

City Initiated Amendment to Site and Area Specific Policy 76 Don Mills Road & Eglinton Avenue East – Final Report

Date:	January 31, 2014
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 26 – Don Valley West
Reference Number:	13 265256 NPS 00 TM

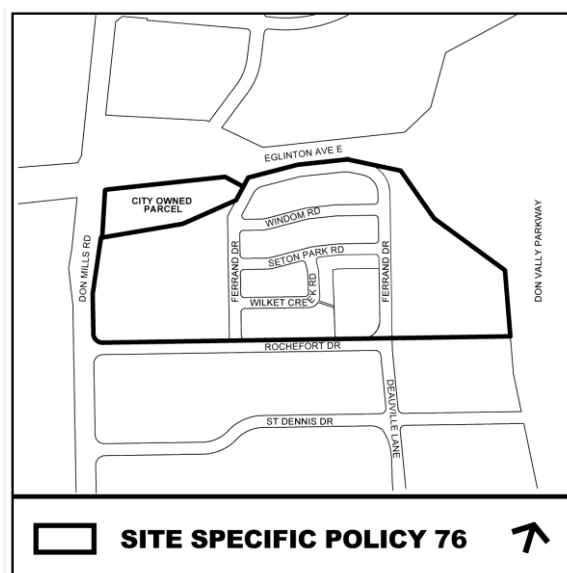
SUMMARY

This report brings forward a draft amendment to Site and Area Specific Policy 76 as directed by City Council at its meeting of October 8, 2013. The draft amendment adds policies to guide future development and allocates density for the area bounded by Eglinton Avenue East on the north, the Don Valley Parkway on the east, Rochefort Drive on the south and Don Mills Road on the west. This report recommends that the draft amendment be adopted.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the area bounded by Eglinton Avenue East on the north, the Don Valley Parkway on the east, Rochefort Drive on the south and Don Mills Road on the west substantially in accordance with the draft Official Plan Amendment attached as Attachment 3.



2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment as may be required.
3. Should the Official Plan Amendment be appealed to the Ontario Municipal Board, the City Solicitor and City Staff be authorized to attend the Ontario Municipal Board hearing to defend the Official Plan Amendment as set out in this report.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of October 8, 2013 City Council directed that the amendment to the Official Plan, draft Site and Area Specific Policy 76 be scheduled for a Statutory Meeting to be held at North York Community Council in January 2014. A copy of the City Council decision and background information is available at:
<http://www.toronto.ca/legdocs/mmis/2013/ny/bgrd/backgroundfile-61147.pdf>

COMMENTS

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 1.

The Study of Site and Area Specific Policy 76 is contained in Attachment 2. The Study includes a review of the context and planning framework of the Policy Area, a description of the built form analysis, principles for new development and a development concept. The Study results showed that density can be allocated to the west mixed use parcel for an FSI of 3.2 and to the east mixed use parcel for an FSI of 2.7.

The Study formed the basis for the proposed amendment to Site and Area Specific Policy 76. The proposed amendment provides for future development in the mixed use parcels, divides large parcels into a more urban pattern of streets and blocks, identifies schematic locations for new open space, assigns density and provides for a comprehensive transportation review. The lands designated *Neighbourhoods* consisting of semi-detached homes and townhouses are proposed to be removed from the Site and Area Specific Policy Area. The *Neighbourhoods* Official Plan designation is to be retained. Note that the wording of the Section 37 policy has been revised to clarify that in addition to the community benefits identified, other types of community benefits are not excluded. The proposed amendment to Site and Area Specific Policy 76 is contained in Attachment 3.

This report recommends that the draft amendment to Site and Area Specific Policy 76 be adopted.

CONTACT

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SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

- Attachment 1: Existing Site and Area Specific Policy 76
- Attachment 2: Excerpt from the Direction Report on 1185 Eglinton Avenue East and City
Initiated Amendment to Site and Area Specific Policy 76 dated August 22,
2013
- Attachment 3: Draft Amendment to Site and Area Specific Policy 76

Attachment 1: 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.

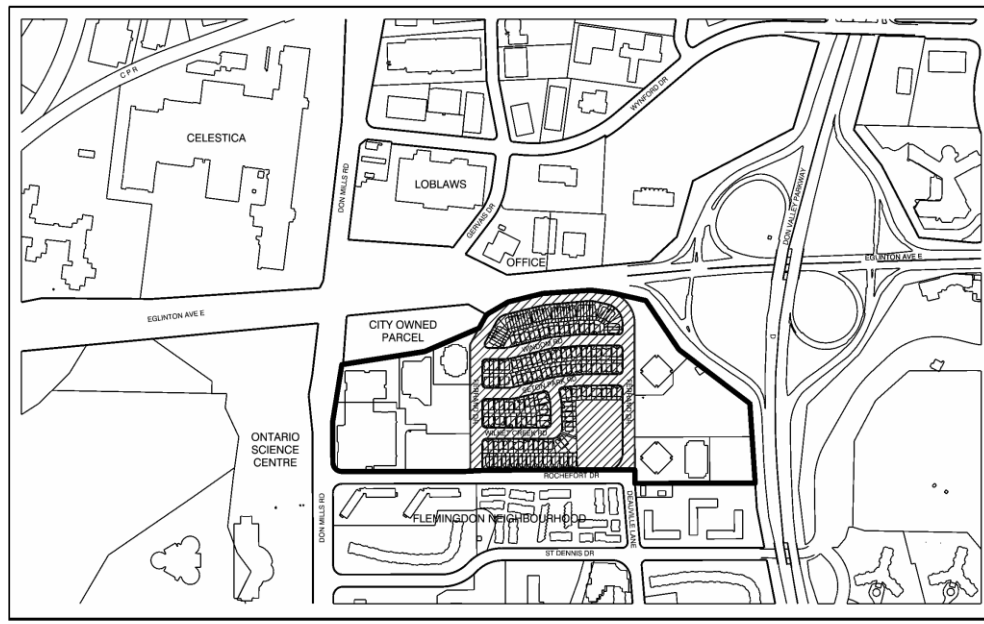


inappropriate shares of the remaining density permission. A review of the context and planning framework and a built form analysis of individual properties has been undertaken.

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:

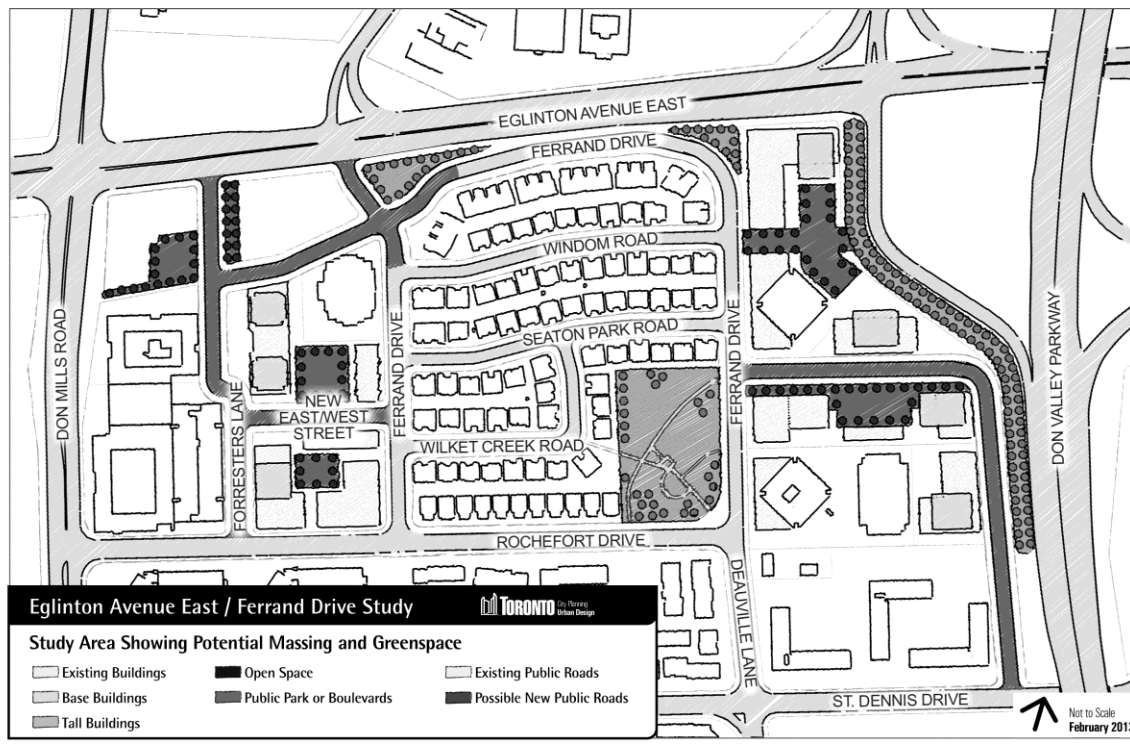
- adjacent to the new east-west public street in the West Mixed Use Parcel to enhance pedestrian access and amenity within this parcel;
- between the north boundary of the West Mixed Use Parcel and the City owned parcel to enhance access to the future Eglinton Crosstown transit stop;
- a centrally located 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

Not to Scale
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.

Attachment 3: Draft Amendment to Site and Area Specific Policy 76

Authority: North York Community Council Item NY26.55 as adopted by City of Toronto Council on October 8, 2013

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting the lands located south of Eglinton Avenue East, west of The Don Valley
Parkway, East of Don Mills Road and north of Rochefort Drive**

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

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

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The attached Amendment No. 238 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

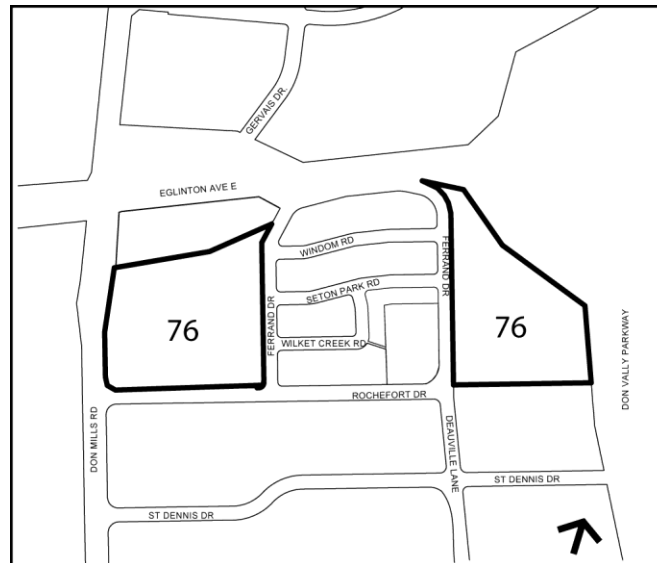
ROB FORD,
Mayor

(Corporate Seal)

ULLI S. WATKISS,
City Clerk

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;

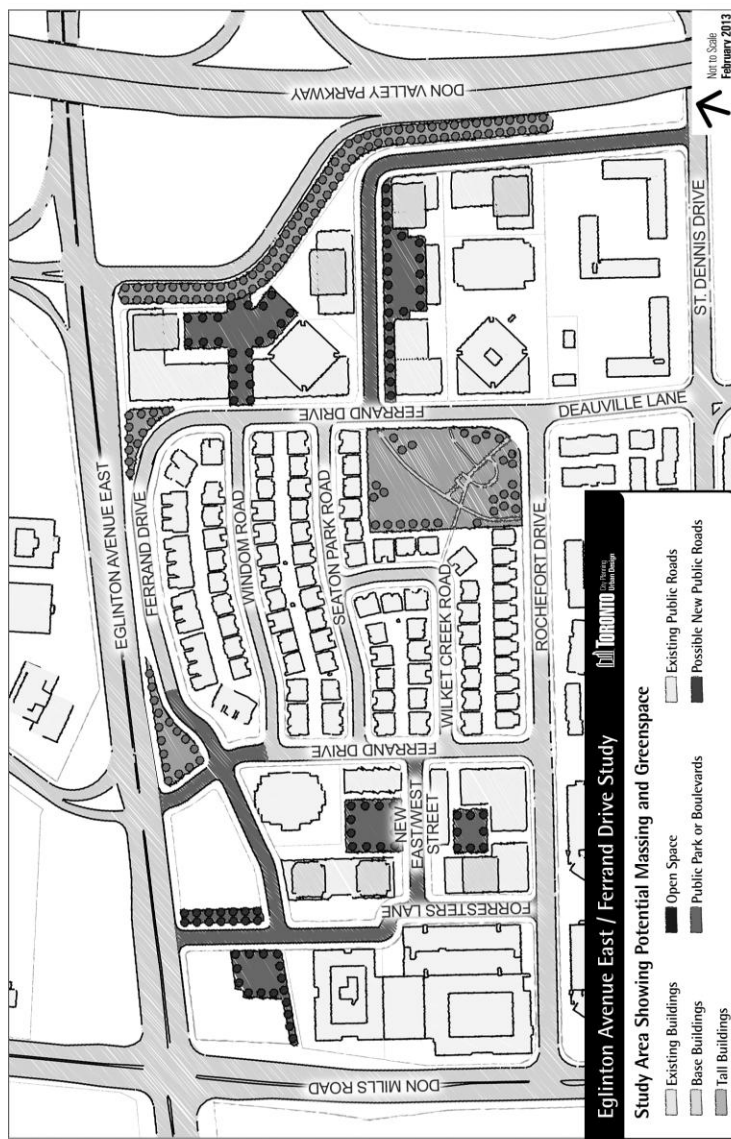
- be massed to fit harmoniously into its existing and/or planned context and will limit its impacts on neighbouring streets, parks, open space and properties, in particular limit shadow impacts on the *Neighbourhoods* area through setbacks, building separation and building massing;
- ensure that no development 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 community services and facilities. The following community services and facilities are priority community benefits in the area to which this policy applies, but other types of community benefits are not precluded; 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 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 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.

Schedule A



Development Concept Site and Area Specific Policy

Not to Scale
08/23/2013