

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

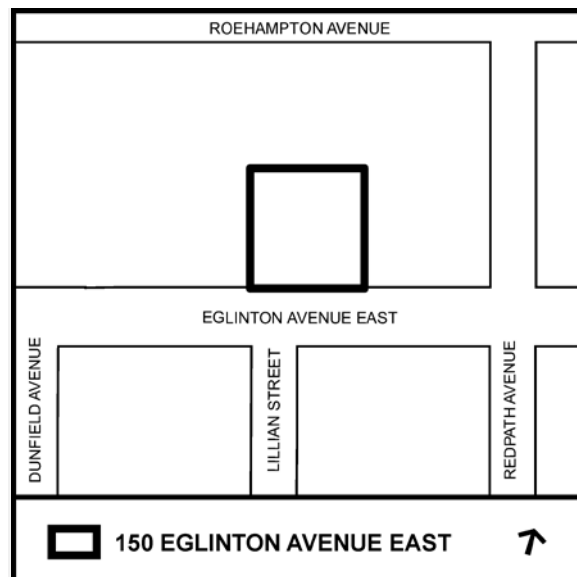
Date:	April 16, 2018
To:	Toronto and East York Community Council
From:	Acting Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	15 139305 STE 22 OZ

SUMMARY

This application proposes a 46-storey (167.0 metres, including 6.0 metre mechanical penthouse) mixed use building with a 6-storey base building, with retail uses on the first and second floors, office uses on floors 3 to 6, and 429 residential units in a tower above. A total of 233 parking spaces are proposed in a 3-level underground garage accessed from Redpath Avenue.

Staff have reviewed the proposal and find it to be appropriate for the site in the context of the existing in force planning framework and Official Plan Amendment Nos. 231 and 289. The proposal provides for 100% replacement of the existing office space on the site, and improves the public realm on Eglinton Avenue East by providing the 12-metre Eglinton Green Line setback.

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, as amended, for the lands at 150 Eglinton Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 11 to report from the Acting Director, Community Planning, Toronto and East York District (April 16, 2018).
2. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 150 Eglinton Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 12.
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
4. Before introducing the necessary Bills to City Council for enactment, the owner of 150 Eglinton Avenue East shall withdraw their appeal to Official Plan Amendment No. 231.
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:
 - i. Prior to issuance of an above grade building permit, the owner shall make a cash contribution to the City in the amount of \$1,000,000 to be allocated at the discretion of the Chief Planner and Executive Director, City Planning in consultation with the Ward Councillor, toward any one or more of the following:
 - a) Public realm improvements in the Yonge-Eglinton Secondary Plan area; and/or
 - b) Additional community services and facilities in the Yonge-Eglinton Secondary Plan area in accordance with emerging infrastructure priorities identified in the Yonge-Eglinton Secondary Plan Review.
 - ii. The required cash contribution pursuant to recommendation 5.a.i. 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;

- iii. In the event the cash contribution in recommendation 5.a.i. has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the Ward Councillor, provided that the purpose is identified in the Toronto 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 260 square metres, located generally along the Eglinton Avenue East 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 which shall have a minimum 2.1 metres pedestrian clearway and a minimum height of 4.5 metres and shall provide a direct at-grade connection from Eglinton Avenue East north along the east property line of the subject site. Prior to first occupancy, 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 pay for and construct any improvements to the municipal infrastructure in connection with the accepted Functional Servicing Report, prepared by WSP Canada Group Limited, dated February 2, 2018, to be submitted for review and acceptance by the Chief Engineer & Executive Director, Engineering & Construction Services, should it be determined that improvements to such infrastructure is required to support this development.
- iv. The owner shall provide on-site dog off-leash amenities with proper disposal facilities for the building residents or dog relief stations within the building.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting of December 16, 17 and 18, 2013, City Council adopted amendments to the Official Plan (OPA 231) to implement the results of the Official Plan and Municipal Comprehensive Review for Economic Health and Employment Lands Policies and Designations and Recommendations of Conversion Requests. Among other matters, OPA 231 introduced amendments aimed to stimulate the growth of new office space and maintain current concentrations of office space near rapid transit, such as the subject site.

OPA 231 was approved by the Minister of Municipal Affairs and Housing in July 2014. Portions of the amendment are under appeal at the Ontario Municipal Board, including an appeal made by the applicant on July 2014 with respect to the office replacement policies. Although not in full force and effect for the subject lands, OPA 231 represents Council's long-term land use planning direction for the lands.

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

On June 10, 11, 12, 2015, City Council adopted Official Plan Amendment No. 289 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. OPA 289 was appealed to the Ontario Municipal Board (OMB). While OPA 289 is not in force and effect, it represents Council policy.

On December 10, 2015, City Council adopted Official Plan Amendment No. 320, which strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

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 recommendations direct staff to use the draft built form principles in the report in the review of development applications in the Yonge-Eglinton Secondary Plan area. Planning

staff were also directed to use the emerging community infrastructure priorities that have been identified, as part of the development application review process.

On December 5, 2017 City Council adopted the recommendations in the report from the Acting Chief Planner titled: "Midtown in Focus: Proposals Report". Staff are directed to continue to consider and review applications submitted prior to November 15, 2017 in the context of the City Council directed Midtown in Focus: Growth, Built Form and Infrastructure Review, including the proposed Secondary Plan. As well, Staff are to assess the potential cumulative impact of all applications in the Yonge-Eglinton Secondary Plan area on the City's ability to provide the necessary infrastructure to support development, and use planning mechanisms, including holding provisions, as necessary to ensure that growth and infrastructure needs are aligned.

ISSUE BACKGROUND

Proposal

This application proposes a 46-storey (167.0 metres, including 6.0 metre mechanical penthouse) mixed use building with a 6-storey (39.4 metre) base building. A total of 2,875 square metres of retail space will be located on the ground and second floor, 8,541 square metres of office space on floors 3 to 6, and 429 residential dwelling units in the tower above. The residential unit mix is proposed to be 10% 3-bedroom units, 36% 2-bedroom units, and 54% 1-bedroom. The total density of the proposed building will be 14.42 times the area of the lot.

The 6-storey base building will be setback 12.0 metres from the Eglinton Avenue East property line, 0.0 metres from the west and east property lines, and 0.9 metres from the north property line. On the Eglinton Avenue East frontage a 3.0 metre stepback is proposed above the 4th floor, creating a 4-storey streetwall. A second 3.0 metre stepback is proposed above the 5th floor on the east and west sides of the tower.

The proposed tower portion steps back 3.0 metres above the 4-storey streetwall on the Eglinton Avenue East frontage. To the east, the tower is set back between 12.5 and 13.5 metres. To the north, a portion of floors 7 to 11 are set back 7.5 metres from the property line, with the remainder of the tower set back between 11.8 and 13.5 metres. To the west, the proposed tower is set back 10.0 metres from the property line. Balconies will project 1.5 metres on all sides of the tower. The maximum tower floor plate is approximately 830 square metres.

The residential and office lobbies are to be located along Eglinton Avenue East at the west end of the building. The remainder of the Eglinton Avenue frontage will be occupied by retail space. A total of 960 square metres of indoor amenity space and 981 square metres of outdoor amenity space is to be provided on the 7th floor.

The proposed 12.0 metre setback on Eglinton Avenue East will be landscaped and will include a Privately Owned Public Accessible Space (POPS) approximately 260 square metres in area. A 2.1 metre wide midblock pedestrian connection is provided on the east side of the building and connects with a previously secured midblock connection at 151 Roehampton Avenue, connecting Eglinton Avenue East to Roehampton Avenue.

A 0.4 metre strip of land on the Eglinton Avenue frontage will be conveyed to the City as part of a right-of-way widening; all setbacks referred to above are from the revised property line. The entrance to the underground garage and loading spaces will be accessed from a private laneway on Redpath Avenue leading to the rear of the site. A total of 130 residential and 103 commercial vehicle parking spaces are proposed in a 3-level underground garage. A total of 487 bicycle parking spaces will be provided.

Refer to Attachments 1-6 and 10 of this report for further information.

Site and Surrounding Area

The site is located on the north side of Eglinton Avenue, east of Yonge Street and west of Redpath Avenue. The site is on a block that extends from Yonge Street to Redpath Avenue. The site is generally square in shape and is 3,016 square metres in area. The site is currently occupied by a 10-storey office building. An existing vehicular 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, there is a variety of residential buildings with heights ranging from 3 to 35 storeys. Northeast of the site is a 38-storey residential building under construction at the southwest corner of Roehampton Avenue and Redpath Avenue. A 34-storey apartment building is under construction on the southeast corner 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 East are a mix of commercial office buildings and mixed-use buildings with heights ranging from 18 to 36 storeys. Further south of Eglinton Avenue is a mix high-rise and low-rise residential buildings.

West: A 15-storey supportive housing (Toronto Community Housing Corporation) building for the elderly and a restaurant at grade. The mixed use character of the street continues toward Yonge Street with heights between 4 and 11 storeys. At the northeast corner of Yonge Street and Eglinton Avenue East, a 58-storey mixed-use residential tower is currently under construction.

Planning Act, Provincial Policy Statement and Provincial Plans

Under the *Planning Act*, Section 2 sets out matters of Provincial interest that shall be had regard to. These include, among others:

- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems; and

- (r) the promotion of built form that,
- (i) is well designed;
 - (ii) encourages a sense of place; and
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive, and vibrant.

The Provincial Policy Statement (PPS) (2014) 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 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 (2006, as amended) identifies the Yonge Eglinton Centre as an Urban Growth Centre. Urban Growth Centres (UGC) are intended to be focal areas for accommodating a significant share of people and jobs as well as investment in major services, institutions and transit services to ensure these areas "become more vibrant, mixed-use, transit-supportive communities". The Growth Plan supports intensification and advances density targets to accommodate the projected growth identified in the Plan. UGCs in Toronto are required to achieve a combined minimum gross density target of 400 residents and jobs per hectare by 2031.

The Growth Plan for the Greater Golden Horseshoe (GGH) (2017) represents current provincial policy, and builds upon the policy foundation provided by the PPS (2014) providing more specific land use planning policies to address issues facing the GGH region.

The Growth Plan for the GGH (2017) provides a strategic framework for managing growth in the (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.

The Growth Plan also requires the City to prioritize planning and investment in infrastructure and public facilities that will support intensification within delineated built up areas, and is explicit in its policy direction that "applying the policies of this Plan will support the achievement of complete communities..."

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. The Growth Plan directs municipalities to develop Official Plan policies and other supporting documents to guide intensification. City Council's planning decisions are required, by the *Planning Act*, to conform with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject site is designated *Mixed Use Areas* and is located in the Urban Growth Centre within the Yonge-Eglinton Secondary Plan area.

Chapter 2 – Shaping the City

Centres

The site is located within a Centre. Centres are places with excellent transit accessibility, and where jobs, housing and services will be concentrated in dynamic mixed use settings with different levels of activity and intensity. The Yonge-Eglinton Centre is recognized as being an important area of employment. The Official Plan recognizes that there is infill and redevelopment potential of key sites near the Yonge-Eglinton intersection and along Eglinton Avenue East.

Each Centre is required to have a Secondary Plan that addresses a wide range of matters. The site is located in the Yonge-Eglinton Secondary Plan area (see Attachment 9).

The Official Plan identifies that Secondary Plans establish local development policies to guide growth and change in a defined area of the City. They outline and promote a desired type and form of physical development with the objective of ensuring highly functional and attractive communities that account for an appropriate transition in scale and activity between neighbouring districts.

Policy 5.2.1.2 identifies that Secondary Plans may be prepared for a number of reasons. Of particular note for the Yonge-Eglinton area, the Official Plan directs that Secondary Plans will be prepared for areas where development is occurring, or proposed, at a scale, intensity or character which necessitates reconsideration or reconfiguration of local streets, block plans, public works, open space or other public services or facilities. Where Council has determined that a Secondary Plan is necessary, no amendment to the Zoning By-law in the area will be made without prior or concurrent adoption of a Secondary Plan, provided that the Secondary Plan is adopted within a reasonable period of time. Growth and intensification in the Yonge-Eglinton area has far exceeded expectations under the current Secondary Plan, necessitating a comprehensive review of the Secondary Plan.

In June 2016, City Council directed staff to consider and review Official Plan amendment and Zoning By-law amendment applications in the Yonge-Eglinton Secondary Plan in the context of the City Council-directed Midtown in Focus: Growth, Built Form and Infrastructure Review. At its December 5, 2017 meeting, Council reaffirmed this direction for applications submitted prior to November 15, 2017, and also directed staff to assess the cumulative impact of development in the area on the availability of the necessary infrastructure to support continued development, and land use planning mechanisms, including holding provisions, as necessary to ensure that growth and infrastructure needs are aligned.

Section 2.3.1 Healthy Neighbourhoods

Policy 2.3.1.3 identifies that intensification of land adjacent to neighbourhoods will be carefully controlled to protect neighbourhoods from negative impact. The policy provides the opportunity to determine, through the review of applications involving significant intensification adjacent to a *Neighbourhood* or *Apartment Neighbourhood*, whether a Secondary Plan, area specific zoning by-law or area specific policy should be created in consultation with the local community following an *Avenue Study* or area based study. The policy requires City Council to make this

determination at the earliest point in the process. The proposal is located adjacent to an *Apartment Neighbourhood* to the north.

The ongoing Midtown in Focus: Growth, Built Form and Infrastructure Review will satisfy the Official Plan requirements for an area based study for this portion of the Yonge-Eglinton Secondary Plan area.

Chapter 3 – Built Form

Section 3.1.2 Built Form

The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area who will encounter the building in their daily lives.

New development in Toronto will be located and organized to fit with its existing and/or planned context. It will do this by: generally locating buildings parallel to the street or along the edge of a park or open space, having a consistent front yard setback, acknowledging the prominence of corner sites, locating entrances so they are clearly visible and providing 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 to preserve their utility.

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, enhance the public realm through streetscape improvements and ensure that significant new multi-unit residential development provides indoor and outdoor amenity space for its residents.

Section 3.1.3 Built Form – Tall Buildings

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 subject site is designated *Mixed Use Areas* on Map 17 - Land Use Plan of the City's Official Plan (see Attachment 8). The *Mixed Use Areas* designation permits a broad range of commercial, residential and institutional uses, in single or mixed use buildings, as well as parks and open spaces. *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in the coming decades and provide much of the new housing.

Development proposals in *Mixed Use Areas* are evaluated to ensure they:

- provide a transition between areas of different development intensity and scale through means such as providing appropriate setbacks and/or stepping down of height, particularly toward lower scale *Neighbourhoods*;
- locate and mass buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locate and mass new buildings 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;
- provide an attractive and safe pedestrian environment;
- have access to schools, parks, community centres, libraries and childcare;
- take advantage of nearby transit services;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents.

Yonge-Eglinton Secondary Plan

The proposed development is located in the Yonge-Eglinton Secondary Plan area (see Attachment 9). 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 a full range of housing options (form, tenure) suitable for family and other households in that manner that is "contextually appropriate and compatible with existing residential uses and residential built form".

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*. Commercial development will be strengthened within existing commercial areas by encouraging pedestrian-oriented street-related retail and service uses to locate within established shopping areas.

The Yonge-Eglinton Secondary Plan identifies key *Mixed Use Areas* containing a mix of retail, service commercial, office, and residential uses. The Plan states that the highest densities will be located in *Mixed Use Area 'A'*, with developments of a lesser scale that are contextually appropriate will be located in *Mixed Use Areas 'B', 'C', and 'D'*.

The subject site is located in *Mixed Use Area 'B'*, which is 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 will be encouraged, while ensuring that the form of buildings promotes a compatible physical and land use relationship. The site is also located within the Yonge-Eglinton Centre. The heights, densities and scale of development will decrease along Eglinton Avenue East with increasing distance from the Yonge-Eglinton intersection within the Yonge-Eglinton Centre.

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.

Official Plan Amendment 231

The site currently contains a 10-storey commercial office building and is subject to the office replacement policies of OPA 231 that are under appeal at the LPAT. Approximately 8,084 square metres of space is used for office.

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. It represents the planning directions of City Council and is part of the emerging policy context.

Midtown in Focus

Parks, Open Space and Streetscape Plan and OPA 289

The Midtown in Focus: Parks, Open Space and Streetscape Plan ("Public Realm Plan") is a framework for improvements to 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 recognizes 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: Eglinton Green Line, Yonge Street and its Squares, Park Street Loop, Midtown Greenways, and Redpath Revisited. Together with other streetscape improvements and the enhancement and expansion of parkland in the area, this will form a thriving system of parks, open spaces and streets.

The subject site is located within the Eglinton Green Line, which is a major linear, publicly-accessible green open space on Eglinton Avenue, extending from Eglinton Park to Mount Pleasant Road. All buildings on the north side of Eglinton Avenue between Yonge Street and Mount Pleasant Road will be setback a minimum of 12 metres at and above grade from the property line adjacent to Eglinton Avenue. The setback will be provided to establish high-quality pedestrian and landscaped open spaces, plazas and forecourts.

OPA 289 amended the Yonge Eglinton Secondary Plan incorporating, among other matters, the intended urban design and public realm outcomes of the Public Realm Plan. OPA 289 is currently under appeal at the OMB and represents current Council policy.

Growth, Built Form and Infrastructure Review

The City Planning Division is currently leading an inter-divisional review of growth, built form and infrastructure issues in the Yonge-Eglinton Secondary Plan area that builds on the Public Realm Plan developed in the first phase of Midtown in Focus. New and proposed development in the Yonge-Eglinton area is occurring at a rate, scale, and intensity that exceeds the City's projections made in the previous decade.

The City is undertaking the Midtown in Focus Growth, Built Form and Infrastructure Review (the "Review") to ensure that any changes to the planned context of the area are addressed comprehensively, rather than on a site-specific basis. The objective of the Review is to ensure that growth positively contributes to Yonge-Eglinton's continued livability and vitality by establishing a clear and up-to-date Secondary Plan and Official Plan policy framework for the

area, and ensuring that local transportation, municipal servicing and community infrastructure keeps pace with development.

The Review includes the following initiatives: growth analysis, built form study, cultural heritage resource assessment, community services and facilities assessment, transportation assessment, municipal servicing assessment, and a Secondary Plan area-wide parks and public realm plan.

A Proposals Report was presented to Council in late 2017. This report included a proposed update to the Yonge-Eglinton Secondary Plan ("the Proposed Yonge-Eglinton Secondary Plan") as well as updates related to the infrastructure assessments. The Proposed Yonge-Eglinton Secondary Plan sets out a 25-year vision for Midtown that emphasizes the importance of complete communities and the diversity of Midtown's character areas. It envisions Midtown as a green, resilient, connected, inclusive and prosperous place, provides detailed direction on the appropriate scale and location of future growth, and links growth with the provision of infrastructure.

The subject site is located within the Eglinton Green Line Character Area, one of 22 character areas. The proposed Plan sets out a vision for the Character Area as "a vibrant and dense 21st Century live-work business district anchored by the iconic Green Line open space." New office or mixed-use buildings are expected to include modernized office spaces and terrace down in height west to east from the Yonge-Eglinton intersection to the Mount Pleasant Station area.

The proposed policies for the Eglinton Green Line Character Area recognize the built form challenges with replacing existing office gross floor area associated with many of the mid-century office buildings located along Eglinton Avenue given they were constructed lot line-to-lot line and can be upwards of 10 storeys in height. The proposed policies also seek to create a cohesive streetwall condition and architectural expression for Eglinton Avenue by restricting base building heights to eight storeys, requiring stepbacks at the third and sixth storeys, and enabling density transfers of existing office gross floor area to other sites in the Character Area.

The policy directions in the Proposed Yonge-Eglinton Secondary Plan that are relevant to the review of this application include the following:

- A net gain of office gross floor area is required and full replacement of existing office gross floor area consistent with OPA 231;
- Development will limit residential dwelling units to floors above the ninth storey;
- A maximum size of retail stores (3,500 square metres) and directed that medium-scale retail uses distribute floor area on multiple floors;
- A maximum height of 38 storeys for the subject site (approximately 123 metres);
- A maximum base building height of 8-storeys (33 metres) with stepback requirements at the third and sixth floors;

- A continuous frontage of at-grade, pedestrian oriented retail and service uses and/or community facilities is required;
- A minimum tower setback of 12.5 metres from side and rear property lines;
- A minimum tower separation of 25 metres; and
- A maximum tower floor plate of 750 square metres;

The Proposed Yonge-Eglinton Secondary Plan also includes policy directions adopted by City Council as part of OPA 289, including the following:

- A minimum 12.0 metre setback at grade and above grade on Eglinton Avenue East; and
- A north-south midblock pedestrian connection on the west and east sides of the site.

Other policy directions include, but are not limited to, requirements for the provision of parkland concurrent with growth, the provision of affordable housing and prioritizing active transportation.

Council directed staff that all Official Plan amendment and Zoning By-law amendment applications in the Yonge-Eglinton Secondary Plan Area, submitted prior to November 15, 2017, be reviewed in the context of the Midtown in Focus: Growth, Built Form and Infrastructure Review.

Staff were directed to undertake consultation on the proposed update to the Secondary Plan. Consultations occurred through the months of January, February, and March. A final report with the recommended Official Plan Amendment will be brought forward in the second quarter of 2018.

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.

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 the lot 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. (See Attachment 7).

Site Plan Control

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

Reasons for Application

The application does not conform to the built form provisions of Zoning By-law 438-86 and Zoning By-law 569-2013. It exceeds the maximum height and maximum density permitted in the By-law and does not meet the minimum required setbacks or vehicle parking supply, among other matters.

Community Consultation

On November 25, 2015, a community consultation meeting was hosted by City Planning and attended by residents and other interested parties. Concerns regarding the proposal raised at the meeting, through verbal contact or by written submissions to the City Planning Division, include the following:

- Height and massing of the buildings;
- Impact on neighbouring buildings, including privacy impacts;
- Potential shadow impact on adjacent properties;
- Wind Impacts;
- Adequacy of infrastructure;
- Parking supply; and
- Potential traffic impact in the area.

Agency Circulation

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

COMMENTS

Provincial Policy

Provincial Policy Statement (2014)

The PPS provides policy direction on matters of provincial interest related to land use planning and development. City Council's planning decisions are required to be consistent with the PPS.

Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation.

The Provincial Policy Statement, 2014 (PPS) provides for a coordinated and integrated approach to planning matters within municipalities. Policy 4.7 of the PPS states that: "the Official Plan is the most important vehicle for implementation". Furthermore, Section 4.7 directs municipalities to provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

The proposed development is consistent with the above policies and other relevant policies of the PPS. The proposal is close to transit and active transportation options, and located within the Yonge-Eglinton Centre, which helps to minimize the need for, and length of, automobile trips. The recommended Zoning By-law Amendment in Attachment 8 implements the Official Plan and Provincial Policy.

Growth Plan for the Greater Golden Horseshoe (2017)

The Growth Plan provides a framework for managing growth in the Greater Golden Horseshoe. The site is an *Intensification Area* as defined by the Growth Plan.

Section 2.2.1.4 of the Growth Plan directs that complete communities will feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities.

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 (UGC's). The subject site is located within the Yonge-Eglinton Urban Growth Centre (See Attachment 9).

The Yonge-Eglinton Secondary Plan area is currently experiencing significant growth, in particular within the Yonge-Eglinton Urban Growth Centre. 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.

The proposed development is consistent with the relevant sections of the Growth Plan. The proposal is close to transit and active transportation options and located within the Yonge-Eglinton Centre, which assist with creating pedestrian friendly, transit supported areas. Staff have reviewed the application and find that the decision to approve the application conforms to the Growth Plan.

Midtown in Focus: Growth, Built Form and Infrastructure Review (the "Review")

The subject application was submitted on April 10, 2015, prior to the initiation of the Review. The proposal achieves a number of the policy directions in the proposed Midtown in Focus Secondary Plan, however, the proposed height and massing exceeds the proposed plans' directions. While the draft Midtown in Focus policies were considered in the evaluation of the proposal, staff are recommending approval in the context of the in force planning framework, and Official Plan Amendments 231 and 289. Future development along Eglinton Avenue East will be reviewed in the context of the Midtown in Focus Review.

The proposed development is generally in keeping with a number of the emerging directions of the Review. In addition to the OPA 289 policies identified below, the application meets the following Proposed Yonge-Eglinton Secondary Plan policy directions:

- A continuous frontage of commercial uses is provided on the ground floor;
- The proposed development provides for 100% replacement of the existing office uses on-site;
- The proposed base building is 6-storeys in height, although overall it exceeds the anticipated height in metres due to the floor to ceiling heights of the proposed base building;
- Residential dwelling units are located above the base building; and
- The proposed tower meets the required minimum tower separation of 25 metres to the 10-storey building to the north;

The proposal generally meets the intent of the minimum tower setback of 12.5 metres to side and rear property lines with setbacks of between 12.5 to 13.5 metres to the east, 11.8 to 13.5 metres to the north, and 10.0 metres to the west. The proposal exceeds the overall permitted height and tower floor plate restrictions in the Proposed Yonge-Eglinton Secondary Plan.

The Review will also be addressing the elements of a livable community, and ensuring infrastructure keeps pace with development through various assessments and strategies including a community services and facilities strategy, municipal servicing assessment, and transportation assessment. The assessments are still in process; however, given that the application was submitted on April 10, 2015, and the relevant divisions and agencies (including Engineering and Construction Services, TTC, and the Toronto District School Board) have reviewed and signed-

off on the application, the proposed development can proceed prior to the completion of the Review.

Land Use

The subject site is located in a *Mixed Use Area* designation in the Official Plan and within *Mixed Use Area 'B'* in the Yonge-Eglinton Secondary Plan. Both are land use designations for growth that permit a variety of uses. In addition to 429 residential units, the application proposes a total of 11,416 square metres of non-residential uses, including 8,075 square metres of space for office uses, as well as retail uses on the first and second floors. 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 accommodates approximately 8,048 square metres of office space. The proposed development would accommodate 8,075 square metres of office space. The proposed increase in the amount of office space conforms to the policies of OPA 231, and the emerging policy directions in the Proposed Yonge-Eglinton Secondary Plan.

OPA 289

As part of OPA 289, the subject site is located along the Eglinton Green Line open space, which is a major linear, publicly-accessible green open space on Eglinton Avenue, extending from Eglinton Park to Mount Pleasant Road. All buildings on the north side of Eglinton Avenue East between Yonge Street and Mount Pleasant Road will be setback a minimum of 12 metres at and above grade from the property line adjacent to Eglinton Avenue. The setback will be provided to establish high-quality pedestrian and landscaped open spaces, plazas and forecourts.

The proposed development conforms to the requirements of OPA 289. The proposed building provides a 12.0 metre setback at and above grade from the Eglinton Avenue property line. The application also avoids introducing an additional vehicular curb cut on Eglinton Avenue East, and provides a north-south mid-block pedestrian connection in keeping with the routes indicated in OPA 289.

Built Form, Height and Massing

Staff have reviewed the proposed height, built form and massing and are satisfied that it meets the Healthy Neighbourhoods, Built Form, and *Mixed Use Areas* policies of the Official Plan. The proposed building limits its impacts on the surrounding area, while meeting the objectives of the existing Yonge-Eglinton Secondary Plan, OPA 231, and OPA 289.

Through the application process, the massing of the proposed development was revised to increase the tower setbacks from neighbouring properties in order to mitigate impacts on privacy and sky view.

The Built Form policies in section 3.1.2 of the Official Plan require that "new development will be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context". The Built Form and *Mixed Use Areas* policies require that new buildings frame the edge of streets with good proportion.

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 3.0 metre stepback at 80% of that height. Eglinton Avenue East adjacent to the site has a planned right-of-way width of 27 metres. This is to ensure that the base building does not overwhelm the pedestrian environment or compound tall building impacts on shadow and sky view.

The proposed base building is 6 storeys (39.4 metres) in height, with a 4-storey (25.9 metre) streetwall, and is setback 12.0 metres from the Eglinton Avenue East property line. A 3.0 metre stepback is provided above the 4th floor, with an additional 3.0 metre stepback above the 5th floor on the east and west ends of the base building. The proposed base building height exceeds the guidelines and does not meet the step back at 80% of the right-of-way width.

Planning staff support the proposed height and form of the base building in this instance. The 6-storey height of the base building relative to the right-of-way width of Eglinton Avenue East, and in combination with the Eglinton Green Line setbacks, is reasonable. Additionally the 12.0 metre setback and stepbacks of the base building help to reduce the impact of the scale of the building on the pedestrian realm.

Mixed Use Areas policy 4.5.2(c) further states that new development is to locate and mass new buildings to provide transition between areas of different development intensity and scale, through means such as setbacks, and stepping down of heights, particularly towards lower-scale *Neighbourhoods*.

The site is located in *Mixed Use Area 'B'* of the Yonge-Eglinton Secondary Plan. Development of the greatest height, density and scale is to be located within *Mixed Use Area 'A'*, which is centred around the Yonge-Eglinton intersection. Development of a lesser scale that is contextually appropriate and compatible with adjacent areas will occur in *Mixed Use Areas 'B'*. The heights, densities and scale of development are required to decrease along this segment of Eglinton Avenue East with increasing distance from the Yonge-Eglinton intersection.

The proposed tower is 46-storeys (167 metres, including mechanical penthouse). The proposed tower provides for a transition down in height from *Mixed Use Area 'A'* at the intersection of Yonge-Eglinton. A 65-storey (211.25 metres, including mechanical) building is approved for the southeast corner of Yonge Street and Eglinton Avenue East, and a 58-storey (195 metres, including mechanical penthouse) building is under construction on the northeast corner. Staff have reviewed the proposals height and are satisfied that it transitions in height from the Yonge and Eglinton intersection.

The Tall Building Guidelines identify a minimum 3.0 metre stepback of the tower portion of the building from the face of the base building. The tower portion of the building provides a 3.0 metre stepback above the 4th floor of the base building.

The Tall Building Design Guidelines recommend that towers should be separated by a minimum distance of 25 metres. The Tall Building Design Guidelines also recommend a minimum tower setback of 12.5 metres from the property line. The tower portion of the proposed building is set back between 12.5 and 13.5 metres from the east. To the north, an 11 storey portion of the building is set back 7.5 metres from the property line, with the remainder of the tower set back between 11.8 and 13.5 metres. A minimum tower separation of 27.5 metres will be provided to an existing 10-storey building to the north. The tower separation distance will increase to a minimum of 31.8 metres above the 11th floor of the building. The proposed tower setbacks to the north are acceptable given that the proposed tower exceeds the minimum tower separation distance identified in the tall building guidelines.

To the west, the tower portion of the proposed building will be set back 10.0 metres from the property line, which results in a separation distance of 12 metres from an existing 15-storey apartment building. The existing apartment building is set back 2.0 metres from its property line with a blank wall facing the subject site. The tower setback to the west is acceptable as there are no privacy impacts on the existing 15-storey building. The adjacent site to the west is too narrow to accommodate a redevelopment with significant increase in height or density, and would require additional land assembly in order to permit a redevelopment allowing it to provide the full 25 metre separation distance identified in the Midtown in Focus Review.

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 maximum floor plate size of approximately 830 square metres. The larger floor plate is acceptable in this instance given the proposed setbacks and limited development potential to the west which helps maintain views between towers and mitigates the shadow impacts of the tower on the surrounding area.

Streetscape and Public Realm

The proposed building will be setback 12.0 metres from the property line on Eglinton Avenue East, resulting in a curb to building face distance of approximately 17.5 metres. The proposed setback will be landscaped and will include a POPS approximately 260 square metres in area. This will provide for significant open area for pedestrians on the Eglinton Avenue frontage. A 2.1 metre wide midblock pedestrian connection will be provided on the east side of the site, connecting with a previously secured midblock connection at 151 Roehampton Ave, connecting Eglinton Avenue East and Roehampton Avenue.

The landscaped space will include seating and soft landscaping including high-branching tree canopy. The design of the landscaped setback, POPS, and midblock connection will be further detailed as part of the Site Plan Application process. Staff are satisfied that the proposed building setbacks 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.

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 casts a small increase in shadow on the field at North Toronto Collegiate Institute during the early morning hours on March 21 and September 21, with no shadow impact in June. There is no shadow impact on parks and *Neighbourhoods* designated properties between March 21 and September 21. The shadow impacts of the proposed development are acceptable.

Wind

Planning staff are satisfied with the wind condition resulting from the proposed development, subject to further assessment during the Site Plan Control process for potential mitigation strategies.

The pedestrian-level wind study submitted with the application concludes that wind conditions on and around the site will be comfortable and suitable for the anticipated uses including the proposed POPS to the south. Wind mitigation measures, including vertical wind barriers, are recommended for the outdoor amenity space on the 7th floor.

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. A broad mix of residential units including units suitable for families with children is encouraged.

The applicant is proposing 429 dwelling units of which 156 (36%) are 2-bedroom units and 43 (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

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.

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 a minimum of 40 square metres of outdoor amenity space.

The application proposes 960 square metres of indoor amenity space (2.24 square metres per unit) and 981 square metres of outdoor amenity space (2.29 square metres per unit) on the 7th floor of the building. The overall rate of amenity space is proposed at 4.5 square metres per unit and exceeds the minimum requirement. Through the Site Plan Application process staff will secure amenity space that is flexible and serves a broad range of users including children.

Transportation

As part of the application, the developer will be providing a required conveyance to the City of a 0.4 metre wide strip of land along Eglinton Avenue East for the purpose of road widening.

A Transportation Impact Study submitted with the application was reviewed by Transportation Services staff and determined that the traffic impact of the proposal on surrounding streets is acceptable. In addition, Transportation Services staff have determined that the proposed 233 parking spaces are sufficient for the proposed uses.

The proposal was revised to remove driveway a proposed driveway access on Eglinton Avenue East, and relocated all vehicular access to a private lane on Redpath Avenue. The proposed access to the loading and below-grade garage from the private lane on Redpath Avenue is acceptable to City staff and avoids a new curb cut on Eglinton Avenue East.

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.

Servicing

A Functional Servicing Report and Stormwater Management Report were submitted with the application and were reviewed by Engineering and Construction Services staff. The proposed servicing was determined to be acceptable. The applicant will be required to pay for and construct any improvements to the municipal infrastructure in connection with the accepted Functional Servicing Report, should it be determined that improvements to such infrastructure is required to support this development.

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 lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second 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 46-storey mixed use building with 32,090 square metres of residential gross floor area comprising 429 units and 11,416 square metres of non-residential gross floor area.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a 10% parkland dedication while the non-residential component is subject to a 2% parkland dedication.

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, 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 and will be secured through the Site Plan Application process.

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 the Section 37 Agreement are as follows:

1. Prior to issuance of an above grade building permit, the Owner shall make a cash contribution to the City in the amount of \$1,000,000 to be allocated at the discretion of the Chief Planner and Executive Director, City Planning Division in consultation with the Ward Councillor, toward any one or more of the following:
 - a) Public realm improvements in the Yonge-Eglinton Secondary Plan area; and/or
 - b) Additional community services and facilities in the Yonge-Eglinton Secondary plan area in accordance with emerging infrastructure priorities identified in the Yonge-Eglinton Secondary Plan Review.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

1. 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 260 square metres, located generally along the Eglinton Avenue East 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;
2. 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 which shall have a minimum 2.1 metres pedestrian clearway and a minimum height of 4.5 metres and shall provide a direct at-grade connection from Eglinton Avenue East north 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;
3. Pay for and construct any improvements to the municipal infrastructure in connection with the accepted Functional Servicing Report, prepared by WSP Canada Group Limited, dated February 2, 2018, to be submitted for review and acceptance by the Chief Engineering & Executive Director, Engineering & Construction Services, should it be

determined that improvements to such infrastructure is required to support this development.

4. The owner shall provide on-site dog off-leash amenities with proper disposal facilities for the building residents or dog relief stations within the building.

Conclusion

City Planning recommends that Council approve the Zoning By-law Amendment application. The proposal for a 46-storey mixed-use building includes a mix of uses appropriate for this location, and replaces the office space that currently exists on the site. The proposal provides the 12.0 metre Eglinton Green Line setback associated with OPA 289, which will make a significant contribution to the area's public realm. The proposal is consistent with the objectives of the Official Plan, the Yonge-Eglinton Secondary Plan, OPA 231 and OPA 289, and addresses some of the emerging direction of the Midtown in Focus Review. Section 37 contributions have also been agreed upon and will be secured.

CONTACT

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Tel. No. 416-392-7613
E-mail: David.Driedger@toronto.ca

SIGNATURE

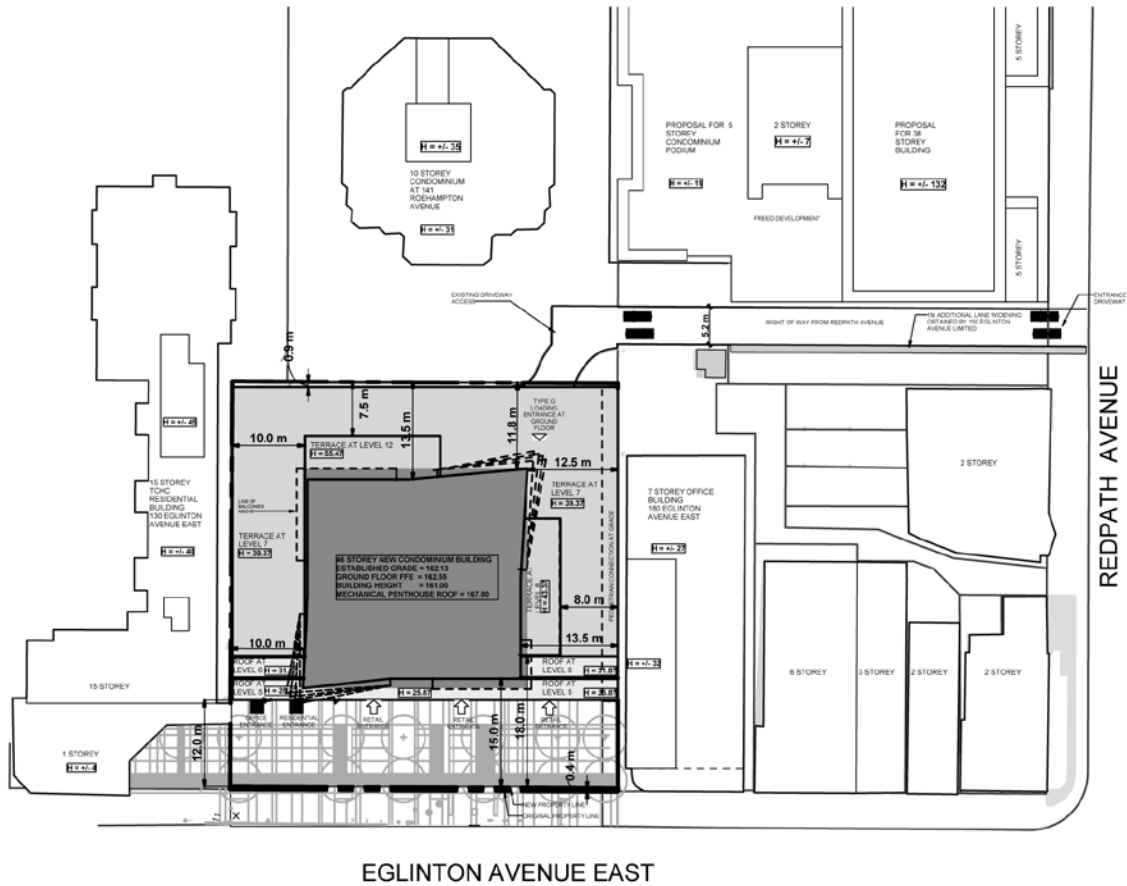
Lynda H. Macdonald
Acting Director, Community Planning
Toronto and East York District

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ATTACHMENTS

- Attachment 1: Context Plan
- Attachment 2: Site Plan
- Attachment 3: North Elevation
- Attachment 4: South Elevation
- Attachment 5: East Elevation
- Attachment 6: West Elevation
- Attachment 7: Zoning
- Attachment 8: Official Plan
- Attachment 9: Yonge-Eglinton Secondary Plan
- Attachment 10: Application Data Sheet
- Attachment 11: Draft Zoning By-law Amendment (By-law 569-2013)
- Attachment 12: Draft Zoning By-law Amendment (By-law 438-86)

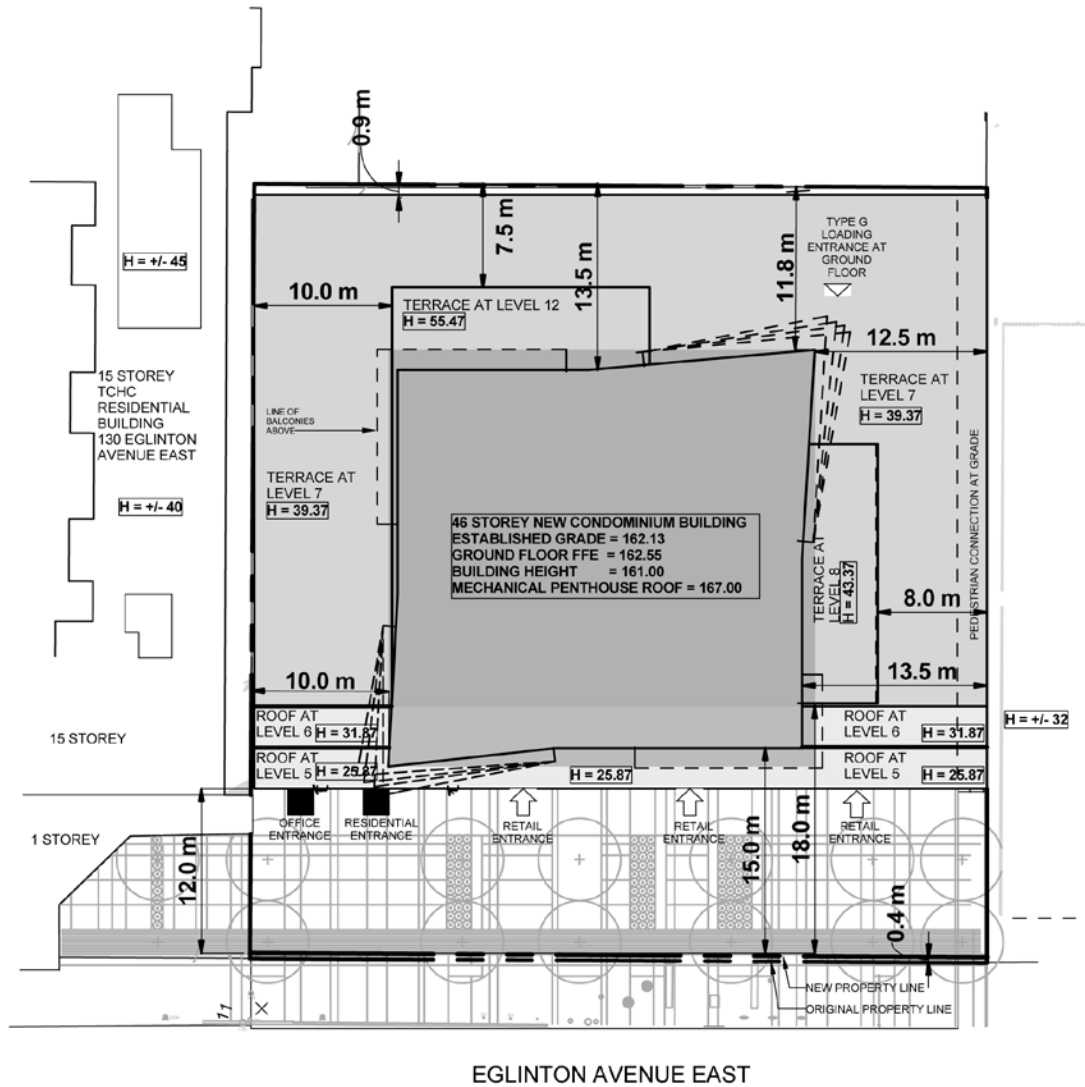
Attachment 1: Context Plan



Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 03/06/2018

150 Eglinton Avenue East
 File # 15 139305 STE 22 0Z

Attachment 2: Site Plan



Site Plan

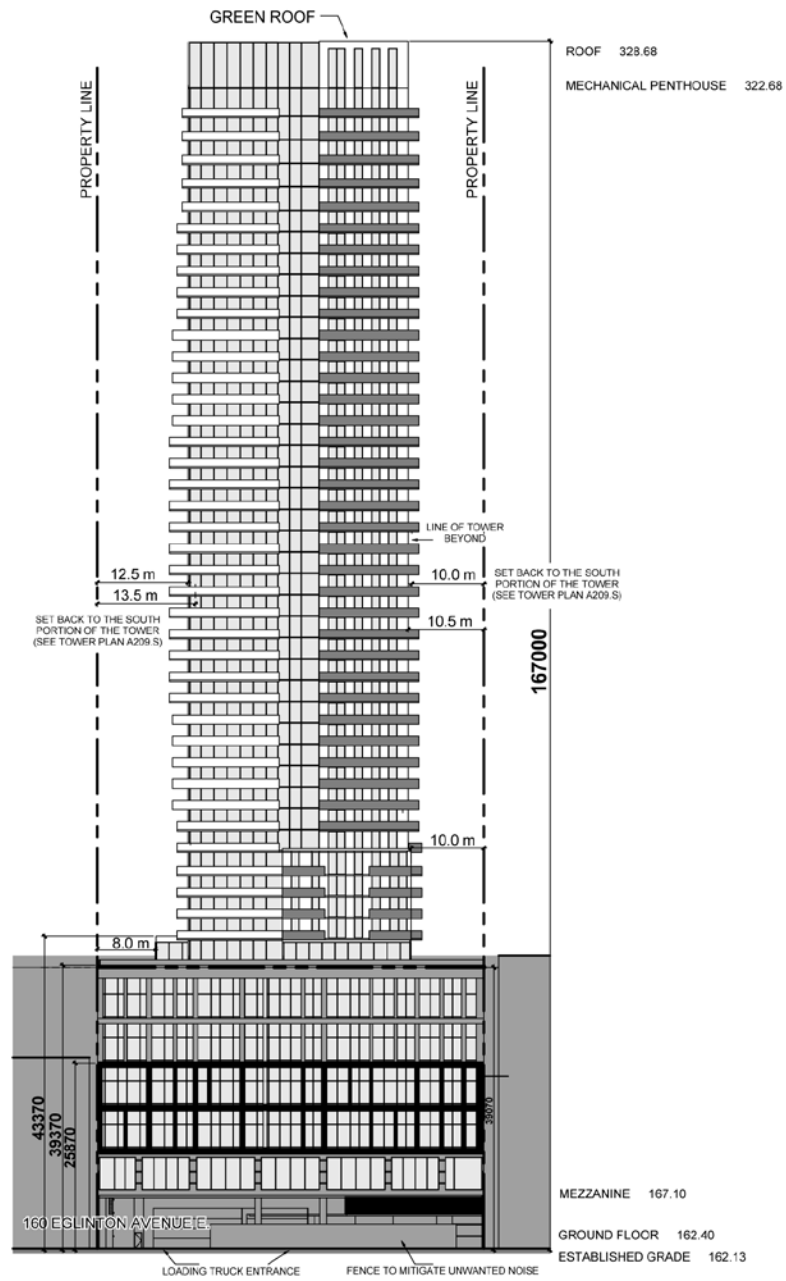
Applicant's Submitted Drawing

Not to Scale
 03/06/2018

150 Eglinton Avenue East

File # 15 139305 STE 22 0Z

Attachment 3: North Elevation



North Elevation

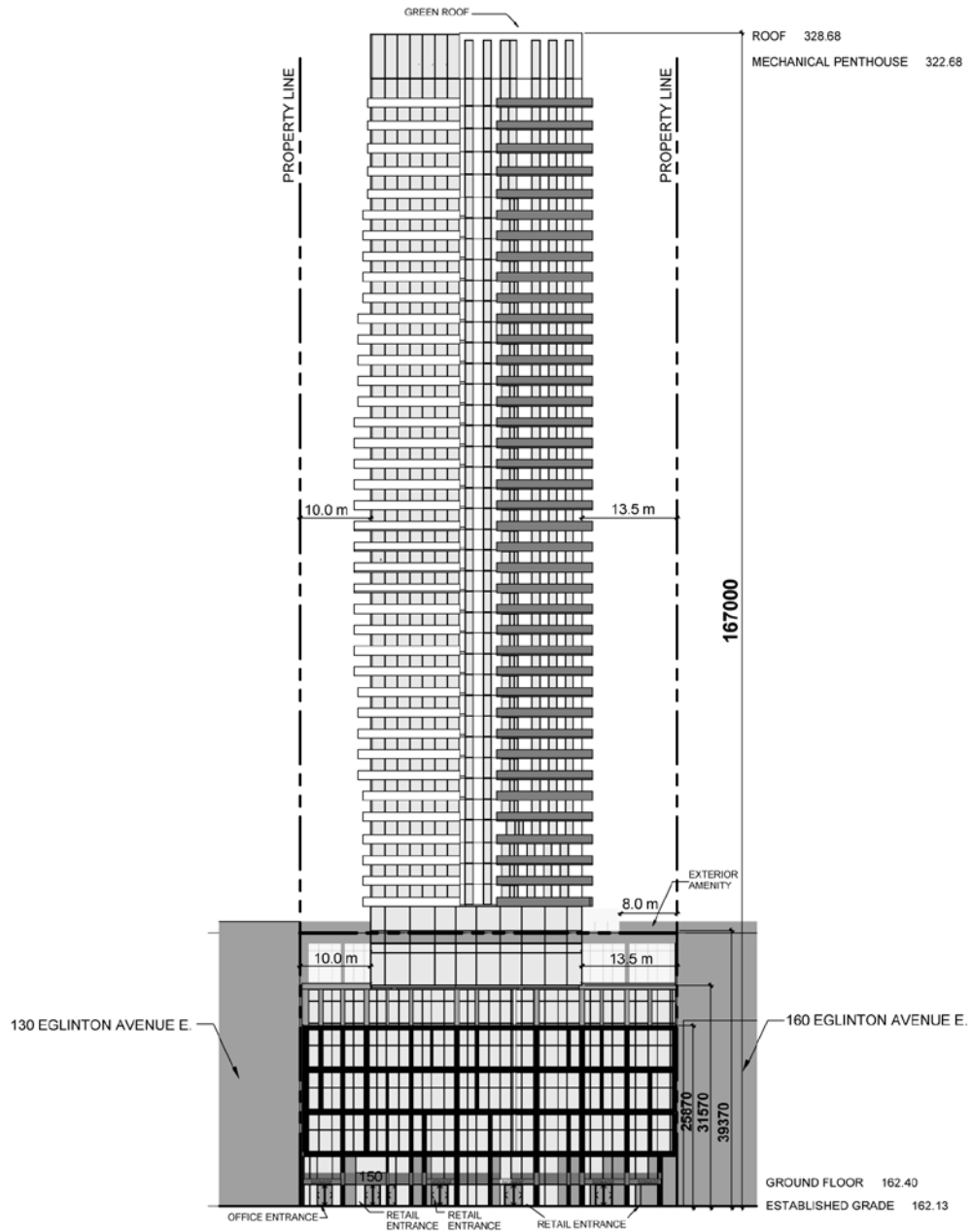
Applicant's Submitted Drawing

Not to Scale
03/06/2018

150 Eglinton Avenue East

File # 15 139305 STE 22 OZ

Attachment 4: South Elevation



South Elevation

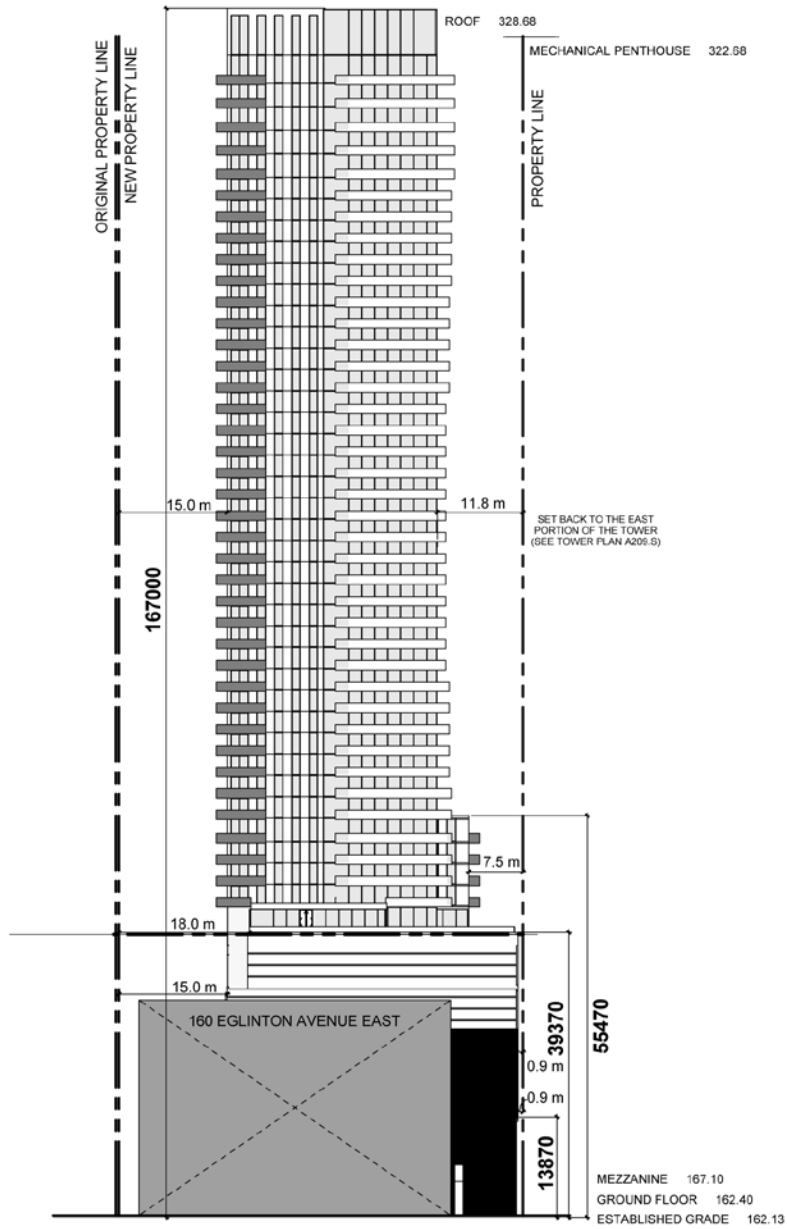
Applicant's Submitted Drawing

Not to Scale
03/06/2018

150 Eglinton Avenue East

File # 15 139305 STE 22 OZ

Attachment 5: East Elevation



East Elevation

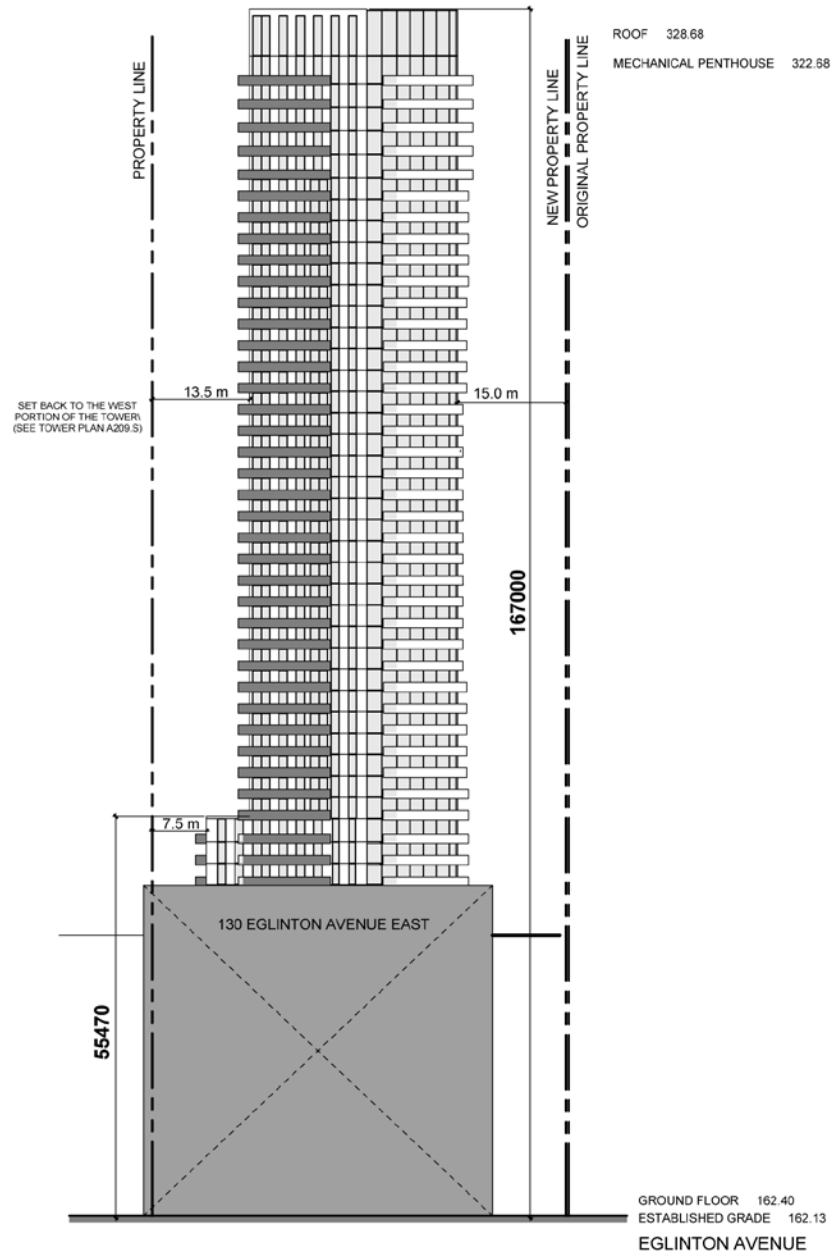
Applicant's Submitted Drawing

Not to Scale
03/06/2018

150 Eglinton Avenue East

File # 15 139305 STE 22 OZ

Attachment 6: West Elevation



West Elevation

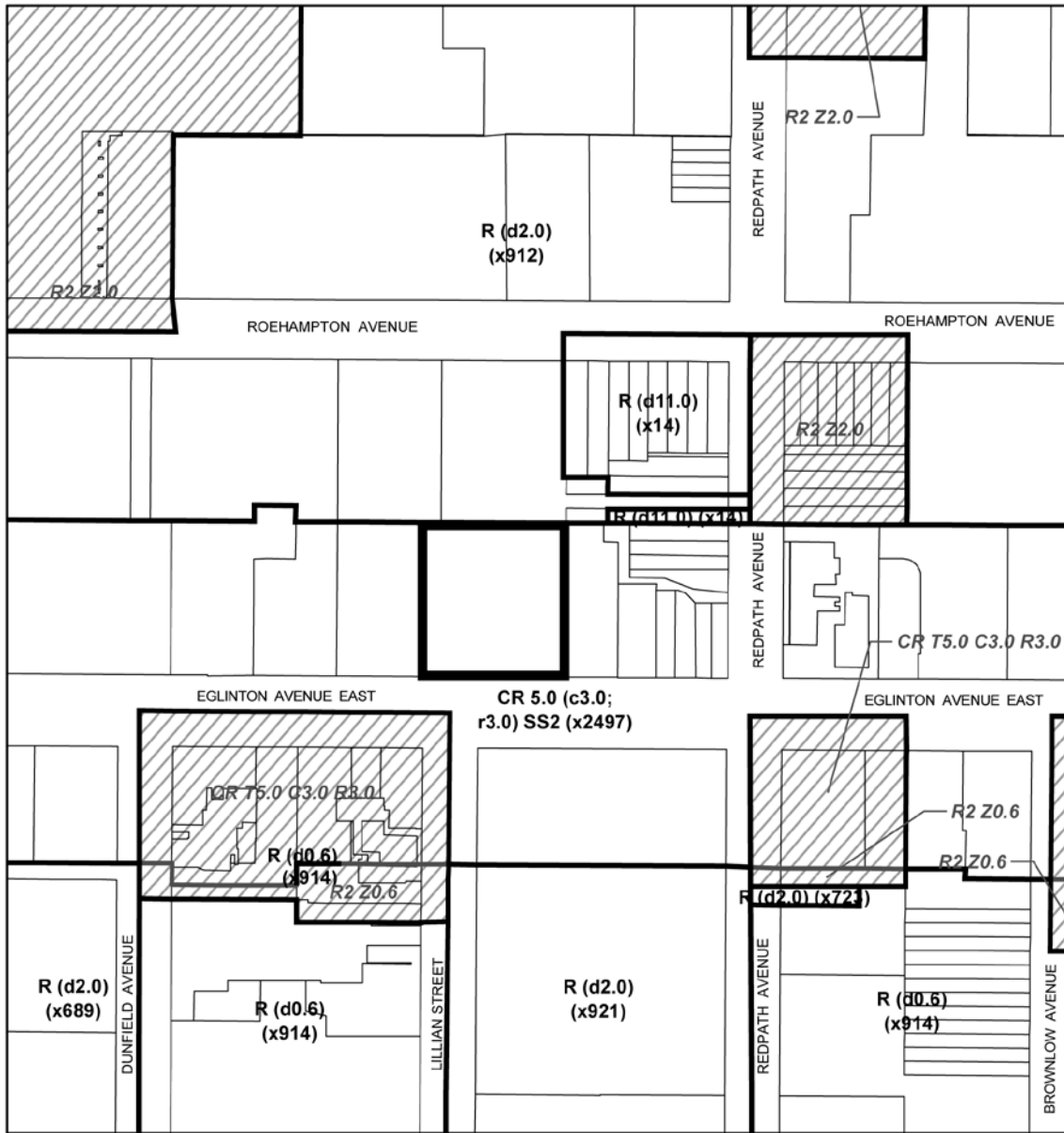
Applicant's Submitted Drawing

Not to Scale
03/06/2018

150 Eglinton Avenue East

File # 15 139305 STE 22 OZ

Attachment 7: Zoning



Zoning By-Law No. 569-2013

150 Eglinton Avenue East

File # 15 139305 STE 22 02

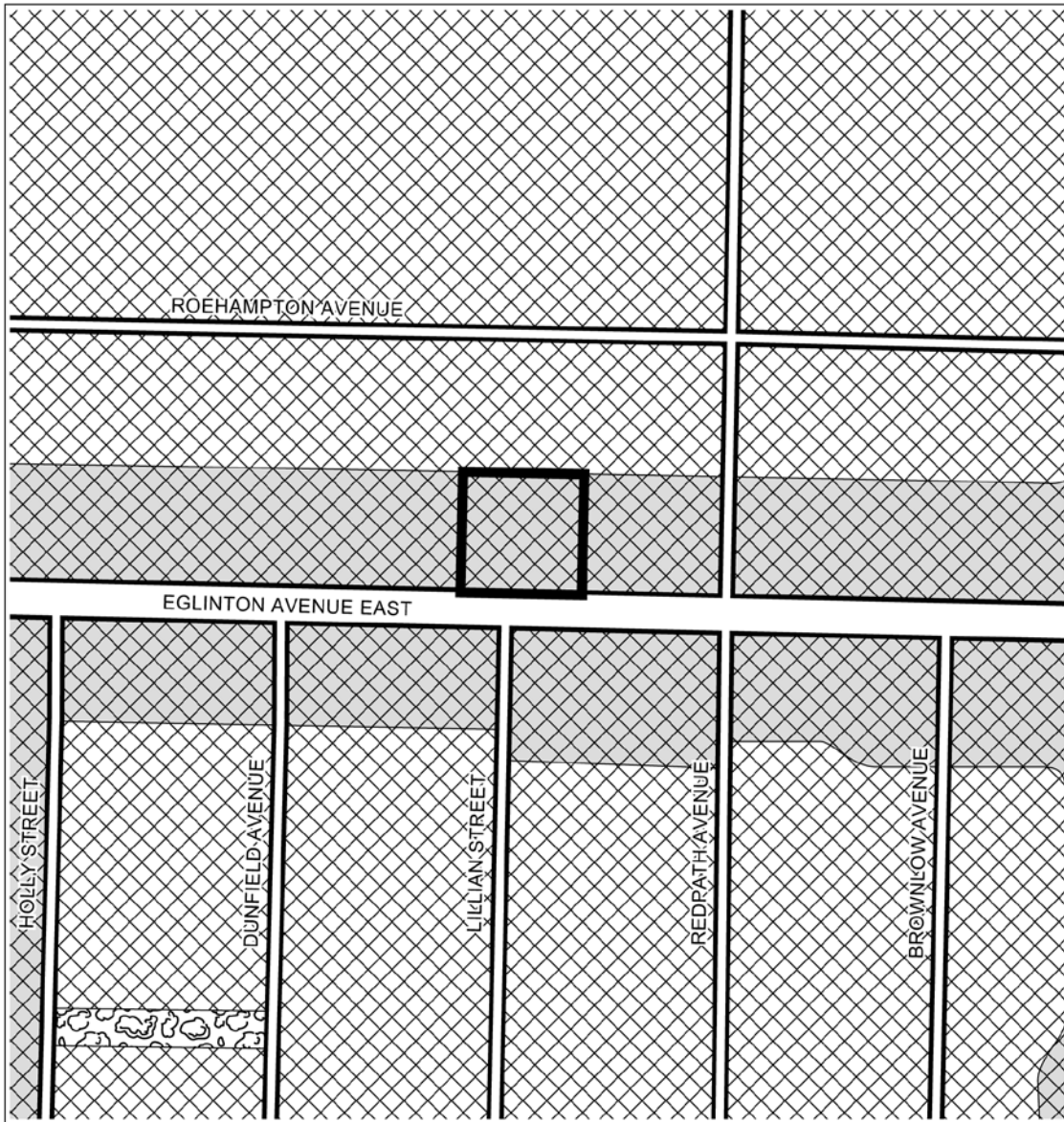
Location of Application
R Residential **CR** Commercial Residential

See Former City of Toronto By-Law No. 438-86
R2 Residential District
CR Mixed-Use District



Not to Scale
Extracted: 03/06/2018

Attachment 8: Official Plan



150 Eglinton Avenue East

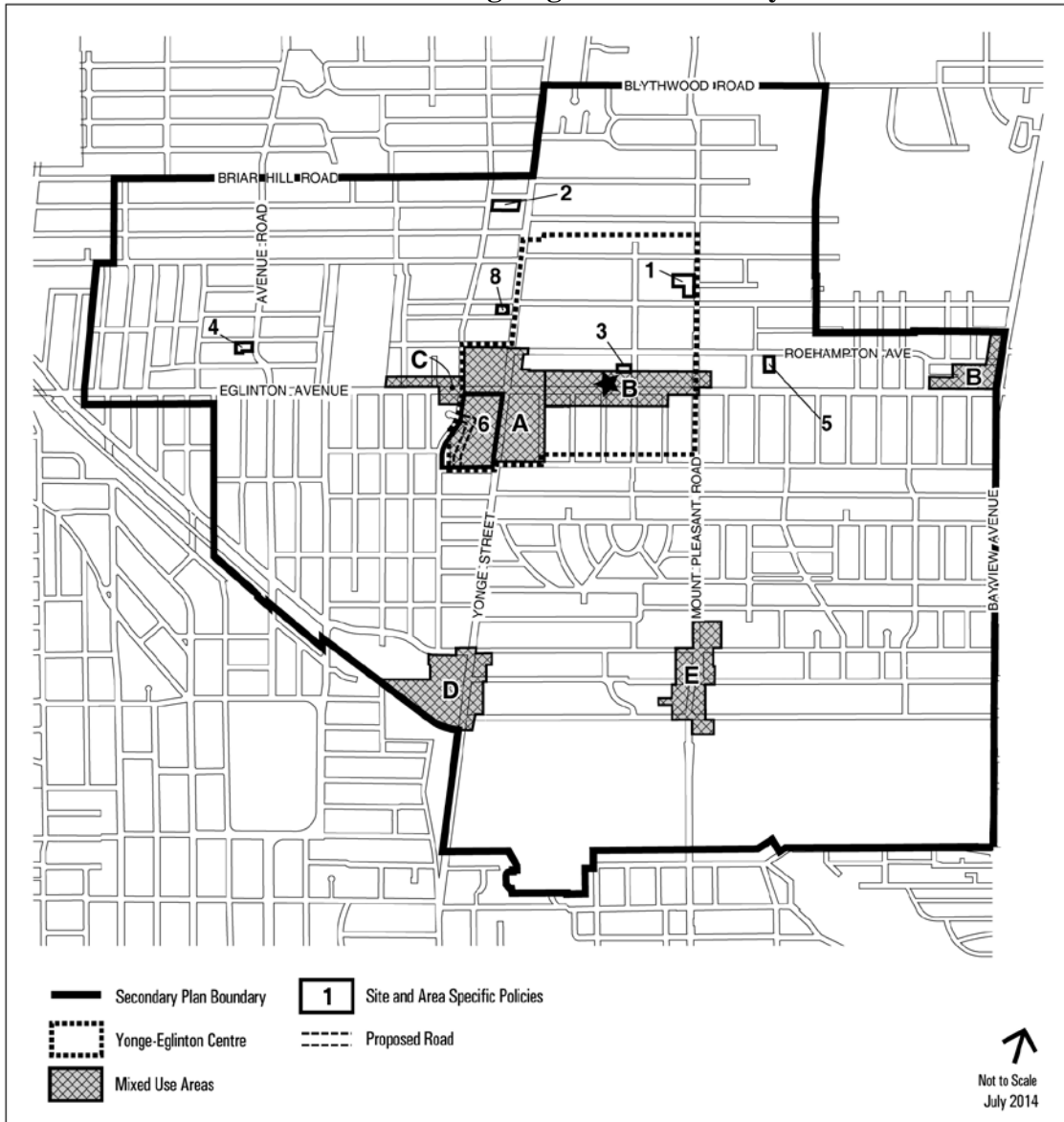
Extract from Official Plan

File # 15 139305 22 02

-  Site Location
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Parks & Open Space Areas
-  Parks

↑
Not to Scale
03/05/2018

Attachment 9: Yonge-Eglinton Secondary Plan



Yonge-Eglinton Secondary Plan

MAP 21-1 Land Use Plan

150 Eglinton Avenue East

File # 15 139305 STE 22 0Z

★ Subject Site - 150 Eglinton Avenue East

Not to Scale
03/06/2017

Attachment 10: Application Data Sheet

Application Type	Rezoning	Application Number:	15 139305 STE 22 OZ
		Application Date:	April 10, 2015

Municipal Address: 150 EGLINTON AVE E

Location Description: PLAN 639 Y PT LOT 10 & 11 N/S EGLINTON AVE E RP63R2275 PART 11 **GRID S2201

Project Description: Proposal for a 46 storey mixed-use building containing retail uses on level 1 and 2 , office space on levels 3 to 6, and 429 residential units in the tower above.

Applicant:	Agent:	Architect:	Owner:
Madison Group, 369 Rimrock Road, Toronto, ON M3J 3G2	Madison Group, 369 Rimrock Road, Toronto, ON M3J 3G2	Quadrangle Architects Limited, 901 King Street West, Suite 701, Toronto, ON M5V 3H5	150 Eglinton Avenue Limited, 369 Rimrock Road, Toronto, ON 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

Site Area (sq. m):	3,016	Height:	Storeys:	46
Frontage (m):	53.3		Metres:	161
Depth (m):	56.4			
Total Ground Floor Area (sq. m):	1,906			Total
Total Residential GFA (sq. m):	32,089.6		Parking Spaces:	233
Total Non-Residential GFA (sq. m):	11,416		Loading Docks	4
Total GFA (sq. m):	43,505.6			
Lot Coverage Ratio (%):	63			
Floor Space Index:	14.42			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	32,089.6
Bachelor:	0	Retail GFA (sq. m):	2,874.6
1 Bedroom:	230	Office GFA (sq. m):	8,541.4
2 Bedroom:	156	Industrial GFA (sq. m):	0
3 + Bedroom:	43	Institutional/Other GFA (sq. m):	0
Total Units:	429		

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Attachment 11: Draft Zoning By-law Amendment (By-law 569-2013)

***** To be provided on or before the May 2, 2018
Toronto & East York Community Council Meeting *****

Attachment 12: Draft Zoning By-law Amendment (By-law 438-86)

***** To be provided on or before the May 2, 2018
Toronto & East York Community Council Meeting *****