

**1 Eglinton Avenue East – Zoning Amendment
Application – Final Report**

Date:	September 29, 2017
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 266776 STE 22 OZ

SUMMARY

This application proposes a 65-storey mixed use building with retail uses on the ground floor, commercial office uses in the rest of the base building and 600 residential units in the tower above. A total of 247 parking spaces are proposed in an underground garage.

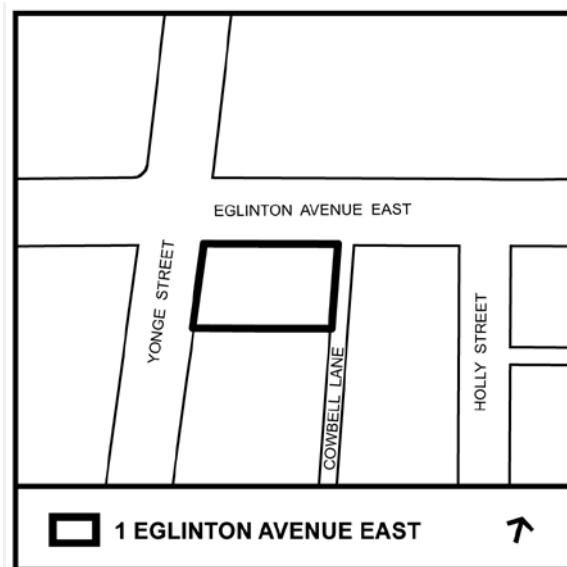
Staff have reviewed the proposed zoning by-law amendment and have determined the proposal to be appropriate for the site. The proposal increases the amount of office space on the site, improves the public realm and, at the corner of Yonge Street and Eglinton Avenue East, is an appropriate location for the proposed height and density.

This report reviews and recommends approval of the application to amend the Zoning By-law.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 438-86, for the lands at 1 Eglinton Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7 to the report dated September 29, 2017.



2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 1 Eglinton Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8 to the report dated September 29, 2017.
3. The Zoning By-laws described in recommendations 1 and 2 above shall both be subject to a holding symbol "H" which will be lifted by City Council upon the Owner entering into an appropriate financially secured agreement to pay for and construct any improvements to the municipal infrastructure deemed necessary to the satisfaction of the Chief Engineer and Executive Director, Engineering & Construction Services.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
5. Before introducing the necessary Bills to City Council for enactment, require the Owner to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
 - a. The community benefits recommended to be secured in the Section 37 Agreement are as follows, payable by certified cheque to the Treasurer, City of Toronto prior to the issuance of the first above-grade building permit, unless otherwise specified, and to be allocated at the discretion of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor.
 - i. a cash contribution of \$3,222,108.00 to be provided to the City for the following capital improvements;
 - a. \$885,760.00 to the City for upgrades to the Privately Owned Publicly-Accessible Space (POPS), as detailed in accordance with the Landscape Plan and cost estimates prepared by Terraplan Landscape Architects.
 - b. \$418,348.00 to the City for upgrades to Cowbell Lane from Eglinton Avenue to Soudan Avenue.
 - c. \$918,000 for the Toronto Transit Commission (TTC) connection to the existing pedestrian tunnel under Yonge Street as detailed in the Architectural Plans prepared by Hariri Pontarini Architects (HPA). The total estimate for the work noted above is \$1,918,000 as detailed in the report prepared by Altus Group Limited dated January 22, 2016. Any additional cost of providing this connection will be absorbed by the Owner. This does not however include providing barrier free access beyond the property line of the subject lands.
 - d. \$1,000,000 to the City for upgrades to the Davisville Community Centre recreational facilities payable when the zoning by-laws described in Recommendations #1 and 2 above come into force and effect.

- ii. The required cash contribution pursuant to recommendation 5.a. i. A to D inclusive are to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the day the payment is made;
 - iii. In the event the cash contributions in recommendation 5.a.i.A. to D inclusive have not been used for the intended purpose within three (3) years of the by-law coming into full force and effect, the cash contributions may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive Director City Planning Division, in consultation with the Ward Councillor, provided that the purpose(s) is identified in the Official Plan and will benefit the community in the vicinity of the lands;
- b. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
- i. the Owner shall provide, at its own expense, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, a privately owned publicly accessible (POPS) courtyard area of not less than 280 square metres, located generally along the Yonge Street frontage of the site, and shall convey, prior to the registration of the Condominium, an easement along the surface of the lands which shall constitute the POPS, for nominal consideration, to the City. The specific location, configuration and design of the POPS shall be determined in the context of site plan approval pursuant to Section 114 of the City of Toronto Act, 2006 and secured in a Site Plan Agreement with the City. The Owner shall own, operate, maintain and repair the POPS and install and maintain a sign, at its own expense, stating that members of the public shall be entitled to use the POPS at all times of the day and night, 365 days of the year;
 - ii. The Owner shall construct, to the satisfaction of the Chief Planner and Executive Director, City Planning, an accessible public pedestrian walkway on the east portion of the subject property adjacent to Cowbell Lane which shall have a minimum width of 1.5 metres and a minimum height of 4.5 metres and shall provide a direct at-grade connection from Eglinton Avenue East south along the east property line of the subject site. Prior to the registration of the Condominium, the Owner shall convey to the City, for nominal consideration, an easement along the surface of the lands which shall constitute the pedestrian walkway, to the satisfaction of the City Solicitor. The specific location, configuration and design of the pedestrian walkway shall be determined in the context of a site plan approval pursuant to Section 114 of the City of Toronto Act, 2006, and secured in a Site Plan Agreement with the City;

- iii. The Owner shall construct, to the satisfaction of the Chief Planner and Executive Director, City Planning, an accessible public pedestrian walkway on the west portion of the subject property adjacent to Yonge Street which shall be of a width required to achieve a minimum 3.7 metres pedestrian clearway and a minimum height of 4.5 metres on the subject site. Prior to the registration of the Condominium, the Owner shall convey to the City, for nominal consideration, an easement along the surface of the lands which shall constitute the pedestrian walkway, to the satisfaction of the City Solicitor. The specific location, configuration and design to be determined in the context of a site plan approval pursuant to Section 114 of the City of Toronto Act, 2006 and secured in a Site Plan Agreement with the City;
- iv. The Owner shall construct, to the satisfaction of the Chief Planner and Executive Director, City Planning, an accessible public pedestrian walkway on the north portion of the subject property adjacent to Eglinton Avenue East which shall be of a width required to achieve a minimum 3.0 metres pedestrian clearway and a minimum height of 4.5 metres on the subject site. Prior to the registration of the Condominium, the Owner shall convey to the City, for nominal consideration, an easement along the surface of the lands which shall constitute the pedestrian walkway, to the satisfaction of the City Solicitor. The specific location, configuration and design to be determined in the context of a site plan approval pursuant to Section 114 of the City of Toronto Act, 2006, and secured in a Site Plan Agreement with the City;
- v. The Owner shall, at its sole expense, design and construct an entrance connection, which shall be fully integrated into any proposed development on the subject site, linking the development to the Eglinton Subway Station. The entrance to the connection shall be designed to meet TTC standards and to be open and in operation all hours that the subway is in operation. The developer shall also enter into any required agreements, with the TTC and/or the City of Toronto, pay any fees, and prepare any documents necessary for this entrance at the Owner's sole cost.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

A preliminary report was submitted to the February 18, 2015 meeting of Toronto and East York Community Council. The report can be found at the following link:

<http://www.toronto.ca/legdocs/mmis/2015/te/bgrd/backgroundfile-75628.pdf>

ISSUE BACKGROUND

Proposal

The application proposes to permit a 65-storey mixed use building with retail and office uses on the ground floor and mezzanine levels, commercial office space on floors 2 to 8 and 600 residential units in the tower above. The nine-storey base of the building varies in height, stepping back from 6 to 9 storeys along Eglinton Avenue East and rising to 9 storeys along the Yonge Street frontage, with a significant setback on the northwest corner of the site to allow for a publicly accessible open space. The tower would be set back approximately 12 metres from Yonge Street, 6.2 metres from Eglinton Avenue East, 5 metres from Cowbell Lane and 6.8 metres from the south property line. Loading and access to the underground parking garage are proposed from a private driveway off Cowbell Lane and are interior to the site.

Following the submission of plans of February 23, 2017, the applicant agreed to include 60 3-bedroom units (10% of total units) in response to City Planning staff concerns. As a result, the total number of proposed residential units was reduced from 698 to 600. In addition, review of the final submission indicated the applicant had included the Privately Owned Publicly-Accessible Space (POPS) in the outdoor amenity area calculation. This area was removed from the calculation and the applicant subsequently dedicated more outdoor and indoor space to amenity area for residents of the building. The data provided below reflects these changes. No changes were made to the built form envelope of the building following the February 23, 2017 submission.

The applicant's proposal has changed from the original submission in December 2014. A summary of the revisions are outlined below.

Table 1 – Summary of Revisions to the Application

Category	First Submission December 22, 2014	Final Submission February 23, 2017 (including subsequent revisions to unit mix and amenity area)
Site Area	1,947.7 square metres	1,947.7 square metres
Building Height	68 storeys (219.5 metres)	65 storeys (211.25 metres)
Tower Setbacks		
Eglinton Avenue	3 metres	6.2 metres
Yonge Street	10 metres	12 metres
Cowbell Lane	7 metres	5 metres
South Property Line	10 metres	6.8 metres

Category	First Submission December 22, 2014	Final Submission February 23, 2017 (including subsequent revisions to unit mix and amenity area)
Base Building Setback on Ground Floor		
Eglinton Avenue	3 metres (Yonge) to 1 metres (along Eglinton)	2.5 metres
Yonge Street	10 metres to 4 metres (southern edge)	2.75 (approx) metres to 10 metres (Public Open Space)
Cowbell Lane	0 metres (1.5 metre sidewalk provided through property)	0 metres (1.5 metre sidewalk provided through property)
South Property Line	0	0
Residential Tower Floor Plate (Gross Construction Area)	805 to 833 square metres	805 to 833 square metres
Gross Floor Area		
Total Residential	46,016.2 square metres	44,884.6 square metres
Non-Residential	10,382.3 square metres	11,225.7 square metres
Live/Work	1,642.6 square metres	0 square metres
Total	56,697.1 square metres	54,910.3 square metres
Floor Space Index	29.11	28.19
Number of Units		
Studio	0	0
1 Bedroom	448 (64%)	320 (53%)
2 Bedroom	224 (32%)	220 (36%)
3 Bedroom	0	60 (10%)
Live/Work	26 (4%)	0
Total	698	600
Ground Floor Height	4.5 metres	4.5 metres
Sidewalk zone width - Eglinton Avenue (4.869 m existing)	7.869 metres	7.4 metres
Sidewalk zone width - Yonge Street (3.475 m existing)	Approximately 11 metres to 6 metres (south)	Approximately 13.5 metres to 6 metres (south)
Vehicular Parking (residential:visitor:non-residential)	283 spaces (226:14:43)	247 spaces (201:36:46)
Bicycle Parking (residential:visitor: retail/office)	720 (605:68:47)	653 (540:60:53)
Loading Spaces		
Description	1 Type B, 1 Type G	1 Type B, 1 Type G
Amenity Space		
Indoor Residential	1,381.7 square metres	1,553.7 square metres
Outdoor Residential	756 square metres	847 square metres
Total Amenity Space Provided	2,137.7 square metres *outdoor amenity area recalculated from preliminary report through application review	2,400.7 square 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 of approximately 10,689.6 square metres. An underground connection to Eglinton Subway station is provided in the building.

North: On the northeast corner of Yonge and Eglinton Avenue East, a 58-storey mixed commercial/residential building is under construction. Continuing north are several commercial buildings of 6 storeys to 12 storeys with retail and service uses on the ground floor.

East: East of Cowbell Lane, an emergency exit for the Eglinton Crosstown LRT is being constructed. Continuing east are high-rise, residential buildings ranging from 14 to 18 storeys.

South: Immediately south of the site is a two-storey commercial building with ground floor retail/service uses. South of it is a 5-storey commercial building. Continuing south is a site where a 58-storey mixed use building is being constructed. Continuing south are two existing mixed use, residential buildings - Minto (Quantum) (54 and 39-storeys).

West: West of Yonge Street is the existing 14-storey Canada Square 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 (2014) (the "PPS") provides policy direction Province wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and,
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The City of Toronto uses the PPS to guide its official plan and to inform decisions on other planning and development matters. Policy 4.7 states that the Official Plan is the most important vehicle for implementing the PPS. The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council affecting land use planning matters "shall be consistent with" the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth in the Greater Golden Horseshoe (GGH) region including:

- Setting minimum density targets within settlement areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form and an attractive and vibrant public realm established through site design and urban design standards;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

Like other provincial plans, the Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where relevant legislation provides otherwise. All decisions by Council affecting land use planning matters are required by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan.

Official Plan

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

Chapter 2 – Shaping the City

Section 2.2.2 Centres: Vital Mixed Use Communities

The proposed building is located in the *Yonge-Eglinton Centre*, which is situated in midtown Toronto at the crossroads of the Yonge subway line and the Eglinton Crosstown Light Rail Transit line 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. This *Centre* has potential for new development, and improvements to its public realm, parks and other open spaces.

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, 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.

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 provides 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 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 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 service and provide good site access and circulation as well as an adequate supply of both visitor and resident parking. 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 is located in *Mixed Use Area 'A'* within 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) suitable for family and other households be provided in the Yonge-Eglinton Area 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 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'.

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'*. 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 service 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 Secondary Plan Area along with improvements to the existing parks, open spaces and public realm.

Development within the Yonge-Eglinton Secondary Plan Area 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*.

Official Plan Amendment 231

The site currently contains an 8-storey commercial office building with approximately 10,689.6 square metres of office space and is subject to the policies of OPA 231.

On December 18, 2013 City Council adopted 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 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".

OPA 231 also states: " New development that includes residential units on a property with at least 1,000 square metres of existing non-residential gross floor area used for offices is required to increase the non-residential gross floor area used for office purposes where the property is located in a *Mixed Use Area* or *Regeneration Area* within:

- a) the *Downtown and Central Waterfront*;
- b) a *Centre*; or
- c) 500 metres of an existing or an approved and funded subway, light rapid transit or GO train station".

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*.

OPA 231 is currently under appeal at the OMB. As such, OPA 231 is relevant but not determinative in terms of the Official Plan policy framework. It represents the planning directions of City Council and is part of the emerging policy context.

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 tall building development applications. The Guidelines establish a unified set of performance measures for tall buildings 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: Parks, Open Space and Streetscape Plan and OPA 289

On August 25, 2014, City Council adopted the Midtown in Focus – the Parks, Open Space and Streetscape Plan ("Public Realm Plan") for the Yonge-Eglinton Area.

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

The Midtown in Focus Public Realm Plan is a framework for improvements to the network of parks, open spaces, streets and public buildings within the Yonge-Eglinton area to create an attractive, safe, and comfortable network of public spaces. The Public Realm Plan recognized that the area has a distinct quality and character, consisting of a vibrant mixed use community with an open and green landscaped character. The Plan has five Place-Making Moves that, together with other streetscape improvements and the enhancement and expansion of parkland in the area, will form a thriving system of parks, open spaces and streets. One of the Place-Making Moves is the "Yonge Street Squares" which include the intersection of Yonge Street and Eglinton Avenue.

On June 10, 11, 12, 2015, City Council adopted Official Plan amendments to the Yonge Eglinton Secondary Plan (OPA 289) that incorporate, among other matters, the urban design and public realm policies of the Midtown in Focus Public Realm Plan. As OPA 289 is under appeal at the OMB, it is relevant but not determinative in terms of the Official Plan policy framework.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG4.2>

OPA 289 outlines a comprehensive public realm strategy and a system of improvements that will be implemented as part of any new development in the Yonge Eglinton Secondary Plan Area. Section 2.16 requires that improvements be made to both the private and public realm as part of any new development including: enhancements to streetscapes and the provision of wider sidewalks and the establishment of multi-purpose promenades. Another objective of OPA 289 is to maintain and enhance the open, green, landscaped character of the area, improve and expand

the network of parks, open spaces and streetscapes and create a high-quality public realm to ensure the continued vitality and quality of life in the area.

OPA 289 proposes a network of squares and open spaces along Yonge Street to create distinct and programmable public spaces (Yonge Street Squares). The southeast corner of Yonge Street and Eglinton Avenue where the site is located has been identified as a location for a distinctive landscaped, publicly-accessible square. OPA 289 also requires a minimum building setback of 1.5 metres at ground level from the property line on Yonge Street.

Midtown in Focus: Growth, Built Form and Infrastructure Review

The City Planning Division is leading an inter-divisional review of growth, built form and infrastructure issues in the Yonge-Eglinton Secondary Plan Area that builds on the Midtown in Focus Public Realm Plan. The Review is a response to the rapid intensification and change underway in parts of the Yonge-Eglinton Secondary Plan Area. The objective of the Review is to ensure that growth positively contributes to Midtown's continued livability and vitality by establishing a clear and up-to-date planning framework and ensuring that local transportation, municipal servicing and community infrastructure keeps pace with development.

The Review began in late 2015, based on City Council's direction, and includes the following activities:

- **Growth Analysis**, including development of near, medium and long term growth estimates to inform the infrastructure assessments;
- A **Built Form Study** to document area character and development trends, develop built form principles and a built form vision, undertake built form testing, visualize a future built form concept and identify policy directions to better guide the area's evolution;
- A **Cultural Heritage Resource Assessment** to document the area's archaeological and development history, identify properties of cultural heritage value or interest for listings and designations and identify additional recommendations for conservation and further study;
- A **Community Services and Facilities Study** to inventory existing services and facilities, assess needs and opportunities in the context of future growth and demographic change and outline an implementation strategy for priority community infrastructure projects;
- **Transportation and Municipal Servicing Assessments** to document the performance and capacity of existing transportation and municipal servicing infrastructure, evaluate priority areas and identify potential capital upgrades required to support continued growth in the Secondary Plan Area; and
- An area-wide **Parks Plan** and **Public Realm Strategy for the Davisville Area** to complement the 2014 Public Realm Plan for lands in and around the Yonge-Eglinton Centre.

City staff anticipates reporting to City Council in the 4th quarter of 2017 with proposed policies of the Yonge-Eglinton Secondary Plan as well as other emerging directions related to the infrastructure assessments and strategies.

On July 12, 2016, City Council adopted the recommendations in the report from the Chief Planner titled: "Midtown in Focus: Growth, Built Form and Infrastructure Review – Status Report". The report provided a status update on the study, and included the identification of draft built form principles. The recommendations adopted by Council direct staff to:

- Consider and review applications within the context of the on-going review;
- Consider the draft built form principles contained in the report in the review of the development applications in the Yonge-Eglinton Secondary Plan Area. The recommendation also directed staff to continue to refine the principles in consultation with landowners and the community; and
- Identify opportunities on City-owned lands for new community infrastructure and secure community infrastructure space, as appropriate, as part of the development application review process.

The draft built form principles of the Review are organized in four categories: Area Structure, Public Realm and Open Space, Walkability and Comfort, and Heritage and Landmarks, as follows:

Area Structure

- Organize growth to achieve a hierarchy of intensity of use, building heights, densities and scale tied to proximity of rapid transit service, with greatest heights and densities located at the Yonge-Eglinton Crossroads where two rapid transit lines intersect;
- Provide a variety of building heights to reinforce existing character, promote localized sense of place and create a legible skyline for the district that makes legible and reinforces the area structure when viewed from key vantage points within the broader city;

Public Realm and Open Space

- Reinforce the unique open space amenity and spaciousness provided by the Eglinton Green Line, Midtown Apartment Neighbourhoods and Apartment High Streets by ensuring abundant landscaping at grade and generous building spacing;
- Support active street life and informal surveillance by ensuring the built form frames and animates streets, parks, squares and open spaces with active uses at grade;

Walkability and Comfort

- Locate, design and mass buildings to preserve sky view, allow daylight and sunlight to penetrate to the street and lower building levels and ensure good wind conditions in all seasons, with enhanced standards along the Midtown Villages, Park Street Loop, Eglinton Green Line, major pedestrian routes and parks and open spaces;
- Create a human-scaled public realm where buildings define and support streetscapes; and
- Ensure fine-grained pedestrian circulation between and through sites and blocks through the placement and orientation of buildings.

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, which restricts the maximum Floor Space Index ("FSI" or "Density") to 5.0 (4.0 commercial and 3.0 residential). The maximum permitted building height is 61 metres.

The subject site is also zoned mixed-use Commercial Residential CR 5.0 (c4.0; r3.0) SS2 (x2507) in the City of Toronto harmonized zoning by-law 569-2013. The land-use planning permissions and restrictions are largely the same as By-law 438-86.

Site Plan Control

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

Reasons for Application

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

Community Consultation

A Community Consultation Meeting was held on May 11, 2015 at Northern District Library. The meeting was attended by approximately 70 members of the community. Issues raised included: the height and density of the building and its fit within the surrounding area; the impact of additional traffic on Cowbell Lane; the full replacement of the existing office space, connections to the TTC and the design of the POPS area.

Agency Circulation

The application was circulated to all appropriate agencies and City divisions. Responses have been used to assist in evaluating the application and to formulate appropriate By-law standards.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe. As stated in the Provincial Policy Statement (Policy 4.5), the Official Plan is the most important vehicle for implementation of the PPS. Comprehensive, integrated and long term planning is best achieved through municipal official plans which shall identify Provincial interests and set out appropriate land use designations and policies. The PPS speaks to managing and directing land use to achieve efficient development and land use patterns.

The Growth Plan for the Greater Golden Horseshoe identifies areas to which municipalities are to direct growth through their official plan policies. These strategic growth areas include Urban Growth Centres (UGCs).

The Yonge-Eglinton Secondary Plan Area is currently experiencing significant growth. The minimum growth target required by the Provincial Growth Plan for each of the Urban Growth Centres in the City (including the Yonge-Eglinton UGC) is 400 residents and jobs combined per hectare by the year 2031 or sooner. The Yonge-Eglinton UGC accommodated over 600 residents and jobs per hectare as of 2016.

Map 21-1 of the Yonge-Eglinton Secondary Plan shows the boundaries of the Yonge-Eglinton (urban growth) Centre. Section 5.0 of the Yonge-Eglinton Secondary Plan establishes policies which direct the highest heights and densities within the Yonge Eglinton Centre to the four quadrants at the intersection of Yonge Street and Eglinton Avenue.

The proposed development complies with the policies of the Official Plan and the Yonge-Eglinton Secondary Plan and is consistent with Section 4.5 of the PPS. This report also demonstrates that the proposal conforms to the Growth Plan for the Greater Golden Horseshoe (2017).

Land Use

The subject site is located in a *Mixed Use Area* designation in the Official Plan and within *Mixed Use Area 'A'* in the Yonge-Eglinton Secondary Plan. Both are land use designations for growth that permit a variety of uses. In addition to 600 residential units, the application proposes a significant amount of non-residential uses including 10,891.8 square metres of office space as well as retail uses on the ground floor. The proposed land use implements the existing and emerging planning objectives for the area.

OPA 231

OPA 231 requires new development that includes residential units on a property with at least 1,000 square metres of existing non-residential gross floor area used for offices, to increase the non-residential gross floor area used for office purposes where the property is located in a *Mixed Use Area* or *Regeneration Area* within:

- a) the *Downtown and Central Waterfront*;
- b) a *Centre*; or
- c) 500 metres of an existing or an approved and funded subway, light rapid transit or GO train station".

The proposed development is located within a *Mixed Use Area* in the Yonge-Eglinton Centre and is within 500 metres of the existing Eglinton subway station and the under-construction Eglinton Crosstown Light Rapid Transit station.

The existing building on the site contains approximately 10,689.6 square metres of office space. The proposed development would contain 10,891.8 square metres of office space. The proposed increase in the amount of office space on the site conforms to the policies of OPA 231.

Built Form, Height and Massing

The proposed base building is 9 storeys in height (34 metres). Above the ground floor, the base building cantilevers out 2 metres toward Yonge Street with a larger overhang over the office entrance. Along Eglinton Avenue East, the base building cantilevers out above the ground floor approximately 4 metres and rises to 6 storeys. It steps back 2.6 metres above the 6th floor (23 metres in height) beyond which it rises to 9 storeys.

The Tall Building Design Guidelines specify that base buildings should be a maximum height of the width of the adjacent right-of-way and should contain a minimum 3 metre setback at 80% of that height. Yonge Street and Eglinton Avenue East adjacent to the site have a planned right-of-way width of 27 metres. The proposed base building height exceeds the guidelines by 7 metres and does not meet the step back at 80% of the right-of-way width in order to accommodate full replacement of the existing office space on the site. Planning staff support the proposed height and form of the base building. It is appropriate in the planned context of this site. It implements OPA 231 which requires an increase in the non-residential gross floor area used for office purposes on the site, which is located in *Mixed Use Area 'A'* within Yonge-Eglinton Centre, at the intersection of the Yonge subway and under-construction Eglinton Crosstown LRT.

Above the base building, the proposed tower rises to 65 storeys (211.25 metres including mechanical penthouse). The Yonge-Eglinton Secondary Plan states that development of the greatest heights, density and scale are situated within *Mixed Use Area 'A'*. The approved tower currently under construction at the northeast corner of the Yonge and Eglinton intersection is 58-storeys and 186 metres in height while the development further south at 2221 Yonge Street is 58-storeys and 183 metres. The proposal is located on a prominent site, at the crossroads of the Yonge subway line and the under-construction Crosstown LRT. Staff have reviewed the proposals height and are satisfied that it is appropriate given the context of the site, the limited impacts of the height and consistency with the existing and emerging plans for the area.

The tower portion of the building is set back 12 metres from Yonge Street and 6.2 metres from Eglinton Avenue East. The tower setback along Yonge Street allows for an 11.15 metre setback from the base building at the southern portion of the Yonge Street frontage while providing room for the POPS at the northern portion of the site along Yonge Street. Together with the tower setback of 5.8 metres from the base building along Eglinton Avenue East, the

stepped-backs of the tower from the base building help reduce the impact of the scale of the tower on the pedestrian realm.

The Tall Building Design Guidelines identify a minimum 12.5 metre tower setback from a side or rear lot line. The proposed tower is set back 5 metres from Cowbell Lane to the east. While less than the setback identified in the Tall Building Design Guidelines, this setback is acceptable in this instance given that the adjacent property to the east at 7 Eglinton Ave East is too small to accommodate a tall building as it has a frontage of 13.5 metres and is being redeveloped by Metrolinx into a transit station exit for the Eglinton Crosstown LRT line. The proposed tower setback of 5 metres from Cowbell Lane would also allow for a separation distance in excess of the minimum 25 metres identified in the Tall Building Design Guidelines to the tall building located at 33-43 Eglinton Avenue East which is immediately east of 7 Eglinton Avenue East.

The proposed tower would be set back 6.8 metres from the side lot line to the south. The adjacent site to the south, 2245 Yonge Street, is a 7.62 metre wide site containing a 2-storey commercial building. Further south, at 2239 Yonge Street, is a 5-storey commercial building on a site with a frontage of 12.19 metres. Planning staff have reviewed these two smaller sites to the south and are satisfied that they are not large enough to accommodate a tower while providing adequate separation distance to the approved tower at 2221 Yonge Street which is approximately 2 metres from the shared property line. The separation distance between the proposed tower and the approved tower at 2221 Yonge Street is approximately 28 metres which exceeds the minimum tower separation distance identified in the Tall Building Design Guidelines and aligns with the emerging direction of the Midtown is Focus study.

It is the City's understanding that as part of the redevelopment of the nearby site at 2221 Yonge Street, the owners of 2239 Yonge Street entered into a limiting distance agreement to allow the development of a 58-storey tower at 2221 Yonge Street. This agreement would limit the development potential on the 2239 Yonge Street site in order to allow for the tower at 2221 Yonge Street to be located approximately 2 metres from their shared property line.

The Tall Building Design Guidelines identify a maximum floor plate size of 750 square metres. Slender floor plates reduce the impacts the tower poses on surrounding streets, parks, open spaces and properties. When adequately separated, slender floor plates cause smaller shadows, improve access to skyview, permit better views between and through sites and contribute to a more attractive skyline.

The proposed development has a floor plate size that varies between 804.5 and 833.4 square metres. The larger floor plate is acceptable in this instance given the proposed tower separation distance of greater than 25 metres from the towers to east and south and the location of the site at the intersection of two major streets. These factors improve views between towers and the shadow impacts of the tower on the surrounding area to help mitigate the impacts of a larger floor plate. Further, the proposed POPS at the northwest corner of the site and generous tower setbacks along Yonge Street and Eglinton Avenue East reduce the visual impacts of the larger floor plate on the pedestrian realm.

The Yonge-Eglinton Secondary Plan states that development of the greatest heights, density and scale are situated within *Mixed Use Area 'A'*. Staff have reviewed the proposed height, built form and massing and are satisfied that it meets this objective in a manner that limits its impacts on the surrounding area, while meeting the other objectives of the Yonge-Eglinton Secondary Plan, OPA 231, OPA 289 and the emerging direction of the Midtown in Focus: Growth, Built Form and Infrastructure Review.

Streetscape and Public Realm

The proposed setback of the building at its ground floor from the property line along Yonge Street, ranges from 2.5 metres at the south end of the site to 10 metres further north in order to accommodate a Privately Owned Publicly - Accessible Space. This allows for a total sidewalk zone area of between 6 to 13.5 metres from the curb to the face of the building along Yonge Street. The POPS wraps around the corner to Eglinton Avenue East providing a significant open area for pedestrians at the intersection. The ground floor of the building is set back approximately 2.5 metres along Eglinton Avenue East creating a 7.395 metre wide sidewalk zone from the curb to the building face. The applicant also proposes a 1.5 metre wide north-south walkway along the east property line to accommodate pedestrian movement along Cowbell Lane.

The Tall Building Design Guidelines identify a minimum sidewalk zone width of 6 metres but states that tall buildings located at corners may require additional setbacks to accommodate pedestrian use. In addition, OPA 289 requires a minimum ground floor building setback along Yonge Street of 1.5 metres. Staff are satisfied that the proposed building setbacks at street level, which are in excess of the 6 metre minimum width identified in the Tall Building Design Guidelines and the 1.5 metre ground floor building setback required by OPA 289, will create a significant public realm improvement and allow for the safe and comfortable accommodation of pedestrian movement, streetscape elements and activities related to the ground level uses of the building.

In accordance with the recommendations of the Vibrant Streets Design Guidelines, and taking into consideration the development context, and pedestrian demands, a minimum 3.7 metre wide public pedestrian clearway must be provided along Yonge Street and a minimum 3.0 metre wide public pedestrian clearway must be provided along Eglinton Avenue East. Accordingly, Transportation Services are requiring public pedestrian easements in perpetuity to the City for the full extent of the portion of the pedestrian clearways to be accommodated on private property.

Privately Owned Publicly-Accessible Space

OPA 289 requires the creation of landscaped, publicly-accessible squares on all corners of the Yonge and Eglinton intersection. This application proposes a 280.86 square metre Privately Owned Publicly-Accessible Space that provides a 13.475 metre wide area measured from the curb to building face along Yonge Street at the corner of Eglinton Avenue East. This space will provide improvements to the public realm and provide much needed space for pedestrians at this prominent intersection.

Staff are satisfied with the location and size of the POPS and recommend that the proposed POPS and the rights-of-way be secured in the Section 37 Agreement and that the final design be secured through the site plan process.

Trees

There are currently no trees on site. The applicant is proposing to include landscaping within the POPS space and three additional street trees along Eglinton Avenue East. The location and species of trees will be further reviewed as part of the site plan process.

Sun, Shadow

The Official Plan requires development to limit shadowing on streets, properties and open spaces and minimize any additional shadowing and uncomfortable wind conditions on neighbouring parks to preserve their utility. It also requires new development to maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces.

The applicant submitted shadow studies which show the extent of the shadow from the proposed building on March 21, June 21 and September 21. Shadows cast by the proposed development on streets, properties and open spaces are consistent with what should be expected on a site that is planned for significant intensification. The proposal does not shadow North Toronto Collegiate Institute or parks and has only a minimal impacts on *Neighbourhoods* designated properties. Staff find the shadow impacts of the proposed development to be acceptable.

Wind

The pedestrian-level wind study submitted with the application concludes that wind conditions on and around the site will be comfortable and suitable for walking, standing or better, year round under normal wind conditions. Under strong or gusty wind conditions, higher than average ground level wind conditions will be encountered along Yonge Street and Eglinton Avenue near to their intersection. The wind study states that this is an existing condition not created or significantly exacerbated by the proposed development. The respective areas will remain suitable for walking during the winter months and walking and standing during the balance of the year. Further analysis of pedestrian-level wind conditions will be required at the site plan stage to determine if additional mitigation strategies are required, particularly to improve wind conditions for the POPS area.

Unit Mix

The Official Plan encourages the provision of a full range of housing in terms of form, tenure and affordability to meet current and future needs of residents. In order to encourage a broader mix of residential units including units suitable for families with children, Planning staff requested an increase in the overall amount of larger, family sized units in the development.

The applicant is proposing 600 dwelling units of which 220 (36.7%) are 2-bedroom units and 60 (10%) are 3-bedroom units. Staff are satisfied the number of larger units proposed provide a greater mix of dwelling units in the building including many suitable for families with children, and are consistent with the housing objectives of the Official Plan.

Amenity Space

The built form policies of the Official Plan require that every significant multi-unit residential development provide indoor and outdoor recreation space for building residents. The existing Zoning By-laws require an overall minimum of 4 square metres of amenity space per residential unit. The former City of Toronto Zoning By-law 438-86 requires that this space be comprised of a minimum of 2 square metres each of indoor and outdoor amenity space. Zoning By-law 569-2013 requires a minimum of 2 square metres of indoor amenity space per unit and an minimum of 40 square metres of outdoor amenity space.

The application proposes 1,553.7 square metres of indoor amenity space (2.6 square metres per unit) and 847 square metres of outdoor amenity space (1.4 square metres per unit) on the 9th and 10th floors of the building. The overall rate of amenity space is proposed at 4 square metres per unit.

Planning staff are satisfied that the amount of amenity space will meet the needs of residents within the building consistent with objectives of the Official Plan. Staff will continue to have discussions with the applicant about the design of the amenity spaces through the site plan process.

Servicing

ECS staff are recommending that a holding symbol "H" be added to the zoning by-law to be approved by City Council. The holding provision can be lifted upon the Owners submitting a revised geotechnical report, confirming the connection of the fire service to the watermain along Eglinton Avenue East can be made and has adequate capacity, and by entering into an appropriate financially secured agreement to pay for and construct any improvements to the municipal infrastructure, including the extension of the storm sewer along Cowbell Lane.

TTC

The proposed development includes an entrance connection to the Eglinton subway station. Access to the subway will be provided in the proposed building on the north portion of the site adjacent to Yonge Street. The connection will be designed to meet TTC standards and be open and in operation all hours that the subway is in operation.

The applicant has agreed to pay \$918,000 for the connection to the existing tunnel under Yonge Street as part of its Section 37 community benefits contribution to the City. This does not however include providing barrier free access beyond the property line of the subject lands. Any additional cost of providing this connection will be absorbed by the applicant. The total estimate for the work noted above is \$1,918,000 as detailed in a report prepared by Altus Group Limited dated January 22, 2016.

Traffic Impact and Parking

A Transportation Considerations Report submitted with the application was reviewed by Transportation Services staff and found acceptable. Transportation Services staff recommend a minimum parking rate of 0.35 spaces per unit and 0.41 spaces per 100 square metres of non-residential spaces for shared residential visitor and non-residential parking. This results in a total of 247 parking spaces including 46 shared residential visitor and non-residential spaces and 237 residential spaces. The plans include 60 parking spaces that are substandard as they are 5.2

metres in length while the By-law requires 5.6 metres. These spaces are acceptable in this instance due to the limited depth of the site.

Additional comments pertaining to the layout of the proposed parking supply, including ingress/egress and the physical separation of the resident and non-resident parking spaces, will be provided during the site plan process.

The applicant must also convey to the City a 0.4 metre wide strip of land along both Yonge Street and Eglinton Avenue East for the entire extent of the site for the purpose of road widening.

Loading

The application proposes one type B and one type G loading space, to be located at the southeast end of the site adjacent to the ramp for the underground parking garage. The loading spaces and parking garage are to be located off the internal driveway that has access and egress from Cowbell Lane. Transportation Services have reviewed the proposed number of loading spaces and determined they are satisfactory.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The subject lands are in an area with 0 to 0.42 hectares of local parkland per 1,000 people, the lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

The application is for one new building with 11,225.7 square metres of non-residential gross floor area and 600 residential units consisting of 44,884.6 square metres of residential gross floor area.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 8,800 square metres or 565% of the site area. However, for sites less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 164 square metres.

This site is located within the Yonge-Eglinton Secondary Plan Area, an area of rapid population growth, thus increasing the demand for and use of existing public open spaces. Parkland has been identified as a priority to be achieved within the area. The applicant may choose to satisfy the parkland dedication through acquiring off-site parkland that will contribute positively to existing parks within 800 metres of the site. The size and location of the parkland would be subject to the approval of the General Manager, Parks, Forestry and Recreation and would be subject to the Director's conditions for conveyance of parkland prior to the issuance of the first above grade building permit.

If the applicant does not acquire off-site parkland, it may satisfy its parkland dedication requirement through cash-in-lieu, in accordance with Chapter 415, Article III of the Municipal Code. The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required prior to the issuance of the first above grade building permit.

Given the current rise in dog population in Toronto, especially within condominium towers, the applicant is expected to provide on-site dog off-leash amenities with proper disposal facilities for the building residents or dog relief stations within the building. This will help to alleviate some of the pressure on the existing neighbourhood parks.

Section 37

Section 37 of the *Planning Act* enables the approval authority to authorize increases in height and/or density, over and above that permitted by the Zoning By-law, in exchange for community benefits. Community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: parkland and/or park improvement above and beyond the parkland dedication; public art; streetscape improvements, and other works detailed in Section 5.1.1.6 of the Official Plan. They must also bear a reasonable planning relationship to the proposed development including an appropriate geographic relationship and addressing any planning issues associated with the development.

The community benefits recommended to be secured in a Section 37 Agreement are as follows:

1. a cash contribution of \$3,222,108.00 to be provided to the City for the following capital improvements;
 - a. \$885,760.00 to the City for upgrades to the Privately Owned Publicly-Accessible Space (POPS), as detailed in accordance with the Landscape Plan and cost estimates prepared by Terraplan Landscape Architects.
 - b. \$418,348.00 to the City for upgrades to Cowbell Lane from Eglinton Avenue to Soudan Avenue.
 - c. \$918,000 for the Toronto Transit Commission (TTC) connection to the existing tunnel under Yonge Street as detailed in the Architectural Plans prepared by Hariri Pontarini Architects (HPA). This does not however include providing barrier free access beyond the property line of the subject lands. Any additional cost of providing this connection will be absorbed by the Owner. The total estimate for the work noted above is \$1,918,000 as detailed in the report prepared by Altus Group Limited dated January 22, 2016.
 - d. \$1,000,000 to the City for upgrades to the Davisville Community Centre recreational facilities payable when the zoning by-laws described in Recommendations #1 and 2 above come into force and effect.

2. The required cash contribution pursuant to 1 above is to be indexed upwardly in accordance with the Statistics Canada Non-Residential Building Construction Price Index for Toronto, calculated from the date of execution of the Section 37 Agreement to the day the payment is made;
3. In the event the cash contributions in 1 above have not been used for the intended purpose within three (3) years of the by-law coming into full force and effect, the cash contributions may be redirected for another purpose(s), at the discretion of the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor, provided that the purpose(s) is identified in the Official Plan and will benefit the community in the vicinity of the lands; and
4. The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
 - i. the Owner shall provide, at its own expense, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, a privately owned publicly accessible (POPS) courtyard area of not less than 280 square metres, located generally along the Yonge Street frontage of the site, and shall convey, prior to the registration of the Condominium, an easement along the surface of the lands which shall constitute the POPS, for nominal consideration, to the City. The specific location, configuration and design of the POPS shall be determined in the context of site plan approval pursuant to Section 114 of the City of Toronto Act, 2006 and secured in a Site Plan Agreement with the City. The Owner shall own, operate, maintain and repair the POPS and install and maintain a sign, at its own expense, stating that members of the public shall be entitled to use the POPS at all times of the day and night, 365 days of the year;
 - ii. The Owner shall construct, to the satisfaction of the Chief Planner and Executive Director, City Planning, an accessible public pedestrian walkway on the east portion of the subject property adjacent to Cowbell Lane which shall have a minimum width of 1.5 metres and a minimum height of 4.5 metres and shall provide a direct at-grade connection from Eglinton Avenue East south along the east property line of the subject site. Prior to the registration of the Condominium, the Owner shall convey to the City, for nominal consideration, an easement along the surface of the lands which shall constitute the pedestrian walkway, to the satisfaction of the City Solicitor. The specific location, configuration and design of the pedestrian walkway shall be determined in the context of a site plan approval pursuant to Section 114 of the City of Toronto Act, 2006, and secured in a Site Plan Agreement with the City;
 - iii. The Owner shall construct, to the satisfaction of the Chief Planner and Executive Director, City Planning, an accessible public pedestrian walkway on the west portion of the subject property adjacent to Yonge Street which shall be of a width required to achieve a minimum 3.7 metres pedestrian clearway and a minimum height of 4.5 metres on the subject site. Prior to the registration of the Condominium, the Owner shall convey to the City, for nominal consideration, an easement along the surface of

the lands which shall constitute the pedestrian walkway, to the satisfaction of the City Solicitor. The specific location, configuration and design to be determined in the context of a site plan approval pursuant to Section 114 of the City of Toronto Act, 2006 and secured in a Site Plan Agreement with the City;

- iv. The Owner shall construct, to the satisfaction of the Chief Planner and Executive Director, City Planning, an accessible public pedestrian walkway on the north portion of the subject property adjacent to Eglinton Avenue East which shall be of a width required to achieve a minimum 3.0 metres pedestrian clearway and a minimum height of 4.5 metres on the subject site. Prior to the registration of the Condominium, the Owner shall convey to the City, for nominal consideration, an easement along the surface of the lands which shall constitute the pedestrian walkway, to the satisfaction of the City Solicitor. The specific location, configuration and design to be determined in the context of a site plan approval pursuant to Section 114 of the City of Toronto Act, 2006, and secured in a Site Plan Agreement with the City;
- v. The Owner shall, at its sole expense, design and construct an entrance connection, which shall be fully integrated into any proposed development on the subject site, linking the development to the Eglinton Subway Station. The entrance to the connection shall be designed to meet TTC standards and to be open and in operation all hours that the subway is in operation. The developer shall also enter into any required agreements, with the TTC and/or the City of Toronto, pay any fees, and prepare any documents necessary for this entrance at the Owner's sole cost.

Conclusion

City Planning recommends that Council approve the Zoning By-law Amendment application. The proposal for a 65-storey mixed-use building includes a mix of uses appropriate for this important intersection including the replacement of the office space that currently exists on the site. The proposal is consistent with the objectives of the City's Official Plan, the Yonge-Eglinton Secondary Plan, OPA 231, OPA 289 and the emerging direction of the Midtown in Focus Growth, Built Form and Infrastructure Review. The proposed building design reinforces the existing and planned built form context within the Yonge-Eglinton Secondary Plan area. The introduction of a publicly accessible open space on the site at the corner of Yonge Street and Eglinton Avenue East will make a significant contribution to the public realm in the Yonge-Eglinton Crossroads area. The proposal includes a connection that will link the development directly to the Eglinton Subway Station. Section 37 contributions have also been agreed upon and will be secured in a Section 37 agreement.

CONTACT

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Tel. No. 416-392-0459
E-mail: Alex.Teixeira@toronto.ca

SIGNATURE

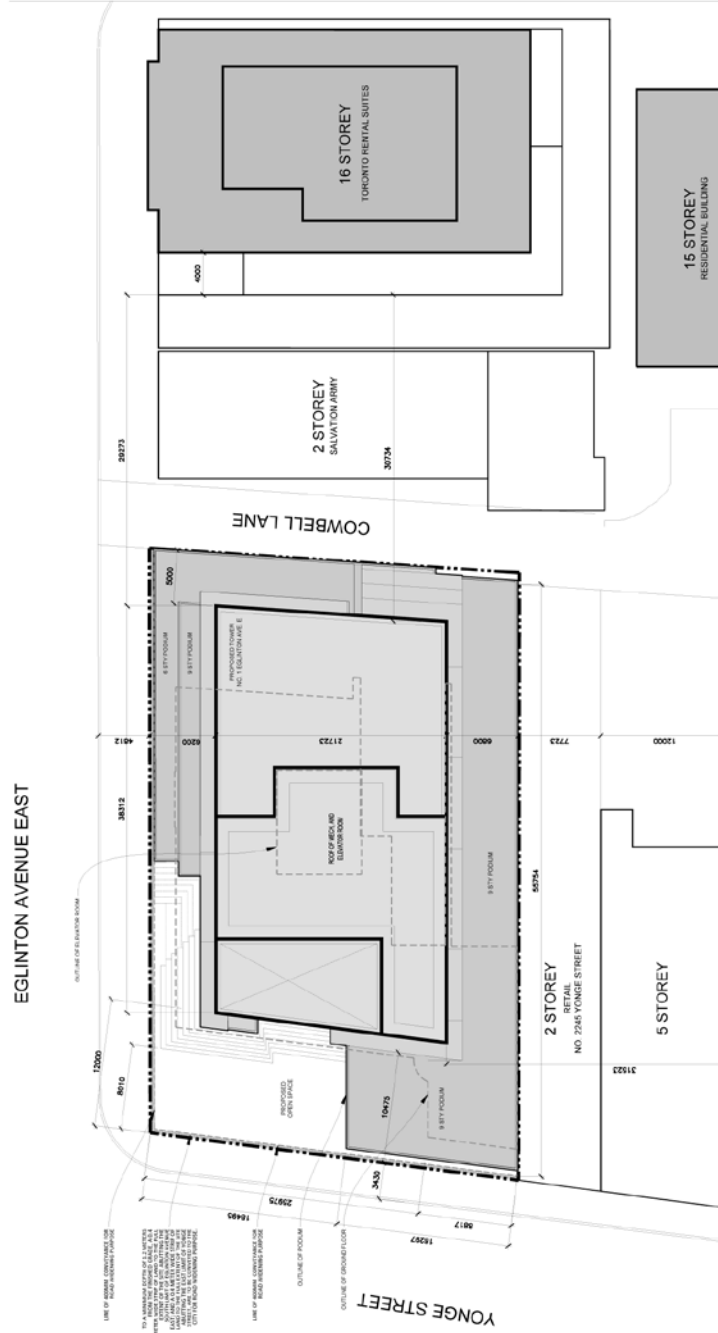
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: North and East Elevations
Attachment 3: South and West Elevations
Attachment 4: Yonge-Eglinton Secondary Plan
Attachment 5: Zoning
Attachment 6: Application Data Sheet
Attachment 7: Draft Zoning By-law 438-86
Attachment 8: Draft Zoning By-law 569-2013

Attachment 1: Site Plan



1 Eglinton Avenue East

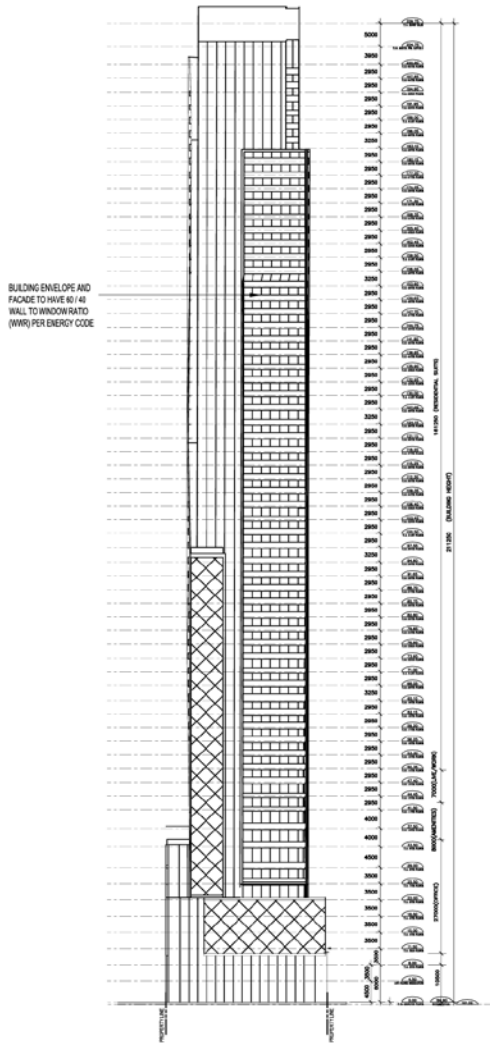
File # 14 266776 STE 22 0Z

Site Plan

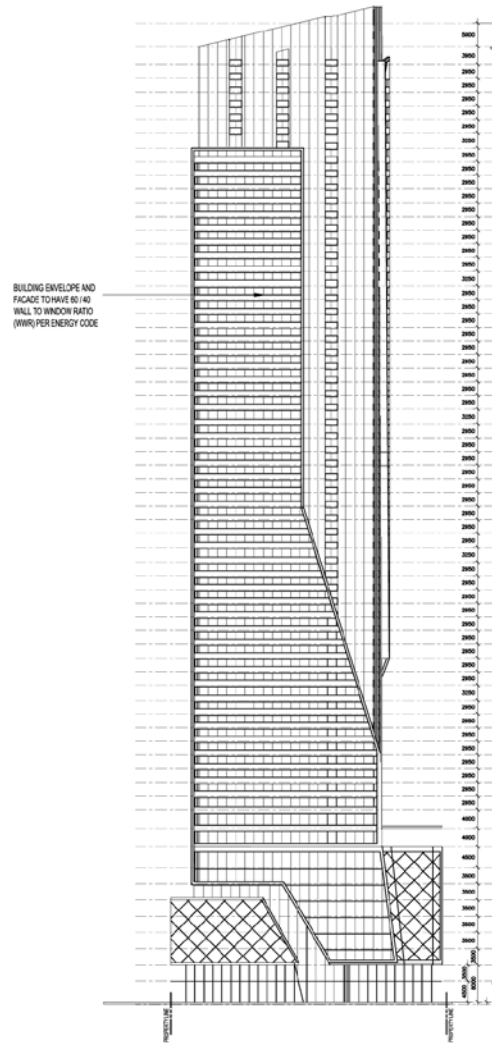
Applicant's Submitted Drawing

Not to Scale
09/11/2017

Attachment 2: North and East Elevations



East (Cowbell Lane) Elevation



North (Eglinton Avenue) Elevation

Elevations

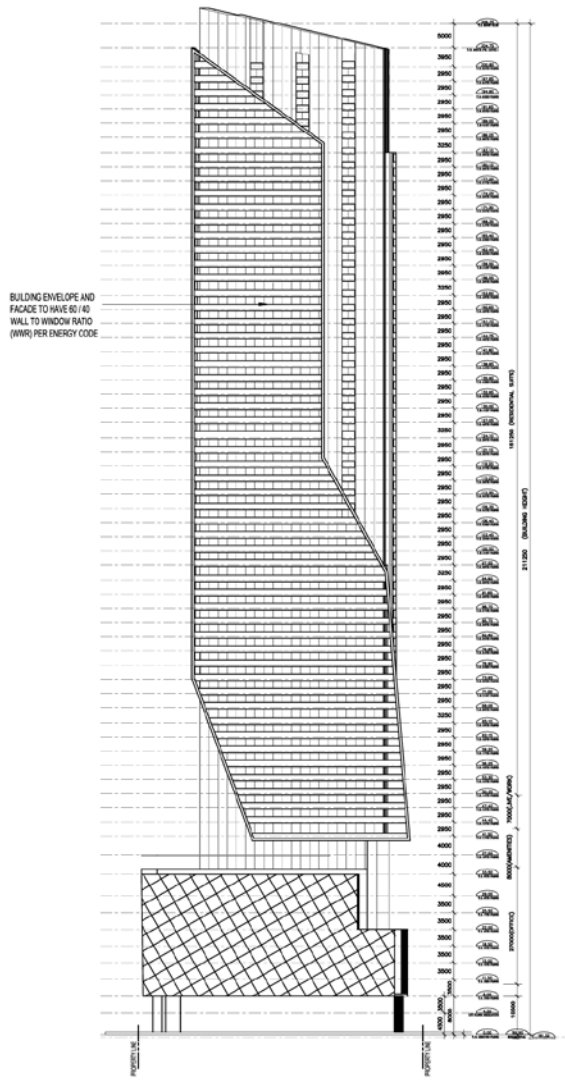
Applicant's Submitted Drawing

Not to Scale
09/11/2017

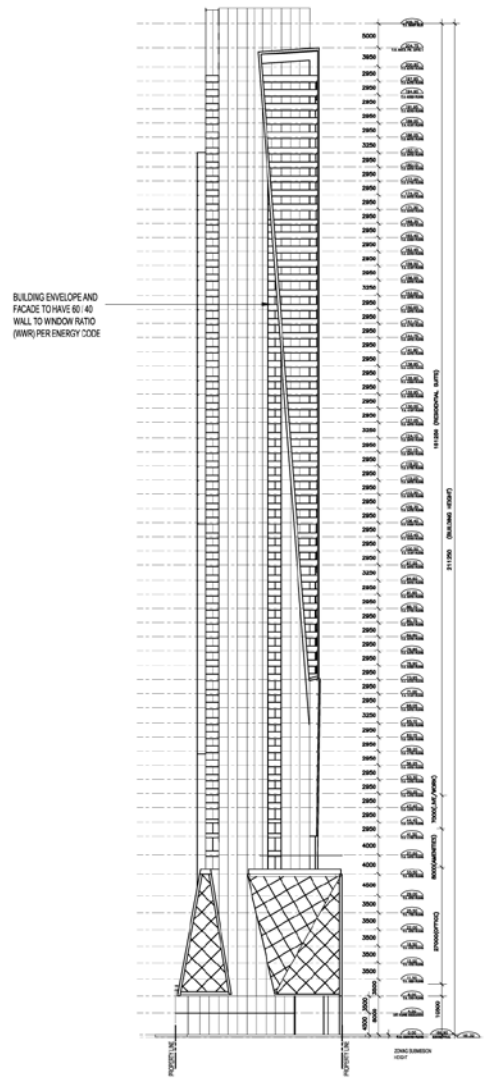
1 Eglinton Avenue East

File # 14 266776 STE 22 0Z

Attachment 3: South and West Elevations



South Elevation



West (Yonge St.) Elevation

Elevations

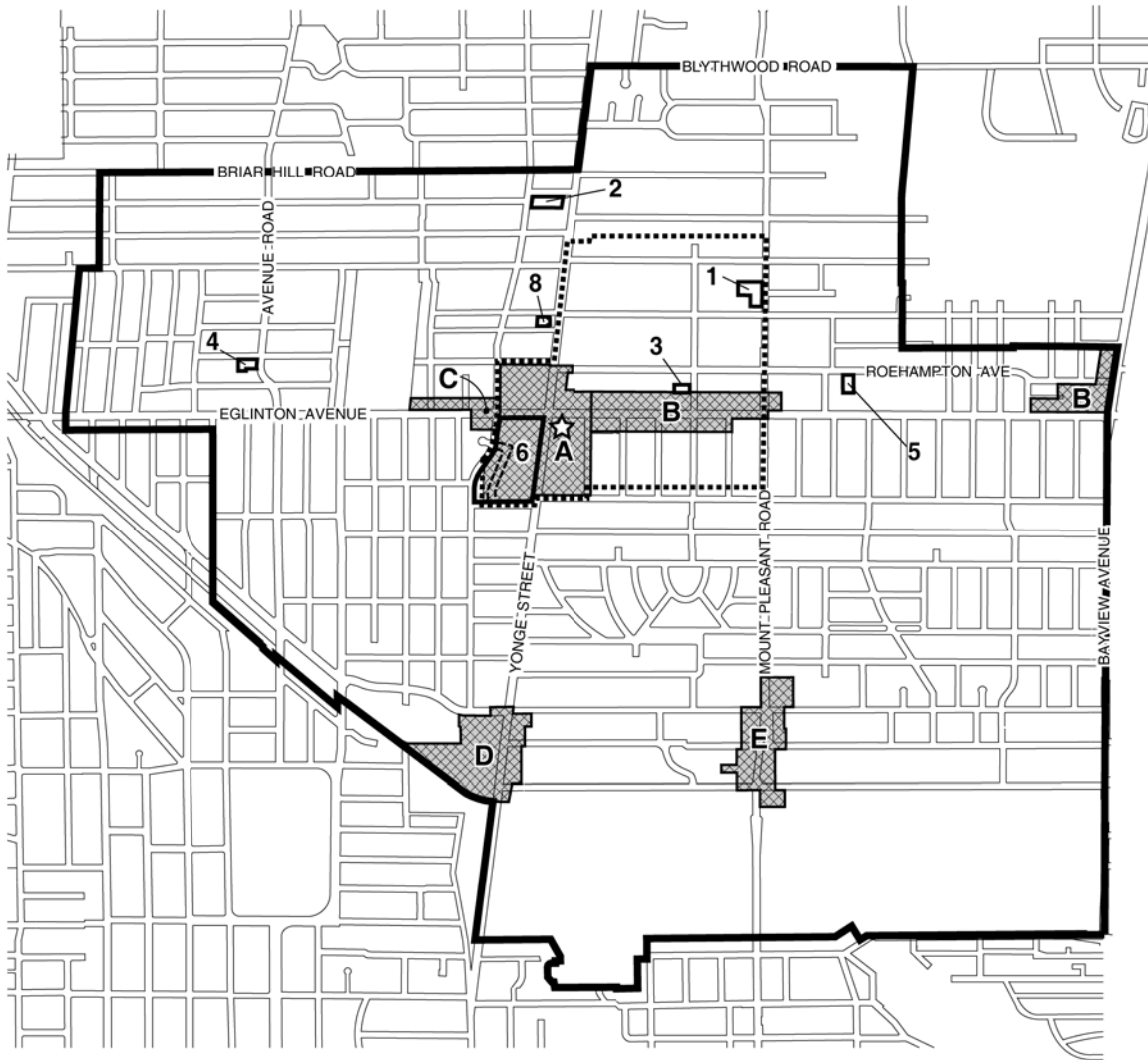
Applicant's Submitted Drawing

Not to Scale
09/11/2017

1 Eglinton Avenue East

File # 14 266776 STE 22 0Z

Attachment 4: Yonge-Eglinton Secondary Plan



-  Secondary Plan Boundary
-  Yonge-Eglinton Centre
-  Mixed Use Areas
-  Site and Area Specific Policies
-  Proposed Road
-  Site Location

Not to Scale 

Secondary Plan

Applicant's Submitted Drawing

Not to Scale
09/25/2017

1 Eglinton Avenue East

File # 14 266776 STE 22 0Z

Attachment 5: Zoning By-law




Zoning By-law 569-2013

1 Eglinton Avenue East

File # 14 266776 STE 22 0Z

 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 6: Application Data Sheet

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:	65-storey mixed use building containing 600 residential units, 8 floors of non-residential uses including office and retail, and 247 parking spaces in a 6-level underground parking garage.		

Applicant:	Agent:	Architect:	Owner:
MHBC PLANNING LIMITED, 7050 WESTON ROAD, SUITE 230, WOODBRIDGE ON, L4L 8G7	MHBC PLANNING LIMITED, 7050 WESTON ROAD, SUITE 230, WOODBRIDGE ON, L4L 8G7	HARIRI PONTARINI ARCHITECTS, 602 KING STRET WEST, TORONTO ON, M5V 1M6	ONE EGLINTON AVENUE EAST INC., 4576 YONGE STREET, SUITE 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):	1,947.7	Height:	Storeys:	65
Frontage (m):	34.7		Metres:	211.25
Depth (m):	56			
Total Ground Floor Area (sq. m):	992.4			Total
Total Residential GFA (sq. m):	44,884.6		Parking Spaces:	247
Total Non-Residential GFA (sq. m):	11,225.7		Loading Docks	2
Total GFA (sq. m):	54,910.3			
Lot Coverage Ratio (%):	47			
Floor Space Index:	28.19			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

	Condo		Above Grade	Below Grade
Tenure Type:	Condo			
Rooms:	0	Residential GFA (sq. m):	44,884.6	0
Bachelor:	0	Retail GFA (sq. m):	350	0
1 Bedroom:	320 (53.3%)	Office GFA (sq. m):	10,891	0
2 Bedroom:	220 (36.7%)	Industrial GFA (sq. m):	0	0
3 + Bedroom:	60 (10%)	Institutional/Other GFA (sq. m):	0	0
Total Units:	600			

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Attachment 7: Draft Zoning By-law Amendment 438-86

***** To be provided on or before the October 17, 2017
Toronto & East York Community Council Meeting *****

Attachment 8: Draft Zoning By-law Amendment 569-2013

***** To be provided on or before the October 17, 2017
Toronto & East York Community Council Meeting *****