

**361 The West Mall and 24 Eva Road –
Zoning Amendment Application - Preliminary Report**

Date:	July 27, 2010
To:	Etobicoke York Community Council
From:	Director, Community Planning, Etobicoke York District
Wards:	Ward 3 – Etobicoke Centre
Reference Number:	10 217719 WET 03 OZ

SUMMARY

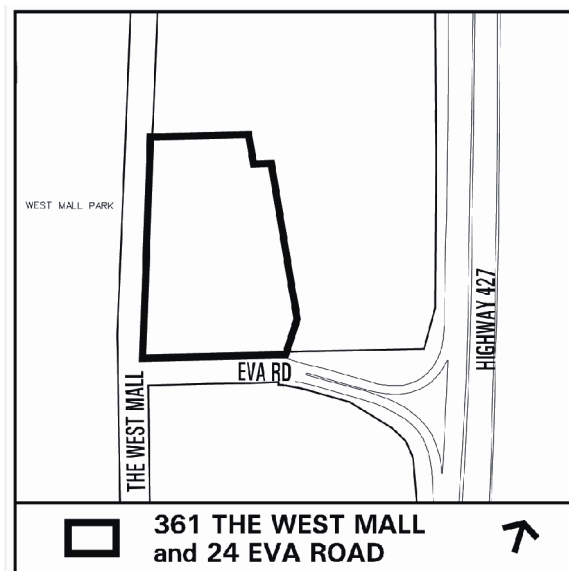
This application is subject to the new provisions of the Planning Act and the City of Toronto Act, 2006.

This application proposes to permit the development, at 361 The West Mall and 24 Eva Road, of two 23-storey residential high-rise towers fronting on The West Mall joined by a 3-storey base plus a 5-storey mid-rise building fronting on an approved but as yet unbuilt public road abutting the eastern side of the property. The two existing 18-storey residential apartment buildings and one-storey covered parking garage will be retained.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

Planning staff propose to host a Community Consultation meeting by the end of 2010 to allow the applicant to present the project and to receive comment from the public.

Provided the applicant provides all required information in a timely manner, staff estimate that a Final Report on the application can be completed by mid-2011.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 361 The West Mall and 24 Eva Road, together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations under the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

On May 27, 2009 City Council enacted Zoning By-law 600-2009. This by-law permits a four tower, 81,440 square metres condominium apartment development to be built on the property abutting the site to the east (2-6 Eva Road). (Attachment 5)

<http://www.toronto.ca/legdocs/mmis/2009/ey/bgrd/backgroundfile-18537.pdf>

On August 6, 2009, City Council enacted an Official Plan Amendment to add a new public road connecting Eva Road and Civic Centre Court. The road would be located along the eastern boundary of the subject site, between it and 2-6 Eva Road. (Attachment 2) The road would require land dedication from both abutting property owners.

The OPA was appealed to the Ontario Municipal Board by the owners of the subject site, as they were of the opinion that the road's location should be shifted 5 metres to the east to allow sufficient room for development on their site fronting on this road. This issue was subsequently resolved through a settlement among the City and the neighbouring land owners and approved by the OMB on November 5, 2009 (OMB Case No. 090525).

It should be noted that, in the Minutes of Settlement entered into by the City and the owners of the two abutting properties and submitted to the OMB, resolving this issue, the owners of 2-6 Eva Road agreed "not to oppose any Development Application...to be applied for by West Mall Investments Group...that [is] reasonably required to permit...the construction of two additional condominium apartment buildings [at 361 The West Mall and 24 Eva Road]..."

<http://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/backgroundfile-21279.pdf>

Pre-Application Consultation

A number of pre-application consultation meetings have been held since 2008 with the applicant to discuss the proposed concept and to identify complete application submission requirements.

An earlier version of the proposal included two 26-storey apartment buildings fronting on The West Mall with no building fronting on the new north-south road on the east side of the property. Planning staff indicated concern with the proposed heights, accesses, lack of a base for the high-rise buildings along The West Mall, these buildings' relationship to The West Mall, the implications of the retention of the one-storey covered parking garage for site organization and the lack of any development facing the new road.

ISSUE BACKGROUND

Proposal

The applicant proposes to construct three new condominium apartment buildings on the site while retaining the two existing 18-storey (48.3 metre with 3 metre mechanical penthouse) rental apartment buildings and one-storey covered parking garage. The parking garage is a significant feature of 6,170 square metres (0.4 hectares) which occupies all of the central portion of the site between the two towers.(Attachments 2 and 4)

The two new towers would front on The West Mall, one at the corner of Eva Road and the other to the north and they would be connected by a 3-storey podium. Both towers would be 23-storeys (71 metres) high (including the podium but excluding the 5.5 metre mechanical penthouse). The third, 5-storey (15.8 metre plus 6.4 metre mechanical penthouse) building would front on the new north-south road toward the north end of the site. (Attachment 3)

The two existing towers contain 281 rental units and 30,602 square metres gross floor area for an existing density of 1.31 FSI. They each have a floor plate of 820 square metres.

The two new high-rise towers would contain 430 condominium units and 39,610 square metres Gross Floor Area. They would each have a floor plate of 806 square metres and be connected on the first three levels by a podium along The West Mall. The new mid-rise building on the new road would contain 65 condominium units and 6,564 square metres Gross Floor Area.

In total, when all three phases are completed, the site would support 776 units, 75,669 square metres GFA and the site density would be 3.36 FSI.

The project would be constructed in three phases. The northernmost tower on The West Mall would be constructed first, the tower on the corner of The West Mall and Eva Road next and the 5-storey building on the new road last.

The new north-south road may not be opened for some time as its completion depends on the Toronto District School Board property to the north being redeveloped with a land dedication for the continuation of the road through to Civic Centre Court. However, the last phase of this project would not necessarily have to wait until the new north-south road is constructed as it may be possible to provide access through interim driveways and walkways.

Access to parking for both the new and existing high-rise towers would be from The West Mall, using the existing driveway at the north end of the site. Drop-off and pick-up access for the northerly rental building would remain the same, from The West Mall. Pick-up and drop-off facilities for both new towers and the southerly rental building would be accessed from Eva Road, as would servicing. Access for the 5-storey building would be from the new road. (Attachment 2)

Four levels of underground parking are proposed with 607 spaces for the new condominium units. The existing 353 spaces for the rental units would be maintained in existing above and below ground garages. 250 bicycle parking spaces (50 at grade and 200 underground) would be provided as per the Toronto Green Standard, although this quantity would not meet the requirements of the proposed City-wide zoning by-law.

The roof of the existing one-storey covered parking garage would become a green roof. (The phasing of the installation of the green roof will be clarified in the review process.) The roofs of the 3-storey podium and portions of the 5-storey Phase 3 building would also be green. Some outdoor amenity space would also be provided at grade. Indoor amenity space is planned at the rate of 2.14 square metres per unit. Outdoor amenity space would be provided at the rate of 1.43 square metres per unit. The applicant indicates that some of the new indoor and outdoor amenity space may be provided for use of the residents of the rental component of the project

Site and Surrounding Area

The site is located at the northeast corner of Eva Road and The West Mall. It is 2.2 hectares in size and generally rectangular. The topography of the area is flat. Access to the property is from Eva Road for the existing southernmost building (24 Eva Road) and from The West Mall for the existing northerly building (361 The West Mall) (Attachment 1).

The surrounding uses are as follows:

North: A small 5-storey (total) office building above a 2-storey commercial structure. A Toronto District School Board office in a 4-storey concrete building is to the northeast. Both buildings are accompanied by surface parking areas.

South: The Eva Road on and off-ramps to and from Highway 427, with 5-storey apartment buildings on the south side of Eva Road.

East: A low-rise office development which is to be demolished to make way for an approved four tower condominium apartment development. A new north-south City road will eventually separate the two properties. On the east side of the office property is Highway 427, which is 16 lanes wide at this point.

West: The West Mall, a four-lane arterial road. Across The West Mall is Dennis Flynn Park and past the park are low-rise, low-density detached homes.

The site is in the Highway 427 corridor which is generally characterized by mid and high-rise residential and office buildings. The corridor extends from Dundas Street West to Eglinton Avenue West between The East Mall and The West Mall.

In the last two years, Council has approved zoning for three proposed residential condominium projects in the Highway 427 corridor. No. 2 Holiday Drive (3 blocks north of the development site) proposes four towers of 24, 24, 21 and 19 storeys and approximately 900 units. No. 1 Valhalla Inn Road (directly across Highway 427) proposes approximately 900 units in three buildings of 22, 30 and 35 storeys on the west side of the site along Highway 427 and 3-storey townhouse units on the east side of the site. Nos. 2-6 Eva Road, adjoining the site to the east, is described above.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The property is located in a *Mixed Use Areas* designation under the Official Plan. Residential development of the type proposed is permitted under the *Mixed Use Areas* designation. Staff will review the proposed development for consistency with the Official Plan including development criteria in the *Mixed Use Areas* designation, built-form policies and other relevant policies.

Zoning

The site is zoned R4 – Special (Residential 4 Special) under three site-specific Zoning By-laws 716, 813 and 1683. These by-laws describe and permit the existing buildings only. By-law 813 specifies that at least 70% of the site must be landscaped.

Site Plan Control

The project is subject to Site Plan Control. An application has not yet been submitted.

Tree Preservation

The applicant has submitted an Arborist Report. 46 private trees which are protected by City tree by-laws would require removal as they are located in the area to be developed. 19 trees would be protected. Forestry staff will evaluate the proposal and the necessary applications for tree removal permits.

Reasons for the Application

The site specific zoning does not permit any development other than the existing structures. The site must be rezoned to permit any additional development, including this proposal.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Boundary and Topographic Plan of Survey
- Context Plan
- Site Plan and Data Block
- Floor Plans and Elevations
- Underground Garage Plans
- Perspectives
- Sun/Shadow Study
- Landscape Plans
- Arborist / Tree Preservation Report and Plan
- Planning Justification Report
- Rental Housing Screening Form
- Toronto Green Standard Statistics Template
- Community Services and Facilities Study
- Traffic Impact Study
- Environmental Noise Feasibility Study
- Functional Servicing Report

A Notification of Incomplete Application issued on July 19, 2010 identified the outstanding material required for a complete application submission as follows:

- Pedestrian Level Wind Study (to be submitted after the configuration of the development has received further review)
- Toronto Green Standard Checklist (not filled in)

Issues to be Resolved

Community Planning staff have reviewed the submission and have circulated the plans and studies to other City divisions and agencies. Staff will continue to review and discuss with the applicant the issues as summarized below, plus any others that may be identified through further review, agency comments and the community consultation process.

Access, Roads, Traffic and Parking

Impacts on the existing road network, parking supply and demand generated by the new development and the appropriateness of the proposed accesses will be evaluated and mitigation measures or changes to the proposal, if necessary, discussed with the applicant.

Staff will recommend that the applicant be required to dedicate land for the new north-south road as a condition of approval of the rezoning application. In addition, staff will review the necessity of imposing an “H” Holding Symbol on the Phase 3 lands pending resolution of any traffic and access issues, similar to the “H” Holding Symbol placed on Phase 2 of the approved development at 2-6 Eva Road.

Height and Density

Community Planning staff will review and evaluate the proposal for consistency with Official Plan policies, the Design Criteria for Mid-Rise Building Guidelines and the Tall Building Guidelines in order to assess the appropriateness of the proposed height, density and built form for the site.

During pre-application consultation, staff advised the applicant that the proposed maximum building heights for the two high-rise buildings (71 metres) did not provide an appropriate transition from the existing rental towers (48.3 metres) to the park and low-rise, low-density housing located across The West Mall. Although the heights have been reduced by 3 stories, this concern remains. It will be discussed with the applicant and a resolution sought.

Staff will continue to assess the impacts of the density, heights, building configuration and site layout on the pedestrian environment, streetscape, light, view, privacy and the creation of shadows on parks and residential areas, existing and proposed, including the existing rental towers on the site. The implications of the retention of the existing single storey parking garage on site organization will also be reviewed.

The location of the 5-storey building on the new road and its relationship to access and servicing ramps will be reviewed to ensure an appropriate urban condition for this new street.

The proposal will also be evaluated on how it addresses and contributes to the evolving built form in the Highway 427 corridor between Dundas Street West and Rathburn Road.

The adequacy of landscaped and outdoor amenity space and measures to ensure its maximum usefulness will be reviewed.

Infrastructure

The applicant has submitted a Functional Servicing Report which includes material on Stormwater Management. City staff will review this study to ensure that there is adequate water and sewer capacity to support the proposed development and that Wet Weather flows will be managed in keeping with the City's policies.

Community Facilities

The applicant has provided an analysis of existing community services and facilities. Staff will review this report to determine the adequacy of local services and make recommendations on how any deficiencies can be corrected.

Solid Waste Collection

Planning and Development Engineering staff will review how solid waste and recyclables will be stored and picked up to ensure a practical, well-designed and visually appealing arrangement is provided.

Noise

The applicant has submitted an Environmental Noise Feasibility Study. Staff will review this material to ensure its recommendations for achieving acceptable indoor and outdoor noise levels are included in the project

Section 37 / Rental Protection

The Official Plan contains policies pertaining to the provision of public benefits should Council grant increased height and density for new development, pursuant to Section 37 of the Planning Act. Planning staff will discuss with the applicant and the local councillor how these policies will be applied and identify possible community benefits. Measures to preserve the existing affordable and mid-range rental housing stock will be included in the Section 37 benefits. Needed improvements and renovations to the existing rental housing stock, without pass-through of costs to the tenants, will also be considered as part of the benefits to be derived from this proposal.

Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are geared to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and supports green industry.

The TGS Checklist will be submitted by the applicant and will be reviewed by City staff for compliance with the Tier 1 performance measures.

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

CONTACT

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SIGNATURE

Gregg Lintern, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

Attachment 1: Context Plan

Attachment 2: Site Plan

Attachment 3A: West Elevations

Attachment 3B: East Elevations

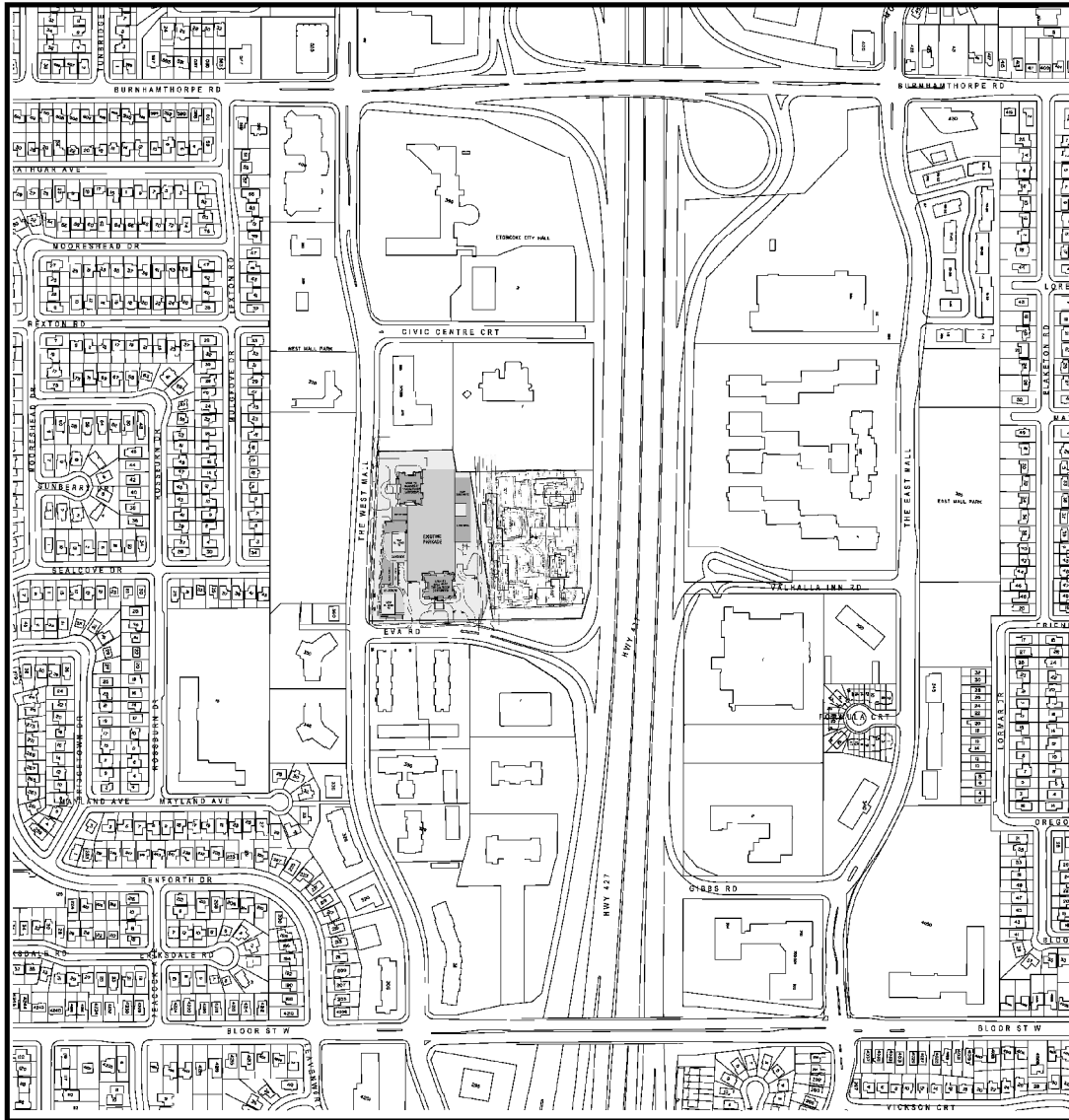
Attachment 4: Perspective Drawing

Attachment 5: Proposed Development – 2-6 Eva Road

Attachment 6: Zoning

Attachment 7: Application Data Sheet

Attachment 1: Context Plan



Context Map

Not to Scale

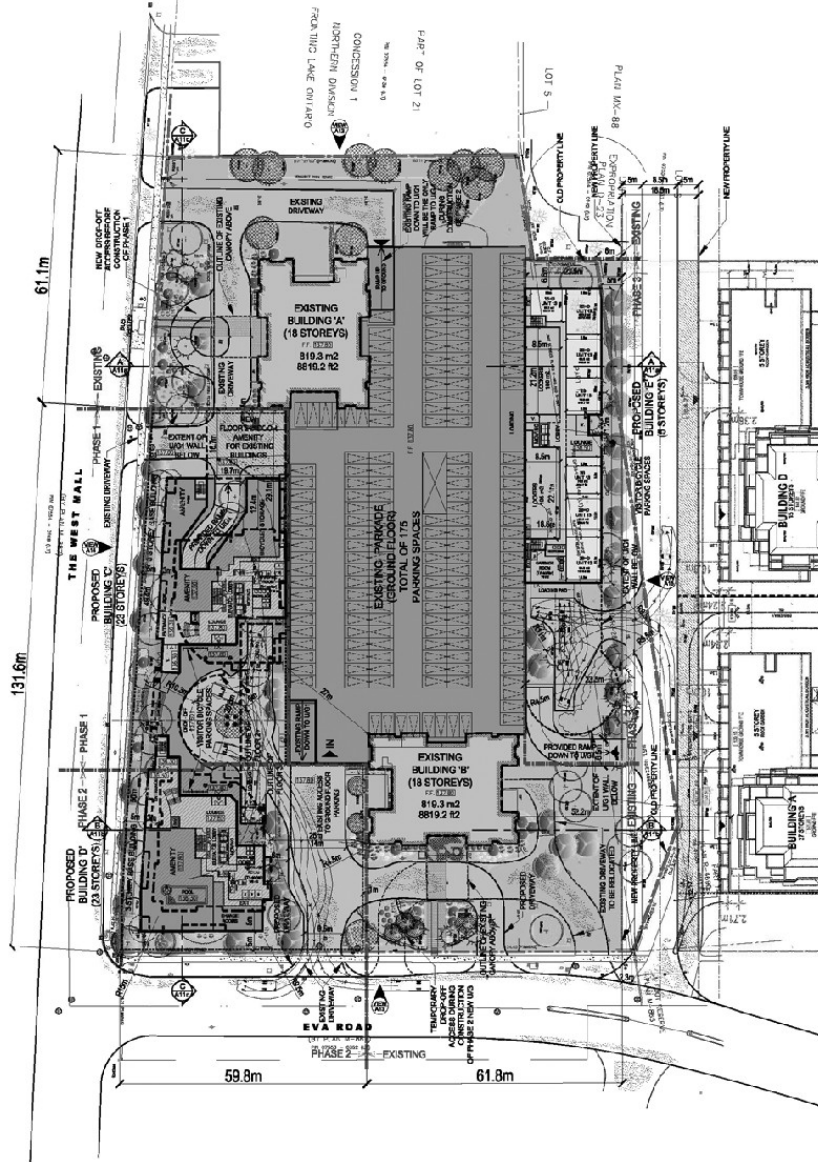
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361 The West Mall & 24 Eva Road

File # 10_217719

Attachment 2: Site Plan



361 The West Mall & 24 Eva Road

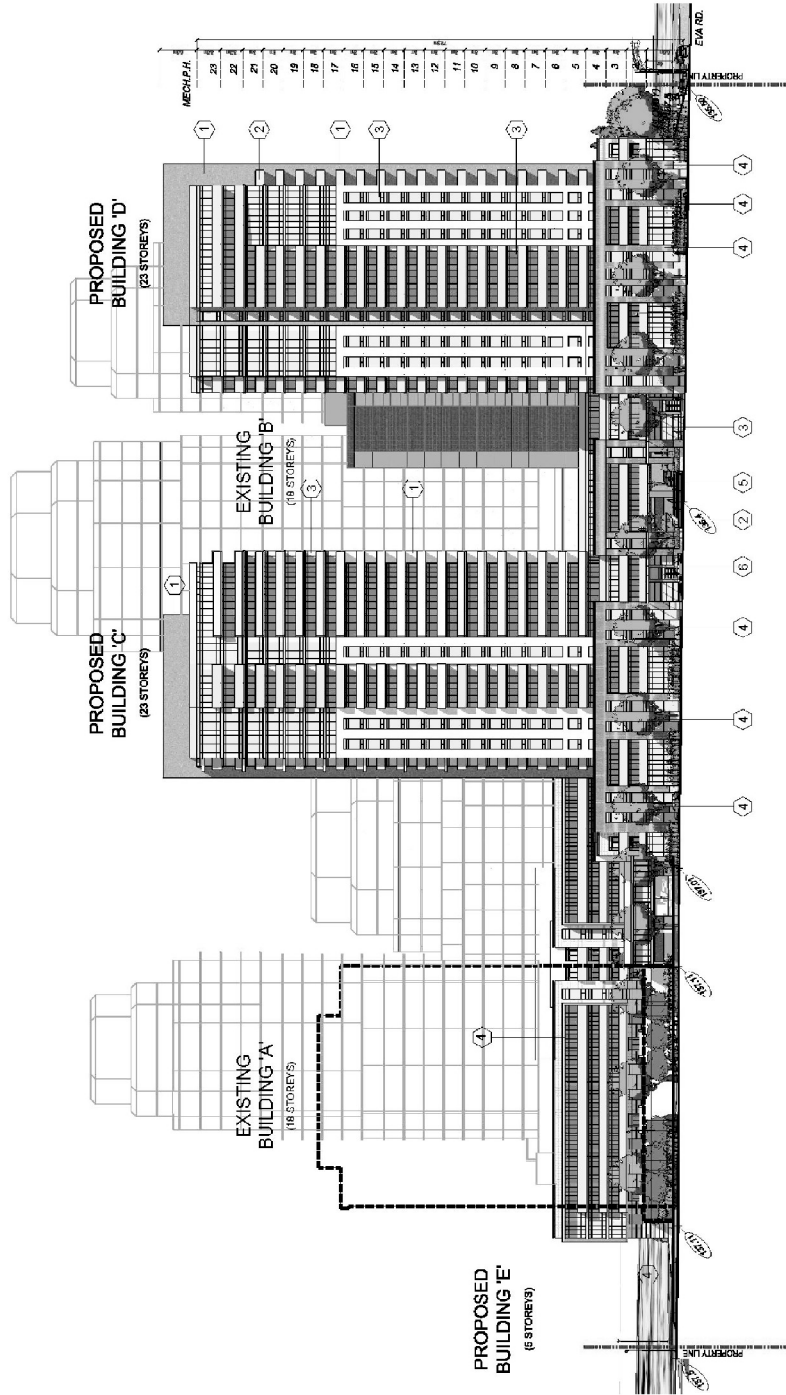
Site Plan

Applicant's Submitted Drawing

Not to Scale
07/26/2010

File # 10_217719

Attachment 3A: West Elevation



West Elevation

Applicant's Submitted Drawing

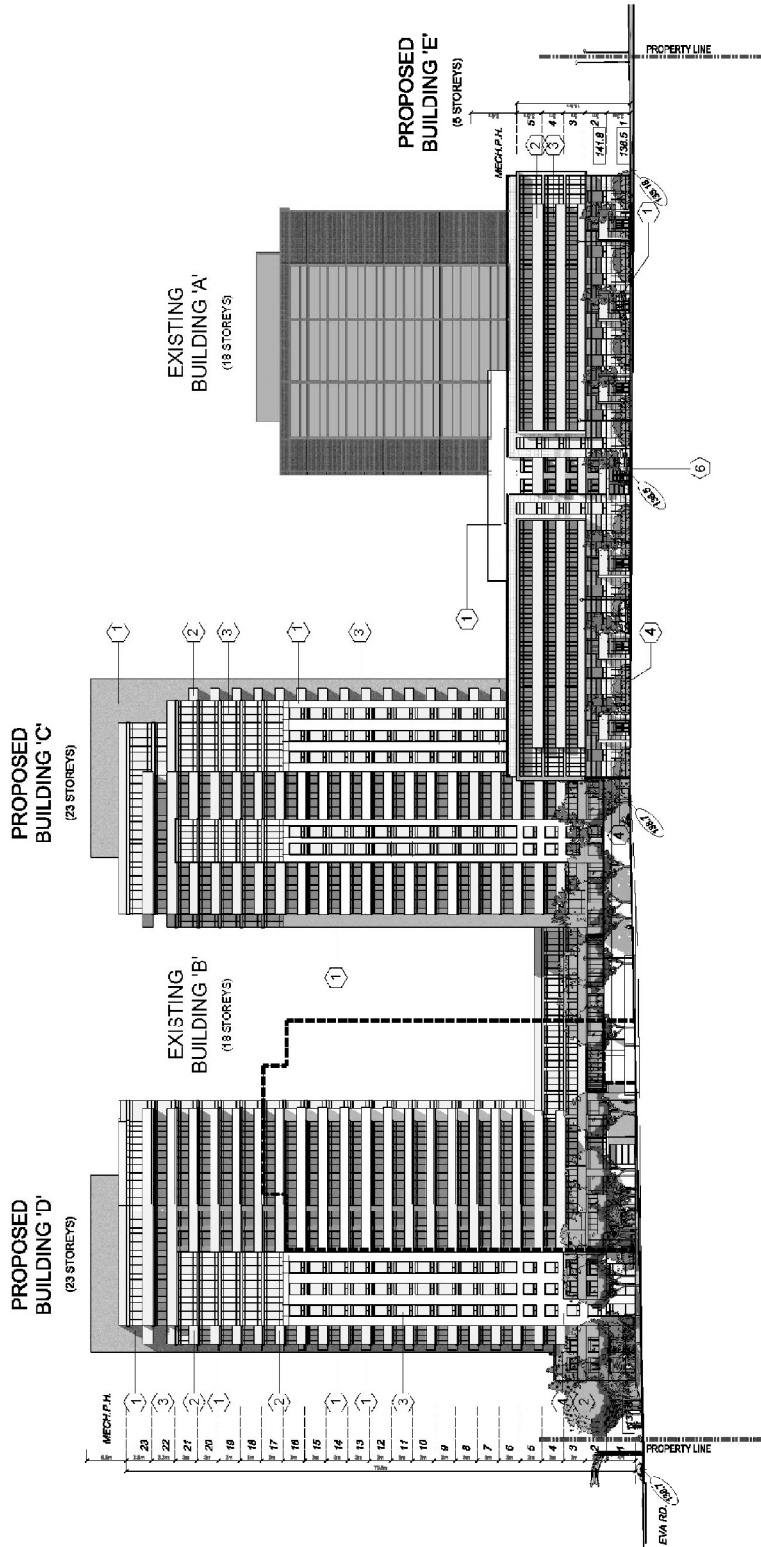
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361 The West Mall & 24 Eva Road

File # 10_217719

Attachment 3B: East Elevation



361 The West Mall & 24 Eva Road

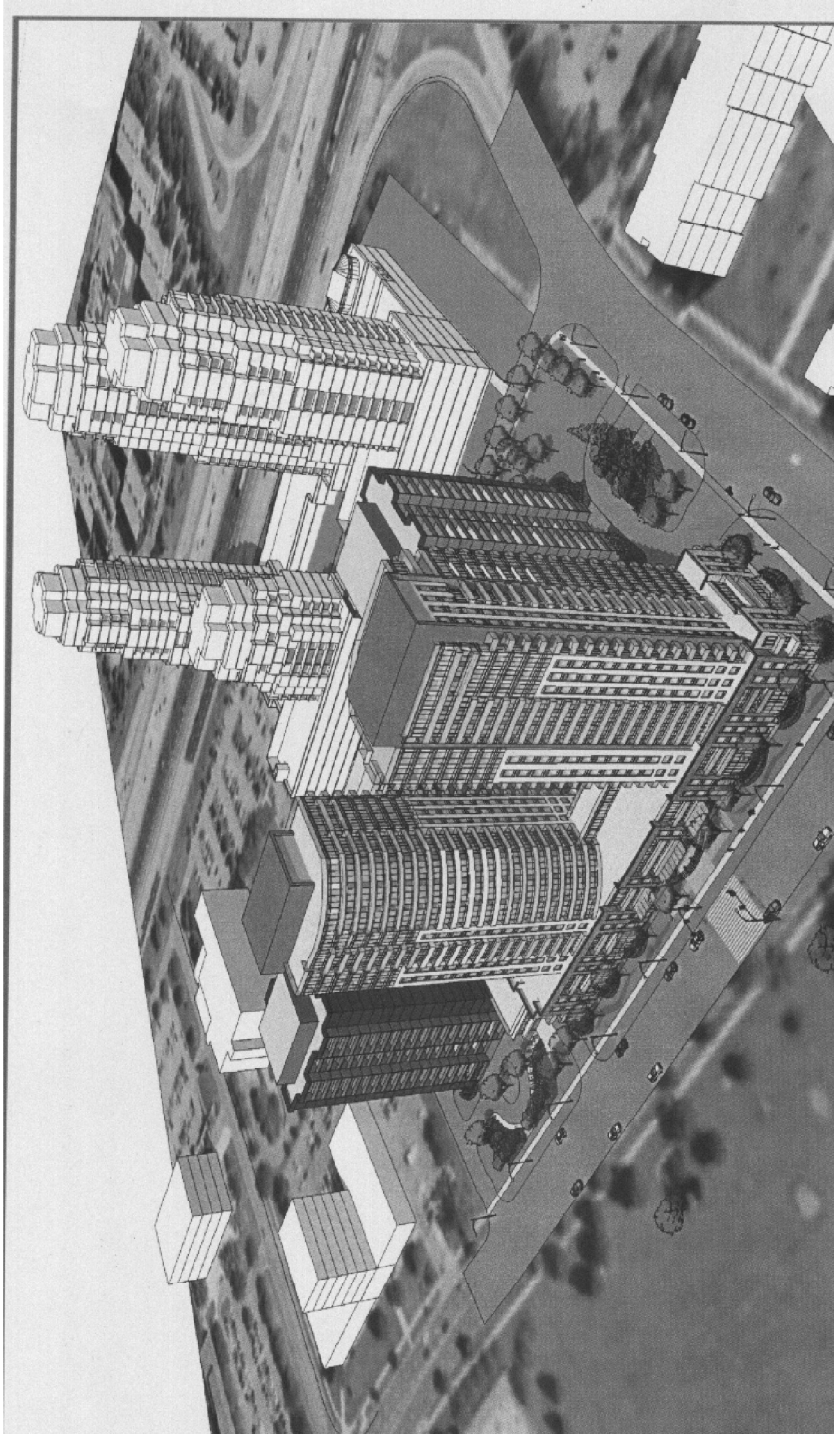
East Elevation

Applicant's Submitted Drawing

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07/27/2010

File # 10_217719

Attachment 4: Perspective Drawing



AERIAL VIEW FROM SOUTHWEST

361 The West Mall & 24 Eva Road

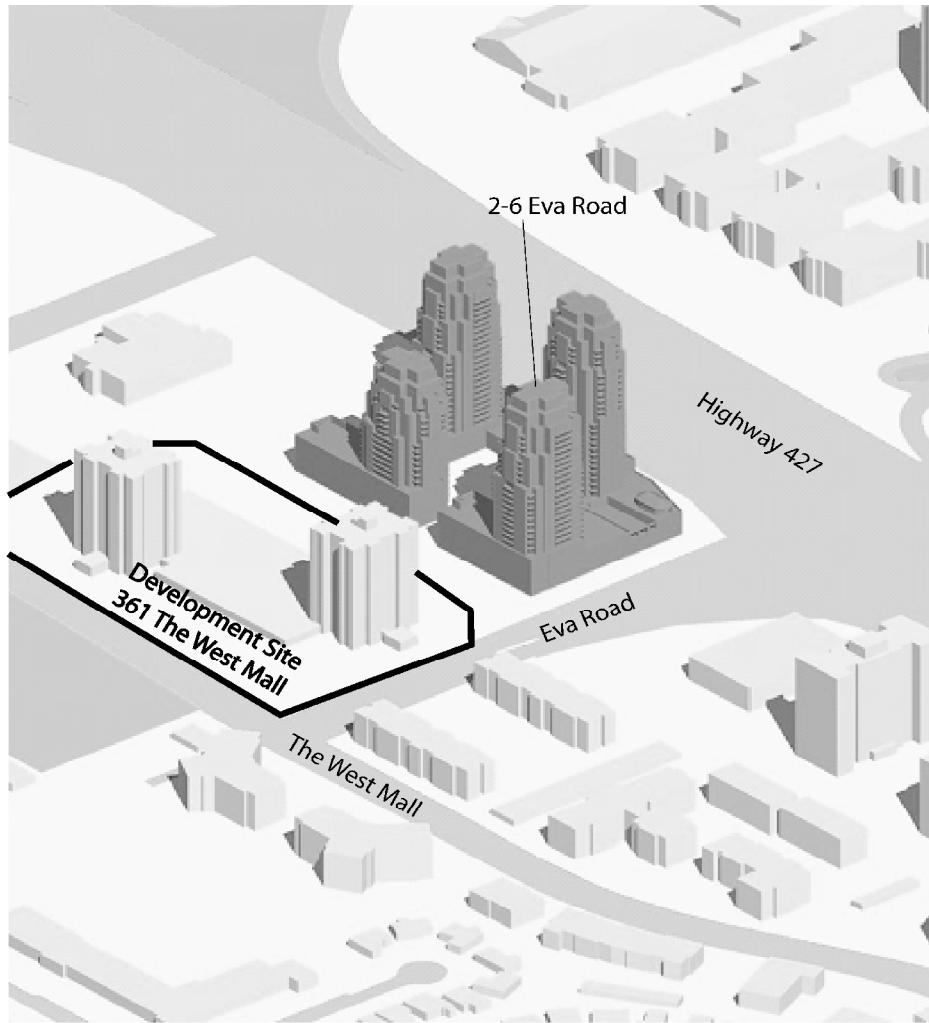
Aerial View

Applicant's Submitted Drawing

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File # 10_217719

Attachment 5: Proposed Development – 2-6 Eva Road



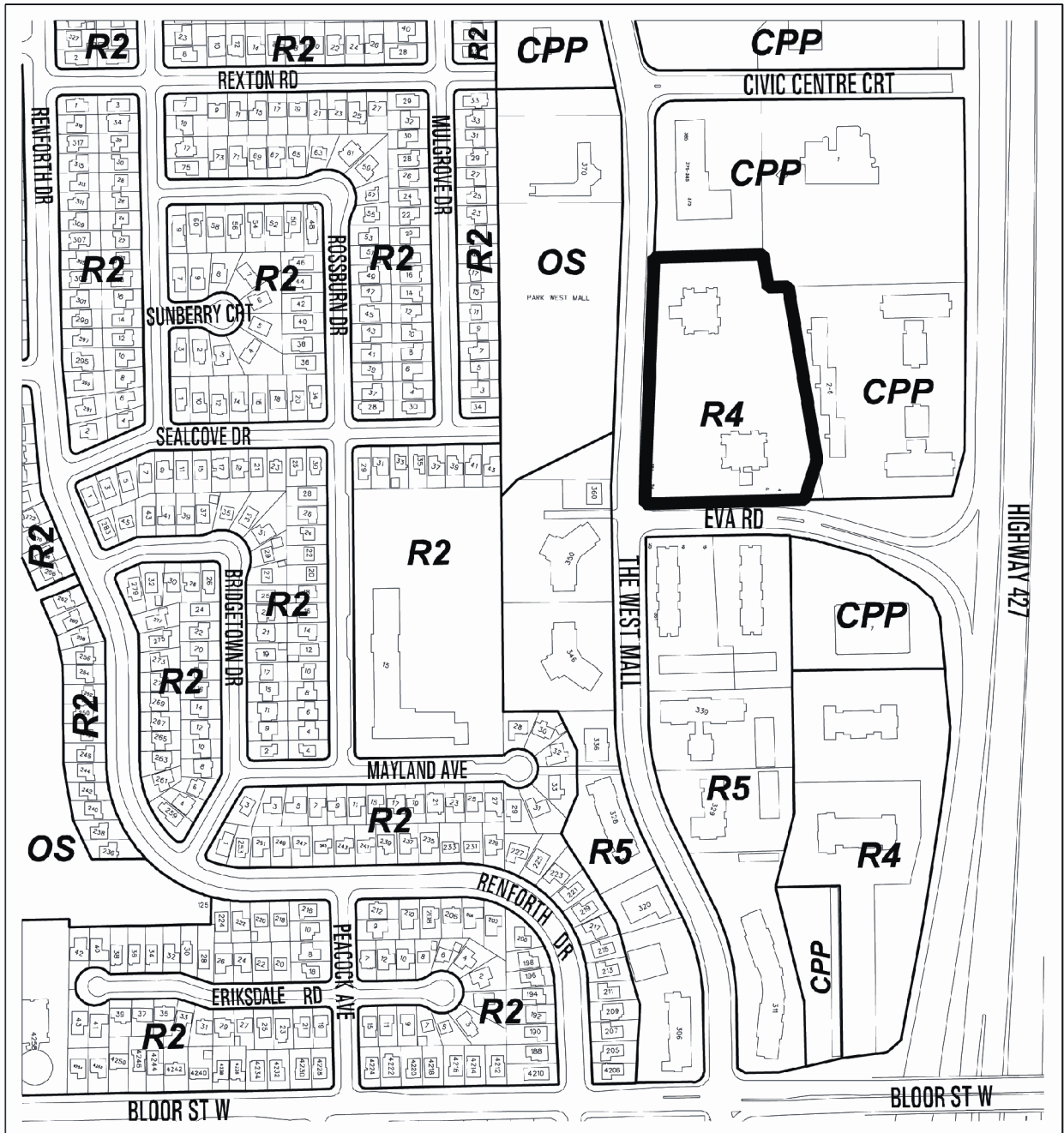
**Aerial View - Proposed Development at
2-6 Eva Road**

361 The West Mall & 24 Eva Road

Not to Scale
07/22/10

File #10_217719

Attachment 6: Zoning



361 The West Mall & 24 Eva Road

File # 10_217719

Former Etobicoke By-law 11,737

- R2 Residential Second Density
- R4 Residential Fourth Density
- R5 Residential Fifth Density

- OS Public Open Space
- CPP Commercial Planned Referred



Not to Scale
Zoning By-law 11,737 as amended
Extracted 07/22/10

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	10 217719 WET 03 OZ
Details	Rezoning, Standard	Application Date:	July 12, 2010
Municipal Address:	361 THE WEST MALL and 24 EVA ROAD		
Location Description:	PL M887 BLK C PL M865 PT BLK B RP 2874 PT LT1 **GRID W0306		
Project Description:	Proposed amendments to the Etobicoke Zoning Code to permit the development of two, 23-storey residential towers, a 5-storey mid-rise building with retention of the existing rental buildings and one-storey covered parking garage.		

Applicant:	Agent:	Architect:	Owner:
BARRY MORRISON			1054881 ONTARIO LIMITED

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	
Zoning:	R4 Special Site Specifics 716 813 1683	Historical Status:	No
Height Limit (m):	Existing buildings	Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	22491	Height:	Storeys:	23
Frontage (m):	192.1		Metres:	71
Depth (m):	121.6			
Total Ground Floor Area (sq. m):	4827			Total
Total Residential GFA (sq. m):	75669	Parking Spaces:		960
Total Non-Residential GFA (sq. m):	0	Loading Docks		0
Total GFA (sq. m):	75669			
Lot Coverage Ratio (%):	21.4			
Floor Space Index:	3.36			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	230 (new)
2 Bedroom:	265 (new)
3 + Bedroom:	0
Total Units:	776

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	75669	0
Retail GFA (sq. m):	0	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

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