



STAFF REPORT ACTION REQUIRED

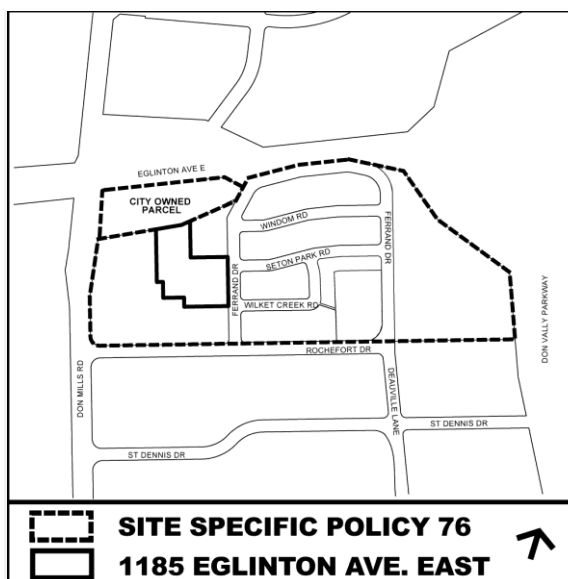
1185 Eglinton Ave East Zoning By-law Amendment – Direction Report and City Initiated Amendment to Site and Area Specific Policy 76

Date:	August 22, 2013
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 26 – Don Valley West
Reference Number:	08 111649 NNY 26 OZ

SUMMARY

This report seeks direction on an appeal to the Ontario Municipal Board of an amendment to the Zoning By-law for 1185 Eglinton Avenue East to permit two residential apartment buildings and 48 stacked townhouses. The hearing is scheduled for November 13, 2013. An application for a 28 storey mixed use development and a retained office building on the property at 1185 Eglinton Avenue East was submitted in February 2008. City Council deferred the application and directed that a review of Site Specific Official Plan Policy No. 76 be undertaken to determine the effect of the permitted density and to recommend guidelines for appropriate built form for lands within this site specific policy area. Area Specific Policy 76 provides for a mix of residential, office, open space and institutional uses with a maximum Floor Space Index (FSI) of 1.8.

In 2011 the new owners of the subject property filed a zoning amendment application for two residential towers and townhouses with a total of 757 units and an FSI of 5.0. The existing office tower was demolished. The application has been further revised and two residential towers and 48 townhouse units with a total of 661 units and an FSI of 4.6 is proposed.



The revised application includes a new public street and publicly accessible open space. The applicant appealed to the Ontario Municipal Board on the basis of Council's failure to make a decision.

This report also presents the results of the review of Site and Area Specific Policy 76. The report contains a draft amendment to add policies to guide future development, to provide for comprehensive transportation studies and to delete the *Neighbourhoods Area* from the Site and Area Specific Policy. The report recommends that a Statutory Meeting be held in November 2013 to consider the proposed Site and Area Specific Policy amendment.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council authorize the City Solicitor, together with City Planning staff and any other appropriate staff to attend the Ontario Municipal Board hearing on 1185 Eglinton Avenue East in support of the application subject to the application being revised to address the issues set out in this report and contained in recommendations nos. 2 and 3 below.
2. The application be revised to address the built form and design issues discussed in the report including:
 - a) improving the overall built form and shadow conditions on the adjacent low scale neighbourhood through lowering heights, increasing the separation distance between the two tall buildings, re-orienting the mechanical penthouses to an east-west axis and eliminating corner balconies on the tall buildings;
 - b) relocating the easterly townhouse block to the north property line and changing to a single townhouse row;
 - c) providing a larger setback from the base building of the east and west elevations of both towers;
 - d) reducing the proposed density from 4.6 FSI; and,
 - e) providing an appropriate Section 37 contribution
3. The applicant is to address the matters contained in the Development Engineering Memorandum dated July 26, 2013 including revisions to the on-site parking supply, providing corner roundings at the new street and Ferrand Drive, providing on-site loading as identified, providing easement agreements for loading, deleting the portion of the underground garage that extends under the proposed public street, comply with parking space dimensions of By-law 495-2007, providing on- site pick up and drop off for the proposed condominium towers, providing a temporary cul-de-sac at the end of the public street, provide supportive studies for a non-standard public street cross section.

4. The City Solicitor request that the Ontario Municipal Board hold its Order approving the Zoning By-law amendment until the Owner has:
 - a. entered into an Agreement under Section 37 of the *Planning Act* concerning appropriate public benefits;
 - b. addressed the issues identified in this report through a site plan application including submission of a more detailed Wind Study to assist in mitigating wind in areas of pedestrian access and received Notice of Approval Conditions; and,
 - c. submitted an application for subdivision approval for the proposed east west public street.
6. The Draft Site and Area Specific Policy 58 contained in Attachment 7 be scheduled for a Statutory Meeting to be held at North York Community Council on November 13, 2013.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

An application for a zoning amendment to permit a mixed use development at 1185 Eglinton Avenue East was filed in February 2008. At the meeting of July 17, 2008 the application was deferred by City Council pending a study on appropriate built form for lands within Site and Area Specific Policy 76. A copy of City Council's decision and background information is available at: <http://www.toronto.ca/legdocs/mmis/2508/cc/decisions/2508-07-15-cc23-dd.pdf>

In June 2011 the new owners of 1185 Eglinton Avenue East filed a revised application. At its meeting of October 4, 2011 North York Community Council directed that City Planning staff evaluate the density and built form proposed for the application at 1185 Eglinton Avenue East through the study of appropriate density and built form underway for Area Specific Policy 76. A copy of North York Community Council's decision and background information is available at: <http://www.toronto.ca/legdocs/mmis/2011/ny/bgrd/backgroundfile-40936.pdf>

ISSUE BACKGROUND

Proposal

The block containing the subject site is bounded by Eglinton Avenue to the north, Ferrand Drive to the east, Rochefort Drive to the south and Don Mills Road to the west. The block is very large at 4.5 hectares (11 acres) in area and contains an existing residential condominium located at 797 Don Mills Road and an existing office building located at 789 Don Mills Road.

Foresters Lane is a north-south driveway which extends from Rochforte Drive in the south to the centre of the block. Foresters Lane is a private right-of-way owned by the "Independent Order of Foresters" with easements for access in favour of adjoining properties on the block including this site.

The new owners of the subject property filed a revised application which included the demolition of the 8 storey office building at 1185 Eglinton Avenue East. The Development Concept prepared for the block (contained in Attachment 10) and the proposed application integrate the lands previously used by the office building and its underground garage.

The proposal is organized around a new east-west public street connecting Ferrand Drive to Foresters Lane and a landscaped open space on the north side of the new street. The landscaped open space is approximately 2,000 m² in area. On the south side of the street, defining both the new street and open space are 4 storey, 20 unit stacked townhouses which take their address from the public sidewalks of this new street. The west side of the open space is defined by two residential towers above a three storey base building. A 30 storey (92 metre) residential building is proposed at the north end of the site and a 28 storey (86 metre) is proposed adjacent to the new street.

The townhouses and apartment base buildings are set back from the street and from the open space by five metres. The towers will take their address from the new public street and will be serviced from the shared driveway at the west end of the site. This includes access to ramps for underground parking which is located under the north tower, the open space and the townhouses.

The proposed FSI is 4.6 and the total number of dwelling units is 661. A total of 626 underground parking spaces for the apartment buildings and the townhouses are proposed on four levels of underground parking. The site plan is shown on Attachment 1 and elevations are shown on Attachment 2. The Application Data Sheet containing site statistics is shown on Attachment 3.

The application has been revised twice since the original submission in 2008 as shown on the table below.

Comparison of 2008, 2011 and 2013 Development Proposals

	February 2008 Proposal	June 2011 Proposal	April 2013 Proposal
Lot Area	1.15 ha (2.8 ac) 11,499 m ² 5,267m ² (development lands)	1.15 ha (2.8 ac) 11,499 m ² 11,499m ² (development lands)	1.15 ha (2.8 ac) 11,499 m ² 11,499m ² (development lands)
Density	3.3 FSI (total incl office bldg) 4.7 FSI (excl office bldg)	5.0 FSI	4.6 FSI
Gross Floor Area	24,880 m ² residential 12,176 m ² office 586 m ² retail <u>37,642 m² Total</u>	57,492 m ² residential 0 m ² office 0 m ² retail <u>57,492 m² Total</u>	52,869 m ² residential 0 m ² office 0 m ² retail <u>52,869 m² Total</u>

Building Height	28 storeys 87 m	34 st 108 m 31 st 99 m 3 st townhouses	28 st 86 m 30 st 92 m 4 storey stacked T-H
Dwelling Units	282 Apts	680 Apts 77 Townhouses 757 Total	613 Apts 48 Townhouses 661 Total

Site and Surrounding Area

The site is located to the south of Eglinton Avenue East and east of Don Mills Road and has frontage on Ferrand Drive. It is an 'L' shaped property 1.15 hectares (2.83 acres) in area. The surrounding uses are:

North: a place of worship, a former right of way to Eglinton Avenue East now a surface parking lot owned by the City of Toronto, Eglinton Avenue East which will contain the Eglinton Crosstown LRT, Celestica office and manufacturing, big box grocery store and 8 and 9 storey office buildings

East: a low rise neighbourhood, office development and the Don Valley Parkway beyond

South: Foresters office tower and parking lot, townhouses, 4 and 9 storey apartment buildings in the Flemington neighbourhood

West: Don Mills Road and the Ontario Science Centre

The Independent Order of Foresters owns 789 Don Mills Road which is located at the south end of the block at Rochefort Drive between Don Mills Road and Ferrand Drive. The property contains a 22 storey (98 metre) office building, a second building which is 2 storeys in height, a 4 level parking structure, the north south Foresters Lane and a surface parking lot. Foresters currently rents parking space from the City of Toronto on the City parcel at the south east corner of Eglinton Avenue and Don Mills Road. The City parcel was recently turned over to Build Toronto for redevelopment and therefore Foresters needs to consider other means to accommodate its parking needs. In December 2011, Foresters applied for Site Plan Approval on the site of the current surface parking lot for a 3 storey above grade parking garage with a fourth storey underground for a total of 609 parking spaces. In meetings with the applicant, City staff encouraged the development of a new east west street alignment that could be shared between the Foresters property and the 1185 Eglinton Avenue East property.

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 by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject site is located within Area Specific Policy 76 which applies to the area bounded by Don Mills Road to the west, Eglinton Avenue to the north, the Don Valley Parkway to the east and Rochefort Drive to the south as shown on Attachment 4. The east and west portions are designated *Mixed Use Areas* and the central portion is designated *Neighbourhoods* and *Park*.

The *Mixed Use Areas* designation provides for a broad range of commercial, residential and institutional uses, in single use or mixed use buildings. Development criteria for *Mixed Use Areas* includes creating a balance of uses that reduces auto dependency, provides a transition in intensity and scale to adjacent lower scale uses, limits shadow impacts, frames the edges of streets, provides an attractive, comfortable and safe pedestrian environment, provides good site access and circulation and minimizes the impact of service areas on adjacent streets and residences. Lands that are designated *Mixed Use Areas* in the Official Plan have the potential for accommodating population and employment growth and the Plan states that not all *Mixed Use Areas* will experience the same scale or intensity of development.

The *Neighbourhoods* designation provides for residential uses in lower scale buildings such as detached and semi-detached houses, duplexes, townhouses and interspersed walk up apartments that are no higher than four storeys. *Neighbourhoods* are considered to be physically stable areas where significant growth is not anticipated. The Official Plan contains policies which provide that intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. New development adjacent to *Neighbourhoods* will be located and massed to provide a transition between areas of different development intensity and scale through means such as providing appropriate setbacks and/or a stepping down of heights and will limit shadow impacts on lands designated *Neighbourhoods*.

Eglinton Avenue East and Don Mills Road bound the north and west sides of the Area Specific Policy 76 and are identified as Higher Order Transit Corridors in the Official Plan.

Site and Area Specific Policy 76

Site and Area Specific Policy 76 provides for a maximum density of 1.8 Floor Space Index for all the lands within its boundary. The policy provides that higher densities and massing are to be generally concentrated adjacent to Eglinton Avenue and the Don Valley Parkway. The policy is contained in Attachment 5.

Zoning

On May 9, 2013 City Council enacted the new City wide Zoning By-law 569-2013. The subject site is not subject to the new Zoning By-law.

Under North York Zoning By-law 7625 the subject site is zoned M2 (Industrial Zone Two) and MO(11) Industrial-Office Business Park Zone. The M2 zone permits a range of industrial uses including manufacturing, certain commercial uses, auto repair and sales and office uses and applies to the southerly portion of the site. The MO(11) zone is a business park zone and permits a range of uses including offices, certain commercial uses, manufacturing and car rental agencies and applies to the northerly portion which contained the previous office building. Zoning is shown on Attachment 6.

Plan of Subdivision

The application proposes a new public street and Engineering and Construction Services advise that a plan of subdivision application is required. An application for Plan of Subdivision approval has not yet been submitted.

Site Plan Control

An application for site plan control is required and has not been submitted.

Community Consultation

A community consultation meeting was held on December 6, 2011 to present revised plans submitted by the new owners of 1185 Eglinton Avenue and where City staff introduced the review of Site and Area Specific Policy 76 of the Official Plan. Approximately 60 residents were in attendance as well as the local Councillor. The applicant's plan was subsequently revised and a second community consultation meeting was held on February 19, 2013. As well, staff presented information on the review of Site and Area Specific Policy 76.

The issues raised at both community consultation meetings included:

- the development is a significant increase in density which will make existing traffic congestion especially at Rochefort and Don Mills Road and elsewhere worse
- the Eglinton and Don Mills intersection is one of the busiest in the City and this development will add a considerable amount of traffic
- Foresters Lane is presently very congested at peak periods with vehicles from the existing office and condominium and the addition of so many units to this block may make it unworkable
- residents question the viability of access to the underground garage and loading off Foresters Lane for the proposed development
- movement within the block is presently unsafe for pedestrians due to vehicular traffic
- shadowing on the existing condominium and the low rise neighbourhood to the east
- there is a lack of open space in the block to be developed
- impact on services such as schools
- there are many community needs in the area to which Section 37 benefits could be directed

COMMENTS

At its meeting of July 17, 2008, Council directed staff to undertake a review of Site and Area Specific Policy 76 in response to the application for a 28 storey apartment building at 1185 Eglinton Avenue East. The purpose of the study was to review the density provisions of the Site and Area Specific Policy to consider the distribution of the residual density if appropriate and to modify the policy to provide guidance for future development in the Policy Area.

Modifications to the Site and Area Specific Policy are proposed and described in detail below. Comments on direction for the Ontario Municipal Board hearing respecting the application at 1185 Eglinton Avenue East and discussion of the application in the context of the study to review density provisions are contained in the following sections of this report.

Study of Site and Area Specific Policy 76

Area Specific Policy 76 permits a density of 1.8 FSI (291,000 m² or 3,100,000 ft²) over the whole of the lands and is contained in Attachment 5. When the neighbourhood of semi-detached homes and townhouses was developed in 1999 at an FSI of 0.8, Area Specific Policy 76 was not reviewed to determine whether the existing 1.8 FSI density permission was still appropriate. As a result, applicants for potential development sites within Area Specific Policy 76 may seek inappropriate shares of the remaining density permission. Area Specific Policy 76 does not provide sufficient guidance concerning appropriate built form and the distribution of the density over the 16 hectare area. Accordingly, a review of the Area Specific Policy was undertaken which included a review of the context and planning framework, a built form analysis of properties with development potential and preparation of principles for new development and a development concept.

The Area Specific Policy 76 Study is contained in Attachment 7 and includes a review of the context and planning framework of the Policy Area, a description of the built form analysis, Principles for New Development, a Development Concept. A draft amendment to the Site and Area Specific policy is also contained in Attachment 7.

The existing Area Specific Policy 76 policy provides for a maximum overall density of 1.8 Floor Space Index with higher densities and massing to be generally concentrated adjacent to Eglinton Avenue East and the Don Valley Parkway. For purposes of this review the Policy Area has been divided into three parcels: West, East and Central as shown in Attachment 7. The West and East parcels are designated *Mixed Use Areas* and contain office buildings and one residential condominium. The central parcel contains 195 semi-detached houses and townhomes and is designated *Neighbourhoods*.

The City owned parcel located at the south east corner of Eglinton Avenue and Don Mills Road is not part of the Site and Area Specific Policy. This parcel is included in the Eglinton Crosstown Study however, it has been included in the development concept to indicate a schematic street pattern which provides connections to the adjacent streets and blocks.

Development Concept

The review of Area Specific Policy 76 has shown that there is potential for redevelopment within the Mixed Use Parcels. A Development Concept has been prepared. The Development Concept was prepared in the context of the Official Plan policies described below as well as all of the policies of the Official Plan as a whole. A Development Concept shows new streets, blocks, open spaces and built form layouts for properties with development area. The Development Concept is contained in Attachment 7.

The *Mixed Use Areas* designation in the Official Plan permits a broad range of commercial, residential and institutional in single use or mixed use buildings. The Development Concept is consistent with the land use provisions of the Official Plan. The objective of the Development Concept is to help revitalize and create a vibrant mixed use area that would facilitate the use of the Eglinton-Crosstown LRT and promote opportunities for people to live work and shop here. The whole of the Official Plan was used in this review including the following policies:

Policy 2.3.1 – Healthy Neighbourhoods, states that at the boundary points between the neighbourhoods and growth areas, development in the *Mixed Use Area* will have to demonstrate a transition in height, scale and intensity as necessary to ensure that the stability and general amenity of the adjacent residential areas are not adversely affected.

Policy 3.3.1(3), which speaks more generally to how new development should protect *Neighbourhoods* and be planned in a way that respects the existing and/or planned street proportion state that “intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact.”

Policy 4.5.1 c) states that in *Mixed Use Areas* development will be located and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing appropriate setbacks and/or stepping down of heights, particularly toward lower scale *Neighbourhoods*. In addition the following policies provide the criteria and limitations for growth in *Mixed Use Areas*.

Policy 4.5.2 (d) requires new buildings in *Mixed Use Areas* to be located and massed to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the Spring and Fall equinoxes. Lands designated *Neighbourhoods* are situated immediately to the east of the site.

Policy 3.1.2.3 Built Form states that “new development will be massed to fit harmoniously into its existing and/or planned context, and will limit its impacts on neighbouring streets, parks, open space and properties” by “creating appropriate transitions in scale to neighbouring existing and/or planned buildings” and “providing for adequate light and privacy.”

All the aforementioned policies establish the principle that new development should fit into the existing and/or planned context by having appropriate transitions in height, scale and intensity so as to limit adverse impacts.

A Development Concept has been prepared and is contained in the Study of Site and Area Specific Policy 76 contained in Attachment 7. The Development Concept divides large blocks into appropriately sized development blocks with new streets and driveways to provide improved access to development within the blocks. Schematic locations for new at grade, publicly accessible open space is identified.

The two blocks, east and west of the central neighbourhood have been divided into smaller development blocks through new public streets and driveways. The new streets and shared driveways meet the Public Realm policies by creating appropriately scaled development blocks. The layout and location of these new streets and private driveways is schematic and is intended to promote a fine grain of urban development, provide address for new and existing development, improve both internal access and connectivity to surrounding uses. These new public streets and private driveways (which would be designed to look and function as public streets) with sidewalks, lighting and street trees will provide safe comfortable and attractive access for residents and workers to the uses within the blocks and to the planned transit stations on Eglinton Avenue at Don Mills Road. The creation of Foresters Lane to the south of the new east west street is to be pursued as part of development proposals on this block.

New open space has been modelled for each development parcel on both the East and West Parcels, in keeping with the Public Realm and Mixed Use policies in the Official Plan. These landscaped open spaces are schematic but intended to provide open space settings for the development as well as provide a connected network of open spaces which provide safe, accessible and amenable open space for the existing and future residents and workers in the area and complement the existing public park.

The Official Plan's built form policies indicate that new development should be designed to fit with its existing and/or planned context; frame and support adjacent streets, parks and open spaces; and limit its impact on neighbouring streets, parks and properties. The following is a description of the Development Concept as applied to the parcels in the Study area.

West Parcel

On the west parcel a new east west public street connecting Ferrand Drive and Foresters Lane is proposed. It is the intent over time and with redevelopment that Foresters Lane south to Rochefort Drive become a public street and that the new east west street and Foresters Lane provide address and access within the large parcel. Similarly, the intent is to accommodate pedestrian access north from the new east west street along Foresters Lane and through the City parcel at the southeast corner of Eglinton and Don Mills. This is to provide access to Eglinton Avenue and the Eglinton Crosstown LRT station.

The subject site, the Foresters surface parking lot and the existing place of worship offer potential for development on the west parcel of the Policy Area while still meeting the Mixed Use and Built Form policies of the Official Plan. New mixed use development with underground parking provides the opportunity for more at grade, publicly accessible open space by making available some of the land previously used for surface parking for landscaped open space useable by existing and future residents and workers in the block. New development also brings opportunity for at grade commercial uses and grade related apartments to promote safe, comfortable pedestrian movement and to promote walking for both workers and residents. Development has been massed placing lower scale townhouses along the new east-west street on 1185 Eglinton and along Rochefort Drive. Taller buildings have been massed within the middle of the block stepping up under a 45 degree angular plane from the residential property lines along Ferrand Drive in keeping with Official Plan policies.

Central Parcel

The Development Concept shows no change for the Central Parcel which is designated *Neighbourhoods* and is presently built. Redevelopment in the Central Parcel is expected to be in the form of small scale development in keeping with the existing neighbourhood character as provided for in the Official Plan *Neighbourhoods* policies. As this central parcel is fully developed it is not included in the draft Site and Area Specific Policy.

East Parcel

The East Parcel has two existing office buildings and an above grade parking garage which are shown as retained. A new L shaped public street and private driveway is proposed to extend the existing road network and provide address for new development on these lands. New

development on vacant land is proposed in the form of mixed use consisting of townhouses and mid-rise buildings at the west portion and high rise buildings toward the north and east along Eglinton Avenue and the Don Valley Parkway. Taller buildings have been located furthest away from the low scale neighbourhood to the west under a 45 degree angular plane from the low density residential properties along Ferrand Drive. New development is to incorporate at grade publicly accessible open space as part of each development block to form a network of open space and a setting for development.

Density and Built Form Testing

The purpose of the study was to review and test the density of Site and Area Specific Policy 76 which permitted an FSI of 1.8 over the whole of the lands within the policy area. With the central *Neighbourhoods* parcel developed at 0.8 FSI, the study looked at the appropriate distribution of the remaining density over lots with potential for development within the West and East *Mixed Use* parcels. The appropriate distribution of density was determined based on a study of potential street and block patterns, location of open space and appropriate built form.

The built form testing used the Tall Buildings Guidelines, the Midrise Guidelines and Townhouse Guidelines in order to integrate the built form into the existing context and achieve Official Plan policies including appropriate transitions in scale from *Mixed Use Areas* to *Neighbourhoods*. Specific policies to guide built form have been developed and address fitting in the existing and planned context, in particular minimizing shadow impacts of new development on the low scale neighbourhood meeting high urban design standards and creating a high quality public realm, providing connectivity and limiting impacts on neighbouring streets, parks and open spaces and in particular on adjacent low scale neighbourhoods. The policies guiding built form are contained in the Draft Site and Area Specific Policy contained in Attachment 7.

The study results show that remaining density can be allocated to the West Parcel for an FSI of 3.2 and to the East Parcel for an FSI of 2.7. It should be noted that this fully distributes the previous density amount of 1.8 FSI over the entire lands. The Study found that the proposed densities for the West and East Parcels can be accommodated provided development is in accordance with the 'Principles for Development' and the 'Development Concept' contained in Attachment 7.

Comprehensive Transportation Review

The proposed Area Specific Amendment contained in Attachment 7 sets out a policy dealing with the transportation matters to be reviewed prior to approving any new development in the Mixed Use Parcels. New zoning by-law amendments will require that a comprehensive transportation review be undertaken which demonstrates to the satisfaction of the City, that sufficient transportation capacity is available. Development may be phased with conditions for the release of development based on the construction of required transportation infrastructure improvements.

Section 37

The Official Plan provides for the use of Section 37 of the *Planning Act* to secure community benefits in exchange for increased height and density for new development, provided it first meets the test of good planning and is consistent with the policies and objectives of the Plan.

In order to identify community benefits that may be required should redevelopment occur, a community services and facilities review has been undertaken. The review identified the range and adequacy of available community services and facilities in order to address existing gaps and emerging priorities when planning for new growth. The area studied includes the Flemingdon Park neighbourhood which contains the lands within Area Specific Policy 76. The findings of the community services and facilities review highlight the diverse needs of a new immigrant population together with an increased number of young children and youth currently living in the area. Community benefit priorities have been identified and include:

- dedicated and accessible community service space for non-profit agencies to deliver programs and services for children, youth, seniors and new immigrants, a minimum of 5,000 to 10,000 ft² is recommended
- licensed child care facilities
- upgrades to the Flemingdon Park Neighbourhood Library including improvements to the layout and study space, creation of children's and teen's zones and creation of a computer learning and media centre
- expansion of existing City recreational facilities and/or new recreational facilities to provide additional space for large, flexible multi-purpose rooms to run programs for all age groups

A policy respecting Section 37 community benefits is included in the draft Site and Area Specific Policy. The policy provides that Section 37 benefits will be calculated for increases above the currently permitted zoning. The policy identifies the community benefits that arose from the review of community services and facilities that was undertaken for this area and that are listed above. It is recognized that certain facilities may be located outside the boundaries, but convenient to this Area Specific Policy area.

Modification to the Boundary

The Area Specific Policy 76 boundary is proposed to be modified by deleting the Central Parcel containing the semi-detached and townhouse subdivision. The existing density permission and direction for development contained in Area Specific Policy 76 should not apply to the Central Parcel because the mid and high-rise development originally anticipated for the Central Parcel did not occur and has been fully developed as a stable, low density residential neighbourhood.

The Study Conclusions

A new Area Specific Policy, which is proposed to replace Site and Area Specific Policy 76 is contained in Attachment 7 and provides for, among other things the following:

- modifies the boundary of Area Specific Policy 76 by removing the Central Parcel containing the existing subdivision of semi-detached and townhouse units;
- provides direction for the continued development of a mixed use community on the Mixed Use Parcels;
- sets out density permissions;
- includes a policy requiring a comprehensive transportation review; and,
- identifies needed community services and facilities to be provided in exchange for increases in density

1185 Eglinton Avenue East Development Proposal

The development proposal for 1185 Eglinton Avenue East has been revised twice since the original submission. The revised application included the demolition of the 8 storey office building at 1185 Eglinton Avenue. Further changes to the application are included in the discussion below and are recommended to address the issues identified in the reports from the Director of Community Planning, North York District dated June 17, 2008 and September 16, 2011. The application has been reviewed in the context of the Study of Site and Area Specific Policy 76.

Proposed Built Form and Transition

The subject lands are designated *Mixed Use Areas* and a low scale residential neighbourhood is located immediately to the east of the subject site. Development criteria include meeting Official Plan policy to provide a transition in scale between areas of different development intensity and scale, and, limiting shadow impacts. Official Plan policies also provide that intensification of land adjacent to *Neighbourhoods* will be carefully controlled so that neighbourhoods are protected from negative impact.

The application has also been reviewed in the context of the Development Principles and Development Concept prepared as part of the Study of Site and Area Specific Policy 76. The Development Principles require that new development fit harmoniously into the existing/planned context and in particular minimize shadow impacts on the low scale neighbourhood.

A transition between the subject development and the low scale neighbourhood to the east is proposed through setting back the two tall building to the western edge of the property resulting in a separation distance of 88 metres from the towers to the neighbourhood's residential property line. As well the heights of the two tall buildings at 30 storeys and 28 storeys are under a 45 degree angular plane measured from the closest property line in the neighbourhood. The setback of the towers and the townhouses begins to create a transition in built form between the two scales and intensities of development. It is recommended that the stacked townhouses located adjacent to Ferrand Drive be relocated to the north property line and reduced to a single block of townhouses. Locating the townhouses along the north property line opens up the proposed central open space to Ferrand Drive and the neighbourhood to the east and frames the open space. The townhouses are sited between the tall buildings and the low scale neighbourhood defining the edge of the new street and the landscaped open space. The townhouses at the north end of the property also provide a transition to the existing place of worship. In the event redevelopment of the place of worship occurs in the future the townhouses will provide a transition to new development.

While the application begins to make an appropriate transition to the adjacent low scale neighbourhood, the proposed heights, separation distance, location of penthouses and balconies creates shadow impacts which do not result in an appropriate transition. The review of Site and Area Specific Policy 76 identified that the neighbourhood between the two mixed use parcels is to be protected from impacts which include shadows on streets, open spaces and properties in proximity to new development. The application as proposed results in shadow impacts on the low scale neighbourhood to the east as indicated in the applicant's shadow studies which are discussed in the section below.

The tall buildings are designed according to the Tall Building Guidelines using a 750 m² gross floor plate on a three storey base building. However, the plans need to be revised so that the tower portions are set back from the base buildings by 3 metres. The base buildings, containing entrances, servicing and grade related apartments integrate with the townhouses to define and support the new street and the new landscape open space at an appropriate scale and proportion.

Resolution of the built form and design issues which include height and massing of buildings and changes to the townhouse layout will result in a reduction of the density on the site.

Shadow Study

The applicant's Shadow Study indicates shadow impacts on the low scale neighbourhood located to the east. The development proposal needs to be revised to address the shadowing issues identified in this section and a revised Shadow Study is to be submitted. The revised shadow study also needs to include the 6:18 p.m. time period.

The proposed heights of the two towers at 28 and 30 storeys create shadows on the streets and in the yards of houses in the afternoon in the March/September equinoxes. The separation distance of 25 metres between the two towers is a minimum contained in the Tall Building Guidelines and results in only small gaps of sunlight between the fingers of shadows cast by the two buildings. The mechanical penthouses of the both tall buildings are oriented in a north south direction and balconies are located at the corners of the buildings which contributes to shadowing on neighbourhood in the afternoon.

In order to reduce shadow impacts it is recommended that a number of design changes be pursued. These changes include reducing the heights of the two towers presently at 30 storeys and 28 storeys, increasing the separation distance between the two towers, eliminating corner balconies which add bulk to the building and re-orienting the mechanical penthouses to an east-west direction. These changes will lessen the shadow impacts on the low scale neighbourhood to the east.

Wind Study

Staff have reviewed the Pedestrian Level Wind Preliminary Assessment prepared for the applicant by Theakston Environmental dated April 11, 2011. This report recommends that a minimum 3 metre stepback from the base building of the east and west elevations of both towers be incorporated to mitigate wind impacts and that no balcony encroachments be permitted into the stepbacks. The applicant is to submit a more detailed Wind Study at the site plan approval stage to assist in mitigating wind in areas of pedestrian access which will be secured through the Site Plan Approval process.

Transportation

A Traffic Impact Study Update prepared by LEA Consulting Ltd dated August 8, 2012 and an addendum letter dated May 10, 2013 by LEA Consulting Ltd was reviewed. It concludes that the road network can accommodate the proposed development and the Traffic Study and Addendum has been accepted by Transportation Services.

The block containing the subject site is bounded by Eglinton Avenue to the north, Ferrand Drive to the east, Rochefort Drive to the south and Don Mills Road to the west. It is 4.5 hectares (11 acres) in area and a condominium and office building located within the block are presently served by Foresters Lane and a driveway on the 1185 Eglinton property.

Foresters Lane is a north-south driveway which extends from Rochfort Drive in the south to the centre of the block. Foresters Lane is a private right of way owned by “The Independent Order of Foresters” with easements for access in favour of adjoining properties on the block. and access for the existing condominium at 797 Don Mills Road and the Foresters office building at 789 Don Mills Road within this large block.

The Official Plan provides that for development in *Mixed Use Areas*, servicing uses such as loading and access to underground parking is to be located within buildings and out of view of public streets and, for this development the central open space. Accordingly, servicing uses for the proposed development are at the rear of the south tower which is accessed from Foresters Lane. The entrance to the below grade parking garage and loading area for the subject development is proposed to be located off Foresters Lane at the southern tall building and is accessed by a driveway from Foresters Lane.

A new east-west public street is proposed close to the southern end of the site and connects Ferrand Drive to Foresters Lane. The new public street provides street address for the proposed townhouses, the southern tall building and access to the site’s central open space. The new public street provides safe, comfortable and attractive internal access for pedestrians to the existing uses in the block.

Residents and property owners at the community consultation meetings commented that the proposed development would increase the use of Foresters Lane and indicated that it was presently congested at peak hours. The proposal to locate the ramp to the underground garage and servicing for the proposed development at 1185 Eglinton was identified as adding to an existing congestion problem at peak hours and residents were concerned that Foresters Lane would continue to function as an access to Rochefort Drive for properties in this block.

The large block containing the subject site, the condominium at 797 Don Mills, a place of worship at 24 Ferrand Drive and the office building at 789 Don Mills currently has very poor internal access due to a lack of streets. Adding a new public street connection to Ferrand Drive provides another access into and out of the block and is in addition to the Foresters Lane access at Rochefort Drive. The applicant’s Transportation consultant reviewed the two intersections; the new east west street at Ferrand Drive and Foresters Lane at Rochefort Drive and found the projected traffic operations to be acceptable. Transportation Services has accepted this analysis.

The proposal includes 527 parking spaces for residents and 99 spaces for visitors for a total of 626 parking spaces. Transportation Services has commented that 567 residents parking spaces and 101 visitors parking spaces for a total of 668 spaces are required for the subject development.

Eglinton Crosstown LRT

The new Eglinton Crosstown LRT is planned along Eglinton Avenue between Jane Street and Kennedy Station. LRT stations are planned for the north and south sides of Eglinton Avenue east of Don Mills Road and residents of the proposed development will be within 250 metres of the transit stop. Metrolinx commented that plans for the proposed development should recognize the goal of promoting connections to the station area with access through the site, from the southwest to the northeast available to the public.

The City is undertaking Eglinton Connects, a comprehensive planning study about the future of Eglinton Avenue in light of the transit investment. The Study can be found at <http://www.thecrosstown.ca> The Study has identified the intersection of Eglinton Avenue East and Don Mills Road intersection as a focus area recognizing the need for better connections and an enhanced public realm. Since the subject site does not have Eglinton frontage, it is not considered as part of the focus area. A final report on the Eglinton Connects Planning Study will be presented to P & GM in the first quarter of 2014.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The subject site is in a parkland priority area and is subject to the alternate parkland dedication rate through the City Wide Parkland Dedication By-law 1020-2010.

At the alternative rate of 0.4 hectares per 300 units, the parkland dedication requirement is 0.9706 ha/9706 m² or 90% of the net site area. Therefore for sites that are greater than 1 hectare but less than 5 hectares in size, a cap of 15% is applied to the residential portion. The resulting parkland dedication requirement is 1,624 m². The parkland requirement is to be satisfied through cash-in-lieu as Ferrand Drive Park is located in close proximity to the subject site.

A private open space which is approximately 2,000 m² in area is proposed to be located on the south eastern portion of the property. The open space fronts onto the new public street and is to be landscaped and publicly accessible providing an amenity for the large block.

Section 37

As noted previously, the Official Plan provides for the use of Section 37 to secure community benefits in exchange for increased height and density. A community services and facilities review has been undertaken which identified needs in the area with respect to community services and facilities. The findings of the community services and facilities review highlight the diverse needs of a new immigrant population together with an increased number of young children and youth currently living in the area. Community benefit priorities have been identified and include community service space with a minimum of 5,000 to 10,000 ft², childcare facilities, upgrades to the Flemingdon Park Neighbourhood Library and expansion of existing City recreational facilities and/or new recreational facilities.

The applicant has offered a Section 37 community benefit amount of \$800,000. This is not considered to adequately reflect the value of the proposed increase in density or the needs in the area for community services and facilities as set out earlier in this report. Discussions with the applicant on an appropriate Section 37 community benefit are to continue. This report recommends that the Ontario Municipal Board withhold its Order until the Section 37 Agreement is executed.

Toronto Green Standard

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment. The applicant is required to meet Tier 1 of the TGS.

CONTACT

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Fax No. (416) 395-7155
E-mail: lpoule@toronto.ca

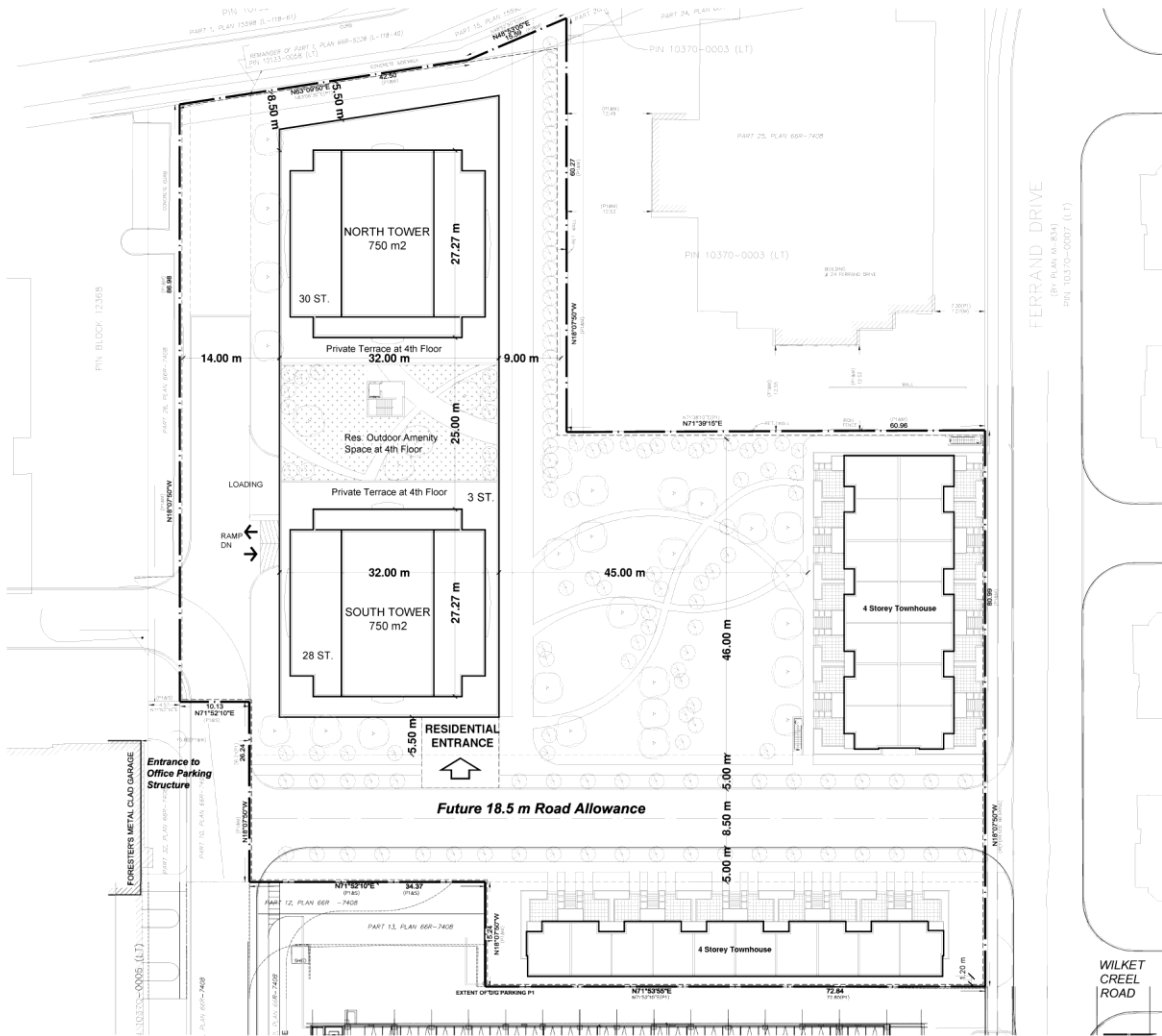
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2 : Elevations
Attachment 3: Application Data Sheet
Attachment 4 : Official Plan
Attachment 5: Site and Area Specific Policy 76
Attachment 6 : Zoning
Attachment 7: Study of Area Specific Policy 76 and Draft Site and Area Specific Policy 58

Attachment 1: Site Plan



Site Plan

Applicant's Submitted Drawing

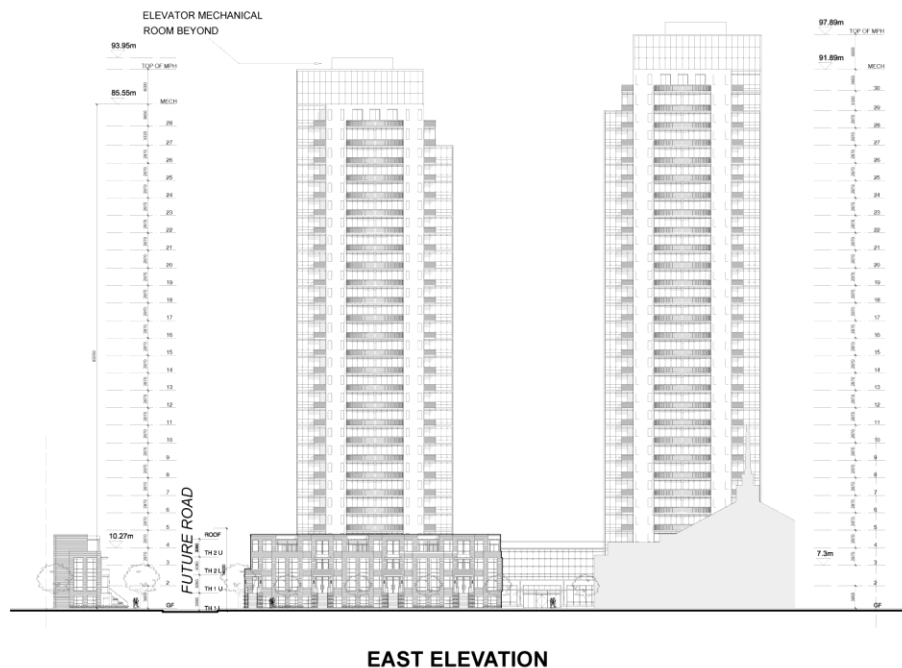
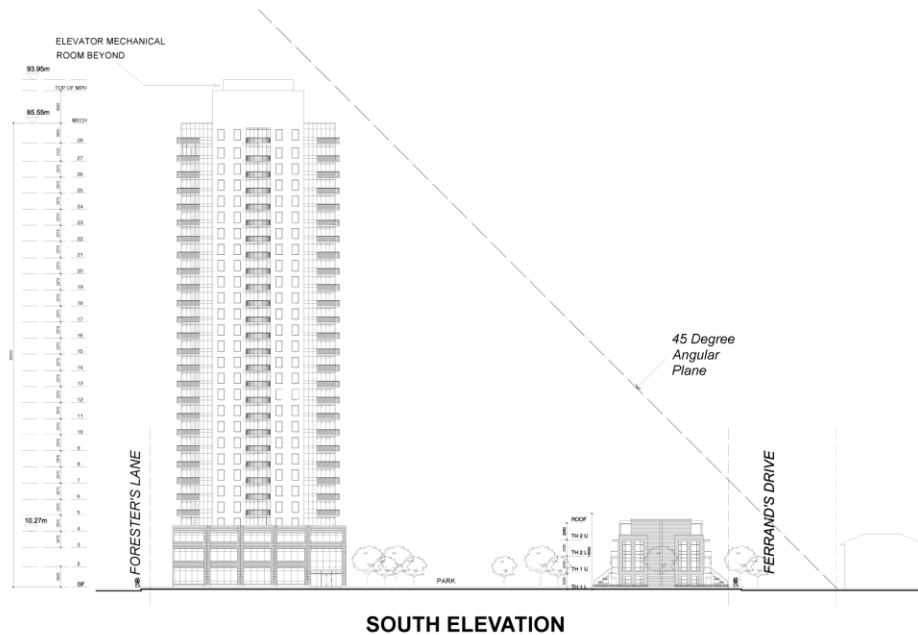
Not to Scale
05/13/2013



1185 Eglinton Avenue East

File # 08 111649 NNY 33 0Z

Attachment 2:



Elevations

Applicant's Submitted Drawing

Not to Scale
05/13/2013

1185 Eglinton Avenue East

File # 08 111649 NNY 33 0Z

Attachment 3: Application Data Sheet

Application Type	Rezoning	Application Number:	08 111649 NNY 26 OZ
Details	Rezoning, Standard	Application Date:	June 29, 2011
Municipal Address:	1185 EGLINTON AVE E		
Location Description:	RP 66R7408 PART 1 TO 9 **GRID N2606		
Project Description:	To permit the development of 34 and 31-storey building and 64 townhouses		

Applicant:	Agent:	Architect:	Owner:
Sherman Brown Dryer		Page + Steele	Bannockburn Lands Ltd

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Site & Area Policy 76
Zoning:	M2 and MO(11)	Historical Status:	No
Height Limit (m):		Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	11499	Height:	Storeys:	30 & 28
Frontage (m):	85.1		Metres:	83 & 78
Depth (m):	128.2			
Total Ground Floor Area (sq. m):	2628			Total
Total Residential GFA (sq. m):	52,869		Parking Spaces:	626
Total Non-Residential GFA (sq. m):	0		Loading Docks	
Total GFA (sq. m):	52,869			
Lot Coverage Ratio (%):				
Floor Space Index:	4.6			

DWELLING UNITS

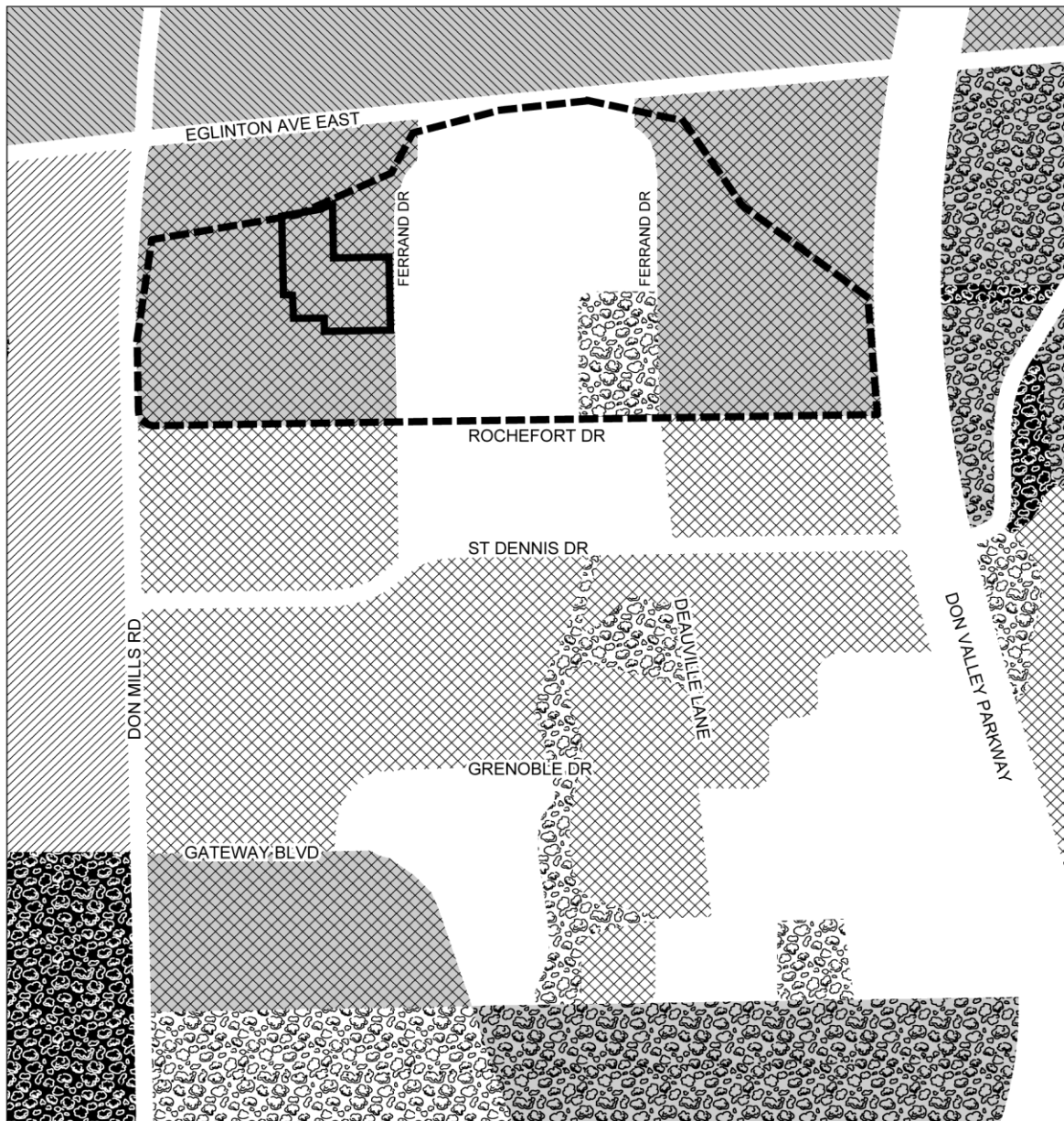
Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	374
2 Bedroom:	215
3 + Bedroom:	25
Total Units:	661

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	52,869	0
Retail GFA (sq. m):		0
Office GFA (sq. m):		0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: PLANNER NAME: Lynn Poole, Senior Planner

Attachment 4: Official Plan



Official Plan for Site & Area Specific Policy 76

1185 Eglinton Avenue East

File # 08_111649 NNY 26 02



Not to Scale
08/23/2013

Attachment 5: Site and Area Specific Policy 76

76. Southeast of Eglinton Avenue East and Don Mills Road

A maximum overall density of 1.8 times the lot area is permitted, with higher densities and massing to be generally concentrated adjacent to Eglinton Avenue East and the Don Valley Parkway.



Attachment 6: Zoning



Toronto City Planning
Zoning

1185 Eglinton Avenue East

File # 08_111649 NNY 26 02

RM1 Multiple-Family Dwellings First Density Zone

MO Industrial-Office Business Park Zone

 Site



Not to Scale
Zoning By-law 7625
Extracted 08/23/2013

Attachment 7: Study of Site and Area Specific Policy 76

Study of Site and Area Specific Policy 76

August 22, 2013

Background

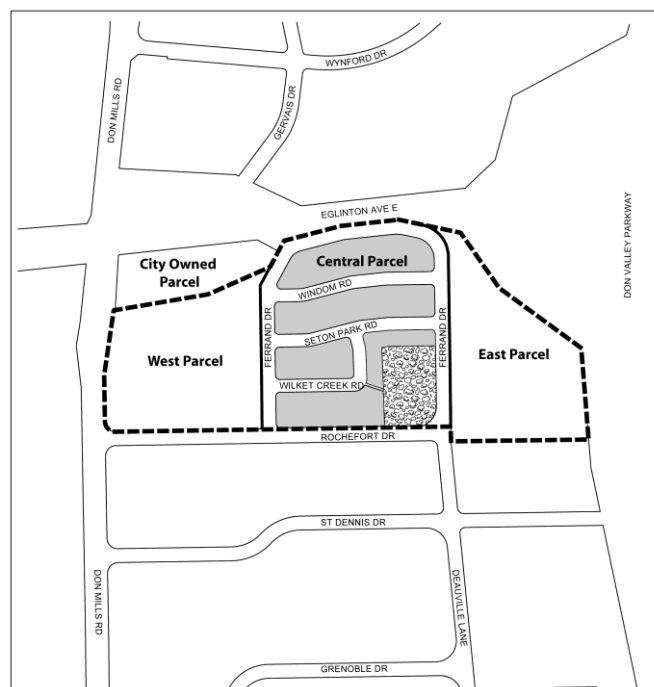
In 1993, North York City Council adopted an area study and Official Plan Amendment which provided for the introduction of residential uses in an office area and permitted an FSI of 1.75. In 1997 an Official Plan Amendment was adopted which permitted an FSI of 1.8 which was carried forward as Site and Area Specific Policy 76 in the new Official Plan. In 1998, a zoning amendment was adopted for a portion of Site and Area Specific Policy 76 which permitted a development consisting of 148 semi-detached houses and 47 townhomes.

An application for development on 1185 Eglinton Avenue East was filed in February 2008. City Council deferred the application because the proposed development did not provide an appropriate transition to the adjacent neighbourhood. City Council also directed that a review of Site and Area Specific Policy 76 be undertaken to determine the effect of the permitted density and to recommend guidelines for appropriate built form for all lands within this site specific policy area.

New owners filed a revised application for 1185 Eglinton Avenue in June 2011 and the application was reviewed in the context of the on-going study of Site and Area Specific Policy 76.

Purpose of the Study

Area Specific Policy 76 permits a density of 1.8 FSI over the whole of the lands. This density permission anticipated mid-rise and townhouse development based on an application filed at that time for the central portion of Area Specific Policy 76 shown below. When the neighbourhood of semi-detached homes and townhouses was developed instead at an FSI of 0.8, Area Specific Policy 76 was not reviewed to determine whether the existing 1.8 FSI density permission was still appropriate. As a result, Area Specific Policy 76 does not provide sufficient guidance concerning appropriate built form and the distribution of density over the 16 hectare area. Consequently, applicants for development sites within Area Specific Policy 76 may seek



TORONTO City Planning
Study Area

File # 08 111649 26 02

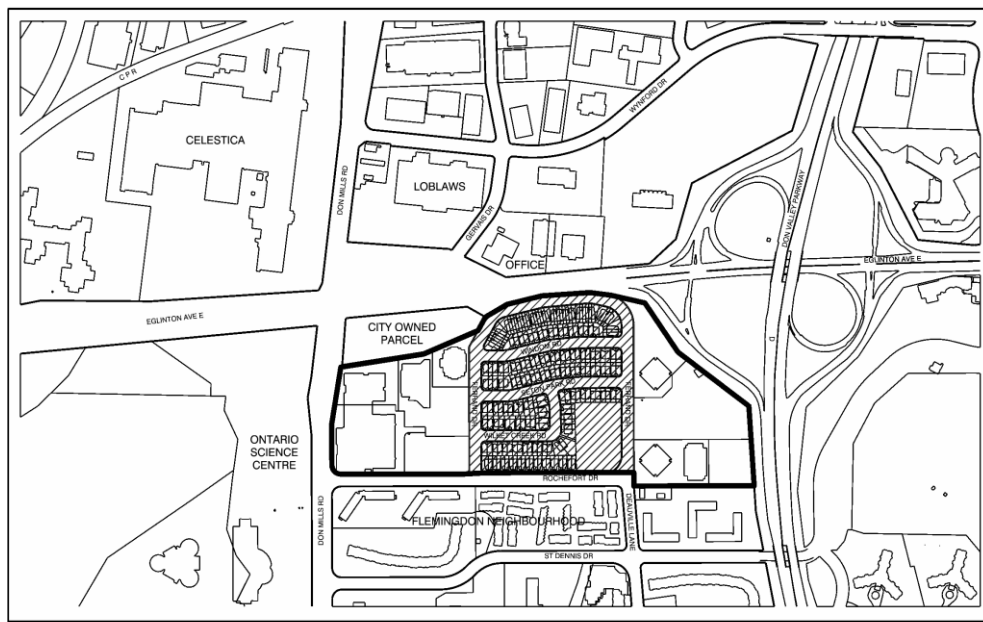
Study Area

inappropriate shares of the remaining density permission. A review of the context and planning framework and a built form analysis of individual properties has been undertaken.

Context

Area Specific Policy 76 is located at the south east quadrant of Eglinton Avenue East and Don Mills Road. The area is adjacent to the “Eglinton Crosstown” extending from Black Creek Drive to Kennedy Road which is under construction. This will improve access to transit for properties in proximity to Eglinton Avenue with a stop proposed at the Eglinton and Don Mills intersection and at Ferrand Drive at the Don Valley Parkway.

The local context includes lands designated *Employment* to the north and northwest. The north west corner of Don Mills and Eglinton contains the Celestica Information Technology offices. North of the area are other office uses and a big box grocery store. A vacant parcel on the north side of Eglinton between Don Mills Road and Gervais Drive is in City of Toronto ownership and is the proposed site for the main Eglinton Don Mills LRT stop and a bus transfer station. Lands residual to these uses may be developed for employment uses by Build Toronto. The Ontario Science Centre is located to the west and is designated *Institutional*. The employment uses and the Ontario Science Centre will benefit from the higher order transit planned for Eglinton Avenue. *Employment Areas* and *Institutional Areas* are designations where future growth is to be directed.



Site & Area Specific Policy 76 and Surrounding Area



File # 08 111649 NNY 26 02

A 1.5 hectare parcel, located at the south east corner of Eglinton Avenue East and Don Mills Road is not part of Site and Area Specific Policy 76 but is designated *Mixed Use Area*. The parcel, owned by the City of Toronto was used for surface parking. The lands are under consideration for development/sale by Build Toronto, an agency of the City which reviews city owned lands and facilities and a part of the focus area in the Eglinton Crosstown LRT Study. The Flemingdon Park neighbourhood is located to the south of the area and consists of both low rise *Neighbourhoods* and *Apartment Neighbourhoods*. Development within the area covered by Area and Site Specific Policy 76 is required to fit harmoniously with the built form character of the residential uses. Gaps in existing community facilities and services for Flemingdon Park have been identified. The uses surrounding Site and Area Specific Policy 76 are shown above.

Planning Framework

Area Specific Policy 76 is 16 hectares (40 acres) in size and for purposes of this study has been divided into three parcels; East, West and Central.

The Official Plan designations within Area Specific Policy 76 include *Mixed Use Areas* for the east and west parcels and *Neighbourhoods* for the central parcel. The West and East Parcels contain office buildings and one residential condominium (West Parcel). Within the West and East Parcels there are potential development sites in the form of vacant land and surface parking lots. The present block and street pattern of the West Parcel does not provide direct pedestrian access to the various properties and open spaces are dominated by auto use.

The Central Parcel is a neighbourhood comprised of 148 semi-detached and 47 townhomes and three local through streets. Unlike the West and East Mixed Use Parcels, the Central Parcel does not have vacant lands, or redevelopment potential other than what is permitted in the Official Plan for lands designated *Neighbourhoods*. The Central Parcel also contains Ferrand Drive Park which is 1.3 hectares in area. The Central Parcel is excluded from the draft Site and Area Specific Policy.

Built Form Analysis

Redevelopment sites which have potential for new mixed use or residential development were reviewed. These sites are located in the Mixed Use Parcels and include existing office buildings with large surface parking lots, parking structures or vacant open space and an existing Place of Worship.

Redevelopment sites were analysed within the policy framework of the Official Plan including Public Realm, Built Form, Built Form – Tall Buildings, as well as Mixed Use Areas. These policies provide that development have an appropriate relationship and limit impacts to abutting building sites; provide publicly accessible grade related open space; are massed to fit harmoniously into the context; meet an appropriate transition of scale between areas of differing scales and intensity of use, provide adequate space for a high quality public realm and servicing and meet other Council approved built form guidelines including DIPS, Tall Building Guidelines, Midrise Guidelines and Infill Townhouse Guidelines.

Principles for New Development

Based on a review of the context, the planning framework and a built form analysis of individual properties, the following principles for new development have been prepared. New development will:

- be consistent with the existing and planned context, in particular, protecting the stability of the existing *Neighbourhoods* located both within and adjacent to the Area Specific Policy and *Apartment Neighbourhoods* adjacent to the Area Specific Policy;
- be massed to fit harmoniously into its existing and/or planned context and will limit its impacts on neighbouring streets, parks, open space and properties, in particular limit shadow impacts on the *Neighbourhoods* area through setbacks, building separation and building massing;
- Ensure that no development rises above a 45 degree angular plane as a geometry of transition measured from the closest low rise residential property line;
- meet high urban design, architecture and landscape architecture standards which contribute to achieving a high quality public realm which is attractive, inviting, comfortable and safe;
- create adequate space for pedestrians, bicycles and landscaping as well as transit, vehicles, utilities and utility maintenance;
- ensure that private driveways, where they are appropriate, are designed to integrate into the public realm and meet the design objectives for new streets;
- meet DIPS, the Tall Building Design Guidelines, Midrise Guidelines and Infill Townhouse Guidelines as approved by City Council; and,
- provide high quality, safe, accessible and functional, publicly accessible, grade related open space on each site.

New Streets and Driveways

The Mixed Use Parcels, located to the east and west of the central neighbourhood are each 4.5 hectares in area. They are large blocks which presently lack internal streets and adequate vehicular, pedestrian and bicycle access to the surrounding street network. The Development Concept proposes new streets and driveways which divide the Parcels into a more urban pattern of streets and blocks, provide vehicular and pedestrian access to properties and better integrate the Parcels with adjacent uses. Future development in the Parcels will accommodate the following changes to existing streets as well as new public streets and driveways:

- re-align the north-west portion of Ferrand Drive at Eglinton Avenue and provide a traffic signal connected to a realigned Gervais Drive;
- a new L shaped public street through the development site at 1185 Eglinton Avenue East which includes a new east west street connecting Ferrand Drive and Foresters Lane and Foresters Lane from this street south to Rochefort Drive;

- extend and improve the existing north south driveway (Foresters Lane) through the centre of the West Mixed Use Parcel to provide pedestrian access to the LRT stop at Eglinton and Don Mills Road;
- provide a new east-west public street at the City owned parcel at the south east corner of Eglinton Avenue and Don Mills Road; and,
- provide a new L-shaped public street on the east parcel connecting Ferrand Drive south to St. Dennis Drive.

New Open Space

The East and West Mixed Use Parcels presently lack landscaped open space and outdoor amenity area other than minimal amounts directly adjacent to some of the existing buildings with the remaining land used for buildings, surface parking and servicing. New development on both blocks is to provide for new landscaped open space as a setting for development, as well as for outdoor amenity and enhance pedestrian access in both Mixed Use Parcels. These open spaces are seen as a compliment to the existing Ferrand Drive Park. The Development Concept shows new open space for both Parcels to be provided as follows:

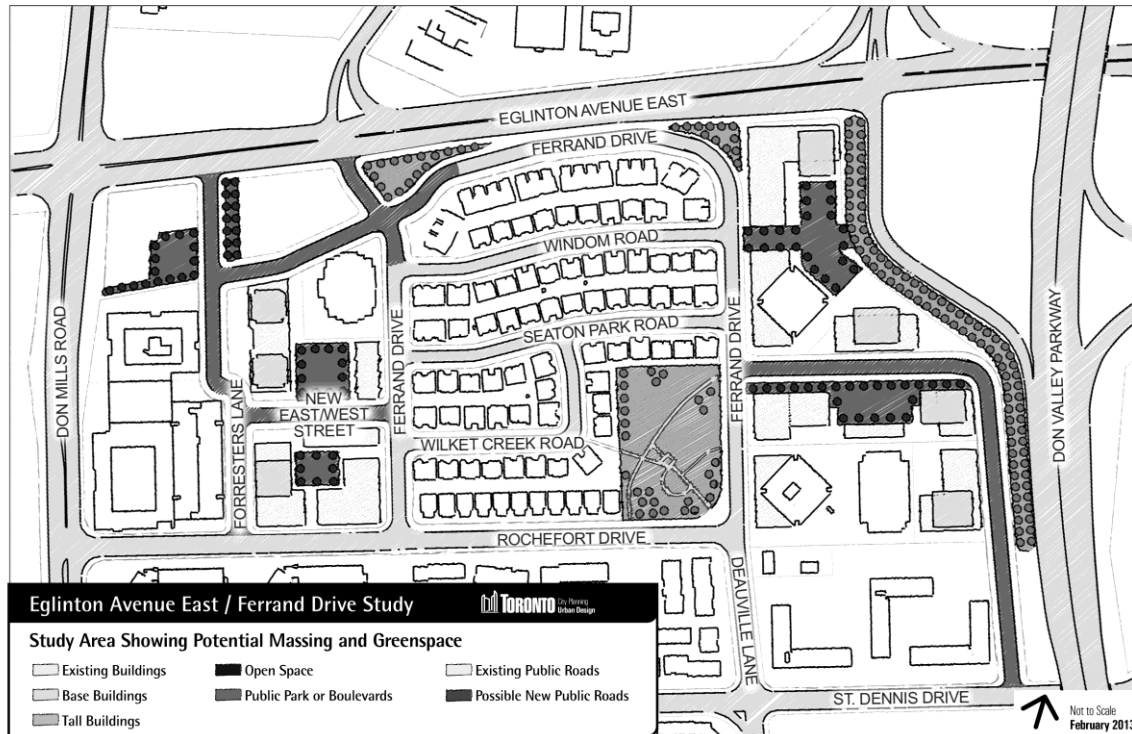
- adjacent to the new east-west public street in the West Mixed Use Parcel to enhance pedestrian access and amenity within this parcel;
- between the north boundary of the West Mixed Use Parcel and the City owned parcel to enhance access to the future Eglinton Crosstown transit stop;
- a centrally located block in the East Mixed Use Parcel as passive open space; and,
- adjacent to the Don Valley Parkway to function as a buffer between new development and the highway.

The new open spaces are shown schematically on the Development Concept.

Open space is to be framed by new development, at good proportion to ensure that there is adequate sunlight at the equinox to promote user comfort. As well, new development should provide ground floor uses including retail, commercial uses and grade related apartments to provide overlook and promote the safe use of the open spaces in the area. Walkways shall provide for universal physical access. Open spaces shall have high quality landscape design and amenities such as seating, waste receptacles, bicycle posts and lighting.

Development Concept

Based on the Principles for Development, a Development Concept has been prepared which sets out block, street and open space patterns for the Mixed Use Parcels. The Development Concept shows no change for the Central Parcel which is designated *Neighbourhoods* for which Official Plan policies provide for small scale development in keeping with the existing neighbourhood character. The central parcel has been excluded from the draft Site and Area Specific Policy. The Development Concept is illustrated below.



Development Concept Site and Area Specific Policy

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08/23/2013

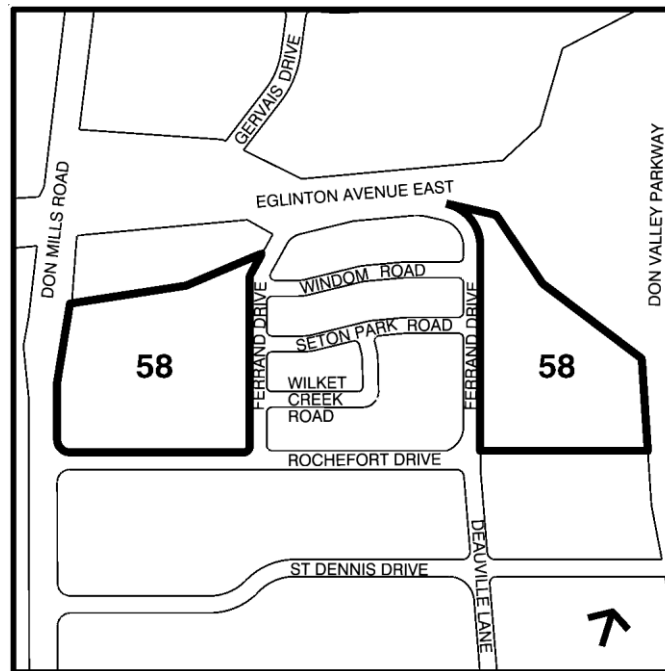
Implementation

Site and Area Specific Policy 76 was studied to review the distribution of density and to consider principles for development and a development concept to guide future development in the policy area. The Study is to be implemented through an amendment to the Site and Area Specific Policy which follows.

DRAFT AMENDMENT TO THE OFFICIAL PLAN

LANDS LOCATED SOUTH OF EGLINTON AVENUE EAST, WEST OF THE DON VALLEY PARKWAY, EAST OF DON MILLS ROAD AND NORTH OF ROCHEFORT DRIVE

1. Chapter 7, Site and Area Specific Policies, is amended by deleting the map associated with Site and Area Specific Policy No. 76 and replacing it with the following map:



2. Chapter 7, Site and Area Specific Policies, is amended by deleting the text associated with Site and Area Specific Policy No. 76 and replacing it with the following text:

South of Eglinton Avenue East, west of The Don Valley Parkway, east of Don Mills Road and north of Rochefort Drive.”

This Site and Area Specific Policy amendment provides guidance for future mixed use development for the lands bounded on the north by Eglinton Avenue East, on the west by Don Mills Road, on the south by Rochefort Drive and on the east by the Don Valley Parkway.

Lands within this Site and Area Specific Policy consist of two parcels;

- i. a West Mixed Use Parcel located between Don Mills Road and Ferrand Drive
- ii. an East Mixed Use Parcel located between Ferrand Drive and the Don Valley Parkway

Lands located between the East and West parcels are anticipated to remain as a stable residential neighbourhood.

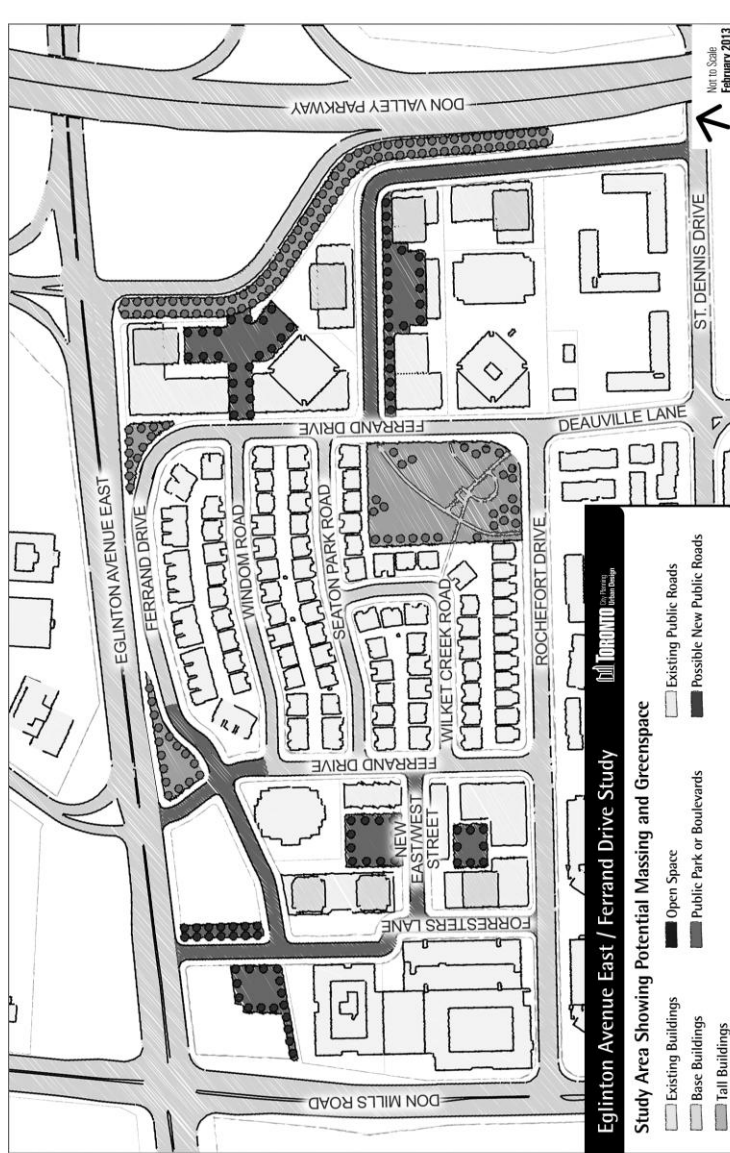
The maximum permitted density for the West Mixed Use Parcel is 3.2 FSI and for the East Mixed Use Parcel the maximum permitted density is 2.7 FSI subject to the following provisions:

1. Local streets and driveways as shown conceptually on the draft Schedule will be required prior to development in order to provide connections to new transit facilities, divide the lands into a more urban pattern of streets and blocks and to integrate the Mixed Use Parcels with surrounding uses. Future development in the Parcels will accommodate the following changes to existing streets as well as new public streets and driveways:
 - re-align the north-west portion of Ferrand Drive at Eglinton Avenue and provide a traffic signal connected to a realigned Gervais Drive;
 - provide a new L shaped public street through the development site at 1185 Eglinton Avenue East which includes a new east west street connecting Ferrand Drive and Foresters Lane and Foresters Lane from this street south to Rochefort Drive;
 - extend and improve the existing north south driveway (Foresters Lane) through the centre of the West Mixed Use Parcel to provide pedestrian access to the LRT stop at Eglinton and Don Mills Road;
 - provide a new east-west public street at the City owned parcel at the south east corner of Eglinton Avenue and Don Mills Road; and,
 - provide a new L-shaped public street on the east parcel connecting Ferrand Drive south to St. Dennis Drive.
2. The following built form policies have been developed to guide future growth in this policy area. New development is to:
 - be consistent with the existing and planned context, in particular, protecting the stability of the existing *Neighbourhoods* located both within and adjacent to the Area Specific Policy and *Apartment Neighbourhoods* adjacent to the Area Specific Policy;
 - be massed to fit harmoniously into its existing and/or planned context and will limit its impacts on neighbouring streets, parks, open space and properties, in particular limit shadow impacts on the *Neighbourhoods* area through setbacks, building separation and building massing;
 - ensure that no development rises above a 45 degree angular plane as a geometry of transition measured from the closest low rise residential property line;

- meet high urban design, architecture and landscape architecture standards which contribute to achieving a high quality public realm which is attractive, inviting, comfortable and safe;
 - create adequate space for pedestrians, bicycles and landscaping as well as transit, vehicles, utilities and utility maintenance;
 - ensure that private driveways, where they are appropriate, are designed to integrate into the public realm and meet the design objectives for new streets;
 - meet DIPS, the Tall Building Design Guidelines, Midrise Guidelines and Infill Townhouse Guidelines as approved by City Council; and,
 - provide high quality, safe, accessible and functional, publicly accessible, grade related open space on each site.
3. Open space is to be framed by new development, at good proportion, to ensure that there is adequate sunlight at the equinox to promote user comfort. New development is to provide ground floor uses including retail, commercial uses and grade related apartments to provide overlook and promote the safe use of the open space in the area. New development is to provide for new landscaped open space as a setting for development, as well as for outdoor amenity and to enhance pedestrian access. New open space will be provided as follows:
- adjacent to the new east-west public street in the West Mixed Use Parcel to enhance pedestrian access and amenity within this parcel;
 - between the north boundary of the West Mixed Use Parcel and the City owned parcel to enhance access to the future Eglinton Crosstown transit stop;
 - a centrally located block in the East Mixed Use Parcel as passive open space; and,
 - adjacent to the Don Valley Parkway to function as a buffer between new development and the highway.
4. When any zoning by-law amendment is submitted a comprehensive transportation review will be undertaken which demonstrates to the satisfaction of the City that sufficient transportation capacity is available. Development may be phased with conditions for the release of development based on the construction of required transportation infrastructure improvements.

5. Subject to the following and pursuant to Section 37 of the *Planning Act*, zoning provisions may be enacted to permit density increases above the currently permitted zoning in return for land for and/or financial contributions towards the following community services and facilities including; dedicated and accessible community service space for non-profit agencies to deliver programs and services for children, youth, seniors and new immigrants with a minimum of 5,000 to 10,000 ft² recommended, licensed child care facilities, upgrades to the Flemington Park Neighbourhood Library including improvements to the layout and study space, creation of children's and teen's zones and creation of a computer learning and media centre and expansion of existing City recreational facilities and/or new recreational facilities to provide additional space for large, flexible multi-purpose rooms to run programs for all age groups. It is recognized that certain facilities may be located outside the boundaries, but convenient to this Site and Area Specific Official Plan Amendment. The density permitted by the Zoning By-law will be used as the base value for the calculation of Section 37 community benefits.

Draft OP Schedule



Development Concept Site and Area Specific Policy