authority (GTAA)

According to the Airport Zoning Regulations for Toronto Pearson International Airport, development elevations on the subject lands are affected by obstacle zoning restrictions. The GTAA comments, dated June 19, 2023, confirm that based on the information provided by Giannone Petricone Associates, the height of the proposed building would be within the limits associated with both the ICAO Type A surface and the Airport Zoning Regulations.

Sun, Shadow, Wind

The proposed tall building's north-south orientation and terraced form along The East Mall would help to minimize shadow impacts. The surrounding streets act as buffers and would separate this development from the adjacent neighbourhood and sensitive areas, contributing to further mitigation of shadow impacts.

The applicant submitted sun/shadow studies that show good access to sunlight and limited new shadows cast by the proposed development on the public realm within the Mixed-Use Areas, and within the Neighbourhoods to the north.

The applicant also submitted a Pedestrian Level Wind Study Letter of Opinion on the revised building design including wind control strategies. The letter concludes that wind safety criteria have been met for all areas at grade. Staff will work with the applicant to further review and implement recommendations of the wind study during the Site Plan Control review process.

Unit Mix and Sizes

The Council-adopted Growing Up: Planning for Children in New Vertical Communities Guidelines provide guidance on the proportion and size of larger units recommended in new multi-unit residential developments.

Guideline 2.1 states that a residential building should provide a minimum of 25% large units. Specifically, that 10% of the total residential units should be three-bedroom units, and 15% should be two-bedroom units.

Guideline 3.0 states that the ideal unit size for large units, based on the sum of the unit elements, is 90 square metres for two-bedroom units and 106 square metres for three-bedroom units, with ranges of 87 to 90 square metres and 100 to 106 square metres representing acceptable diversities of sizes for such bedroom types while maintaining the integrity of common spaces to ensure their functionality.

The application proposes 606 residential units including 32 studio units (5%), 379 one-bedroom units (63%), 127 two-bedroom units (21%), and 68 three-bedroom units (11%). While the unit mix is consistent with the Growing Up Guidelines, staff need more information on the unit sizes, and will work with the applicant to support the unit size objectives of the guidelines during the Site Plan Control review process.

Transportation Impacts

An Urban Transportation Considerations Report dated May 2020 by the BA Group was submitted with the original application in 2020. A revised version of the report was provided in April 2023. An updated version, dated November 13, 2023, was provided in response to staff comments, and is acceptable to Transportation Services.

Access to and from the development is proposed via a driveway from East Mall Crescent and leads to a turning circle in the interior of the site. While the layout of the proposed driveway is acceptable, staff will work with the applicant to further refine it, if necessary, during the Site Plan Control review process.

A minimum parking rate of 0.2 residential parking spaces per dwelling unit, and 2.0 residential visitor parking spaces plus 0.05 parking space per dwelling unit are proposed. The applicant proposes more parking as shown in the architectural drawings, and this will be driven by market demands. The drawings show 360 residential parking spaces, including 58 visitor spaces, and this is acceptable to Transportation Services. Two loading spaces and 457 bicycle parking spaces, including 44 short-term and 413 long-term are also proposed, and are acceptable to Transportation Services staff.

Noise and Air Quality

The applicant submitted an Environmental Noise and Vibration Feasibility Study by Aeroacoustics Engineering Ltd., dated May 8, 2020, and an Air Quality Assessment by RDWI, dated September 13, 2021. As contained in the Recommendations Section of this report, the owner shall consent, at their own cost, to a third-party peer review by the city of the studies and shall implement the outcome of the peer review process during the Site Plan Control review process to the satisfaction of the Chief Planner and Executive Director, City Planning.

Road Widening

The Land and Property Surveys Unit of the Engineering and Construction Services Division has advised that conveyances for road widening purposes are not required along the development site frontages according to the Official Plan.

Streetscape

The Official Plan provides that coordinated landscape improvements be provided in setbacks to enhance local character, fit with public streetscapes, and provide attractive, safe transitions between the private and public realms.

The application proposes trees and shrubs on Dundas Street West, The East Mall, and East Mall Crescent to improve the streetscape and provide attractive transitions between the private and public realms.

Existing public sidewalks on Dundas Street West and The East Mall will be reconstructed to a minimum width of 2.1 metres to meet City standards. A new 2.1-metre-wide sidewalk will be provided on East Mall Crescent, as none currently exists.

Servicing

Staff have reviewed the Functional Servicing and Stormwater Management Report prepared by Stantec, dated November 9, 2023, in support of the application. Prior to the enactment of the Zoning By-law, the owner shall provide a revised Functional Servicing and Stormwater Management Report to the satisfaction of the Chief Engineer and Executive Director of Engineering and Construction Services.

The owner shall also 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 road infrastructure, should it be determined that upgrades to infrastructure are required to support this development according to the accepted Functional Servicing and Stormwater Management Report, and Traffic Impact Study.

Parkland

In accordance with Section 42 of the Planning Act, the owner is required to satisfy the parkland dedication requirement through cash-in-lieu. As per Toronto Municipal Code Chapter 415-29, the appraisal of the cash-in-lieu will be determined under the direction

of the Executive Director, Corporate Real Estate Management. Additionally, the Toronto Municipal Code, Chapter 415-28, requires that the payment be made prior to the issuance of the first above-ground building permit for the land to be developed.

Pet Friendly Housing

Given the rise in dog-owning populations, the owner is expected to provide on-site dog amenities with proper disposal facilities such as dog relief stations within the building to accommodate future residents' needs. This will help alleviate the pressure on public parkland. Staff will work with the applicant to secure on-site dog amenities during the Site Plan Control process.

Privately-Owned Publicly Accessible Open Space (POPS)

The application proposes two privately-owned publicly accessible open spaces (POPS) at the southeast and southwest corners of the site, at the intersection of Dundas Street West and East Mall Crescent, and Dundas Street West and The East Mall. Details of the POPS will be secured during the Site Plan Control review process.

The owner shall convey, prior to Site Plan Control approval, surface easements in perpetuity over the POPS located generally at the southeast and southwest of the site to the City for nominal consideration, all to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Transportation Services, and the City Solicitor.

The construction of the POPS will be a post-approval condition of the Notice of Approval Conditions, to be secured as part of the Site Plan Agreement, all to the satisfaction of the Chief Planner and Executive Director, City Planning, and the General Manager, Transportation Services.

The POPS will be fully accessible to the public, not gated from the street, available throughout the year (save and except for repairs or emergencies) and appropriately lit for safety after dark.

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).

The applicant submitted a Tree Inventory and Preservation Plan prepared by Kuntz Forestry Consulting Inc., dated April 11, 2023, in support of the application. The report identifies a number of trees for removal, including seven City-owned trees. The trees may not be injured or removed until a Permit to Injure or Destroy a Tree has been issued by Urban Forestry, a Demolition Permit or Building Permit has been obtained, and the construction which warrants tree injury/removal has commenced.

Prior to the conclusion of the Site Plan Control process, Urban Forestry may require payment of a refundable Tree Protection Guarantee for injury to City-owned trees, a non-refundable Tree Loss Payment for removal of City-owned trees, a refundable Tree

Planting Security Deposit to ensure the planting and survival of new City-owned trees, and/or cash-in-lieu payment for any required replacement trees that are not being provided. A revised a Tree Inventory and Preservation Plan prepared by Kuntz Forestry Consulting Inc., Revision #6, dated October 26, 2023, in support of the application has been received and is being reviewed.

The Landscape Plan submitted by the applicant shows that trees are proposed along Dundas Street West, East Mall, and East Mall Crescent. The Landscape Plan and details of trees will be further reviewed during the Site Plan Control 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 Amendment, 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 review process.

Community Consultation

A virtual Community Consultation Meeting for the application was held on February 4, 2021, jointly with the application at 250 East Mall Crescent. Approximately 50 members of the public participated along with the local Councillor's office, the applicant, and City staff. Comments at the meeting included the following concerns:

- The proposed height and density, and the relationship with adjacent properties and the larger neighbourhood;
- Noise and air quality in view of the proximity of the proposed development to Highway 427;
- Access to parks, open spaces, grocery and community spaces, particularly for senior citizens who want to age in place;
- Shadowing to the public realm;
- Privacy for the residential neighbourhood further north;
- Traffic congestion, and the capacity of area roads to accommodate the additional traffic generated by the proposed development;
- Adequate parking and loading in the proposed development;
- Checking to ensure that the building typologies pose no danger to aircraft; and
- Unit sizes that could accommodate families, including three-bedroom units.

Staff have worked with the applicant to address these concerns through the revised submission. Further consultation between City staff and the applicant to refine the application will occur during Site Plan Control review process.

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). The proposal is in conformity with the Official Plan, particularly as it relates to land use, site organization, density, height and massing, and is in keeping with the intent of the applicable design guidelines. It provides an appropriate level of intensification to an underutilized parcel of land while delivering new housing and retail opportunities to the area and providing better connections to local and regional transit. Staff recommend that Council support approval of the application.

CONTACT

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SIGNATURE

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

ATTACHMENTS

City of Toronto Data/Drawings

Attachment 1: Application Data Sheet
Attachment 2: Location Map
Attachment 3: Official Plan Land Use Map
Attachment 4: Existing Zoning By-law Map
Attachment 5: Draft Zoning By-law Amendment

Applicant Submitted Drawings

Attachment 6: Site Plan
Attachment 7: East Elevation
Attachment 8: West Elevation
Attachment 9: North Elevation
Attachment 10: South Elevation

Attachment 1: Application Data Sheet

Municipal Address: 2 and 10 East Mall Crescent

Date Received: July 17, 2020

Application Number: 20 169076 WET 03 OZ

Application Type: Zoning By-law Amendment

Project Description: Proposed mixed-use development consisting of a 33-storey tall building and a nine-storey mid-rise component on top of a connected base building, with a total gross floor area of 40,550 square metres including 350 square metres of retail at grade, 606 residential units, and a floor space index of 4.3 times the lot area.

Applicant

Urban Strategies
c/o Benjamin Hoff
197 Spadina Avenue
Suite 600 Toronto ON
M5T 2C8

Architect

Giannone Petricone
Associates
96 Spadina Avenue
Toronto ON
M5V 2J6

Owner

Quadreal Property Group
Commerce Court West
199 Bay Street, Suite 4900
Toronto ON
M5L 1G2

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas

Zoning: Commercial Residential CR 0.5 (c0.5; r0.0) SS3 (x875)

Height Limit: 11 storeys

PROJECT INFORMATION

Site Area (sq m): 9424

Frontage (m): 127.49

Depth (m): 104.34

Building Data

Ground Floor Area (sq m):

Residential GFA (sq m):

Non-Residential GFA (sq m):

Total GFA (sq m)

Height - Storeys

Height - Metres

Existing

Retained

Proposed

Total

40200

40200

350

350

40550

40550

33

33

107.3

107.3

Lot Coverage Ratio (%): 50

Floor Space Index: 4.3

Floor Area Breakdown

Above Grade (sq m)

Below Grade (sq m)

Residential GFA

40200

Retail GFA

350

Office GFA

Industrial GFA

Institutional/Other GFA

Residential Units

by Tenure

Existing

Retained

Proposed

Total

Rental:

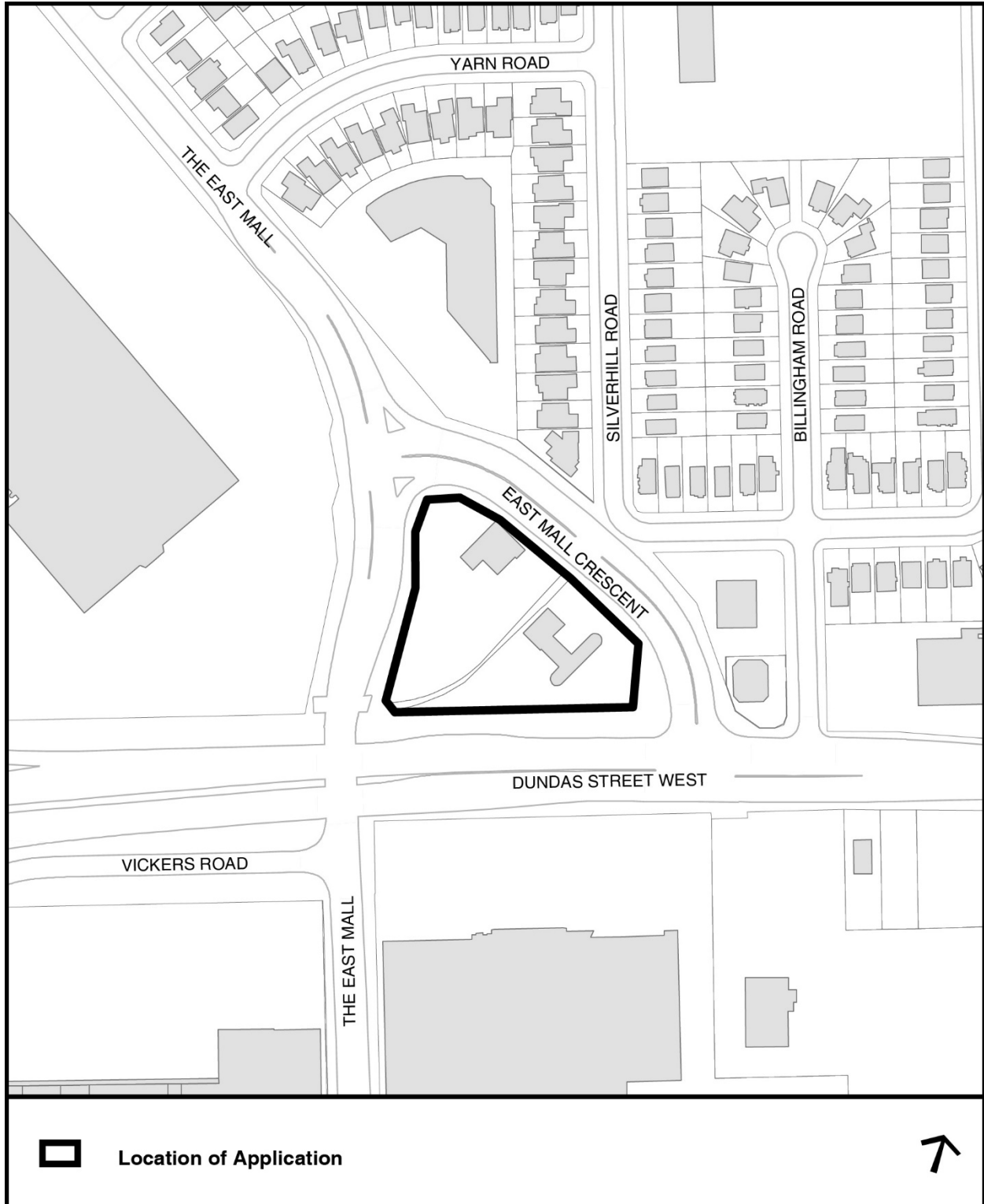
Freehold:

Condominium:	606	606
Other:		
Total Units:	606	606

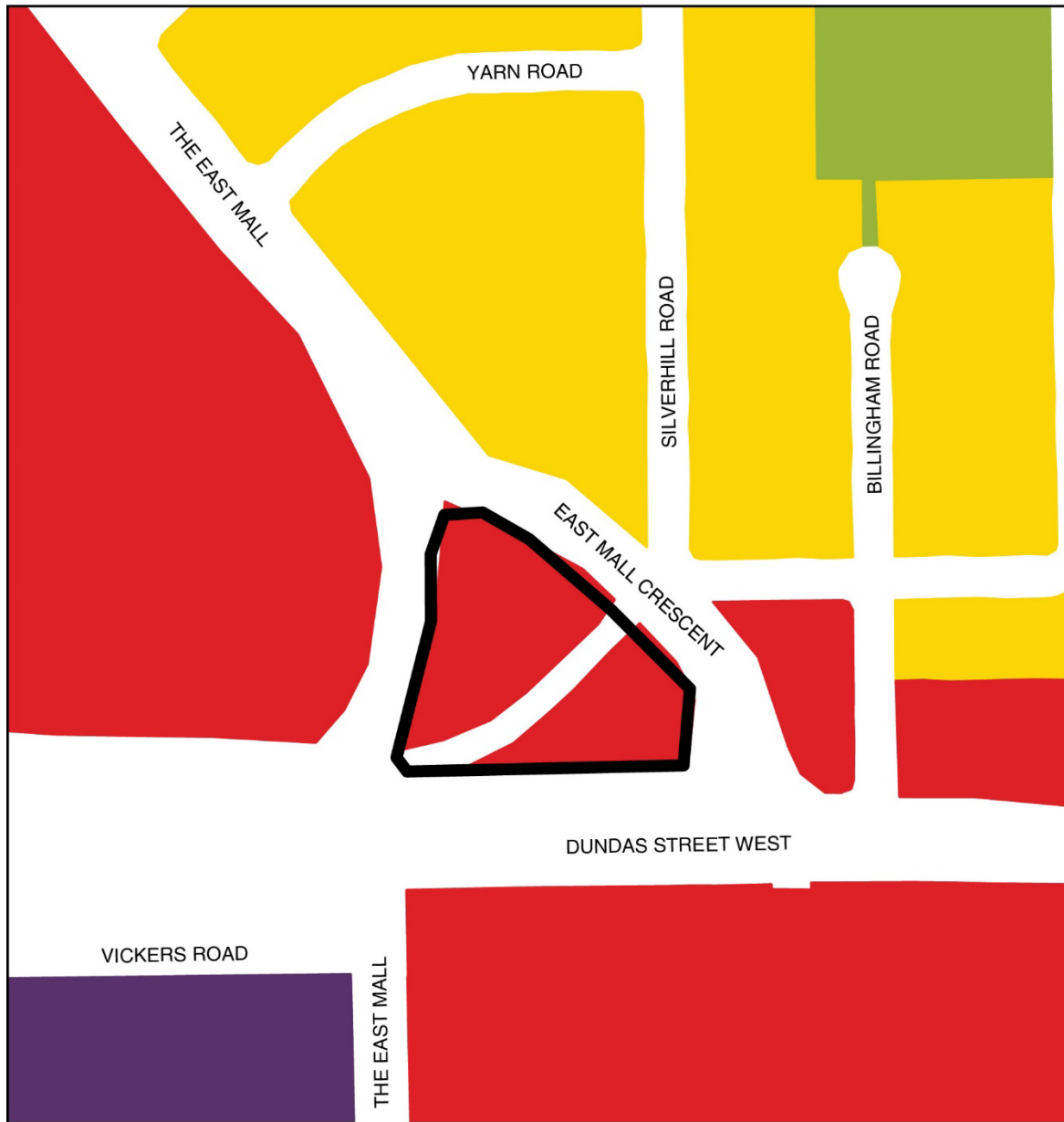
Total Residential Units by Size

Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained				
Proposed:	32	379	127	68
Total Units	32	379	127	68

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map




Official Plan Land Use Map #15

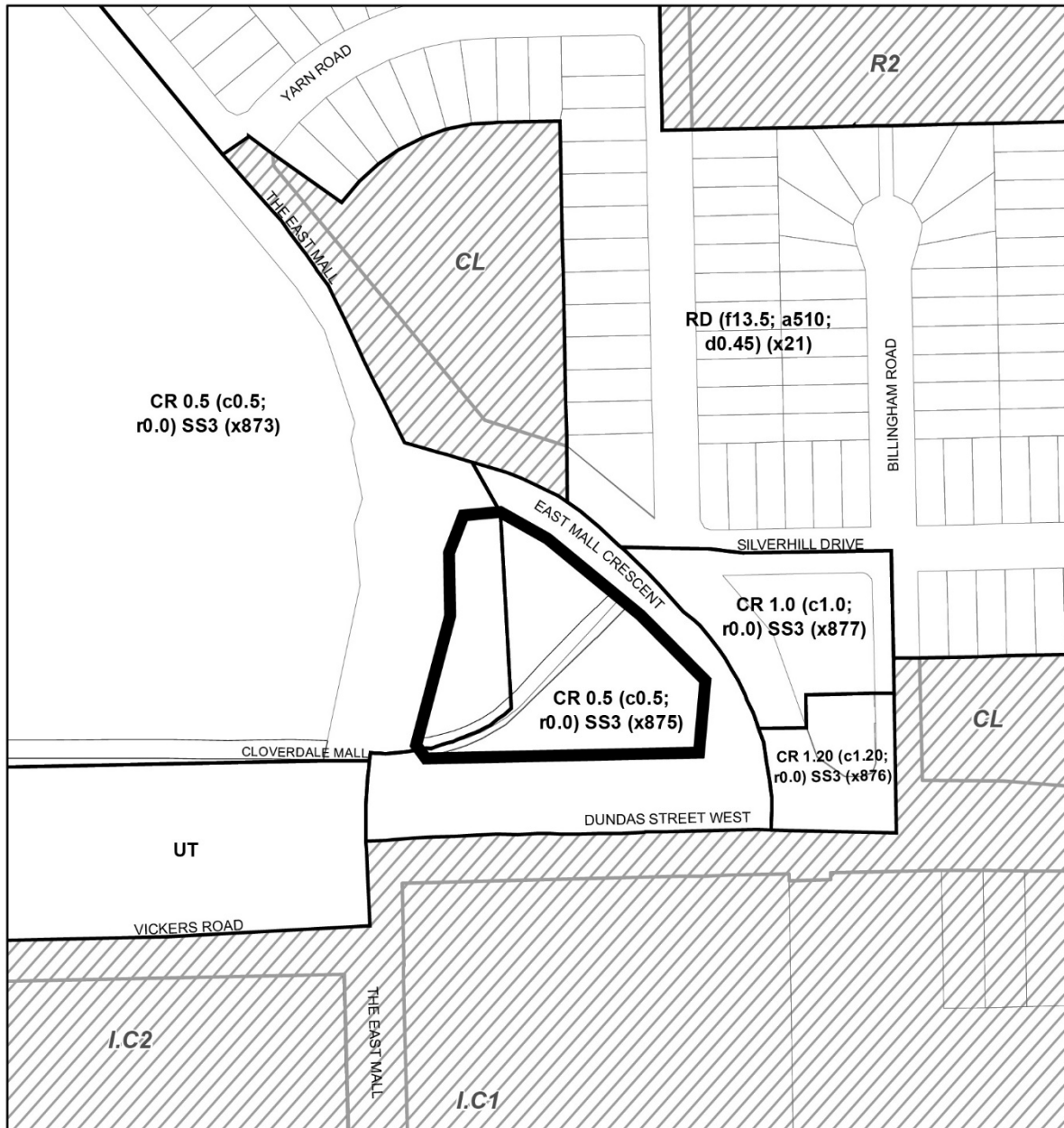
2 and 10 East Mall Crescent

File # 20 169076 WET 03 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas
-  Parks
-  Core Employment Areas


 Not to Scale
 Extracted: 11/22/2023

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

2 and 10 East Mall Crescent

File # 20 169076 WET 03 OZ



Location of Application

RD Residential Detached

CR Commercial Residential
UT Utility and Transportation



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

R2 Second Density Residential Zone
I.C.1 Class 1 Industrial Zone
I.C.2 Class 2 Industrial Zone
CL Limited Commercial Zone



Not to Scale
Extracted: 11/22/2023

Attachment 5: Draft Zoning By-law Amendment

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

CITY OF TORONTO

BY-LAW [Clerks to insert By-law number]

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 2 and 10 The East Mall Crescent.

Whereas Council of the City of Toronto has the authority pursuant to Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

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, as amended; and

The Council of the City of Toronto enacts:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, as amended, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.1 respecting the lands outlined by heavy black lines from a zone label of CR 0.5 (c0.5; r0.0) SS3 (x875) to a zone label of CR 0.5 (c0.5; r0.5) SS3 (x 938) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by amending the Policy Areas Overlay Map in Section 995.10 to include the lands subject to this By-law to Policy Area 4, as shown on Diagram 3 attached to this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.11.10 Exception Number 938 so that it reads:

(938) Exception CR 938

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions:

- (A) On lands municipally known as 2 and 10 The East Mall Crescent, if the requirements of By-law [Clerks to insert By-law number] are complied with, a building or structure may be constructed, used or enlarged in

compliance with Regulations (B) to (V) below;

- (B) Despite Regulations 40.5.40.10(1) and (2), the height of a building or structure is the distance between the Canadian Geodetic Datum of 127.00 metres and the elevation of the highest point of the building or structure;
- (C) Despite Clause 40.10.30.40(1), the permitted maximum lot coverage, as a percentage of the lot area, is 50 percent;
- (D) Despite Regulation 40.10.40.10 (3), the permitted maximum height of a **building** or **structure** is the number in metres following the letters "HT" as shown on Diagram 4 of By-law [Clerks to insert By-law number];
- (E) Despite Regulation 40.10.40.10(5), the required minimum height of the first **storey**, as measured between the floor of the first **storey** and the ceiling of the first **storey**, is 2.8 metres for residential uses and 4.5 metres for non-residential uses;
- (F) Despite Regulations 40.5.40.10(3) to (8) and (D) above, the following equipment and **structures** may project beyond the permitted maximum height shown on Diagram 4 of By-law [Clerks to insert By-law number]:
 - (i) equipment used for the functional operation of the building, including electrical, utility, mechanical and ventilation equipment, as well as enclosed stairwells, roof access, maintenance equipment storage, elevator shafts, chimneys, and vents, by a maximum of 8 metres;
 - (ii) **structures** that enclose, screen, or cover the equipment, **structures** and parts of a **building** listed in (i) above, including a mechanical penthouse, by a maximum of 6.5 metres;
 - (iii) exoskeleton **structure**, by a maximum of 6.5 metres;
 - (iv) architectural features, parapets, and elements and **structures** associated with a **green roof**, by a maximum of 8 metres;
 - (v) public art features, by a maximum of 6.5 metres;
 - (vi) **building** maintenance units and window washing equipment, by a maximum of 6.0 metres;
 - (vii) planters, **landscaping** features, ornamental elements, landscape elements, guard rails, railings, bollards, balustrades, eaves, roof drainage, balcony and terrace guards, fences, skylights, light monitors, light fixtures, cornices, seating areas, retaining walls, wheelchair ramps and ramps to underground, solar panels, and decorative or divider screens on a balcony and/or terrace, by a maximum of 4 metres;
 - (viii) lightning rods, antennae, flagpoles and satellite dishes, and cellular

- arrays, by a maximum of 8.0 metres;
- (ix) trellises, pergolas, **structures** used for outside or open-air recreation including pools and associated equipment, and unenclosed **structures** providing safety or wind protection to rooftop **amenity space**, by a maximum of 4.0 metres; and
 - (x) architectural screens for screening of Type 'G' **loading spaces**, by a maximum of 6.1 metres;
- (G) Despite Regulation 40.10.40.40(1), the permitted maximum gross floor area of all buildings and structures is 40,550 square metres, of which:
- (i) the permitted maximum **gross floor area** for residential uses is 40,200 square metres;
 - (ii) the permitted maximum gross floor area for non-residential uses is 350 square metres;
- (H) A **building** containing **dwelling units** must contain:
- (i) a minimum of 15 percent of the total **dwelling units** as two bedrooms; and
 - (ii) a minimum of 10 percent of the total **dwelling units** as three or more bedrooms;
- (I) For the purpose of this exception, "tower floorplate area" means the gross horizontal floor area of a single floor measured from the exterior walls of a building or structure above the Canadian Geodetic Datum elevation of 182 metres;
- (J) The permitted maximum "tower floorplate area" is 792 square metres;
- (K) Despite 40.10.40.1(1), residential uses may be located on the same level as non-residential use portions of a building;
- (L) Despite Regulation 40.10.40.70 (3), the required minimum **building setbacks** are as shown in metres on Diagram 4 of By-law [Clerks to insert By-law number];
- (M) Despite Regulation 40.10.40.80 (2), the required separation of **main walls** are as shown in metres on Diagram 4 of By-law [Clerks to insert By-law number];
- (N) Despite Clause 40.10.40.60, Regulations 40.5.40.60(1), and (L) and (M) above, the following elements may encroach into the required minimum **building setbacks** and **main wall** separation distances as follows:
- (i) decks, porches, and balconies, by a maximum of 2.0 metres;
 - (ii) canopies, by a maximum of 5.6 metres to a maximum height of 6.5

- metres, and a maximum of 3.0 metres above a height of 6.5 metres;
- (iii) awnings, by a maximum of 2.0 metres;
 - (iv) columns, by a maximum of 8.5 metres;
 - (v) exterior stairs, wheelchair ramps, landscape wheelchair ramps, access ramps and elevating devices, and fences, by a maximum of 6.5 metres;
 - (vi) damper equipment to reduce building movement, by a maximum of 3.0 metres;
 - (vii) ventilation shafts, elements required for the functional operation of a building, and site servicing features, by a maximum of 6.5 metres;
 - (viii) architectural features, such as a screen, flue, pillar, pilaster, decorative column, cornice, sill, belt course, or chimney breast, by a maximum of 3.0 metres;
 - (ix) pergolas, guardrails, balustrades, railings, decorative/ acoustic doors and screens, and light fixtures, by a maximum of 3.0 metres;
 - (x) trellises and planters, art and **landscape** features, and public art installations, by a maximum of 5.0 metres;
 - (xi) window projections, including bay windows and box windows, by a maximum of 3.0 metres;
 - (xii) eaves, by a maximum of 3.0 metres;
 - (xiii) dormers, by a maximum of 3.0 metres; and
 - (xiv) air conditioners, satellite dishes, antennae, vents, and pipes, by a maximum of 3.0 metres; and
- (O) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided in accordance with the following:
- (i) a minimum of 0.2 residential occupant parking spaces for each dwelling unit, but not exceeding the permitted maximum in Table 200.5.10.1 for dwelling units in a mixed-use building in all other areas of the city;
 - (ii) a minimum of 2.0 residential visitor parking spaces plus 0.05 residential visitor parking spaces for each dwelling unit; and
 - (iii) a minimum of 0.0 parking spaces for every 100 square metres of gross floor area devoted to non-residential uses, but not exceeding a maximum of 1.0 parking spaces for each 100 square metres of gross floor area devoted to non-residential uses;

- (P) Despite Regulation 200.5.1.10(2)(D), a maximum of 10% of the required **parking spaces** may be obstructed without being required to provide additional width for the obstructed sides of the **parking space**;
- (Q) Despite Regulation 200.5.1.10(14), 20% of **parking spaces** shall be equipped with electric vehicle supply equipment (EVSE) capable of level 2 charging, while the remaining **parking spaces** must be designed to permit future EVSE installation;
- (R) For each car-share **parking space** provided, the minimum number of **parking spaces** for residents/tenants required, may be reduced by four (4) parking spaces, but there must not be less than one parking space, where for the purpose of this By-law:
- (i) "car-share" means the practice whereby a number of people share the use of one or more motor **vehicles** that are owned by a profit or non-profit car-sharing organization and such car-share motor **vehicles** are made available to at least the occupants of the **building**;
 - (ii) a "car-share parking space" means a **parking space** exclusively reserved and signed for a car used only for car-share purposes;
- (S) Despite Regulations 200.15.1(1) and (3), an accessible **parking space** must comply with the following:
- (i) minimum length of 5.6 metres;
 - (ii) minimum width of 3.4 metres;
 - (iii) minimum vertical clearance of 2.1 metres; and
 - (iv) the entire length must be adjacent to a 1.5 metre wide accessible barrier free aisle;
- (T) Despite Regulations 230.5.1.10(9) and 230.40.1.20(2), **bicycle parking spaces** may be located on any floor of a building above or below ground level;
- (U) Despite Regulations 230.5.1.10 (4) and (5), for the purpose of this By-law:
- (i) the minimum dimension of a **bicycle parking space** is:
 - (a) a minimum length of 1.8 metres;
 - (b) a minimum width of 0.46 metre; and
 - (c) a minimum vertical dimension of 1.9 metres;
 - (ii) the minimum dimension of a bicycle parking space if placed in a vertical position on a wall, structure or mechanical device is:

- (a) a minimum length of 1.2 metres;
 - (b) a minimum width of 0.45 metre; and
 - (c) a minimum vertical dimension of 1.9 metres;
- (iii) if a stacked **bicycle parking space** is provided, the minimum vertical clearance for each bicycle parking space is:
- (a) a minimum length of 1.6 metres;
 - (b) a minimum width of 0.4 metre; and
 - (c) a minimum vertical dimension of 1.2 metres;
- (V) Two privately owned publicly-accessible open space (POPS) shall be provided at the finished ground level in the areas generally as shown on Diagram 4 attached to this By-law.

6. None of the provisions of this By-law will apply to prevent the existing **buildings**, as of (DATE), on the lands outlined by heavy black lines on Diagram 1 of this By-law from being used for any purpose existing on such lands as of (DATE) or for any use listed in regulations 40.10.20.10(1) and 40.10.20.20(1) that are permitted under the letter "C" of the CR zone.

Prevailing By-laws and Prevailing Sections: None Apply

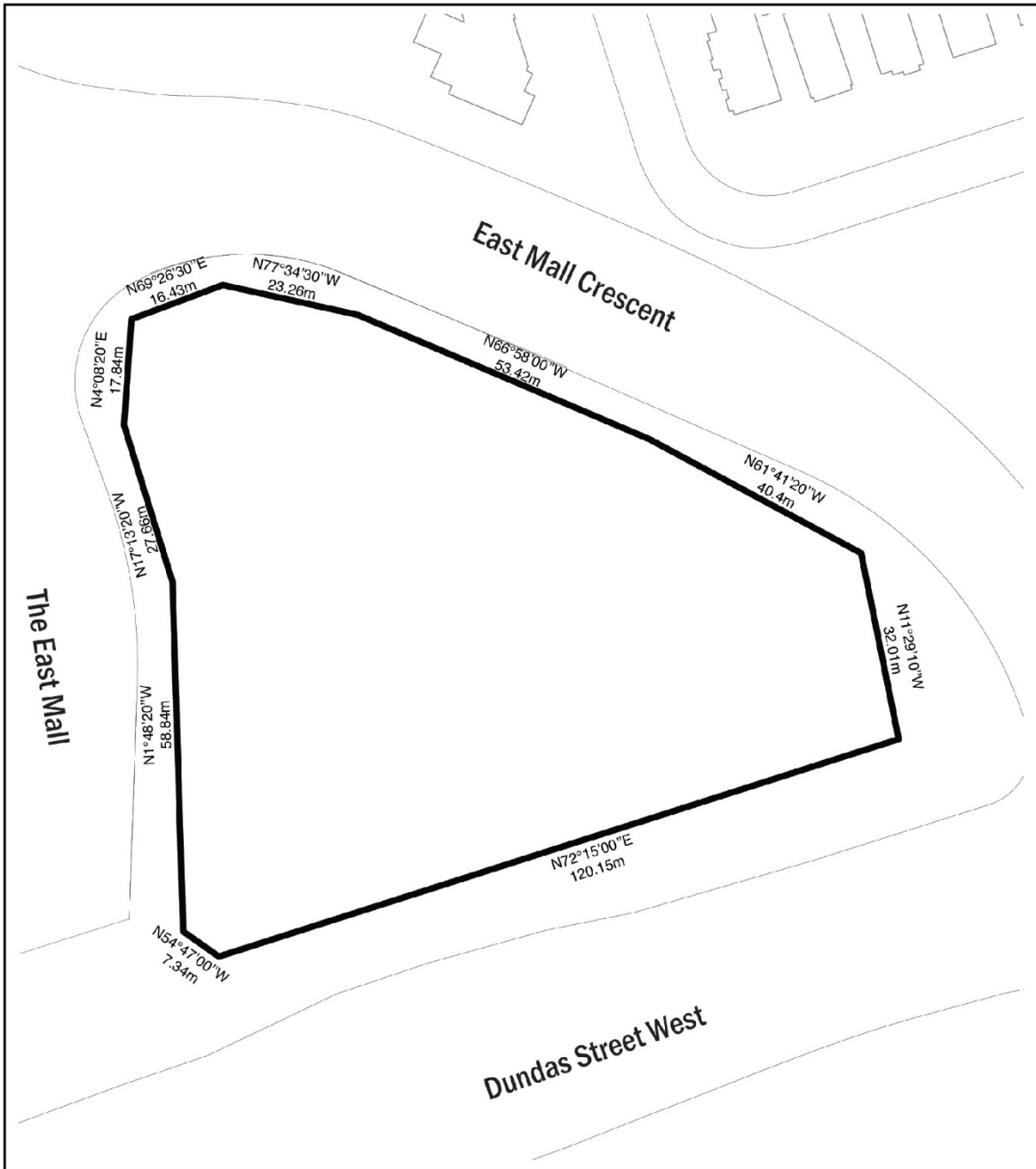
7. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.
8. None of the provisions of this By-law will apply to prevent a temporary sales office from being erected or used on the lands outlined by heavy black lines and identified on Diagram 1 of this By-law.

Enacted and passed on [Clerks to insert date].

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

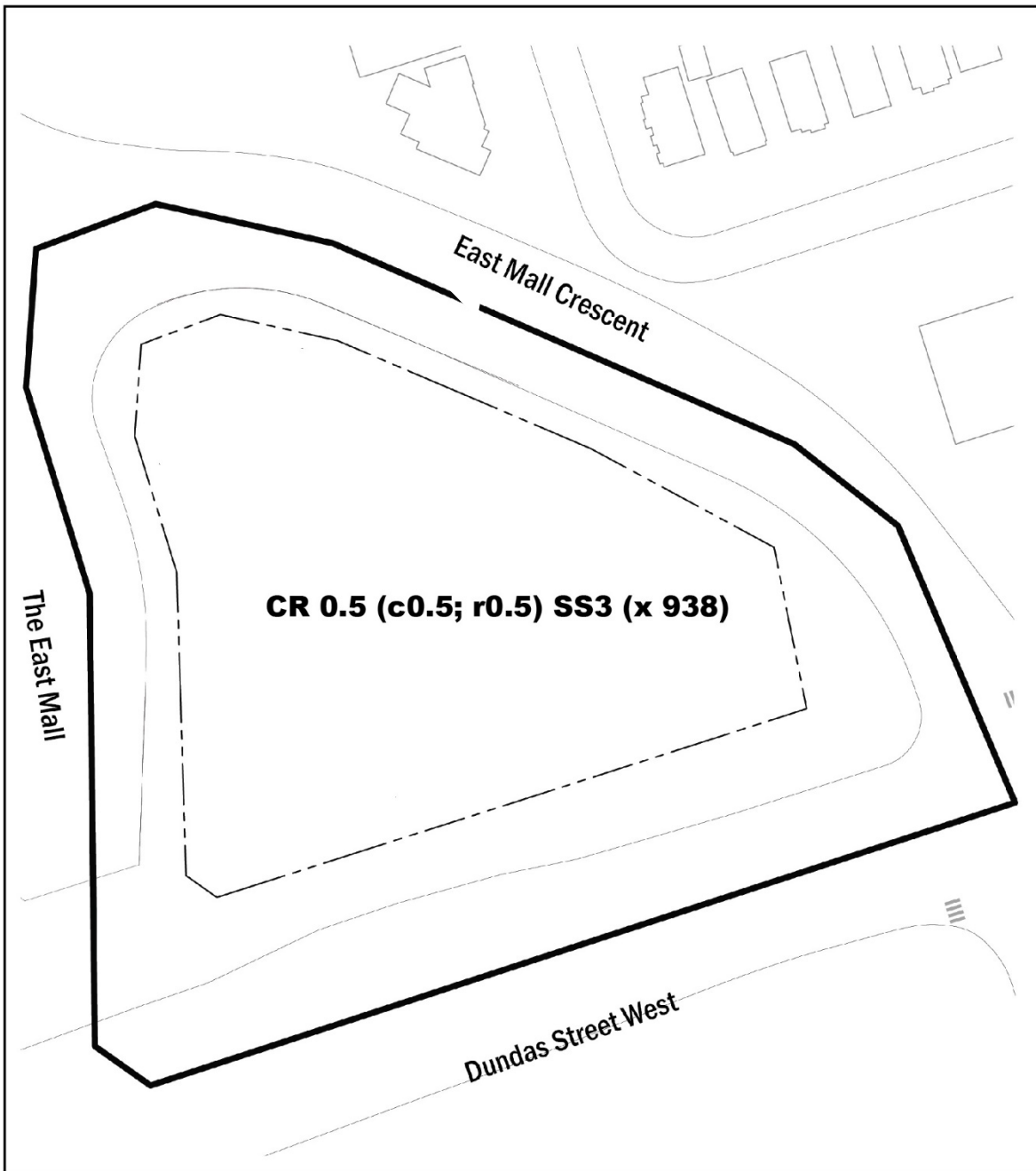


TORONTO
Diagram 1

2 and 10 East Mall Crescent

File # 20 169076 WET 030Z


 City of Toronto By-law 569-2013
 Not to Scale
 12/21/2023

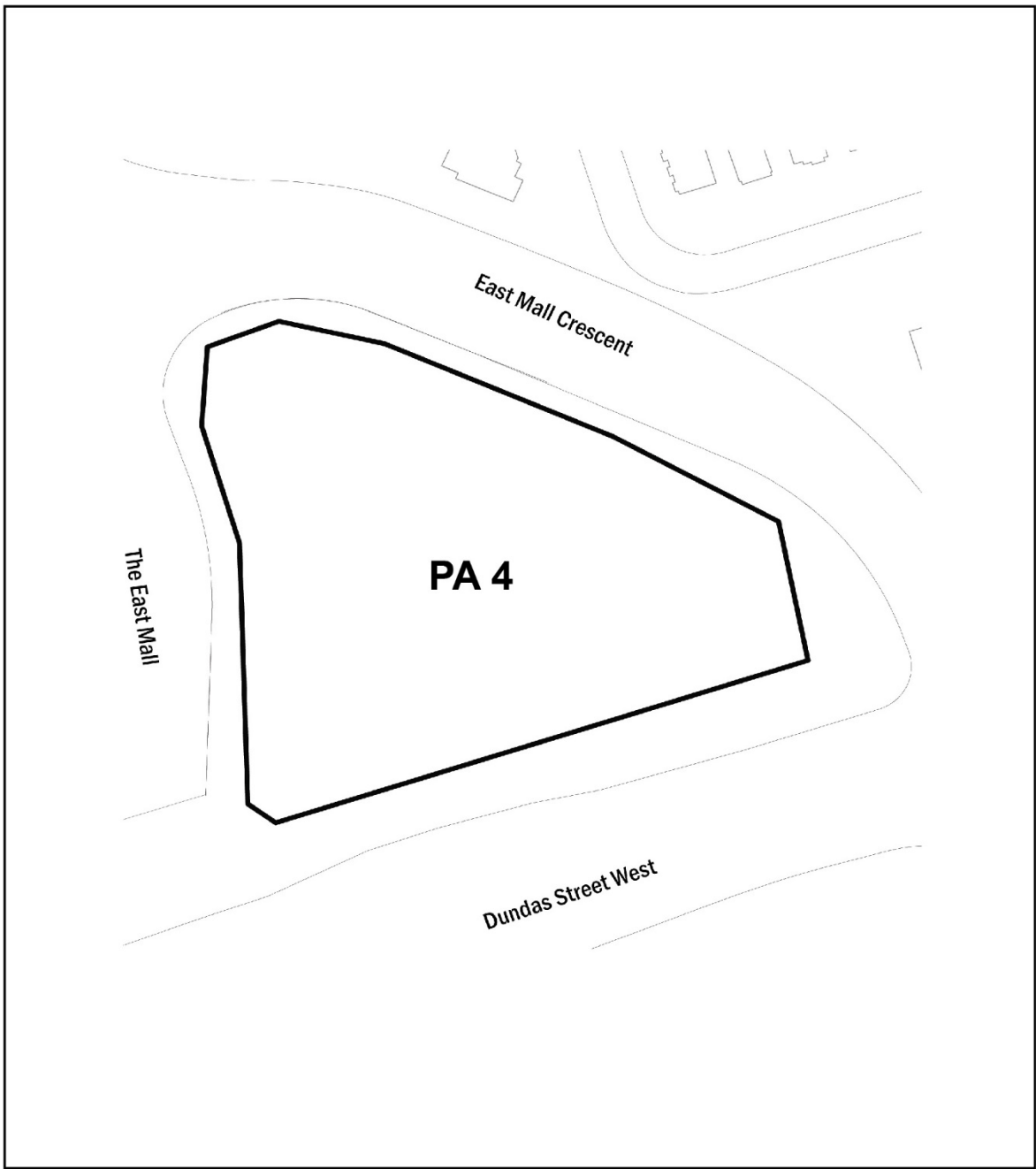


 **TORONTO**
Diagram 2

2 and 10 East Mall Crescent

File # 20 169076 WET 03 OZ


City of Toronto By-law 569-2013
Not to Scale
12/21/2023

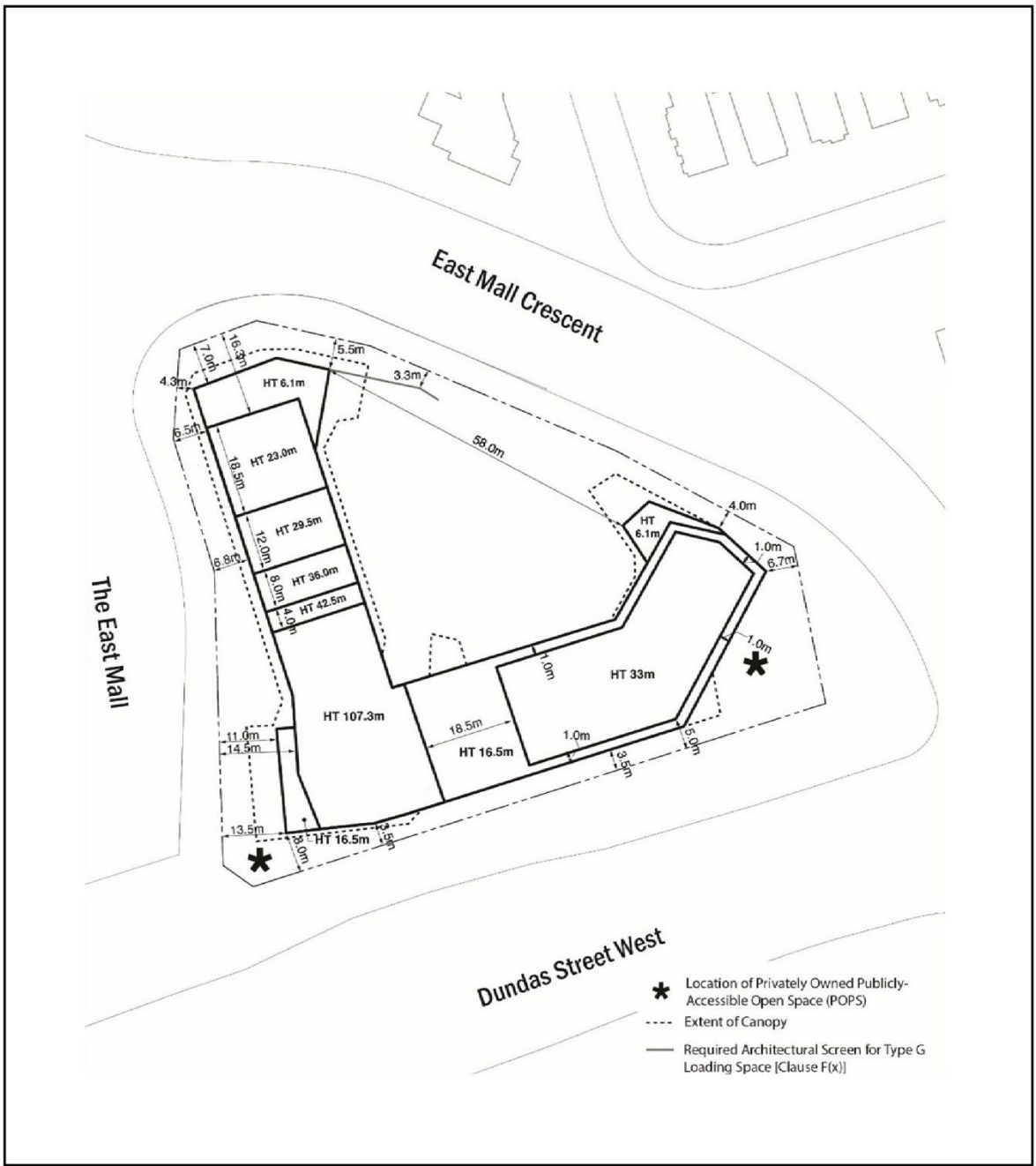


 **TORONTO**
Diagram 3

2 and 10 East Mall Crescent

File # 20 169076 WET 03 OZ


City of Toronto By-law 569-2013
Not to Scale
12/21/2023



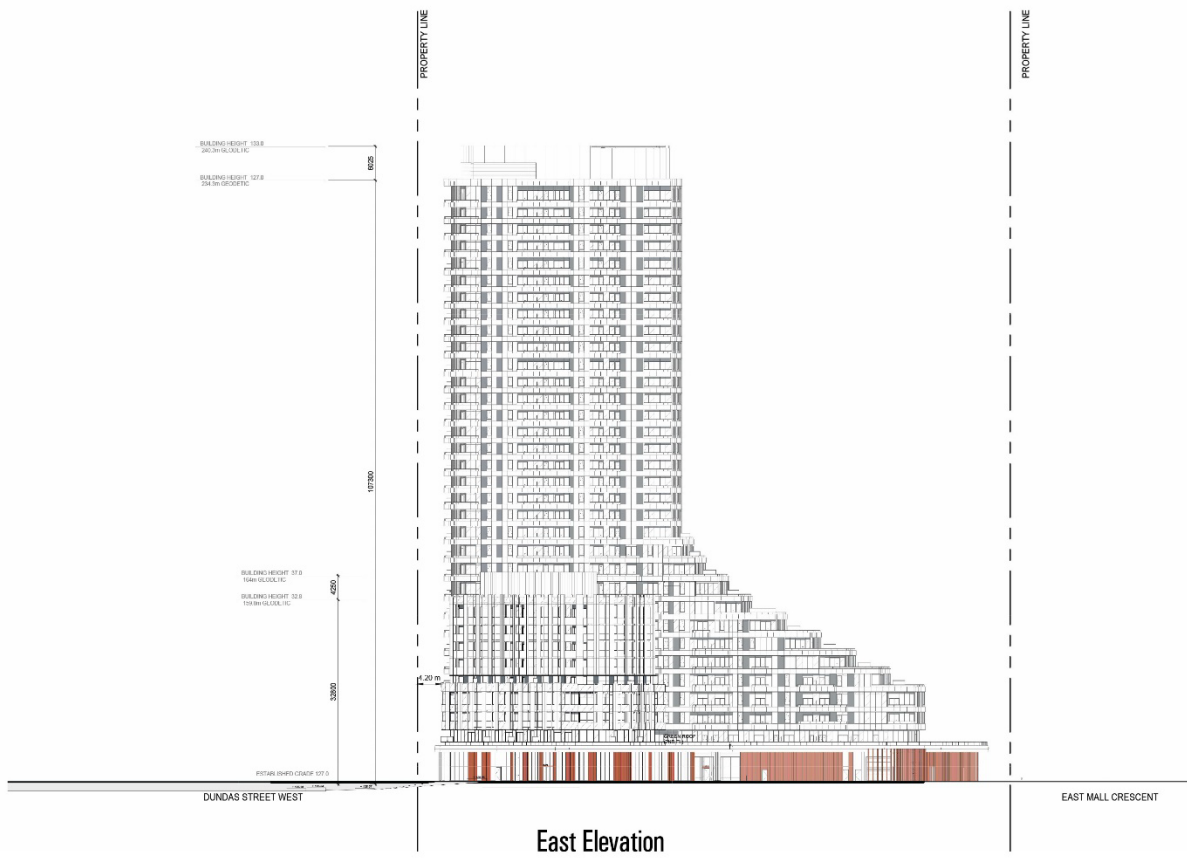
TORONTO
Diagram 4

2 and 10 East Mall Crescent

File # 20 169076 WET 03 0Z

City of Toronto By-law 569-2013
 Not to Scale
 12/21/2023

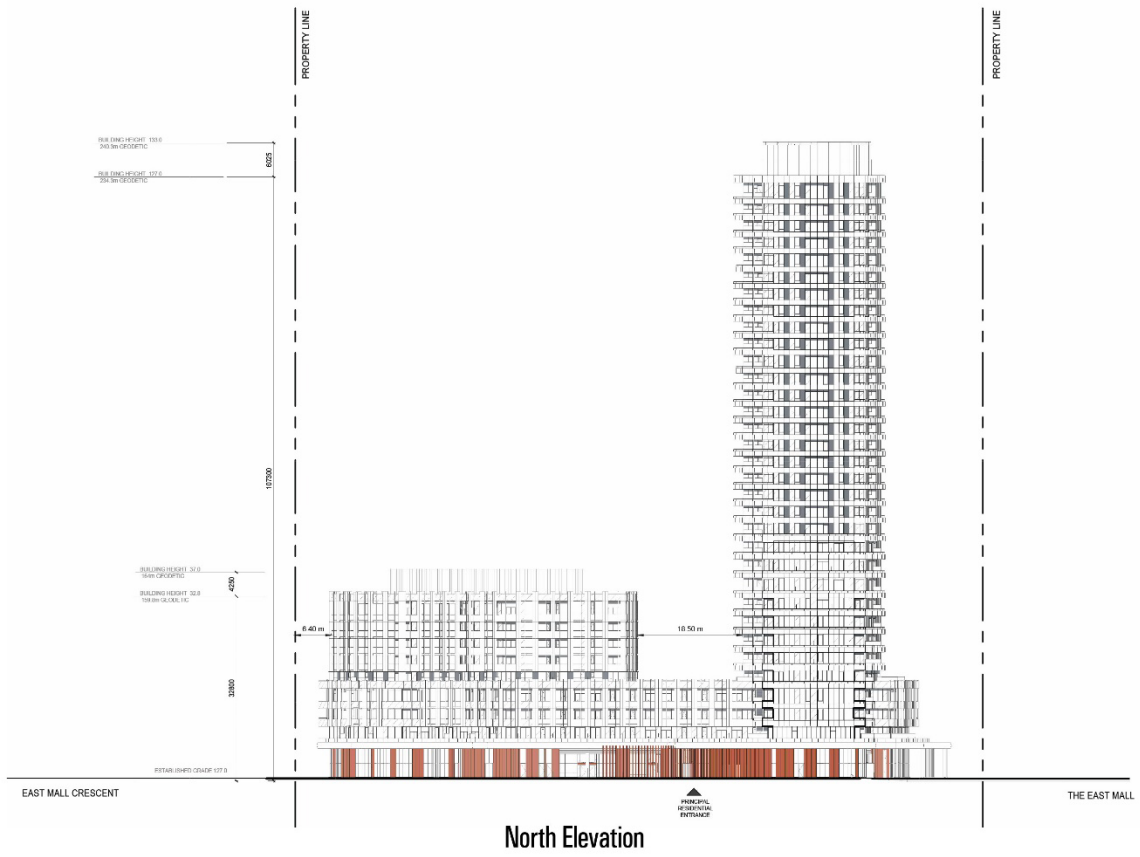
Attachment 7: East Elevation



Attachment 8: West Elevation



Attachment 9: North Elevation



Attachment 10: South Elevation

