

55 Eglinton Avenue East - Zoning Amendment Application - Preliminary Report

Date:	January 30, 2015
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	14 268618 STE 22 OZ

SUMMARY

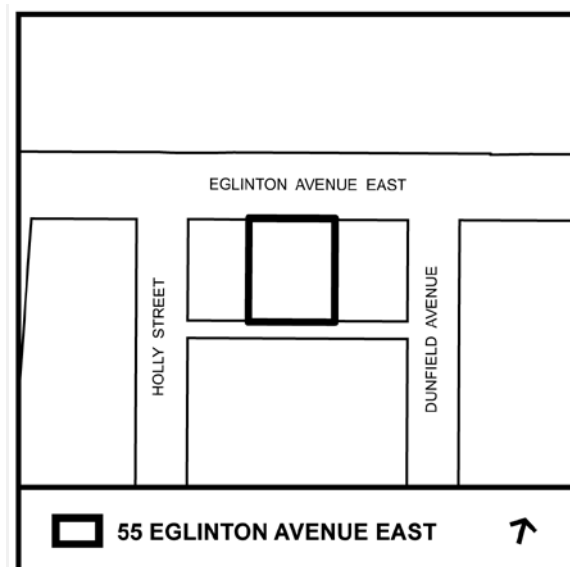
This application proposes a 47-storey mixed-use commercial and residential building containing a total of 455 residential units. The proposed building is composed of a 5-storey base building with a 42-storey tower above. The proposed density is 23.8 times the lot area. This report provides preliminary information on the above-noted application and seeks Community Council's direction on further processing of the application and on the community consultation process. Staff do not support the proposal in its current form.

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 55 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 55 Eglinton Avenue East.

Pre-Application Consultation

A pre-application consultation was held on August 13, 2014. During this meeting concerns were raised by staff about the minimal side yard setbacks, separation distances, the lack of commercial office space, deficient building parking base building height. Staff requested a block study to show how comprehensive redevelopment of the block could be achieved. Staff also advised the applicant to consolidate more property or work with adjacent property owners to ensure orderly redevelopment of the block. Complete application requirements were also discussed.

ISSUE BACKGROUND

Proposal

The applicant is proposing to construct a 47-storey mixed-use residential tower with retail at grade. The tower is a composed of a five-storey base building with a 42-storey tower above. The tower is largely set back 5.5 metres from all property lines except along Eglinton Avenue where it is set back approximately 8 metres. Details of the application are outlined in the chart below and in Attachment 7 – Application Data Sheet.

Category	First Submission January 2, 2015
Site Area	1,512.49
Proposed Tower Setbacks	
Eglinton Avenue	8 metres
East Property Line	5.5 metres
Rear Laneway	5.5 metres
West Property Line	5.5 metres
Proposed Base Setback on Ground Floor	
Eglinton Avenue	3 metres to 1.5 metres (at east property line)
Tower Floorplate	758 square metres
Gross Floor Area	
Total Residential	35,690.70 square metres
Non-Residential	253.37 square metres
Total	35,944.07 square metres

Category	First Submission January 2, 2015
Floor Space Index	23.76
Number of Units	
Studio	48 (11%)
1 Bedroom	283 (62%)
2 Bedroom	124 (27%)
3 Bedroom	0
Total	455
Ground Floor Height	6.4 metres
Sidewalk width Eglinton Avenue (4.8 m existing)	8 metres to 6.5 metres (at east property line)
Proposed Vehicular Parking (residential:visitor:non-residential)	141 (131:10:0)
Proposed Bicycle Parking (residential:visitor: retail)	455 (410:45:0)
Loading Spaces	
Description	1 Type G/B and 1 Type C
Amenity Space	
Interior Residential	1,078.63 square metres
Exterior Residential	743.58 square metres
Total Amenity Space Provided	1,822.21 square metres
Building Height	47 storeys (148.95 metres)

Site and Surrounding Area

The site is located east of Yonge Street on the south side of Eglinton Avenue. It lies mid-block between Holly Street and Dunfield Avenue. The site area is 1,512.49 square metres and is approximately square in shape. The site also abuts a public lane to the south.

North: To the north of the site, are several mid-rise office buildings ranging in height from 2 to 10 storeys. North of the site, across Eglinton Avenue, is a 4-storey building occupied by a Bell Canada switching station and a 7-storey office building with retail and medical office uses at grade. Continuing north of Eglinton Avenue, the area transitions from *Mixed Use Areas* to *Apartment Neighbourhoods*; containing a number of apartment buildings.

East: To the east of the site is a 7-storey office building with a blank wall facing the site. Further east is Dunfield Avenue and a mixed-use condominium development under construction comprised of two (33 and 36-storey) towers. The blocks further east are comprised mostly of older high-rise apartment buildings and infill tower developments.

South: To the south of the site is a public lane. Continuing south of the subject property is a 5-storey above grade parking structure operated by the Toronto Parking Authority. Further south is a 16-storey and 8-storey Toronto Community Housing building called Holly Park Complex. Further south on Holly are two 14-storey residential apartment buildings which are the subject of a development application currently under appeal at the Ontario Municipal Board.

West: To the west of the building is a 5-storey office building with retail uses at grade. Continuing west is Holly Street, Cowbell Lane and Yonge Street. Uses along Eglinton Avenue consist of a variety of high-rise residential and mixed-use buildings. The corner of Yonge Street and Eglinton Avenue contains a number of proposed and constructed high density, mixed-use buildings as well as large, mixed-use commercial office and retail complexes on the northwest and southwest corners.

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. 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 sites, 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 and 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 as necessary 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. A 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 a 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 abut 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 'B'* of the Yonge-Eglinton Secondary Plan. *Mixed Use Area 'B'* will be: "regarded as an area suitable primarily for commercial uses within which institutional uses will be permitted and residential accommodation for a variety of household types that meets the criteria of Section 2.7" of the Yonge-Eglinton Secondary Plan.

Official Plan Amendment 231

On December 18, 2013 Toronto City Council adopted Official Plan 231 ("OPA 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, including the above office replacement parking, 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 6,500 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 site abuts Eglinton Avenue which has been identified for larger setbacks with the intent of providing a more attractive pedestrian environment and enhancing green space along the edges of Eglinton Avenue. New midblock connections have also been identified on the north side of Eglinton Avenue north-south and east-west along the south side of Eglinton Avenue.

Zoning

The site is zoned mixed-use commercial-residential (CR T5.0 C3.0 R3.0), with a maximum height of 48 metres in City of Toronto Zoning By-law 438-86, as amended. The zoning by-law permits a maximum density of 5.0 times the lot area, with a maximum of 3.0 times coverage for residential uses and non-residential uses. The provisions in the CR zone also require a minimum separation distance of 11 metres to the window of another dwelling unit and 5.5 metres to a wall or lot line that does not abut a public park. A number of permissive and restrictive exemptions also apply to the site, including: the establishment of minimum parking ratios, minimum distance to a residential district, minimum front yard setbacks and limits to the non-residential uses at grade.

The site is also zoned mixed use (CR 5.0 (c3.0; r3.0) SS2 (x2497)) in the new City-wide zoning by-law 569-2013, currently under appeal at the Ontario Municipal Board. The permissions and restrictions in 569-2013 are largely the same as those within 438-86.

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

The application does not conform to the built form provisions of Zoning By-law 438-86, as amended including exceeding the maximum height permitted in the by-law, the maximum density permitted and providing less parking and outdoor amenity space than the by-law requires.

City of Toronto Planning Staff have identified a number of applicable Official Plan policies (both in-force and under appeal) with which the application is not in compliance. These are outlined below.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Transportation Impact Study
- Planning Rationale Report
- Site Servicing Report
- Architectural Report
- Wind Study
- Sun/Shadow Study
- Noise Impact Study
- Vibration Study
- Toronto Green Standards Checklist

A Notification of Complete Application was issued on January 30, 2015

Issues to be Resolved

There are significant issues with the proposed development and City Planning Staff do not support the proposed built form. Some of the issues with the proposed development are outlined below.

The current proposal does not comply with the Provincial Policy Statement or the Growth Plan for the Greater Golden Horseshoe. In particular, the proposal proposes to demolish an existing commercial office use and replace it with a residential use. This results in a net loss of jobs per hectare and is not suitable for an Urban Growth Centre where a diversity of uses is required to ensure the healthy development of the area and reduce reliance on transportation infrastructure.

The current proposal does not comply with the policies of the City of Toronto Official Plan, including, but not limited to, the policies for growth in a *Centre*, and various policies within the Yonge-Eglinton Secondary Plan. Although, under appeal at the Ontario Municipal Board, the proposal does not comply with the policies of Official Plan Amendment 231 which would require the replacement of all the existing commercial office space within the development. This application was submitted after OPA 231 was approved by the Minister of Municipal Affairs and Housing.

The current proposal does not comply with a number of the guidelines contained in the consolidated City of Toronto Tall Building Guidelines. In particular, the proposal is too close to its east, west and south property lines which limits the development potential of adjacent properties.

The proposal will be evaluated for compliance with the Midtown in Focus Public Realm Plan. Additional issues, including securing appropriate Section 37 benefits, may be identified through the review of the application, agency comments and the community consultation process.

Conclusion

The proposed development has a number of significant issues in its current form and represents overdevelopment of this small site. Of particular concern is the lack of replacement commercial office space within the proposed development. The preservation of existing commercial office and the promotion of new commercial office are vital to the health and stability of *Centres* and required by Provincial Policy. Furthermore, the proposed development does not comply with the policies of the Official Plan respecting built form and the Council adopted Tall Building Guidelines. Specifically, the proposal is not set back far enough from its property lines which limit the potential future development of adjacent properties.

The development, as currently proposed, is not good planning and not in the public interest. The applicant is encouraged to revise its proposal to include full replacement of the existing commercial office space and to examine its property within the context of the entire block between Holly Street and Dunfield Avenue in order to demonstrate the viability of adjacent parcels for redevelopment.

CONTACT

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SIGNATURE

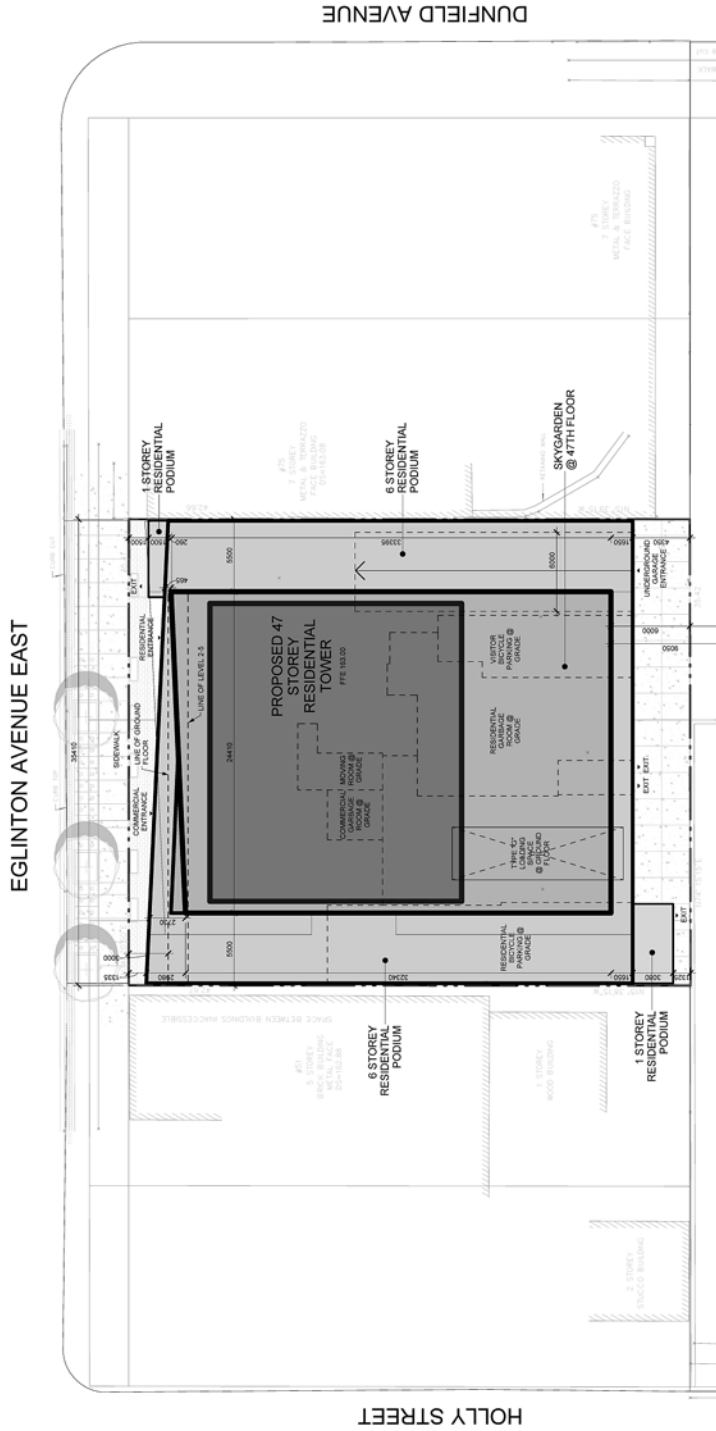
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North Elevation
Attachment 3: East Elevation
Attachment 4: South Elevation
Attachment 5: West Elevation
Attachment 6: Zoning
Attachment 7: Application Data Sheet

Attachment 1: Site Plan



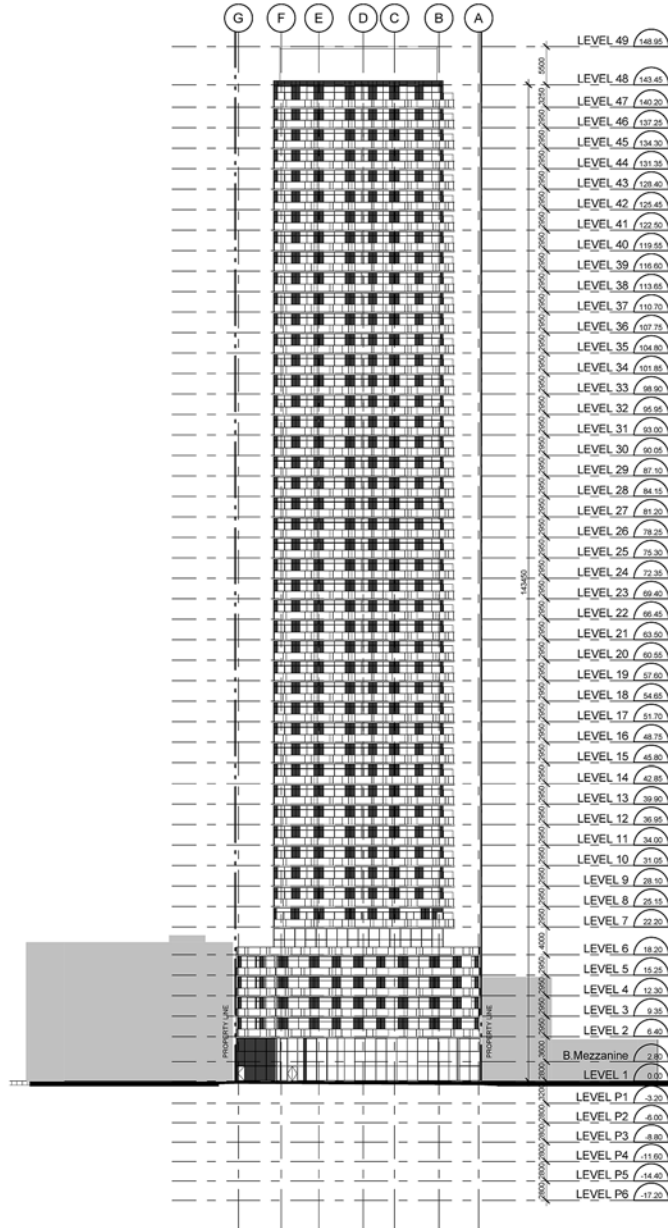
55 Eglinton Avenue East

Site Plan
Applicant's Submitted Drawing

Not to Scale
01/29/2015

File # 14 268618 STE 22 0Z

Attachment 2: North Elevation



North Elevation

Elevations

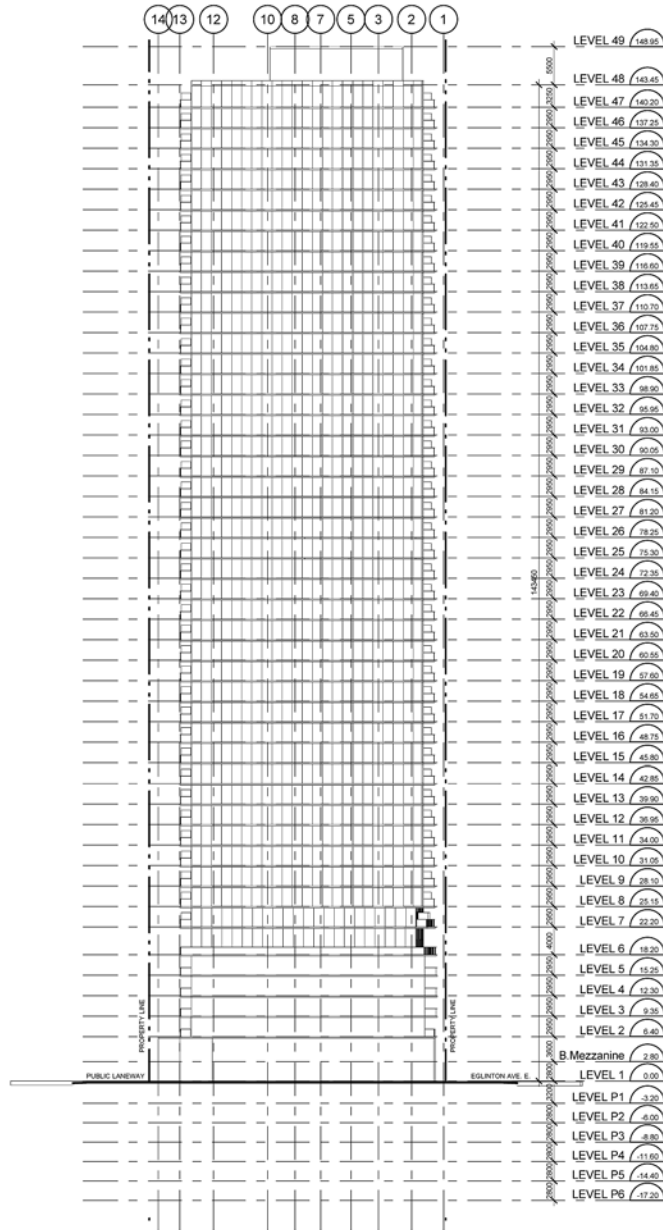
Applicant's Submitted Drawing

Not to Scale
01/29/2015

55 Eglinton Avenue East

File # 14 268618 STE 22 OZ

Attachment 3: East Elevation



East Elevation

Elevations

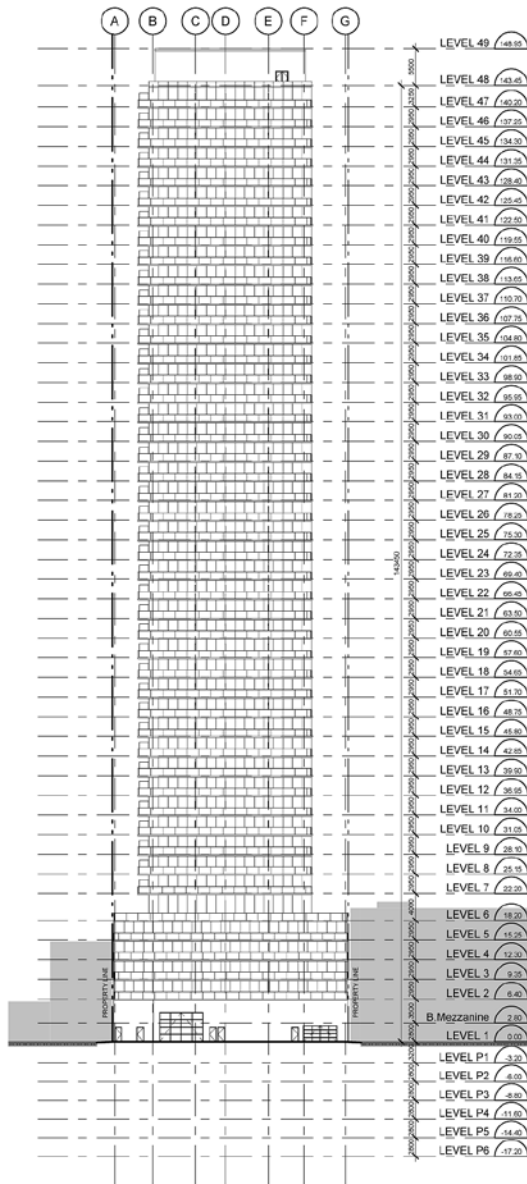
Applicant's Submitted Drawing

Not to Scale
01/29/2015

55 Eglinton Avenue East

File # 14 268618 STE 22 0Z

Attachment 4: South Elevation



South Elevation

Elevations

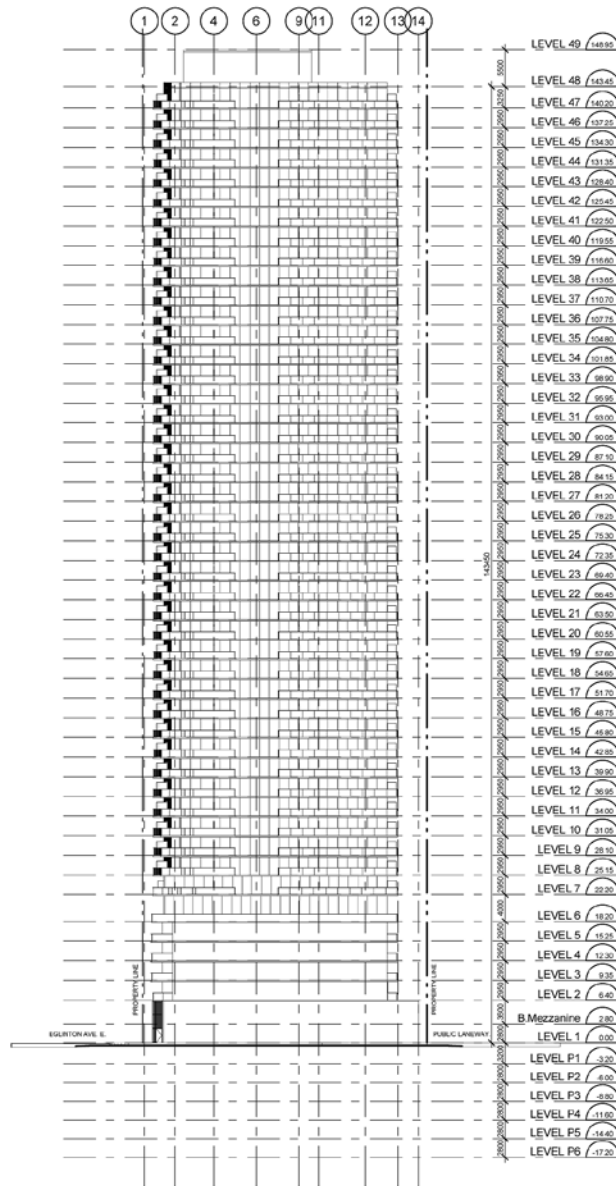
Applicant's Submitted Drawing

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55 Eglinton Avenue East

File # 14 268618 STE 22 0Z

Attachment 5: West Elevation



West Elevation

Elevations

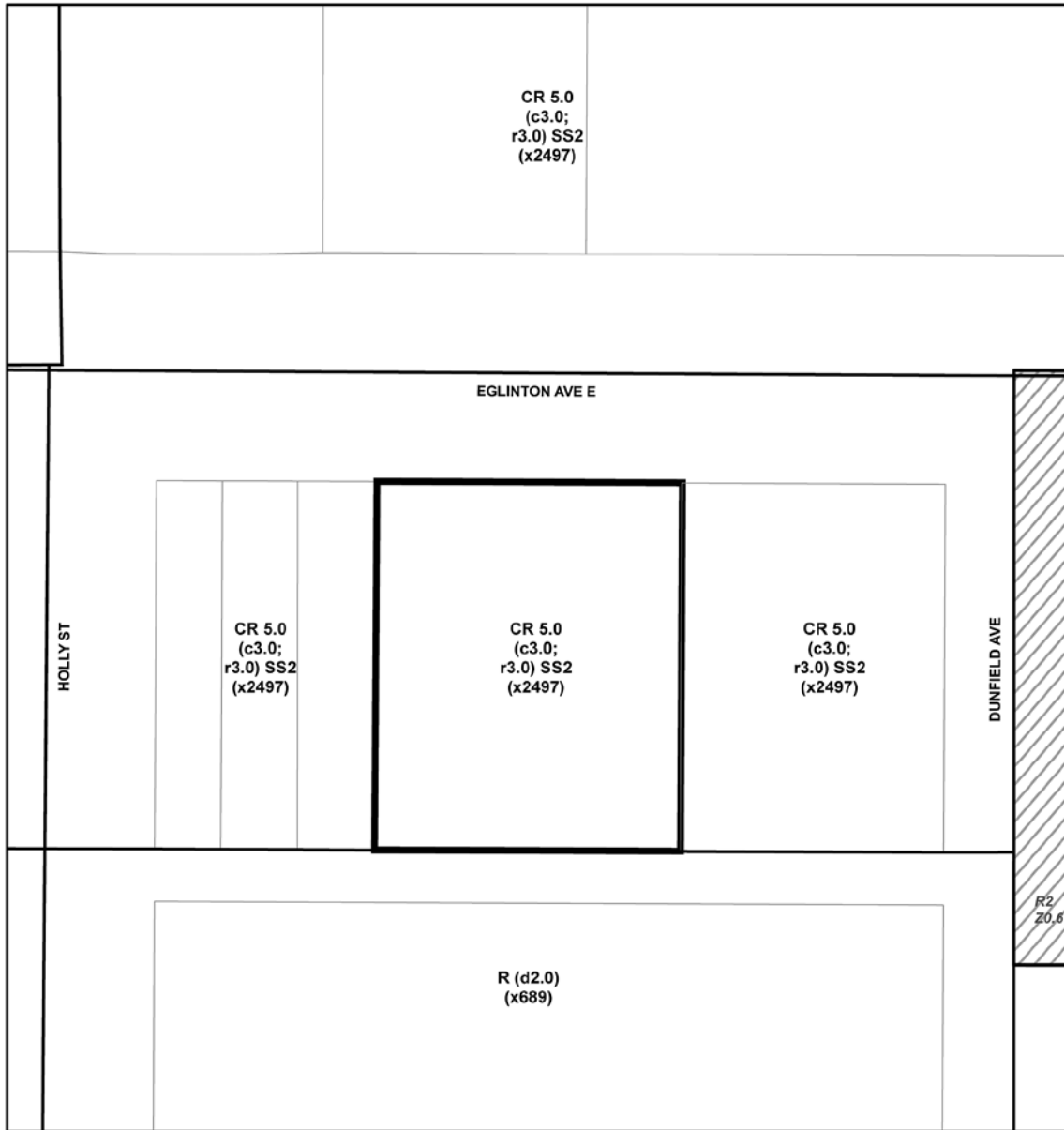
Applicant's Submitted Drawing

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01/29/2015

55 Eglinton Avenue East

File # 14 268618 STE 22 0Z

Attachment 6: Zoning



Zoning By-law 569-2013

55 Eglinton Avenue East

File # 14 268618 STE 22 0Z



Location of Application



See Former City of Toronto Bylaw No. 438-86

R Residential CR Commercial Residential

CR Mixed-Use District
R2 Residential District



Not to Scale
Extracted: 01/29/2015

Attachment 7: Application Datasheet

Application Type	Rezoning	Application Number:	14 268618 STE 22 OZ
Details	Rezoning, Standard	Application Date:	December 30, 2014
Municipal Address:	55 EGLINTON AVENUE EAST		
Location Description:	PLAN 653 BLK D LOTS 3 & 4 PT LOT 2 **GRID S2204		
Project Description:	Proposal for a 47 storey condominium building with a retail ground floor and a total of 455 residential units with 6 levels of underground parking.		

Applicant:	Agent:	Architect:	Owner:
55 Eglinton Ave. E Ltd. 2700 Duffering St. Ste. 34 Toronto, ON M6B 4J3	Bousfields, Inc. 300 Church St., Ste 300 Toronto, ON M5E 1M2	Kirkor Architects & Planners 20 Martin Ross Ave. Toronto, ON M3J 2K8	55 Eglinton Ave. E Ltd. 2700 Duffering St. Ste. 34 Toronto, ON M6B 4J3

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR 5.0	Historical Status:	N
Height Limit (m):	48	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	1512.49	Height:	Storeys:	47
Frontage (m):	35.4		Metres:	148.95
Depth (m):	42.7			
Total Ground Floor Area (sq. m):	1268			Total
Total Residential GFA (sq. m):	35690.7		Parking Spaces:	141
Total Non-Residential GFA (sq. m):	253.37		Loading Docks	2
Total GFA (sq. m):	35944.07			
Lot Coverage Ratio (%):	83.8			
Floor Space Index:	23.76			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	35690.7
Bachelor:	48 (11%)	Retail GFA (sq. m):	253.37
1 Bedroom:	283 (62%)	Office GFA (sq. m):	0
2 Bedroom:	124 (27%)	Industrial GFA (sq. m):	0
3 + Bedroom:	0	Institutional/Other GFA (sq. m):	0
Total Units:	455		

CONTACT:	PLANNER NAME:	Giulio Cescato, Senior Planner
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