

## 1 Eglinton Avenue East - Zoning Amendment Application - Preliminary Report

<b>Date:</b>	January 30, 2015
<b>To:</b>	Toronto and East York Community Council
<b>From:</b>	Director, Community Planning, Toronto and East York District
<b>Wards:</b>	Ward 22 – St. Paul's
<b>Reference Number:</b>	14 266776 STE 22 OZ

### SUMMARY

This application proposes a 68-storey mixed-use residential building with retail at grade, commercial office in the base building, 672 residential units and 26 live/work units. A total of 287 parking spaces is proposed underground.

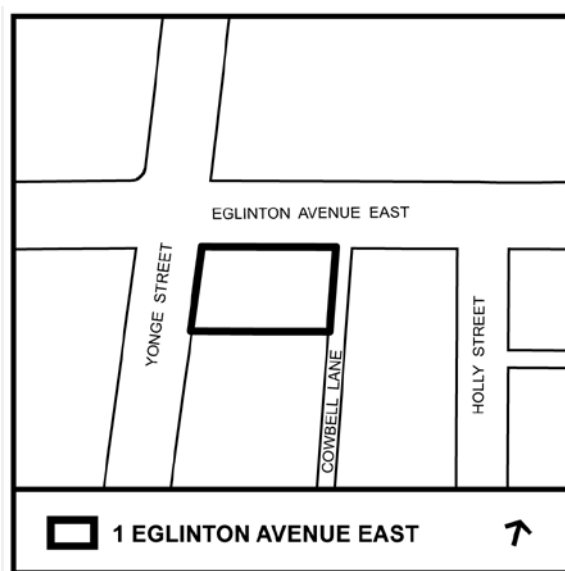
This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

Next steps include a community consultation meeting which has yet to be scheduled. A final report is targeted for the final quarter of 2015. The target date assumes that the applicant will provide all required information in a timely manner.

### RECOMMENDATIONS

**The City Planning Division recommends that:**

1. Staff be directed to schedule a community consultation meeting for the lands at 1 Eglinton Avenue East together with the Ward Councillor.



2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

### **Financial Impact**

The recommendations in this report have no financial impact.

### **DECISION HISTORY**

There are no previous planning decisions associated with the property at 1 Eglinton Avenue East.

### **Pre-Application Consultation**

A pre-application meeting was held on May 7, 2013 with a subsequent meeting held on August 14, 2014. At the May 7, 2013 meeting, Staff indicated that they would be seeking employment (office) replacement on site for the proposed 8-storey commercial office building. Staff also expressed concern about the design of the base building and a desire to have the access to the subway and LRT consolidated into one entrance. At the most recent meeting Staff indicated concern with the height of the tower, the proposed setbacks and the size of the proposed plaza provided at the southeast corner of Yonge Street and Eglinton Avenue.

### **ISSUE BACKGROUND**

#### **Proposal**

The applicant is proposing to construct a 68-storey mixed commercial residential building with retail on the ground floor and mezzanine levels, commercial office space on floors 2 to 8 and residential above. The base of the building varies in height from 6-storeys along Eglinton Avenue to 9-storeys at the south property line. The tower rises above the base from the sixth storey with a 3 metre step back. The tower steps back from the south property line at the ninth storey with a 10 metre step back. Servicing is proposed from Cowbell lane and is interior to the site along with primary loading facilities. Additional loading and vehicular parking, is provided below grade. Details of the proposal are provided in the table below as well as Attachment 5: Application Data Sheet, in this report.

Category	First Submission December 22, 2014
Site Area	1,947.7 square metres
Proposed Tower Setbacks Eglinton Avenue Yonge Street Cowbell Lane South Property Line	3 metres 10 metres 7 metres 10 metres
Proposed Base Setback on Ground Floor Eglinton Avenue Yonge Street Cowbell Lane	3 metres (Yonge) to 1 metres (along Eglinton) 10 metres to 4 metres (southern edge) 0 metres (1.5 metre sidewalk provided through property)
Tower Floorplate	766 to 791 square metres
Gross Floor Area Total Residential Non-Residential Live/Work Total	46,016.2 square metres 10,382.3 square metres 1,642.6 square metres 56,697.1 square metres
Floor Space Index	29.11
Number of Units Studio 1 Bedroom 2 Bedroom 3 Bedroom Live/Work Total	0 448 (64%) 224 (32%) 0 26 (4%) 698
Ground Floor Height	4.5 metres
Sidewalk width Eglinton Avenue (4.869 m existing) Sidewalk width Yonge Street (3.43 m existing)	7.869 metres Approximately 11 metres to 6 metres (south)
Proposed Vehicular Parking (residential:visitor:non-residential)	283 spaces (226:14:43)
Proposed Bicycle Parking (residential:visitor: retail/office)	720 (605:68:47)
Loading Spaces Description	1 Type B, 1 Type G, 2 Type C
Amenity Space Interior Residential Exterior Residential Total Amenity Space Provided	1,381.7 square metres 1,342.0 square metres 2,723.7 square metres
Building Height	68 storeys (219.5 metres)

## **Site and Surrounding Area**

The subject site is approximately 1,947 square metres in size and rectangular in shape. It is located on the southeast corner of Eglinton Avenue and Yonge Street with frontages on both streets as well as Cowbell Lane to the east. The site is currently occupied by an 8-storey commercial office building with approximately 10,689.6 square metres of commercial office space. An underground connection to Eglinton Subway station is provided in the building.

**North:** To the north of the site is Eglinton Avenue, the northeast corner of Yonge and Eglinton is being redeveloped as a mixed-use residential building of 58 storeys. Continuing north are several commercial building ranging in height from 6 storeys to 12 storeys with retail and services uses on the ground floor.

**East:** To the immediate east of the site is Cowbell Lane. Continuing east is a 2-storey Salvation Army building that is also proposed to be the future emergency exit for the Eglinton Crosstown LRT. Continuing east are high-rise, residential buildings, ranging in height from 14 to 18 storeys.

**South:** To the immediate south of the site is a two-storey commercial building with ground floor retail/service uses. Continuing south is a 5-storey commercial office building which is proposed to be redeveloped for a high-rise (58-storey) mixed-use residential building. Continuing south are the two existing mixed use, residential buildings - Minto (Quantum) (54 and 39-storeys).

**West:** To the west of the site is Yonge Street, continuing west is the existing 14-storey Yonge-Eglinton Centre commercial complex and Eglinton Subway Station. On the northwest corner of Yonge Street and Eglinton Avenue is the 30-storey RioCan Centre with a mix of retail, service and commercial office uses.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required to be consistent with the PPS.

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

## **Official Plan**

The City of Toronto Official Plan contains a number of policies that apply to the proposed development.

### **Chapter 2 – Shaping the City**

#### **Section 2.2.2 Centres: Vital Mixed Use Communities**

The proposed development is located in the *Yonge-Eglinton Centre*. *Yonge-Eglinton Centre* is situated in midtown Toronto with a more central location in Toronto's transit network than the other *Centres*. The *Centre* is at the crossroads of the Yonge subway line and the Eglinton Crosstown Light Rail Transit line now under construction.

Due to the strategic location of the *Yonge-Eglinton Centre*, it should continue to develop as both an office centre and a desirable living area. The *Yonge-Eglinton Centre* has potential for new development through infill and development. Through new development, improvements will be made to the public realm, parks and other open spaces. New parks and open spaces will also be created through new development.

*Centres* in the Official Plan are a priority for managing growth in the City. They should be vibrant, mixed-use and supported by public transit. Each *Centre* in the Official Plan will have a secondary plan. Secondary Plans for *Centres* will, among other things, provide a supportive environment for residential and employment growth, including new commercial office space and transit oriented development. The plan will also delineate the boundaries of the growth centre, provide a strategy for public realm and parks improvements, support the use of public transit and other transportation models (e.g. cycling and walking) and ensure that an appropriate transition is created between high growth areas and lower scale development, particularly *Neighbourhoods*.

### **Chapter 3 – Built Form**

#### **Section 3.1.2 Built Form**

The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area who will encounter the building in their daily lives. New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by: generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sties, locate entrances so they are clearly visible and provide ground floor uses that have views into and access from streets. New development will also locate and organize vehicle parking, vehicular access to minimize their impacts on the public realm. Furthermore, new development will create appropriate transitions in scale to neighbouring existing and/or planned buildings limit shadowing on streets, properties and open spaces and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks to preserve their utility.

In the addition to the policies above, new development will also be massed to define the edges of streets, parks and open spaces to ensure adequate access to sky view for the proposed and future uses. New development will also provide public amenity, enhance the public realm through streetscape improvements and ensure that significant new multi-unit residential development provide indoor and outdoor amenity space for residents of the new development.

### **Section 3.1.3 Built Form – Tall Buildings**

The applicant is proposing to construct a Tall Building. Policy 3.1.3 states that Tall Buildings come with larger civic responsibilities than buildings of a smaller scale. In addition to specific built form characteristics, the policy states that proposals for Tall Buildings should clearly demonstrate how they relate to the existing and planned context, take into account their relationship with the topography and other tall buildings and how they meet the other objectives of the Official Plan.

## **Chapter 4 – Land Use Designations**

### **Section 4.5 Mixed Use Areas**

The site of the proposed development is in an area designated *Mixed Use Areas* in the Official Plan. *Mixed Use Areas* are intended to provide a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings. Development within *Mixed Use Areas* should provide for new jobs and homes on underutilized lands, while locating and massing new buildings to provide a transition between areas of different development intensity and scale. Furthermore, development in *Mixed Use Areas* should be located and massed to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

Development in *Mixed Use Areas* should also provide attractive, comfortable and safe pedestrian environments; have access to schools, parks and community centres as well as libraries and childcare.

Development in *Mixed Use Areas* should also take advantage of nearby transit services; provide good site access and circulation as well as an adequate supply of both visitor and resident parking. In addition, service areas should be located to minimize impacts on adjacent streets, and any new multi-unit residential development should provide indoor and outdoor amenity space for residents.

### **Yonge-Eglinton Secondary Plan**

The site of the proposed development is located in the Yonge-Eglinton Secondary Plan Area. The primary objective of the Yonge-Eglinton Secondary Plan is to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflicts among *Mixed Use Areas*, *Apartment Neighbourhoods*, *Neighbourhoods* and *Parks and Open Space Areas* in terms of land use, scale and vehicular movement. The Secondary Plan also requires that a full range of housing options (form, tenure) be provided in the Yonge-Eglinton Area

that is suitable for family and other households in that manner that is: "contextually appropriate and compatible with existing residential uses and residential built form." The *Mixed Use Areas* in the Official Plan will also contain a mixed of retail, service commercial, office and residential uses with the highest concentration at Yonge Street and Eglinton Avenue and smaller concentration at the Yonge/Davisville subway station. Commercial development will be strengthened in the Yonge-Eglinton Area, specifically, the following will be supported:

- street related retail and service uses in the *Mixed Use Areas* except Area 'E';
- office commercial uses in the *Mixed Use Areas* 'A', 'B', 'C'; and 'D'; and
- restricted retail uses in *Mixed Use Area* 'E'.

New development in the Yonge-Eglinton Secondary Plan Area will protect the scale of development in *Neighbourhoods* while minimizing impacts (shadowing, overlook, loss of skyview) on lower scale built form in *Neighbourhoods*. New development will transition in height and scale from developments in *Mixed Use Areas* and *Apartment Neighbourhoods* to *Neighbourhoods*, particularly when higher density designations about a *Neighbourhood*. The Yonge-Eglinton Secondary Plan states that the highest densities will be located in *Mixed Use Area* 'A', with developments of a lesser scale located in *Mixed Use Areas* 'B', 'C' and 'D'. Higher density development is permitted in *Apartment Neighbourhoods* with nearby subway station access. Reduced parking requirements are permitted in the Yonge-Eglinton Secondary Plan area where it can be demonstrated that projected travel can be accommodated by means other than the automobile. Bicycle linkages, facilities and new pedestrian connections will also be encouraged.

New development will promote architectural excellence while also providing for improvements in the public realm. New, flexible, community services facilities and social infrastructure will be provided in a timely manner in the Yonge-Eglinton Secondary Plan Area. New parks and open spaces will be secured in the Yonge-Eglinton Secondary Plan Area along with improvements to the existing parks and open spaces as well as the public realm.

Development within the Yonge-Eglinton Secondary Plan will satisfy the requirement of the Growth Plan for the Greater Golden Horseshoe, transition down in height from Yonge Street and Eglinton Avenue east towards Mount Pleasant Avenue, be compatible with the character of existing *Neighbourhoods* and maintain a high quality of residential amenity. Investment in public transit infrastructure will be a priority in the Yonge-Eglinton *Centre*.

The subject site is located in *Mixed Use Area* 'A' of the Yonge-Eglinton Secondary Plan. *Mixed Use Area* 'A' will be regarded as a significant commercial area which is intended to contain a major concentration of office and retail employment. New development in *Mixed Use Area* 'A' may contain components of residential and other uses. The greatest heights and densities will be concentrated in *Mixed Use Area* 'A'. Improvements

pedestrian amenity, including consolidating Subway and LRT entrances below grade will be a priority and retail uses will remain and be promoted on Yonge Street. *Mixed Use Area 'A'* will encourage transit oriented development with a focus on improving the southwest quadrant of Yonge Street and Eglinton Avenue. Strategies will be explored to encourage and support the business and office focus of *Mixed Use Area 'A'* in partnership with all stakeholders.

Section 37 priorities for developments within *Mixed Use Area 'A'* will be:

- Community facilities, including non-profit licensed daycare and flexible multi-purpose community space;
- Public parkland and park improvements in excess of required parkland dedication under Section 42 of the *Planning Act*;
- Public Realm, pedestrian connections and streetscape improvements; and
- Public Art.

For the purposes of calculating density, for the provision of Section 37 benefits, public transit facilities and public community and recreation facilities will be excluded.

### **Official Plan Amendment 231**

On December 18, 2013 Toronto City Council adopted Official Plan 231, a comprehensive amendment to the Official Plan which contains new policies with respect to Employment Areas and Economic Health and land use designations. One of the new policies adopted by Council states: "at the same time, existing office space in these transit-rich areas needs to be sustained, not demolished to make way for new residential buildings. Where a residential development is proposed on sites with over 1000 square metres of employment space in these areas served by rapid transit where residential uses are already permitted, the development must also result in an increase of employment space". On July 9, 2014 the Minister of Municipal Affairs and Housing approved the majority of OPA 231 with minor revisions. The revisions included, among other things, the establishment of a minimum density of 400 jobs and residents per hectare for each *Centre*, including the *Yonge-Eglinton Centre*. The site currently contains an 8-storey commercial office building with approximately 10,689.6 square metres of employment space and would be subject to the policies of OPA 231.

### **Tall Building Design Guidelines**

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The city-wide Guidelines are available at <http://www.toronto.ca/planning/tallbuildingdesign.htm>.



## **Midtown in Focus**

On August 25, 2014 Toronto City Council adopted the report from the Chief Planner and Executive Director, City Planning on Midtown in Focus - Parks, Open Space and Streetscape Plan for the Yonge-Eglinton Area. A copy of the report and plan can be found here:

<http://www1.toronto.ca/wps/portal/contentonly?vgnextoid=d421bf26585a2410VgnVCM10000071d60f89RCRD>.

The Midtown in Focus, Parks, Open Space and Street Plan, creates a framework for coordinated improvements within the Yonge-Eglinton area. The study identifies how the existing network of parks, open space, streets and public buildings can be improved over the next 5 to 10 years to create an attractive, safe, and comfortable network of public spaces that supports City life in Midtown. The urban design framework of Midtown in Focus is supported by the public realm policies of the Official Plan as well as the Yonge-Eglinton Secondary Plan.

The proposal is located at the southeast corner of Yonge Street and Eglinton Avenue. Yonge Street is proposed to contain a network of squares and open spaces focused on creating distinct and programmable public spaces. The southeast corner of Yonge Street and Eglinton Avenue has been identified as a location for a significant new public square. New building setbacks of 2.5 to 5 metres will also be sought along Eglinton Avenue.

## **Zoning**

The subject site is zoned mixed-use commercial residential (CR (T5.0, C4.0, R3.0)) in former City of Toronto Zoning By-law 438-86, as amended. The current zoning restricts the maximum Floor Space Index ("FSI" or "Density") to 5.0 (4.0 commercial and 3.0 residential).

The subject site is also zoned mixed-use commercial residential (CR 5.0 (c4.0; r3.0) SS2 (x2507)) in the new City of Toronto harmonized zoning by-law 569-2013, currently under appeal at the Ontario Municipal Board. The land-use planning permissions and restrictions are largely the same as those contained in Cy-law 438-86, as amended.

## **Site Plan Control**

The application is subject to site plan control. A site plan control Application has not been submitted by the applicant.

## **Reasons for the Application**

A zoning by-law amendment application is required to: increase the maximum permitted FSI for all uses, reduce the side yard and rear yard setbacks, increase the maximum permitted height and reduce the required parking.

City Planning Staff are also evaluating the proposal for conformity with the Official Plan and other relevant guidelines, including policies adopted by Council but not in force, such as OPA 231.

## **COMMENTS**

### **Application Submission**

The following reports/studies were submitted with the application:

- Traffic Impact Study
- Planning Rationale Report
- Community Services and Facilities Report
- Phase 1 Environmental Assessment
- Functional Servicing Report
- Wind Study
- Sun/Shadow Study
- Noise/Vibration Impact Study
- Geotechnical Study
- Toronto Green Standards Checklist

The applicant is required to submit an arborist report/tree preservation plan or a tree declaration. A Notification of Incomplete Application was issued on January 30, 2015

### **Issues to be Resolved**

The site is appropriate for a mixed use commercial residential tall building, however, Staff have identified the following as issues to be addressed:

Staff are concerned that the application does not comply with Official Plan Amendment 231 which requires that all office space be replaced within any redevelopment of a parcel containing an office building with a minimum of 1,000 square metres of commercial office space. The applicant has stated that it believes the application complies as it proposes to replace the existing 10,689.6 square metres of commercial office space with 10,947 square metres of new office space. However, this figure includes 1,642 square metres of GFA from 24 Live/Work units located on the tenth, eleventh and twelfth floors.

Staff have looked at the proposed Live/Work units and there does not appear to be any difference between them and a standard condominium unit. Staff are not satisfied the proposed units would function as Live/Work Units or that Live/Work units would meet the intent of Official Plan Amendment 231.

The density proposed on the site is significant at 29.11 times the lot area. Staff have concerns that the proposed density is too great for the site and may not be adequately serviced.

Staff are concerned with some aspects of the design of the project, including, but not limited to:

- The proposed step back of the tower from the base building at the south property line;
- The proposed step back from the tower from the base building at Cowbell Lane;
- The proposed step back of the tower from the base building at Eglinton Avenue, in light of the proposed height;
- The proposed height of the base building;
- Securing appropriate Section 37 benefits
- The impacts arising from the overall height of the proposed building; and
- The proposed floor plate of the tower has the potential to become slimmer which would help alleviate some of the concerns outlined above.

The proposal will be evaluated for compliance with the Midtown in Focus Public Realm Plan, in particular, Staff wish to evaluate the size and usability of the proposed public square at Yonge Street and Eglinton Avenue.

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

## **CONTACT**

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## **SIGNATURE**

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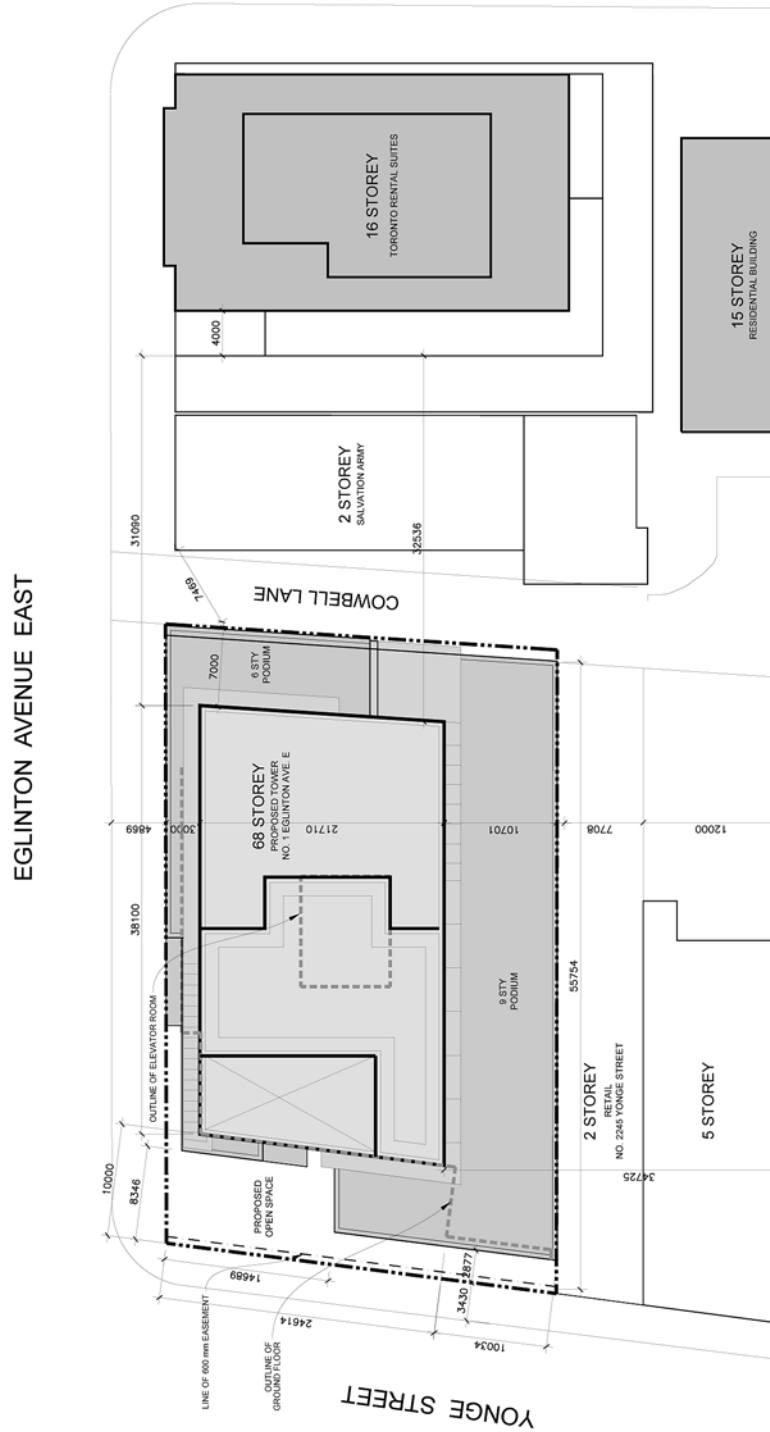
Gregg Lintern, MCIP, RPP  
Director, Community Planning  
Toronto and East York District

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## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: North and East Elevations  
Attachment 3: South and West Elevations  
Attachment 4: Zoning  
Attachment 5: Application Data Sheet

# Attachment 1: Site Plan



1 Eglinton Avenue East

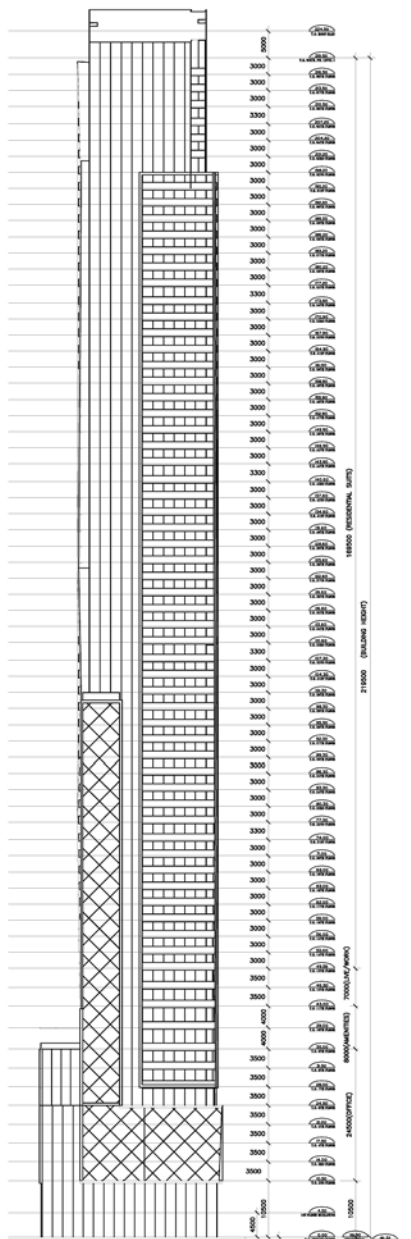
File # 14 266776 STE 22 0Z

Site Plan

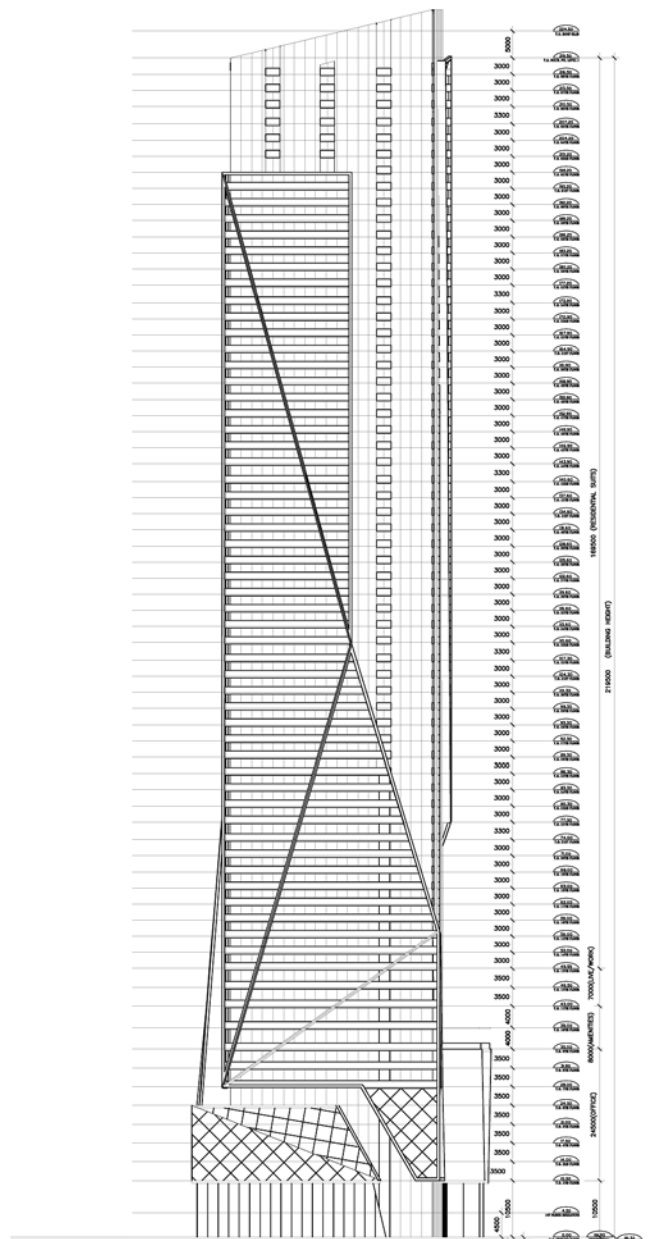
Applicant's Submitted Drawing

Not to Scale  
01/29/2015

## Attachment 2: North and East Elevations



East (Cowbell Lane) Elevation



North (Eglinton Avenue) Elevation

### Elevations

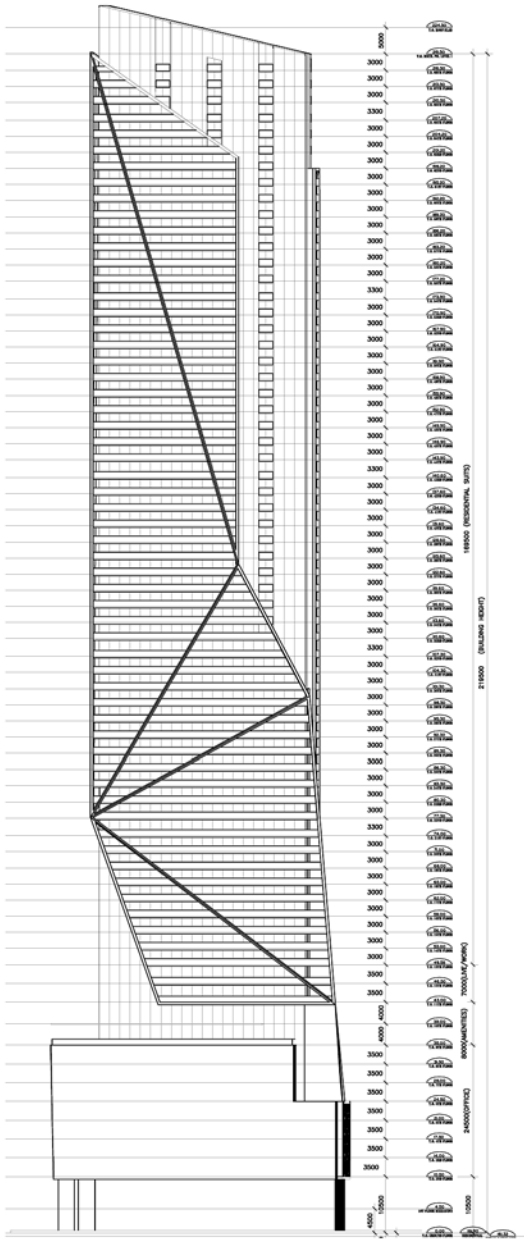
Applicant's Submitted Drawing

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01/29/2015

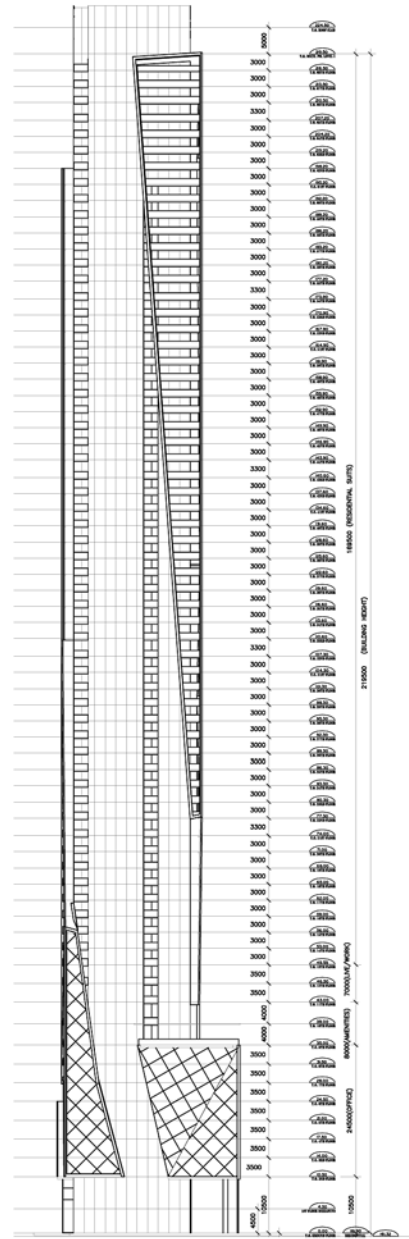
### 1 Eglinton Avenue East

File # 14 266776 STE 22 0Z

### Attachment 3: South and West Elevations



South Elevation



West (Yonge Street) Elevation

## Elevations

Applicant's Submitted Drawing

Not to Scale  
01/29/2015

## 1 Eglinton Avenue East

File # 14 266776 STE 22 02

## Attachment 4: Zoning




Zoning By-law 569-2013

1 Eglinton Avenue East

File # 14 266776 STE 22 02

 Location of Application  
CR Commercial Residential

 See Former City of Toronto Bylaw No. 438-86  
CR Mixed-Use District

  
Not to Scale  
Extracted: 01/29/2015

## Attachment 5: Application Datasheet

Application Type	Rezoning	Application Number:	14 266776 STE 22 OZ
Details	Rezoning, Standard	Application Date:	December 22, 2014
Municipal Address:	1 EGLINTON AVENUE EAST		
Location Description:	PLAN 653 BLK B LOT 18 PT LOTS 17 AND 19 RP 66R16029 PARTS 1 TO 3 **GRID S2204		
Project Description:	Proposal for a 68 storey mixed use building containing office, retail and 672 residential units and 6 levels of underground parking		

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
MHBC Planning Ltd. 7050 Weston Road, Ste. 230 Vaughan, ON L4L 8G7	MHBC Planning Ltd. 7050 Weston Road, Ste. 230 Vaughan, ON L4L 8G7	Hariri Pontarini Architects 602 King Street West Toronto, ON M5V 1M6	One Eglinton East Inc. 4576 Yonge Street, Ste. 700 Toronto, ON M2N 6N4

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR 5.0	Historical Status:	N
Height Limit (m):	61	Site Plan Control Area:	Y

### PROJECT INFORMATION

Site Area (sq. m):	1947.7	Height:	Storeys:	68
Frontage (m):	34.7		Metres:	224.5
Depth (m):	56			
Total Ground Floor Area (sq. m):	847.7			<b>Total</b>
Total Residential GFA (sq. m):	46016.2		Parking Spaces:	283
Total Non-Residential GFA (sq. m):	12024.9		Loading Docks	2
Total GFA (sq. m):	58041.1			
Lot Coverage Ratio (%):	43.5			
Floor Space Index:	29.8			

### DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	448 (67%)
2 Bedroom:	224 (33%)
3 + Bedroom:	0
Total Units:	672

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	46016.2	0
Retail GFA (sq. m):	1077.4	0
Office GFA (sq. m):	10947.4	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

<b>CONTACT:</b>	<b>PLANNER NAME:</b>	<b>Giulio Cescato, Senior Planner</b>
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