

STAFF REPORT ACTION REQUIRED

150 Eglinton Avenue East - Zoning Amendment Application - Preliminary Report

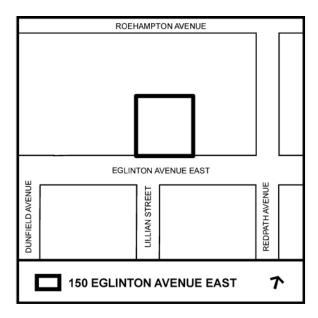
Date:	May 15, 2015	
To:	Toronto and East York Community Council	
From:	Director, Community Planning, Toronto and East York District	
Wards:	Ward 22 – St. Paul's	
Reference Number:	15 139305 STE 22 OZ	

SUMMARY

The application proposes a 39-storey mixed use building containing retail commercial uses on the 1st to 3rd floors, office space on the 4th and 5th floors, and 411 residential units in the 34 storeys above. The proposed building has a 7-storey base at the rear property line which extends south partially along the west property line. The base then terraces back at the eighth, ninth, tenth and eleventh floors from the rear property line. The base building is 8-storeys along Eglinton Avenue and the east property line. The remainder of the building is massed into a 29-storey tower. Three levels of underground parking are proposed. The proposed density is 12.3 times the lot area.

This report provides preliminary information on the application and seeks Community Council's direction on its further processing 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 first quarter of 2016. 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 150 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 for the subject property.

Pre-Application Consultation

At a pre-application meeting on December 9, 2014, Staff advised the applicant to include office uses to replace existing on-site office uses and service the proposed building from the lane to the north off Redpath Avenue in cooperation with 160 Eglinton Avenue East, 151 Roehampton and other buildings. The applicant was also advised to increase the tower setbacks and achieve a proper separation distance from new development on adjacent properties.

ISSUE BACKGROUND

Proposal

The application proposes a 39-storey mixed use building containing 3 floors of retail commercial uses on levels 1, 2 and 3, and 2 floors of office space on levels 4 and 5. The remaining 34 storeys are to be residential. The proposed building has a 7-storey base at the rear property line which extends south partially along the west property line. The base then terraces back at the eighth, ninth, tenth and eleventh floors from the rear property line. The base building is 8-storeys along Eglinton Avenue and the east property line. The remainder of the building is massed into a 29-storey tower. In total, 37,058 square metres of gross floor area (26,834 residential, 5,310 retail and 4,914 commercial office) is proposed. The application includes 411 residential units (323 one-bedroom, 47 two-bedroom, 41 three-bedroom), 216 car parking spaces in three levels of underground parking and 468 bicycle parking spaces. Details of the application are outlined in the chart below and in Attachment 8 – Application Data Sheet.

Site Area 3,016 square metres Proposed Tower Setbacks Eglinton Avenue East Property Line Rear Property Line Rear Property Line West Property Line Property Line Rear Property Line Rea	Category	First Submission
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	Building Height	156.87 metres (including mechanical)

Site and Surrounding Area

The site is located east of Yonge Street on the north side of Eglinton Avenue, just west of Redpath Avenue. This block is very long and extends from Yonge Street to Redpath Avenue. The site is generally square in shape and is 3,016 square metres in area. An existing right-of-way extends west from Redpath Avenue toward the north side of the site.

North: An existing 10-storey apartment building fronting on Roehampton Avenue. Continuing north of the site are a variety of residential buildings with heights ranging from 3 to 35 storeys. Northeast of the site are two applications for a 38-storey apartment development (under review) and a 34-storey apartment development (approved, unbuilt) on the southwest and southeast corners of Roehampton Avenue and Redpath Avenue.

East: A 7-storey commercial office building. Continuing east is Redpath Avenue and then a mix of commercial office and apartment buildings ranging in height from 3 to 21 storeys.

South: Across Eglinton Avenue are a mix of commercial office buildings and mixed-use residential buildings with heights ranging from 18 to 36 storeys. Further south of Eglinton Avenue is a mix of older apartment buildings and new low-rise residential development.

West: A 15-storey supportive housing building for the elderly and a restaurant at grade. The mixed use character of the street continues toward Yonge Street with heights in the range of 10 storeys. At the northeast corner of Yonge Street and Eglinton Avenue, a 58-storey mixed-use residential tower has been approved.

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. Key policy objectives include: building strong healthy communities; wise use and management of resources and protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

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

The Growth Plan for the Greater Golden Horseshoe identifies Yonge-Eglinton as an Urban Growth Centre with a minimum gross density target of 400 jobs and people per hectare. To date, the Yonge-Eglinton Centre has met and exceeded the projected growth targets established by the Province. Although these targets are not maximums, the proposed application is not required to meet the growth targets proposed in the Plan.

Official Plan

The City's 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*, which is identified in the Official Plan and in conformity with the Growth Plan for the Greater Golden Horseshoe.

This *Centre* has a more central location in City's transit network than other *Centres*, as it is situated at the crossroads of the Yonge subway line and the Eglinton Crosstown Light Rail Transit line. Due to its strategic location, *Yonge-Eglinton Centre* should continue to develop as both an office centre and a desirable living area. Through new development, improvements will be made to the public realm, parks and other open spaces, and new parks and open spaces will be created.

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. To do this, it will: generally locate 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 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 and enhance the

public realm through streetscape improvements. Every significant new multi-unit residential development will provide indoor and outdoor amenity space for its residents. **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 is located 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 provide attractive, comfortable and safe pedestrian environments; and 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; and 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 its residents.

Yonge-Eglinton Secondary Plan

The site is within 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 a manner that is: "contextually appropriate and compatible with existing residential uses and residential built form."

The *Mixed Use Areas* in the Official Plan will contain a mix of retail, service commercial, office and residential uses with the highest concentration at the Yonge Street and Eglinton Avenue intersection and a smaller concentration at the Yonge/Davisville

subway station. Commercial development will be strengthened in the Yonge-Eglinton Area, and 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 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 requirements of the Growth Plan for the Greater Golden Horseshoe 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". Developments along Eglinton Avenue East are to transition down in height from the intersection of Yonge and Eglinton towards Mount Pleasant Road.

Official Plan Amendment 231

On December 18, 2013 City Council adopted Official Plan 231 ("OPA 231"), a comprehensive amendment which contains new policies with respect to Employment Areas and Economic Health. One of the new policies adopted by Council is an office replacement policy that 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 1,000 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 policy, with minor revisions. The revisions included 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 a 10-storey commercial office building with approximately 16,621 square metres of commercial office space and would be subject to the policies of OPA 231. The owner of 150 Eglinton Avenue East has appealed OPA 231.

Tall Building Design Guidelines

In May 2013, City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use them in the evaluation of all 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 Guidelines are available at http://www.toronto.ca/planning/tallbuildingdesign.htm

Midtown in Focus

On May 14th, 2015 Planning and Growth Management Committee adopted, with amendments, the recommendations of the report titled: "Midtown in Focus – Official Plan Amendment – Final Report" by the Chief Planner and Executive Director, City Planning. The report recommended amendments to the Yonge-Eglinton Secondary Plan to implement the Midtown in Focus Public Realm Plan. A copy of the report and the proposed official plan amendment can be found at the link below:

http://www.toronto.ca/legdocs/mmis/2015/pg/bgrd/backgroundfile-79743.pdf

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. 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 the north side of Eglinton Avenue, where larger building setbacks are proposed in Midtown in Focus to provide a more attractive pedestrian environment and enhanced green space. In total, a 12 metre setback from the front property line is required for properties on the north side of Eglinton Avenue East.

New midblock connections are identified in Midtown in Focus within the city block where the site is located. Several north/south connections are proposed between Eglinton Avenue and Roehampton Avenue, while an east/west connection extends from west of Dunfield Avenue to Redpath 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, under appeal to the Ontario Municipal Board. The permissions and restrictions in 569-2013 are largely the same as those in 438-86.

Site Plan Control

The proposal is subject to site plan control. A site plan application has not been submitted.

Reasons for the Application

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

The application does not conform to a number of applicable Official Plan policies (both in-force and under appeal) as outlined below.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Transportation Impact Study
- Planning Rationale Report
- Community Services and Facilitates Report
- Functional Servicing Report

- Storm Water Management Report
- Qualitative Wind Study
- Sun/Shadow Study
- Toronto Green Standards Checklist

A Notification of Incomplete Application was issued on May 15, 2015. The applicant is required to submit the following for its application to be considered complete:

- A noise and vibration study; and
- A quantitative pedestrian level wind assessment.

Issues to be Resolved

There are significant issues with the proposed development. City Planning staff do not support the proposed built form. Some of the issues 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 application proposes to demolish an existing commercial office use and replace it with retail and residential uses that significantly reduce the office space. 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 in 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 requires the replacement of all 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 and west property lines despite the size of the site. This limits the development potential of adjacent properties.

The proposal does not comply with the required building setback on the north side of Eglinton Avenue as shown in the Midtown in Focus Public Realm Plan and proposed Official Plan amendments to the Yonge-Eglinton Secondary Plan.

The application currently proposes an inadequate amount of indoor and outdoor amenity space. City Planning staff rejects the suggestion by the applicant that the proposed forprofit fitness facility on the 3rd floor of the building qualifies as indoor amenity space.

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 minimal amount of commercial office space replacement in the proposed development. The preservation of existing commercial office space and the promotion of new commercial office space are vital to the health and stability of *Centres* and required by Provincial Policy.

The proposed development also does not comply with policies of the Official Plan respecting built form and Council adopted Tall Building Guidelines. In particular, the proposal has inadequate setbacks from its property lines. The proposed setbacks do not provide sufficient open space on the north side of Eglinton Avenue as required in the Midtown in Focus public realm plan, and limit potential 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 adjust the setbacks of the building in compliance with the Tall Building Guidelines and Midtown in Focus public realm plan.

CONTACT

Giulio Cescato, Senior Planner Tel. No. 416-392-0459 E-mail: gcescat@toronto.ca

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

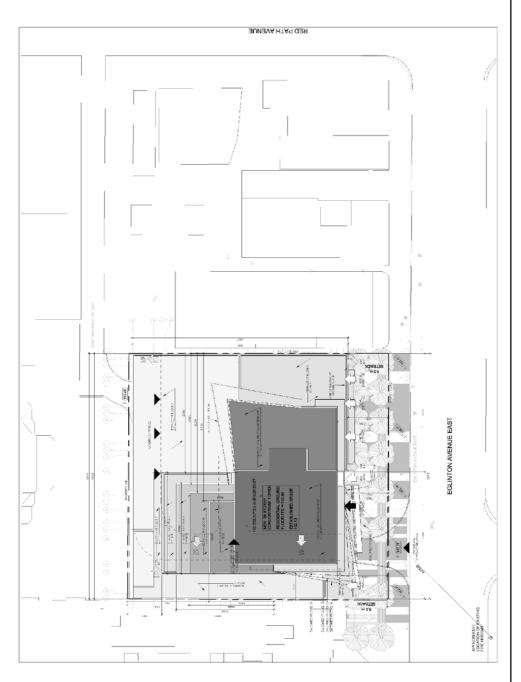
Attachment 5: West Elevation

Attachment 6: Zoning

Attachment 7: Official Plan

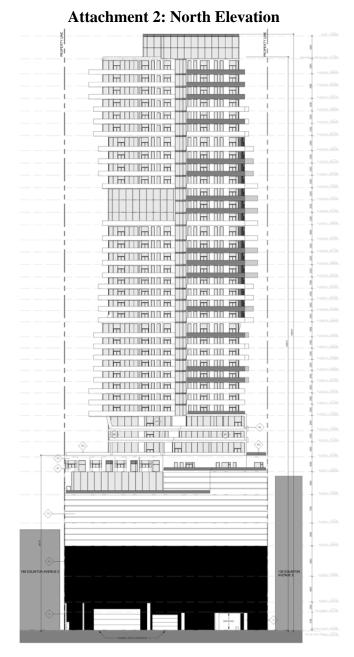
Attachment 8: Application Data Sheet

Attachment 1: Site Plan



150 Eglinton Avenue East

OILE FIBII
Applicant's Submitted Drawing



North Elevation

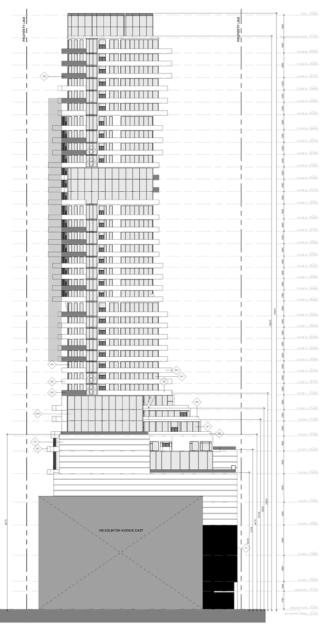
Elevations

150 Eglinton Avenue East

Applicant's Submitted Drawing

Not to Scale 05/15/2015

Attachment 3: East Elevation



East Elevation

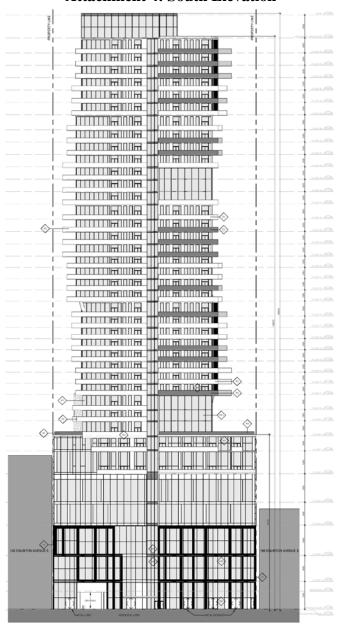
Elevations

150 Eglinton Avenue East

Applicant's Submitted Drawing

Not to Scale 05/15/2015

Attachment 4: South Elevation



South Elevation

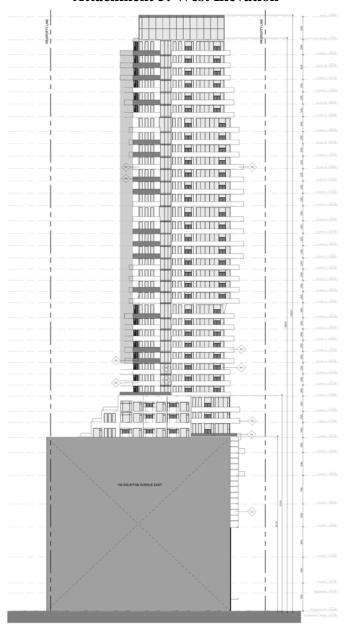
Elevations

150 Eglinton Avenue East

Applicant's Submitted Drawing

Not to Scale 05/15/2015





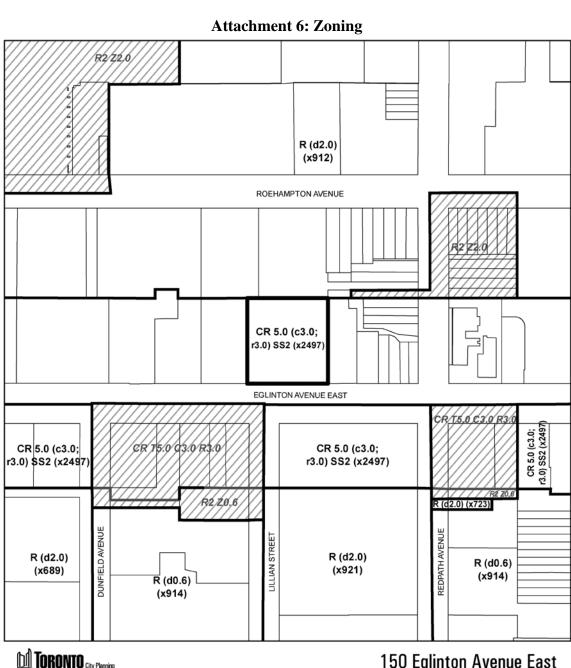
West Elevation

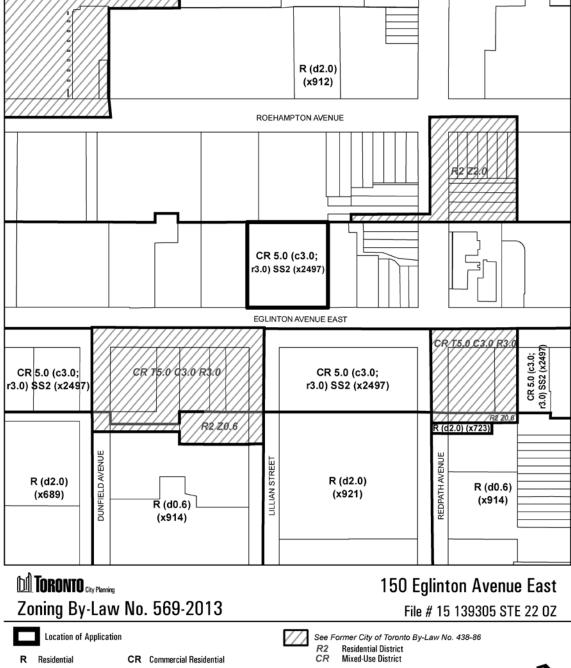
Elevations

150 Eglinton Avenue East

Applicant's Submitted Drawing

Not to Scale 05/15/2015





Not to Scale Extracted: 05/15/2015

Attachment 7: Official Plan EGLINTON AVENUE EAST TORONTO City Planning 150 Eglinton Avenue East **Extract from Official Plan** File # 15 139305 22 0Z Parks & Open Space Areas Apartment Neighbourhoods Parks Mixed Use Areas

Attachment 8: Application Data Sheet

Application Type Rezoning Application Number: 15 139305 STE 22 OZ

Details Rezoning, Standard Application Date: April 10, 2015

Municipal Address: 150 EGLINTON AVENUE EAST

Location Description: PLAN 639 Y PT LOT 10 & 11 N/S EGLINTON AVE E RP63R2275 PART 11 **GRID

S2201

Project Description: Proposal for a 39-storey mixed use building containing retail commercial uses on levels 1, 2

and 3, 2 floors of office space on levels 4 and 5 and 34 storeys of residential use. A total of

411 residential units are proposed with three levels of underground parking.

Applicant: Agent: Architect: Owner:

Madison Group WND Associates Quadrangle Architects Ltd. 150 Eglinton Ltd. 369 Rimrock Road 380 Wellington St. W. 369 Rimrock Road 90 Eglinton Avenue East Toronto, ON, Toronto, ON Toronto, ON Toronto, ON, M5V 1E3 M3J 3G2 M4P 1A6 M3J 3G2

PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision: N
Zoning: CR 5.0 (c3.0; r3.0) SS2 (x2497) Historical Status: N
Height Limit (m): 48 Site Plan Control Area: Y

PROJECT INFORMATION

Total Units:

Site Area (sq. m): 3016 Height: Storeys: 39 Frontage (m): 53.3 Metres: 157

Depth (m): 56.4

Total Ground Floor Area (sq. m): 1,743 **Total**

Total Residential GFA (sq. m): 26,834 Parking Spaces: 216
Total Non-Residential GFA (sq. m): 10,224 Loading Docks 4

Total GFA (sq. m): 37,058

Lot Coverage Ratio (%): 57.8

Floor Space Index: 12.3

DWELLING UNITS FLOOR AREA BREAKDOWN (upon project completion)

Tenure Type: Condo **Above Grade Below Grade** 0 26,834 0 Rooms: Residential GFA (sq. m): 5,310 Bachelor: 0 Retail GFA (sq. m): 0 1 Bedroom: 323 (79%) Office GFA (sq. m): 4,914 0 2 Bedroom: 0 0 47 (11%) Industrial GFA (sq. m): 3 + Bedroom: Institutional/Other GFA (sq. m): 0 0 41 (10%)

CONTACT: PLANNER NAME: Giulio Cescato, Senior Planner

411

PLANNER NAME: Giulio Cescato, Senior Planner TELEPHONE: 416-392-0459 gcescat@toronto.ca