

## **87 Ethel Avenue – Zoning By-law Amendment – Decision Report – Approval**

Date: December 15, 2024

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 5 – York South-Weston

**Planning Application Number:** 16 271272 WET 11 OZ

### **SUMMARY**

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This report recommends approval of the application to amend the Zoning By-law with a Holding Provision to permit the development of two mixed-use buildings with a total of four towers ranging in height from 31 to 34 storeys. The proposal includes 1,409 rental residential units of which 10 percent (141 units) would be affordable units. The proposal also includes 7,243 square metres of non-residential space and 947 vehicular parking spaces and 1,580 bicycle parking spaces.

### **RECOMMENDATIONS**

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The Director, Community Planning Etobicoke York District recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands municipally known as 87 Ethel Avenue substantially-in-accordance with the draft Zoning By-law Amendment included 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. City Council authorize the Chief Planner and Executive Director, City Planning to enter into an agreement with the owner to secure the provision of affordable housing required for the site, on such terms and conditions satisfactory to the Chief Planner and Executive Director, City Planning, and in accordance Site and Area Specific Policy 537, and with such agreement registered in priority on title to the lands in a manner satisfactory to the City Solicitor.
4. City Council request the General Manager, Transportation Services to examine and report to Etobicoke York Community Council, after the Zoning By-law Amendment has come into full force and effect, regarding the installation of signalized traffic control, new

traffic signals and the associated traffic by-law for the Old Stock Yards Road and West Toronto Street intersection.

5. City Council request the General Manager, Transportation Services to examine and report to Etobicoke York Community Council, after the Zoning By-law Amendment has come into full force and effect, regarding a new all-way stop and prohibited left-turn signage along with the associated traffic by-laws authorizing the traffic controls at Dods Avenue and West Toronto Street.

6. City Council request the General Manager, Transportation Services to examine and report to Etobicoke York Community Council, after the Zoning By-law Amendment has come into full force and effect, regarding new all-way stop signage along with the associated traffic by-laws authorizing the traffic controls at Dods Avenue and Ethel Avenue.

7. City Council approve that, in accordance with Section 42 of the Planning Act, prior to the issuance of the first above grade building permit, the owner shall convey to the City, an on-site parkland dedication, having a minimum size of 3,063 square metres, to the satisfaction of the General Manager, Parks, Forestry and Recreation.

8. City Council approve the acceptance of on-site parkland dedication, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition to the satisfaction of the General Manager, Parks, Forestry and Recreation.

9. 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. 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.

10. City Council classify the lands municipally known as 87 Ethel Avenue as a Class 4 Noise Area pursuant to Publication NPC-300 (Ministry of Environment and Climate Change Environmental Noise Guideline – Stationary and Transportation Sources - Approval and Planning).

11. City Council direct the Chief Planner and Executive Director, City Planning or their designate to forward a copy of the City Council Decision Document to the Ministry of Environment, Conservation and Parks.

## **FINANCIAL IMPACT**

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The Development Review 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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City Council at its meeting on December 16, 17 and 18, 2013, adopted OPA 231 with respect to the economic health policies and the policies, designations and mapping for *Employment Areas* following the Five-Year Official Plan and Municipal Comprehensive Reviews regarding employment lands. The City's decision can be accessed at this link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.PG28.2>.

The Minister of Municipal Affairs and Housing approved the majority of OPA 231 with limited modifications in July 2014. The OLT received a total of 178 appeals to OPA 231 and issued two Orders partially approving OPA 231. The December 2016 Order brought into force the *Core Employment Areas* and *General Employment Areas* designations, except for sites under appeal and regarding particular uses that remained contested. On May 8, 2020, the OLT issued an Order approving OPA 231 Employment Land Conversion and Forecasting policies as modified by City Council on June 18, 2019.

OPA 231 retained the subject site as *Employment Areas* and designated it as *Core Employment Areas*. In 2014, the then owner of the site appealed OPA 231 on a site-specific basis seeking the *Mixed Use Areas* designation. The current owner of the site submitted a Without Prejudice Settlement Offer to the City to resolve the appeal.

On July 19, 2022, City Council adopted with amendments [DM47.1](#) – Ontario Land Tribunal Appeal of Official Plan Amendment 231 – 87 Ethel Avenue – Request for Directions and accepted the Settlement Offer.

The OLT issued a decision on January 19, 2023 to approve the agreed upon settlement and redesignated a large portion of the site to *Mixed Use Areas* and *Parks* and added Site and Area Specific Policy (SASP) 537 to address matters such as maximum building heights and the minimum amounts of non-residential gross floor area and affordable housing to be developed on the lands.

## THE SITE AND SURROUNDING LANDS

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### Description

The site is located southwest of the intersection of Old Stock Yards Road and St. Clair Avenue West between Ethel Avenue and the Lambton Rail Yard and Canadian Pacific Railway/Milton GO Transit rail line. The site has an area of 20,422 square metres and is irregular in shape with frontage on Ethel Avenue to the north. The site is currently vacant. See Attachment 2 for the Location Map.

## Surrounding Uses

North: Across Ethel Avenue is an existing industrial use (Maple Leaf Foods on Riding Avenue) and a (Metro) supermarket. The Riding Avenue lands were recently redesignated to *Mixed Use Areas* by Council as part of the Municipal Comprehensive Review, and the Minister's approval of Official Plan Amendment 653 remains pending. The supermarket is located within the Stockyards Centre and is designated *Mixed Use Areas* in the Official Plan.

South: Lambton rail yard and further south is the Canadian Pacific Railway/Milton GO Transit rail line. The Lambton rail yard is designated *Core Employment Areas* and the rail line is designated *Utility Corridors* in the Official Plan.

East: An area of various commercial employment uses (Best Buy and Rona) with industrial uses further east designated *General* and *Core Employment Areas* in the Official Plan.

West: George Bell Arena is to the east along with Runnymede Park further east both designated *Parks* in the Official Plan.

## THE APPLICATION

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### Description

The applicant proposes to amend city-wide Zoning By-law 569-2013 to permit a mixed-use development with two buildings with two towers on each, sharing a podium for each building. The redevelopment would occur in two phases as shown in Attachment 6. Each proposed building would range in height from 31 to 34 storeys (approximately 93.1 metres and 101.7 metres excluding mechanical penthouse) and includes a seven-storey base. The proposed total Gross Floor Area (GFA) is 101,000 square metres, including 7,243 square metres of non-residential space.

A parkland dedication of 3,078-square-metre for an on-site public park is proposed at the west end of the site.

To address rail safety, a 83.5-square-metre rail safety crash wall is proposed at the west end of the site.

The proposal includes approximately 1,095 square metres of residential space to be devoted to individuals with Prader Willi Syndrome (PWS).

The applicant also intends on providing approximately 468 square metres for a private daycare.

Approximately 6,114 square metres of landscaped open space is proposed including a 2.1-metre-wide pedestrian/bicycle trail (the trail) to run along the southern edge of the site.

## **Density**

The proposal would have a density of five times the area of the lot.

## **Residential Component**

The proposal includes a mix of unit types and sizes with a total of 1,409 residential units with a minimum of 15 percent two-bedroom units, and 10 percent three-bedroom units. Ten percent of the total units (141) units would be affordable units. The proportion of affordable housing units is based on the total number of residential units on the site. As those units increase or decrease, the proportion of affordable housing units would be adjusted accordingly. The proposed affordable housing units includes a mix of unit types and sizes, including 70 (50%) one-bedroom units, 52 (37%) two-bedroom units, and 137 (13%) three-bedroom units.

## **Amenity Space**

The proposal would include 2.1 square metres of indoor amenity space for each dwelling unit for Building 1 (including Towers A and B) and 2.2 square metres of indoor amenity space for each dwelling unit for Building 2 (including Towers C and D).

The proposal also would include 1.9 square metres of outdoor amenity space for each dwelling unit for Building 1 (including Towers A and B) and 1.8 square metres of outdoor amenity space for each dwelling unit for Building 2 (including Towers C and D).

## **Non-Residential Component**

The proposal would include 7,243.1 square metres of retail office, community spaces and other uses, of which 2,267.5 square metres would be in Building 1 and 4,975.6 square metres would be in Building 2.

## **Parking, Access and Loading**

The proposal includes 947 vehicle parking spaces and 1,580 bicycle parking spaces to be provided in the two-level underground garage. Of the 947 vehicle parking spaces, 38 parking spaces would be accessible parking spaces and 838 parking spaces would contain electric vehicle supply equipment (EVSE). Of the total bicycle parking spaces, 195 would be equipped with energized outlets.

Site access is proposed from Ethel Avenue and West Toronto Street, located to the northwest, north, and east of the property. The parking garage ramps and loading spaces are proposed to be accessed via the internal driveway on the site.

Four Type G loading spaces would be provided.

## **Additional Information**

See the attachments of this report for the application data sheet, location map, site plan, elevations, and 3D massing views of the proposal. Detailed project information including

all plans and reports submitted as part of the application can be found on the City's Application Information Centre at [www.toronto.ca/87EthelAve](http://www.toronto.ca/87EthelAve).

## **Reasons for Application**

The proposed use and performance standards are not permitted by the in-force city-wide Zoning By-law 569-2013. The application proposes to permit the proposed mixed-use development by establishing site-specific performance standards to reflect the proposal.

## **APPLICATION BACKGROUND**

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The application was submitted on December 28, 2016 and deemed complete on October 24, 2017. The applicant provided a resubmission of the application on November 11, 2023 in support of the January 19, 2023 OLT decision. Staff conducted a Community Consultation Meeting for the application on March 6, 2024, the details of which are summarized in the Comments section of this report. The reports and studies submitted in support of this application are available on the Application Information Centre at [www.toronto.ca/87EthelAve](http://www.toronto.ca/87EthelAve).

## **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 in evaluating the application and to formulate appropriate Zoning By-law amendments.

## **POLICY AND REGULATION CONSIDERATIONS**

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### **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 Planning Statement (PPS) (2024), and shall conform to Provincial plans, including the Greenbelt Plan (2017), and others.

### **Official Plan**

The Official Plan on Land Use Plan Map 17 designates the western part of the site as *Parks*, the central portion of the site as *Mixed Use Areas* and retains a small portion of the eastern edge of the site as *Core Employment Areas*. See Attachment 3 of this report for the Land Use Plan Map. The Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision-making. The Official Plan can be found here: [Official Plan](#).

### **Site and Area Specific Policy 537**

On January 19, 2023, the OLT issued a decision approving SASP 537 respecting the site as follows:

- A maximum total GFA of 102,399 square metres is permitted.

- Seven percent of the total GFA must be for non-residential uses.
- Ten percent of the total number of residential units are to be affordable.
- Building heights are not to exceed 34 storeys above grade, exclusive of a mechanical penthouse at the top of the buildings.
- A public park is to be provided on the western end of the lands, consisting of 15 per cent of the lands.
- A crash wall derailment protection measure is to be provided.

## **Zoning**

The subject site is zoned Employment Industrial E 1.0 (x285) under Zoning By-law 569-2013. The Employment Industrial zoning category permits: artist studio; automated banking machine; financial institution; laboratory; office; performing arts studio; production studio; software development and processing; various industrial, manufacturing and warehouse uses but does not permit residential uses. See Attachment 4 of this report for the existing Zoning By-law Map.

## **Design Guidelines**

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

- Tall Building Design Guidelines
- Growing Up: Planning for Children in Vertical Communities
- Pet Friendly Design Guidelines for High Density Communities
- Retail Design Manual
- Toronto Accessibility Design Guidelines

## **Toronto Green Standard**

The Toronto Green Standard (TGS) is a set of performance measures for green development. Applications for Zoning By-law Amendments are required to meet and demonstrate compliance with Tier 1 of the TGS.

## **PUBLIC ENGAGEMENT**

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### **Community Consultation**

On March 6, 2024, City Planning staff hosted an in-person Community Consultation Meeting at the David Appleton Community Centre. The meeting was attended by the Ward Councillor, the proponent, and 26 members of the public along with City staff.

The following issues were brought up:

- Concerns about increased traffic in the area due to new residents.
- Concerns about the proposed use, height, density, and unit sizes.
- Concerns related to anticipated construction timelines and impacts from construction including traffic.
- Concerns about whether current schools, community centres, libraries, and other public facilities can accommodate the addition of another residential development in the area.

Comments provided have been reviewed by staff and used to improve the proposal and formulate appropriate zoning standards.

## **COMMENTS**

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### **Provincial Planning Statement and Provincial Plans**

Staff have reviewed the current proposal and have determined that the proposal is consistent with the PPS (2024).

### **Official Plan Policies and Design Guidelines**

This application has been reviewed against the Official Plan policies, including Site and Area Specific Policy 537 (SASP 537) and design guidelines described in the Policy and Regulation Considerations Section of this report.

### **Land Use**

SASP 537 contains provisions for a mixed-use development containing residential uses, a broad mix of non-residential uses and a public park for this site. The proposal conforms with the policies of the Official Plan including the requirements of SASP 537 and the *Mixed Use Areas* designation.

### **Housing**

The Official Plan directs that a full range of housing in terms of form, tenure and affordability be provided to meet the current and future needs of residents. SASP 537 requires the provision of 10 percent of the residential units as affordable housing. This proposal consists of 93,757 square metres of residential GFA, and a total of 1,409 residential units. The unit mix proposed supports the unit mix objectives in the Growing Up Guidelines.

SASP 537 requires that 10 percent of the total number of residential units are affordable, resulting in 141 affordable rental housing units which include 70 one-bedroom units, 52 two-bedroom units and 19 three-bedroom units based on the current proposed unit count. The 141 affordable rental units would be provided separate from any applicable Community Benefits Charge contributions on this site. The affordable rental units would be provided in both phases of the development at the same pace as the market units with approximately half of the affordable units provided in each phase.

The units would be retained as affordable rental housing for a minimum period of 40 years and operated by the owner in a similar manner to the market units. The units would be rented at the lesser of the Official Plan definition of affordable housing or affordable rental housing as defined in the Provincial Affordable Residential Units Bulletin. These units, which are a significant contribution to affordable housing in the city, would be secured through legal agreement(s) registered on title and a Section 118 Restriction under the Land Titles Act to be registered on title to the property as per the Affordable Housing Terms in Attachment 19 of this report. This is proposed to be secured in the draft Zoning By-law as a Holding Provision (H) to ensure the affordable housing is provided for in conjunction with the approval of the zoning by-law.



## **Density, Height, Massing**

SASP 537 limited the height to not exceed 34 storeys above grade, exclusive of mechanical penthouse, and limited the total GFA to 102,399 square metres. The proposed density, height and massing conforms to the Official Plan and SASP policies and is consistent with the City's urban design guidelines such as the Tall Building Design Guidelines. All towers have maximum 750-square-metre floorplates and provide for a minimum 25-metre or greater tower separation distance for all locations. (See Attachments 6 to 18.) The proposed tower's height follow OLT Order directions to have a maximum height of 34 storeys and provides slight variation of height of three storeys between the adjacent towers in each buildings. Building setbacks and upper storey stepbacks above the street wall and base building provide acceptable space and scale for the pedestrian experience at grade at most locations.

## **Site Organization**

Official Plan policy 3.1.3.4 directs proponents to locate and organize vehicle 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 areas by using shared service areas such as private driveways and service areas, providing underground parking, and limiting new and removing existing surface parking and vehicular access between the front face of a building and the public sidewalk and providing active uses and attractive building façades along adjacent streets. Vehicular access to garage ramps and loading spaces for each building proposed through an internal driveway accessible via Ethel Avenue and West Toronto Street, are satisfactory to staff.

## **Amenity Space**

Policy 3.1.2.11 of the Official Plan states amenity spaces are encouraged to be high quality and well designed. Policy 3.1.2.13 states outdoor amenity spaces should have access to daylight and direct sunlight, and have comfortable wind, shadow and noise conditions, and promote use in all seasons. Policy 3.2.1.5 states development on sites containing six or more rental housing units should b) secure needed improvements and renovations without pass-through costs to the tenants. Guideline 2.5 of the Tall Building Design Guidelines refers to providing private outdoor amenity spaces that maximize access to sunlight, and minimize noise and air quality impacts. Guideline 2.3 of the Growing Up Guidelines indicates development should locate and protect amenity spaces from shadow and wind impacts.

Based on the architectural plans submitted, a combined total of four square metres per unit of indoor amenity space, and four square metres per unit of outdoor amenity space are proposed. Detailed location and programming of the amenity spaces will be secured through future Site Plan Control approval processes for each block.

## **Shadow and Wind Impact**

The applicant submitted a Sun/Shadow, prepared by Turner Fleischer, dated October 27, 2023 and revised on April 12, 2024 and September 13, 2024, to support the

proposal. The applicant also submitted a Pedestrian Level Wind Study, prepared by Gradient Wind, dated August 4, 2023 to support the proposal. The shadow and wind impacts associated with this application have been reviewed by City Planning staff against the Official Plan policies and design guidelines described in the Policy and Regulation Considerations Section of the report.

The proposal casts limited early morning shadow on the proposed park to the west and provides acceptable sunlight conditions on the surrounding public realm north and east of the site. Wind impacts are limited and mitigation measures would be further refined and secured through the Site Plan Control review process.

## **Servicing**

A Functional Servicing and Stormwater Management Report, prepared by Counterpoint Engineering, dated October 26, 2023 and revised on April 12, 2024 and September 13, 2024, was submitted in support of the application. Engineering Review staff have reviewed the material and concluded that there is adequate municipal servicing in the area to support the proposed development. Site-specific improvements and connections to municipal infrastructure will be further reviewed and refined through the Site Plan Control application process.

## **Traffic Impact**

A Transportation Impact Study (TIS) prepared by BA Group, dated October 27, 2021, and Transportation Update Letters, dated December 21, 2022 and August 28, 2023, were submitted in support of the application. The projected increase in vehicular traffic generated by the proposed development would create or exacerbate critical movements at the signalized Keele Street/Weston Road and St. Clair Avenue West, and St. Clair Avenue West and Old Stock Yards Road/Gunns Road intersections, as well as for the unsignalized Old Stock Yards Road and West Toronto Street intersection.

Signal timing phase changes are proposed for the signalized intersections to mitigate traffic delays. While the unsignalized Old Stock Yards Road and West Toronto Street intersection does not warrant new traffic control signals based on criteria established by Ontario Traffic Manual traffic control signal warrant analysis, the installation of traffic signals would mitigate the expected traffic delay and ensure the proposed development does not influence the traffic operations of the Riding Avenue neighbourhood. The installation of signalized traffic control will require new traffic signals and the associated traffic by-law.

All vehicular access points would allow full movements, except for the eastern access at Dods Avenue and West Toronto Street, where left-turns movements would be prohibited. This intersection currently has stop control only on the north and east legs of the intersection, and all-way stop control is recommended. New all-way stop and prohibited left-turn signage are required, along with the associated traffic by-laws authorizing the traffic controls.

Staff are satisfied that the proposed mitigation measures are sufficient for the projected increase in vehicular traffic generated by the development.

## **Parkland**

SASP 537 requires a public park that would utilize 15% of the site on the western end of the lands resulting in a total parkland dedication requirement of 3,063 square metres.

The owner is required to satisfy the parkland dedication requirement through an on-site dedication. The park is proposed to be 3,163 square metres in total, comprised of 3,080 square metres of parkland dedication and 83 square metres of additional parkland for the rail safety crash wall at the western end of the site. The parkland dedication complies with Policy 3.2.3.8 of the Official Plan and is free and clear, above and below grade of all physical obstructions and easements, except for the rail safety crash wall. The City shall not be responsible for Federal or Provincial inspection requirements and related reporting requirements for, or the maintenance of, the rail safety crash wall located within the proposed park block. The owner is obligated to build and maintain the rail safety crash wall.

This report seeks direction from City Council on authorizing a credit of the Parks and Recreation component of the Development Charges in exchange for Above Base Park Improvement to be provided by the owner upon agreement with the City. The Development Charge credit shall be in an amount that is the lesser of the cost to the owner of installing the Above Base Park Improvements, as approved by the General Manager, Park, 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. The owner would be required to enter into an agreement with the City to provide for the design and construction of the improvements and would be required to provide a financial security to ensure completion of the works.

## **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 development would require the removal of seven by-law protected private trees, the removal of 30 private trees, and the injury of two by-law protected City street trees. Pursuant to the Private Tree Protection By-law, the owner would be required to submit a tree injury and removal permit application to remove and injure the impacted trees and would be required to fulfill all additional conditions as outlined in the permit.

Additional opportunities for tree planting would be secured through the Site Plan Control application review process. The application is also required to comply with the Tier 1: Ecology elements of the Toronto Green Standard (TGS), Version 4. The submission of satisfactory plans/revisions would be a condition of Urban Forestry's approval of subsequent Site Plan Control applications.

The applicant is required to submit a Tree Loss Payment, Tree Planting Security Deposit, and a complete Agreement for Arborists Retained By Private Property Owners to Undertake Work on City Trees to the satisfaction of the General Manager of Parks,

Forestry and Recreation in accordance with the requirements outlined in Municipal Code, Chapter 813, Article II.

The applicant has provided a Landscape Plan indicating that 52 trees will be planted on private property and 25 trees will be planted on the City road allowance.

### **Rail Safety Study**

The applicant submitted a Derailment Protection Report (Rail Safety and Risk Mitigation Study), prepared by JSW+ Associates, dated January 11, 2024 and later another Derailment Protection Report by GHD Limited, dated July 31, 2024, in support of the revised proposal. The City retained Entuitive Corporation, an external peer review consultant, to review these studies. The applicant is proposing a rail safety crash wall along the property line boundary with the rail corridor on the southern part of the site with heights ranging from 2.14 to 3.6 metres. The peer review accepted the GHD Limited report including the conclusion that the proposed development meets the minimum criteria for new development in proximity of rail and the proposed crash wall design. The draft zoning by-law accounts for this needed wall. Design drawings would be secured through Site Plan Control approval.

### **Compatibility Mitigation Study (Air Quality)**

A Compatibility Mitigation Study (Air Quality, Dust, Odour) was prepared by Sonair Environmental Inc., dated October 13 2023, and revised on June 26, 2024 and September 13, 2024, in support of the proposed development. This study was prepared following the Ministry of Environment, Conservation and Parks D-6 Guidelines and the City of Toronto Terms of Reference for Compatibility/Mitigation Study requirements. The City retained R. J. Burnside and Associates Limited, to peer review this study.

The study found that due to the idling locomotives directly south of the proposed development, air pollutant (nitrogen oxides) concentrations were shown to exceed the applicable limits and mitigation measures would be required. The study recommended that warning clauses be applied for proposed residential units and that all buildings' mechanical air systems include carbon filters and the highest rated MERV air filters. Further considering that the railway is located to the south, the locations of the air intake would have to be carefully selected and the final intake locations would need to be determined at the Site Plan Control stage. Further, the study confirmed that the vertical stacked heat pumps used for each suite would be able to accommodate the fresh air equipped with carbon activated filters directly in the units. As a result, the study confirmed that the proposed development can be compatible if all the mitigation measures identified are implemented as recommended. The draft zoning by-law accounts for needed mechanical elements on the buildings; however, more detailed mitigation requirements will need to be secured through Site Plan Control.

### **Noise and Vibration**

The applicant submitted an Environmental Noise Feasibility Study (Noise Study) and a Railway Vibration Study (Vibration Study), prepared by Valcoustics Canada Ltd., dated October 25, 2023, and revised June 26, 2024 and August 26, 2024 in support of the

proposed development. The City retained R. J. Burnside and Associates Limited, an external peer reviewer to review this study.

The Noise Study concluded that mitigation measures would be needed in addition to designating the site a Class 4 Noise Area. Recommended mitigation included: mandatory air conditioning for all units; STC rating of 54 and 45 for the exterior wall construction of the residential portions and the day care; upgraded STC ratings for windows; sound barriers for outdoor amenity areas; as well as a few other noise control measures.

The Class 4 Noise Area designation allows for higher day-time and night-time noise level limits than would otherwise be permitted in relation to a noise sensitive land use such as residential buildings. Class 4 designation permits nearby industrial buildings and major facilities to continue operating, supporting the protection of those lands for their uses. The impact of such higher noise levels is mitigated by specified noise control measures.

The City's peer reviewer agreed that the site was a candidate for Class 4 area designation but requested the noise consultant to provide sound levels confirming that Class 4 limits would be met. The noise consultant complied and, as this was addressed, the peer reviewer advised that no other outstanding items would be in the way of designating the site as a Class 4 area.

Based on the study and the peer reviewer's advice, City staff recommend the site be classified as a Class 4 Area. The draft zoning by-law accounts for needed noise control measures; however, more detailed mitigation requirements will need to be secured through Site Plan Control approval.

The Noise Study further noted that additional mitigation measures may be required once detailed design is available for review at the Site Plan Control application stage. Additionally, the Vibration Study also concluded that vibration impacts and potential mitigation measures would need to be assessed and implemented during the detailed design of the buildings at the Site Plan Control stage.

## **Holding Provision**

Section 5.1.2 of the Official Plan contemplates the use of a Holding Provision and outlines the types of conditions that may have to be satisfied prior to the removal of a Holding Provision. This report recommends the adoption of a Zoning By-law Amendment subject to a Holding Provision (H) under Section 36 of the *Planning Act*, restricting the proposed use of the lands until the specific conditions to lifting the Holding Provision, as set out in the by-law, are satisfied. Conditions to lifting the Holding Provision relate to the requirement to enter into an agreement to secure the 10 percent of the units as affordable housing requirement as set out in SASP 537. Lifting of the Holding Symbol is delegated to Executive Director, Development Review and their designates.

## **Toronto Green Standard**

The applicant is required to meet Tier 1 of the in force TGS at the time of a complete application. Performance measures for the Tier 1 development features secured through the current application include automobile infrastructure, cycling infrastructure, storage and collection of recycling and organic waste, and soil volume for tree canopy availability. The applicant is proposing 838 parking spaces that will contain electric vehicle supply equipment (EVSE) and 1,580 bicycle parking spaces of which 195 of the long term bicycle parking spaces will be equipped with energized outlets.

## **Community Services and Facilities**

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods, foundational to creating complete communities and include matters such as recreation, libraries, childcare, schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

The applicant will be required to pay the Community Benefits Charge at the building permit stage as their contributions towards community services and facilities.

## **CONCLUSION**

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Staff recommend that Council support the approval of this application and the Draft Zoning By-law Amendment to implement the proposed development, subject to the conditions identified in the recommendations of this report.

## **CONTACT**

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## **SIGNATURE**

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

## **ATTACHMENTS**

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## **City of Toronto Information/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: Site Plan Phase 1  
Attachment 8: Site Plan Phase 1 North Elevation  
Attachment 9: Site Plan Phase 1 West Elevation  
Attachment 10: Site Plan Phase 1 South Elevation  
Attachment 11: Site Plan Phase 1 East Elevation  
Attachment 12: Site Plan Phase 2  
Attachment 13: Site Plan Phase 2 North Elevation  
Attachment 14: Site Plan Phase 2 West Elevation  
Attachment 15: Site Plan Phase 2 South Elevation  
Attachment 16: Site Plan Phase 2 East Elevation  
Attachment 17: 3D Massing Model View of Applicant's Proposal Looking Southwest  
Attachment 18: 3D Massing Model View of Applicant's Proposal Looking Southeast  
Attachment 19: Affordable Rental Housing Terms and Conditions

## Attachment 1: Application Data Sheet

### APPLICATION DATA SHEET

Municipal Address: 87 Ethel Avenue Date Received: December 28, 2016

Application Number: 16 271272 WET 11 OZ

Application Type: Rezoning

Project Description: The application to amend the Zoning By-law proposes to permit the development of two mixed-use buildings with two towers each ranging from 31 to 34 storeys with 1,409 residential units and 7,243 square meters of non-residential space for the property at 87 Ethel Avenue.

Applicant	Agent	Architect	Owner
87 Ethel Avenue Holdings Inc. c/o Lorenz Schmidt 119 Westcreek Drive, Unit 2 Woodbridge, Ontario L4L 9N6	Arcadis Professional Services (Canada) Inc. c/o Bill Dalton 55 St. Clair Avenue West, 7th Floor, Toronto, Ontario M4V 2Y7	Turner Fleischer Architects 67 Lesmill Road, North York, Ontario M3B 2T8	87 Ethel Avenue Holdings Inc. c/o Lorenz Schmidt 119 Westcreek Drive, Unit 2 Woodbridge, Ontario L4L 9N6

### EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: SASP 537

Zoning: E1.0 (x285) Heritage Designation: N

Height Limit (m): 14 Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 20,422.3 Frontage (m): 362.57 Depth (m): 50

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			7,118.6	7,118.6
Residential GFA (sq m):			93,756.6	93,756.6
Non-Residential GFA (sq m):			7,243.1	7,243.1
Total GFA (sq m):			100,999.7	100,999.7
Height - Storeys:			31, 34, 31 and 34	31, 34, 31 and 34



Height - Metres:	93.05, 101.70, 93.05 and 101.70	93.05, 101.70, 93.05 and 101.70
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Lot Coverage Ratio (%)	34.86	Floor Space Index:	4.95
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	93,756.6	
Retail GFA:	1,720.2	
Office GFA:	3,960.9	
Industrial GFA:		
Institutional/Other GFA:	1,562	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			1,409	1,409
Freehold:				
Condominium:				
Other:				
Total Units:			1,409	1,409

#### Total Residential Units by Size

	Rooms	Studio	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:			813	434	162
Total Units:			813	434	162

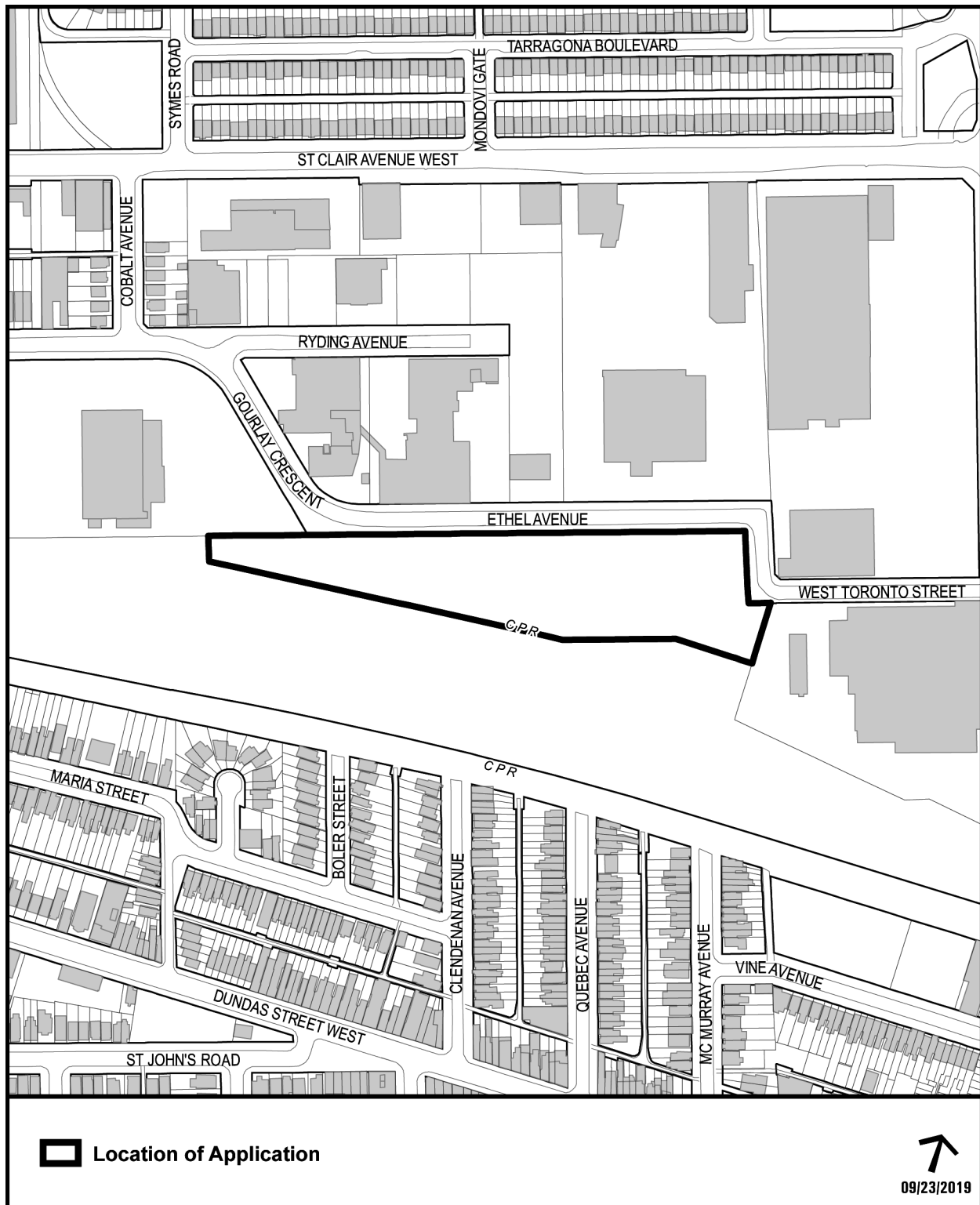
#### Parking and Loading

Parking Spaces:	947	Bicycle Parking Spaces:	1580	Loading Docks:	4
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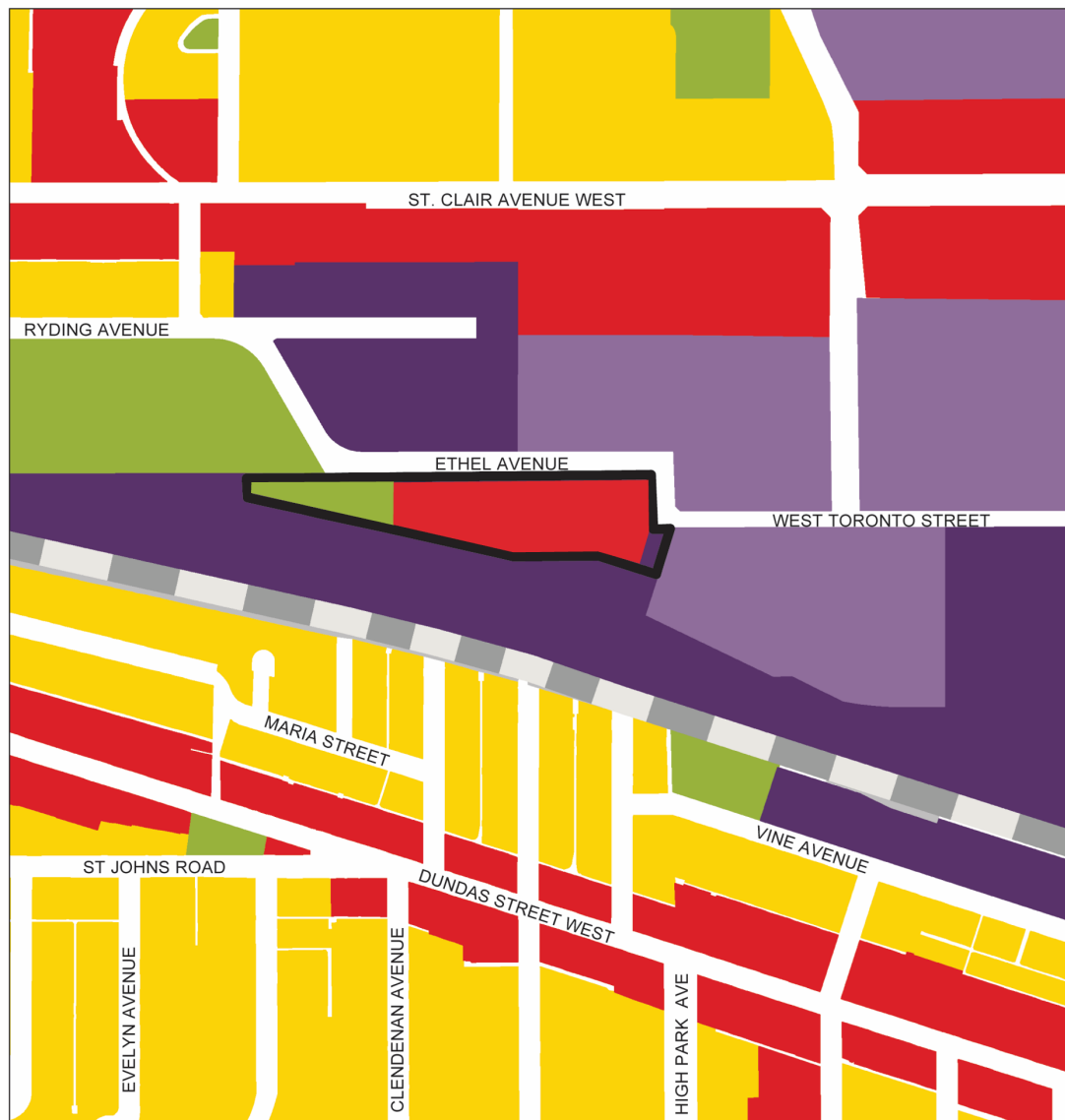
#### CONTACT:

Ali Meghani, Senior Planner  
416-394-8236  
Ali.Meghani@toronto.ca

## Attachment 2: Location Map



## Attachment 3: Official Plan Land Use Plan Map



### Official Plan Land Use Map #17

87 Ethel Avenue

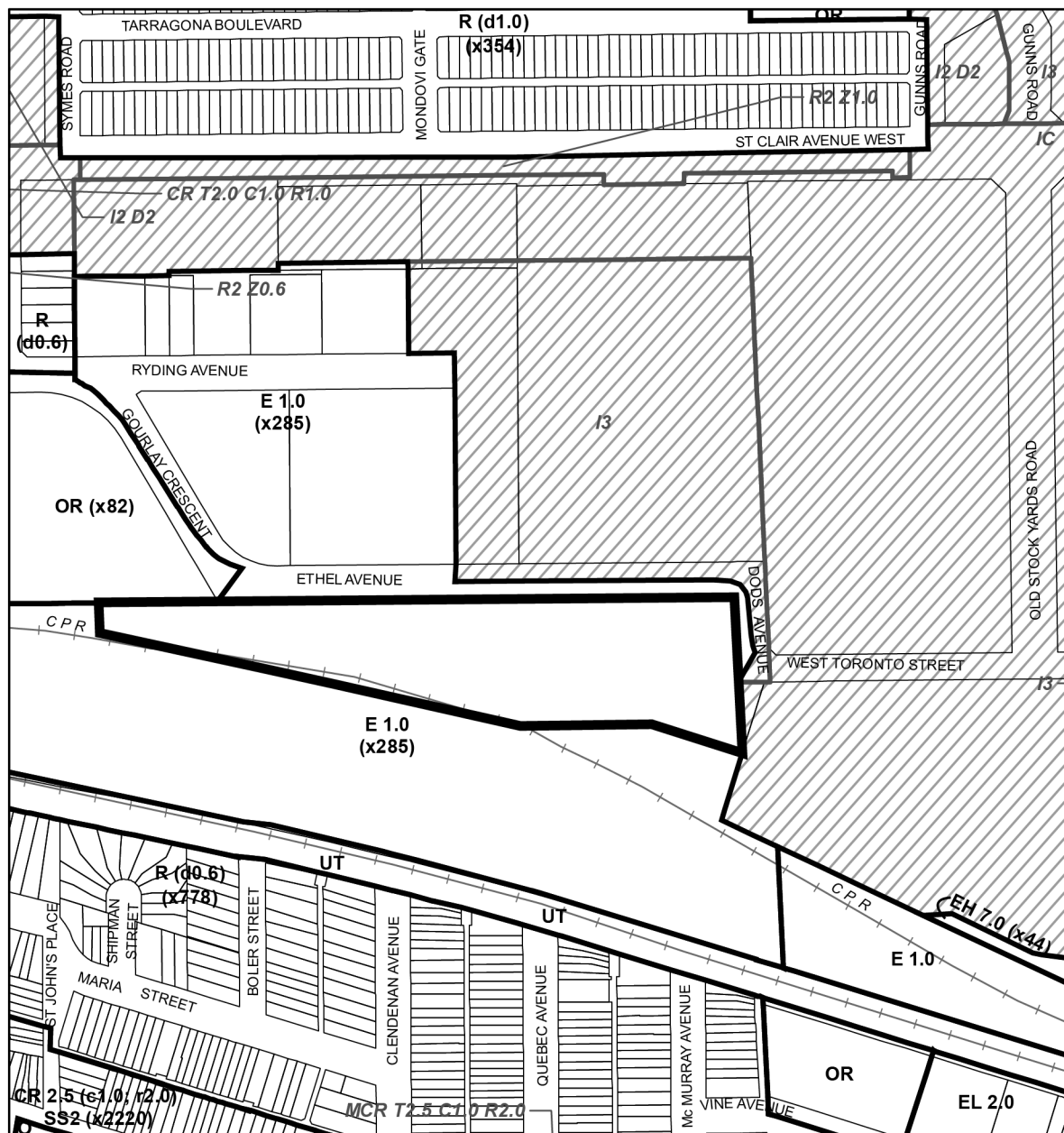
File # 16 271272 WET 11 0Z

	Location of Application		Parks & Open Space Areas		Utility Corridors
	Neighbourhoods		Parks		General Employment Areas
	Mixed Use Areas				Core Employment Areas

OPA 231 designates the lands subject to the application as Core Employment Areas and is subject to appeal with respect to the lands.  
The in-force designation of the lands subject to the application is Employment areas.

↑  
Not to Scale  
09/24/2019

## Attachment 4: Existing Zoning By-law Map



Zoning By-Law No. 569-2013

87 Ethel Avenue

File # 16 271272 WET 11 02



Location of Application

**R** Residential  
**CR** Commercial Residential  
**EL** Employment Light Industrial  
**E** Employment Industrial

**EH** Employment Heavy Industrial  
**O** Open Space  
**OR** Open Space Recreation  
**UT** Utility and Transportation



See Former City of Toronto By-Law No. 438-86

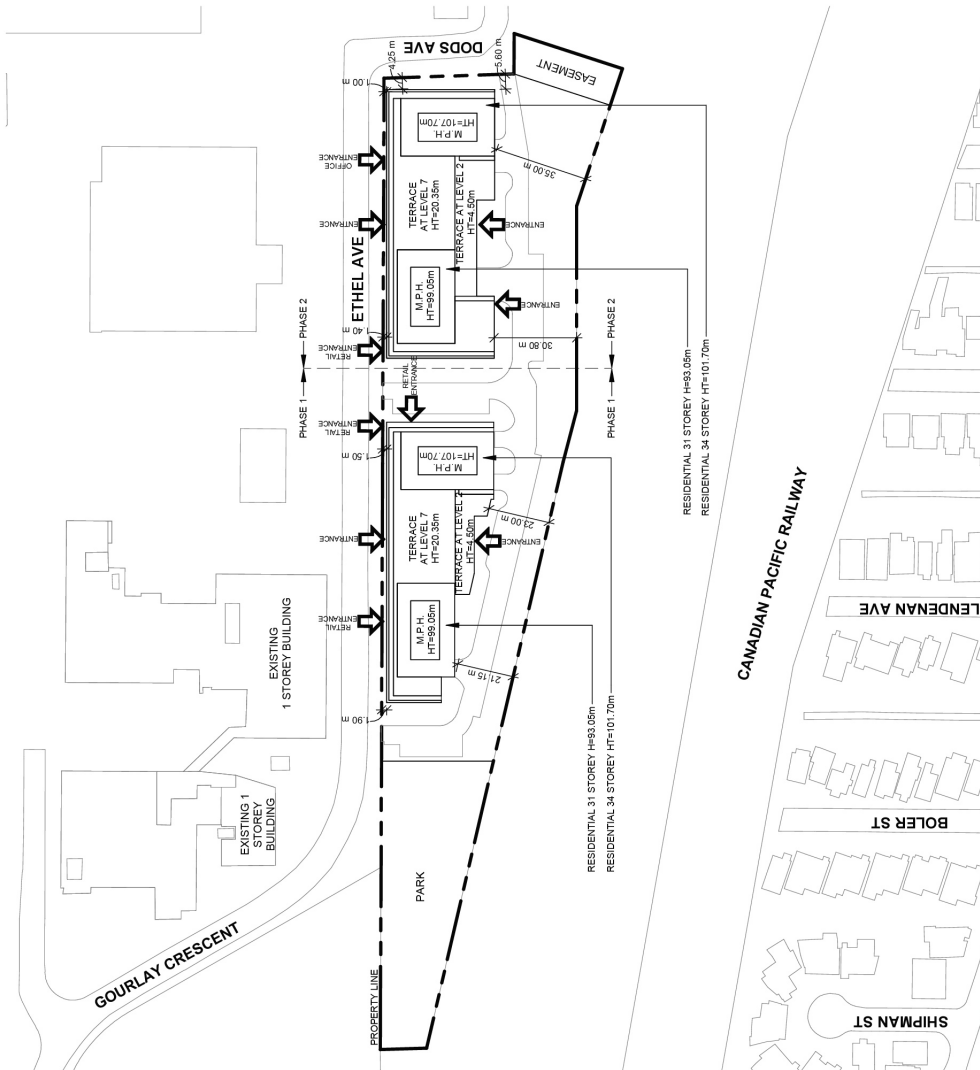
**R2** Residential District  
**CR** Mixed-Use District  
**I2** Industrial District  
**I3** Industrial District  
**IC** Industrial District



Not to Scale  
Extracted: 02/09/2017

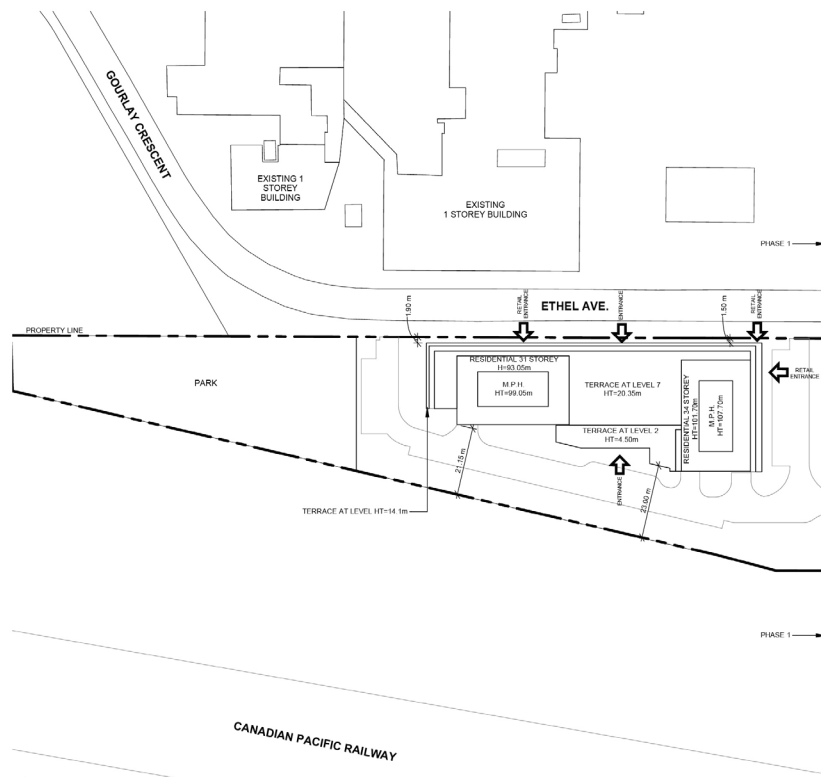
## Attachment 5: Draft Zoning By-law Amendment

Attached under separate cover.



Site Plan

## Decision Report – Approval – 87 Ethel Avenue



## Site Plan - Phase 1



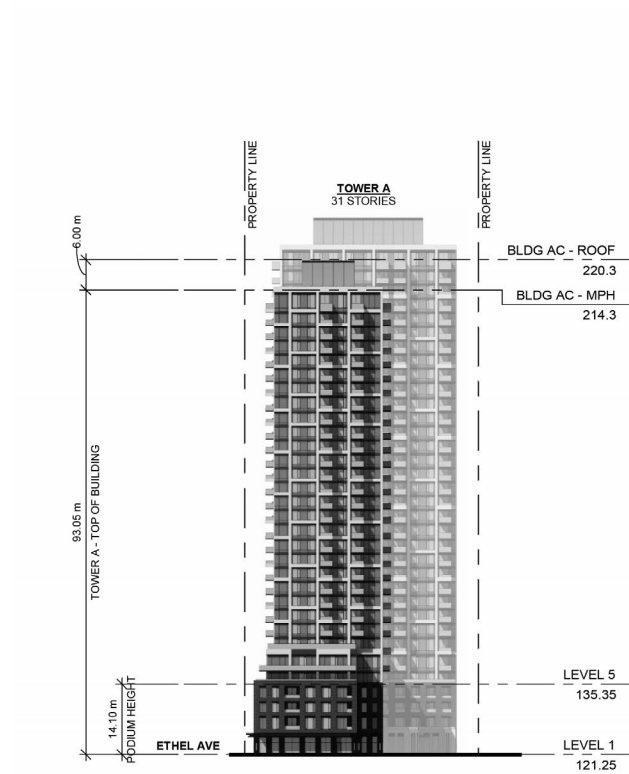
## Attachment 8: Phase 1 North Elevation



North Elevation - Phase 1

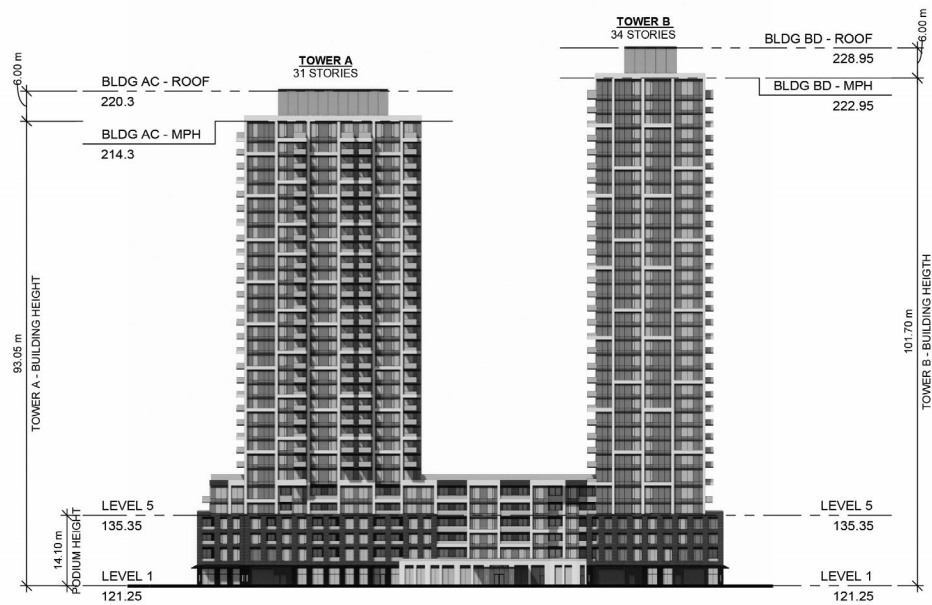


## Attachment 9: Phase 1 West Elevation



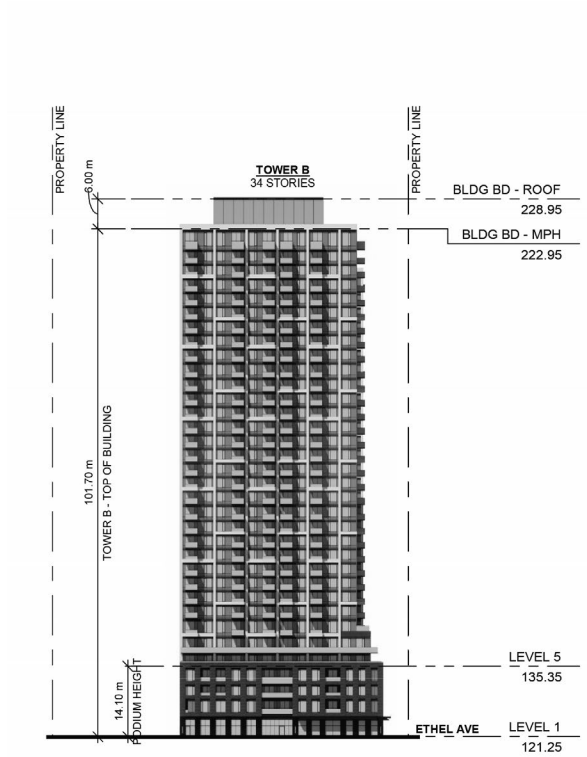
West Elevation - Phase 1

## Attachment 10: Phase 1 South Elevation



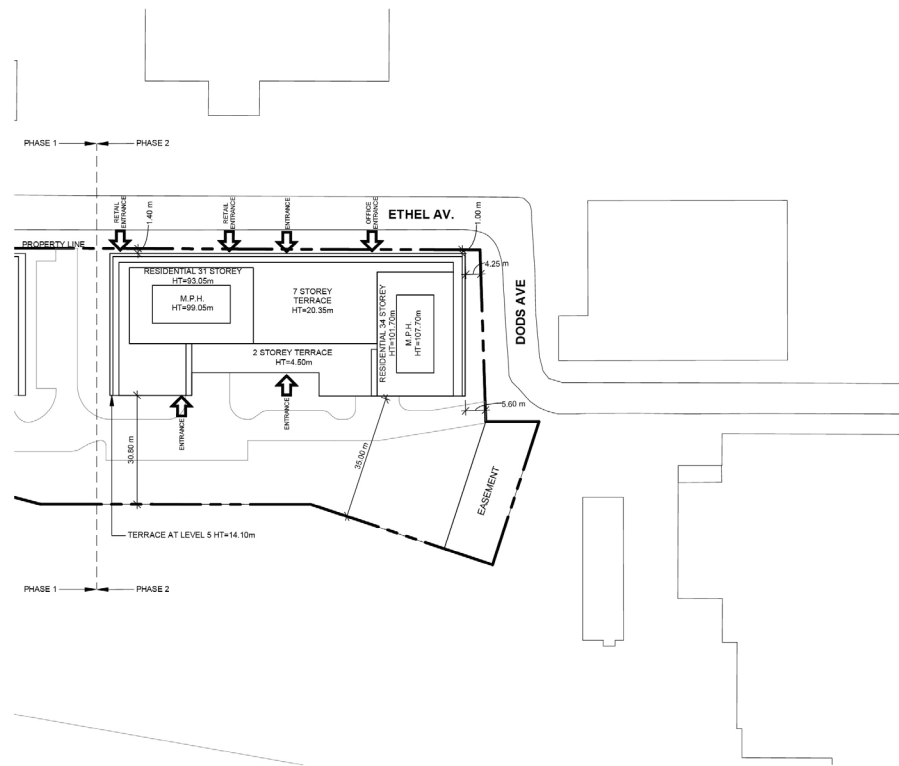
South Elevation - Phase 1

## Attachment 11: Phase 1 East Elevation



East Elevation - Phase 1

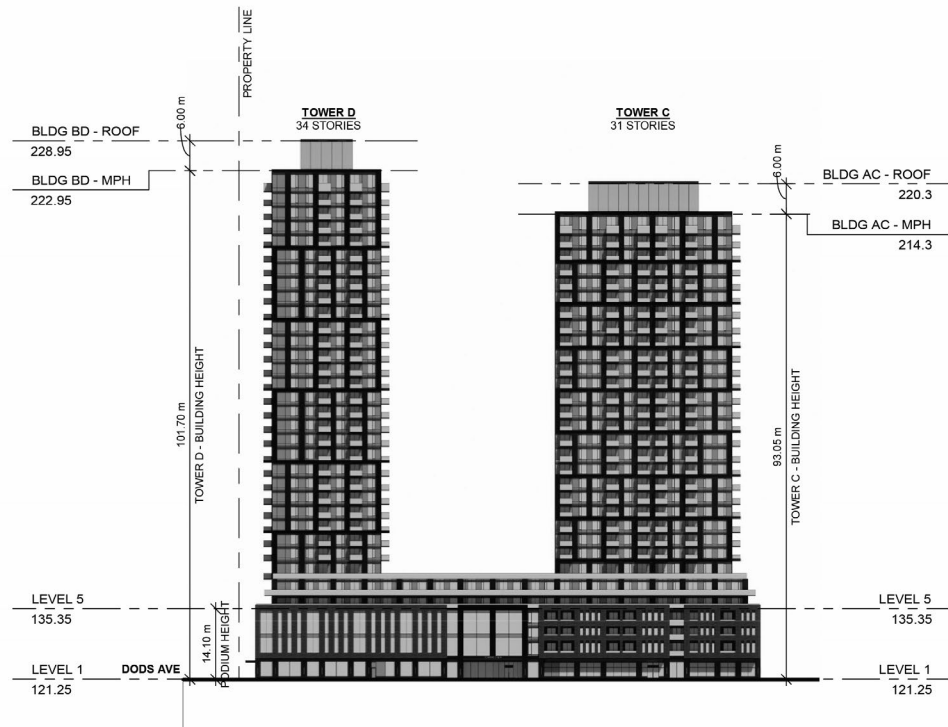
## Attachment 12: Site Plan Phase 2



Site Plan - Phase 2

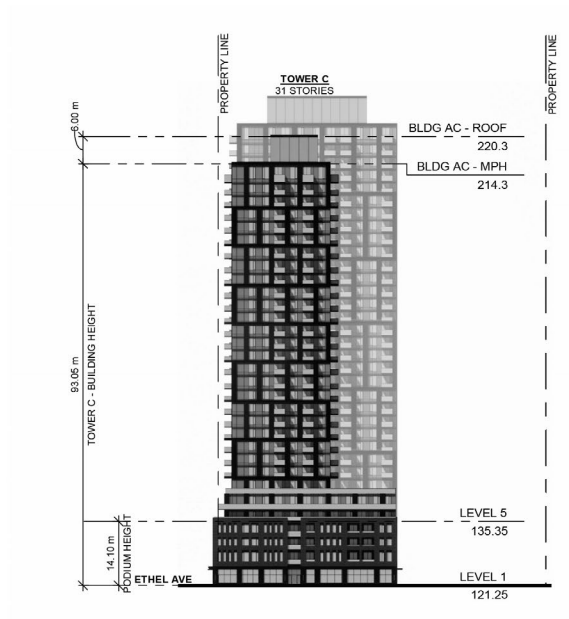


## Attachment 13: Phase 2 North Elevation



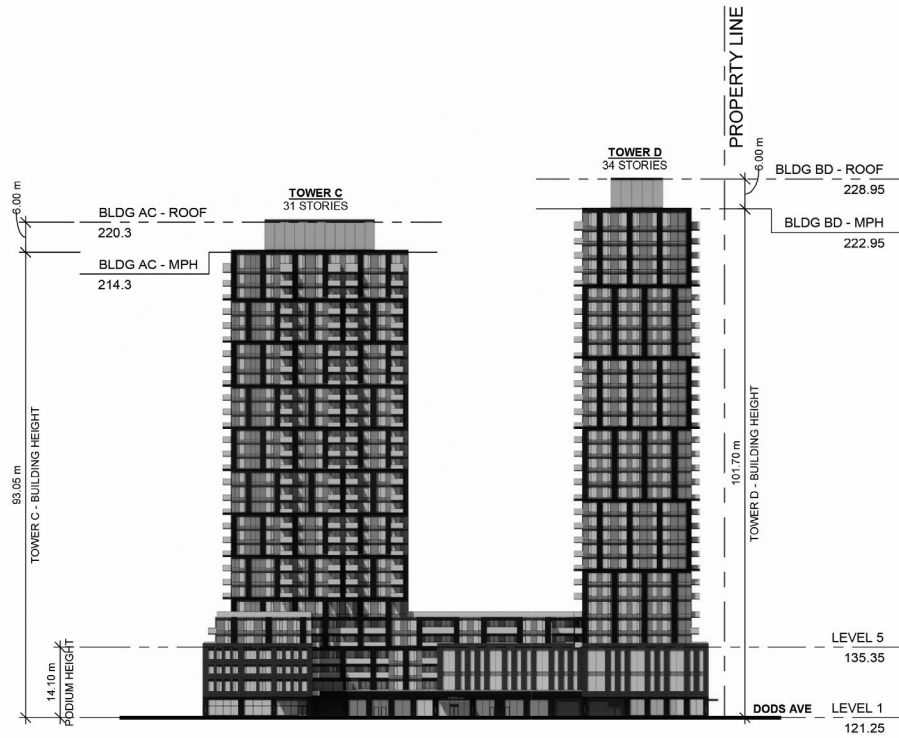
North Elevation - Phase 2

## Attachment 14: Phase 2 West Elevation



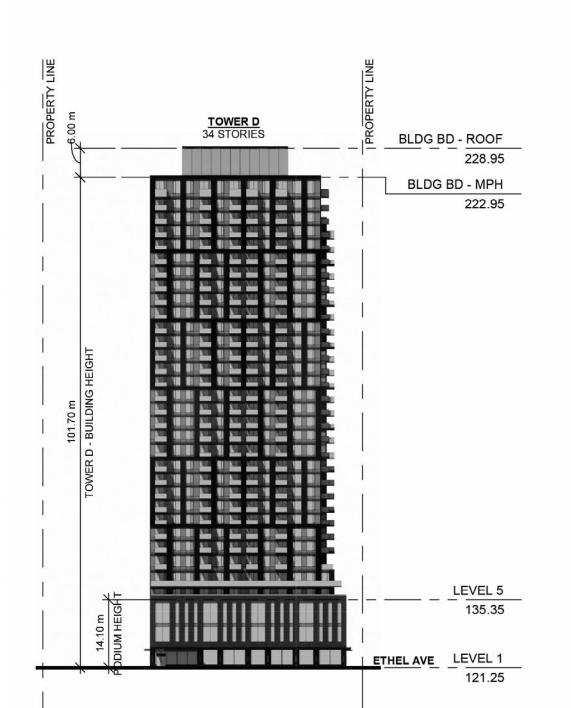
West Elevation - Phase 1

## Attachment 15: Phase 2 South Elevation



South Elevation - Phase 2

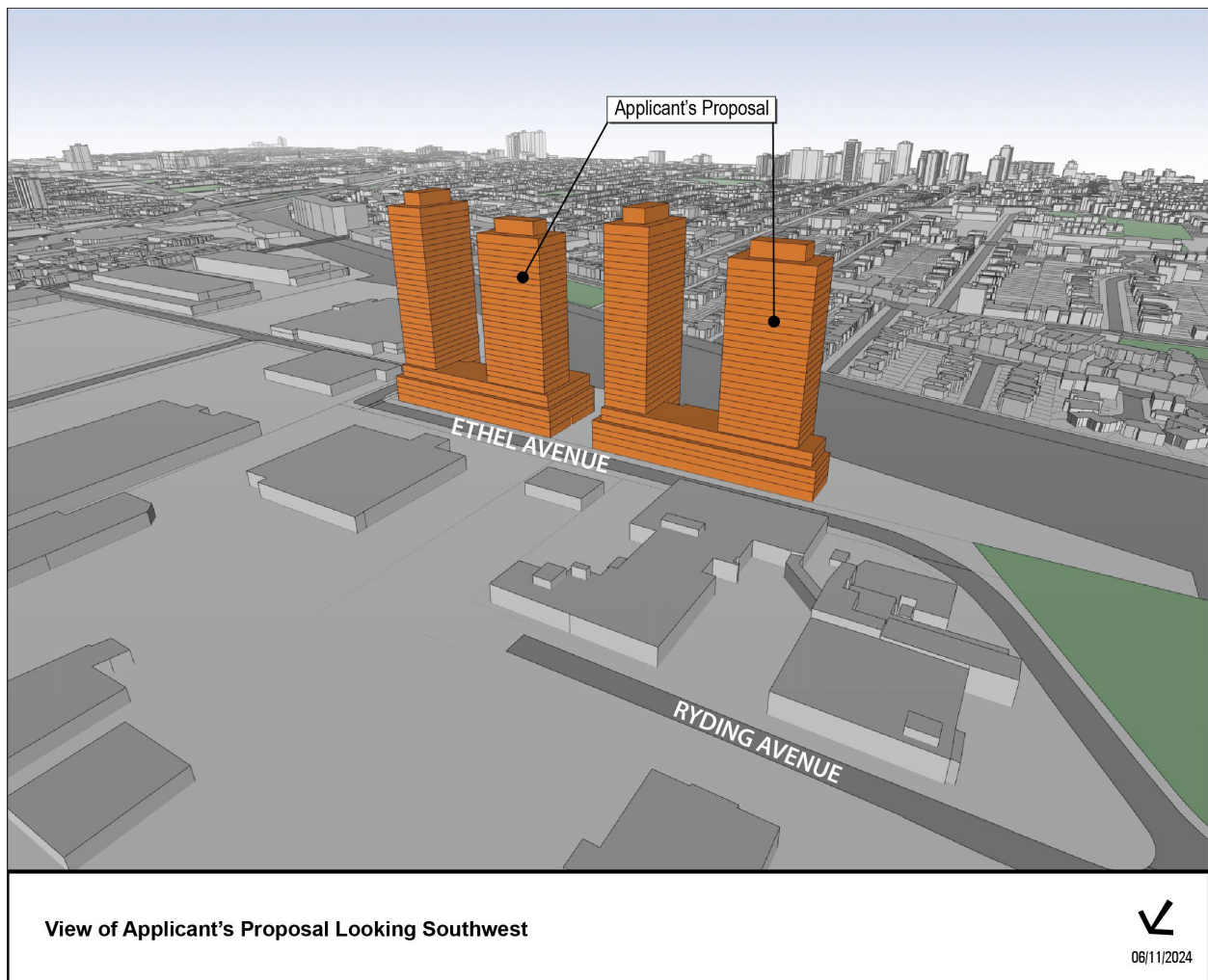
## Attachment 16: Phase 2 East Elevation



East Elevation - Phase 1



## Attachment 17: 3D Massing Model View of Applicant's Proposal Looking Southwest



## Attachment 18: 3D Massing Model View of Applicant's Proposal Looking Southeast



## Attachment 19: Affordable Rental Housing Terms and Conditions

Attached under separate cover.