2322-2400 Eglinton Avenue West - Final Report Application to Amend the Official Plan and Zoning By-law No. 1-83 of the former City of York; Westside Developments Ltd. File No. OR00-001, SP00-006 Ward 27, York Humber

The York Community Council recommends that based on the findings of fact, conclusions and recommendations contained in the report (August 30, 2000) from the Director, Community Planning, West District, and for the reason that the proposal is an appropriate use of lands, that the application by Westside Developments Limited to amend the Official Plan and Zoning By-law No. 1-83 of the former City of York, to permit commercial and residential development located in an RM2 Residential Multiple zone and Section 16(317) zone, be approved, subject to the following conditions:

- (a) that the residential component as proposed in Phase 3 of the project be deleted; and
- (b) that the applicant complies with the conditions outlined in the report (August 30, 2000) from the Director, Community Planning, West District.

The York Community Council also reports, for the information of Council, having requested:

- (1) the applicant to meet with representatives of the Keele-Eglinton BIA to discuss a joint financial venture to address streetscaping along Eglinton Avenue West;
- (2) the Director, Community Planning, West District, to:
 - (a) assist in the negotiations between the applicant and the BIA to improve streetscape and marketing in the area;
 - (b) identify community benefits resulting from the development; and
 - (c) submit a report on these matters to the October 3rd City Council meeting;
- (3) the Commissioner, Economic Development, Culture and Tourism to initiate a process to extend the Eglinton Hill BIA, to include the businesses on Eglinton Avenue West from Glenhaven Avenue to Caledonia Road:
- (4) the Director, Transportation Services, District 1, to report directly to the October 3rd meeting of Council, on the implementation of controls to restrict truck traffic on the adjacent residential streets; and
- (5) the local Councillors to meet with the applicant and other representatives as appropriate, to explore employment opportunities for youth and residents in the community.

The York Community Council also reports for the information of Council, having held a statutory public meeting on September 19, 2000, pursuant to Section 34 of the Planning Act, and that appropriate notice of this meeting was given in accordance with the Planning Act and regulations thereunder.

The York Community Council submits the following report (August 30, 2000) from the Director, Community Planning, West District:

Purpose:

To consider a proposal to amend the Official Plan and Zoning By-law No. 1-83 of the former City of York to permit a commercial and residential development located in an RM2 Residential Multiple zone and Section 16(317) zone.

Financial Implications and Impact Statement:

There are no financial implications resulting from the adoption of this report.

Recommendations:

It is recommended that:

- (1) the application submitted by Westside Developments Limited to amend the Official Plan and Zoning By-law 1-83 to permit a commercial and residential development in a RM2 Residential Multiple zone and Section 16(317) zone be approved, subject to holding a Public Meeting to obtain the views of interested parties and subject to the following conditions:
 - (a) submission of a Traffic Impact Study that:
 - (i) is satisfactory to Works and Emergency Services and Urban Development Services; and



- (ii) contains recommendations that supports the development and access arrangements substantially as proposed;
- (b) the owner providing an undertaking to the satisfaction of the Community Planning Division, that the owner will address all recommendations of the approved Traffic Study and requirements of the City in regards to site access, on-site parking circulation, and signage provision, and off-site road and traffic control alterations or improvements, as part of the site plan review process including entering into agreements, if required;

- (c) the receipt of comments from Works and Emergency Services, Technical Services Division;
- (d) the submission of a landscape inventory to the satisfaction of the Forestry Division of Economic Development, Culture and Tourism;
- (e) receipt of comments from Canadian National Railway that their requirements with respect to building setbacks, parking on the Railway right-of-way and other matters have been satisfactorily addressed; and
- (f) the owner provide an assurance to the satisfaction of the City that he agrees to amend the Subdivision Agreement to the satisfaction of City staff, including any requirements for the dedication and/or protection of property for the future Eglinton West subway line, the proposed Caledonia subway station, and other associated ancillary station facilities.
- (2) the Official Plan for the former City of York be amended generally in accordance with the draft Official Plan Amendment appended to this report as Attachment 6, and worded to the satisfaction of the City Solicitor
- (3) Zoning By-law No. 1-83 be amended generally in accordance with the draft Zoning By-law appended to this report as Attachment 7, and worded to the satisfaction of the City Solicitor;
- (4) the draft By-law be introduced for enactment by Council, following fulfillment of the conditions of approval to the satisfaction of City staff;
- (5) Staff be authorized to take the necessary action to finalize the draft Official Plan Amendment and Zoning By-law; and
- (6) Staff be authorized to amend the subdivision agreement as necessary to the satisfaction of the City Solicitor to implement the development.

Background:

The existing 14 983 square metre (161,280 square feet) shopping mall was built in the early 1960's. The mall is occupied by a large food store and smaller local retail and service commercial uses. A large portion of the mall previously occupied by a department store is now vacant. The gasoline station located at the northeast corner of Eglinton Avenue West and Gabian Way has been removed. This portion of the property is zoned RM2 which along with the provisions of Section 16(317) of Zoning By-law No. 1-83 permits a 21 storey, 242 unit apartment building. Section 16(317) also contains zoning provisions to permit a 19 storey, 232 unit apartment building and 16 townhouses on the northwest side of Gabian Way, as well as a 4 400 square metre (47,362 square feet) building expansion to the west side of the existing mall. The 21 storey apartment building and the addition to the mall have not been constructed.

The subject property along with the lands to the west are subject to a subdivision agreement. In conformance with the agreement, Gabian Way was constructed. The majority of the subdivision requirements have been satisfied with the exception of, among other matters, the requirement to provide a public activity centre in the development. The agreement requires that a 140 square metre (1,507 square feet) public activity centre be leased to the City for the entire life of the commercial building on the site. Such a centre was not established by the former Parks and Recreation Department of the City of York. The lands to the west side of Gabian Way were developed with the 21 storey rental private non-profit apartment building and townhouses.

Site Description and Context:

The subject property is located on the north side of Eglinton Avenue West, between Gabian Way and the Canadian National Railway (refer to the Location Map on page 1). The site has an area of approximately 4.71 hectares (11.6 acres), with a depth of 231.1 metres (758.2 feet) and frontage on Eglinton Avenue West of 219.7 metres (721 feet). The following uses are adjacent to the subject property:

North: single and semi-detached dwellings

South: Eglinton Avenue West, beyond which are commercial uses, and single detached dwellings

East: the Canadian National Railway, beyond which are single, semi-detached and multiple unit dwellings, and commercial uses

West: Gabian Way, beyond which are apartment buildings (with the building at the northwest corner of Gabian Way and Eglinton Avenue West containing ground floor commercial uses), and townhouses

Proposal:

The applicant is proposing to demolish the existing shopping mall and redevelop the site in phases.

Phase 1:

Phase 1 involves the demolition of a 836.1 square metre (9,000 square feet) portion of the southeast corner of the existing mall to permit the construction of a new 4 370 square metre (47,040 square feet) grocery store (proposed Price Chopper) at the southeast corner of the property and a 935 square metre (10,064 square feet) retail building (proposed temporary location of Shopper's Drug Mart) (Building A).

The existing driveway at the Eglinton Avenue West and Blackthorn Avenue intersection would be closed and removed. Concurrently, two retail buildings (B1 and B2) would be constructed at the southeast corner of Eglinton Avenue West and Gabian Way. These two buildings have a total floor area of 1 672 square metres (18,000 square feet). The applicant proposes to relocate most of the existing small businesses and the bank in the mall to these buildings. The construction of these buildings would require the relocation of the existing right-in and right-out

driveway (located at the southwest corner of the site) further east. The applicant requests that this driveway be considered a temporary driveway until the Official Plan Amendment for access to Eglinton Avenue West is approved. The applicant proposes two new, full turn, access driveways from Gabian Way. The existing driveway access from Carnarvon Street would not be modified.

Phase 1 also will involve the net loss of 146 existing surface level parking spaces to construct the Price Chopper store, part of Building A and Buildings B1 and B2. The site would be occupied by 21 124 square metres (227,384 square feet) of gross floor area and have 725 parking spaces consisting of 264 underground parking spaces and 461 surface level parking spaces. The applicant has shown 33 parking spaces which encroach on the Canadian National Railway. The applicant has indicated that he has an existing agreement with the Railway to park in this area. The applicant also proposes to locate 39 parking spaces between the south wall of the Price Chopper store and the Eglinton Avenue West right-of-way.

Phase 2:

Phase 2 will involve the removal of the remaining 14 147 square metres (152,280 square feet) of the existing mall, the 264 underground parking spaces and the 171 surface level parking spaces to the west, north and east of the existing mall. A 7 029 square metre (75,663 square feet) Canadian Tire Store would be constructed and 812 square metres (8,740 square feet) of the northerly portion of Building A would be constructed. The total gross floor area would be 14 818 square metres (159,512 square feet) and the site would have 678 surface level parking spaces. For this phase, the applicant requests permanent access to Eglinton Avenue West. It is noted that a Canadian Tire store of this size is considered to be big box retail according to the City of Toronto Urban Design Guidelines. The guidelines for this type of development address items such as site plan organization, edges, building design, pedestrian amenity, safety, accessibility and landscaping.

Phase 3:

Phase 3 involves the construction of a 102 unit, seven storey residential building at the northeast corner of Eglinton Avenue West and Gabian Way. The residential building would be constructed on top of Buildings B1 and B2. A 167 square metre (1,800 square foot) area of retail space in Building B2 would be re-constructed into lobby space for the residential building. Floors 2 to 7 would have a total gross floor area of 9 476 square metres (102,000 square feet). To achieve a drop off area for the residential building a total of 18 parking spaces along the eastern side of retail Building B2 would be removed. Parking for the apartment building would consist of 8 spaces at grade located to the east of the building and 130 spaces in an underground parking garage. The construction of the underground parking garage would result in 13 surface level parking spaces in front of the Canadian Tire store being removed and replaced with a ramp to the underground parking. In total, the site would have 777 parking spaces consisting of 130 underground residential parking spaces and 647 surface level parking spaces.

Staff have requested additional plans and information to show how the residential building and associated parking, loading and amenity area will be integrated into the site.

Project Information:

Existing Use: 14 983 square metre (161,280 square foot) Shopping Mall

Official Plan: Mixed Use

Zoning: RM2 and Section 16(317) Lot Area: 4.71 hectares (11.6 acres)

Gross Floor Area: 24 294 square metres (261,512 square feet)
Commercial Gross Floor Area: 14 651 square metres (157,712 square feet)
Residential Gross Floor Area: 9 643 square metres (103,800 square feet)

Commercial First Floor Area: 13 210 square metres (142,198 square feet)
Residential First Floor Area: 167 square metres (1,800 square feet)
Commercial Second Floor Area: 1441 square metres (15,511 square feet)

Residential Second to Seventh

Floor Area: 9 476 square metres (102,000 square feet)

Maximum F.S.I.: Not applicable

Proposed F.S.I.: 0.51

No. of Residential Units Proposed:102 Permitted: 242

Commercial Building Height: 2 storeys Residential Building Height: 7 storeys

Total Parking: Required: 651 Proposed: 777
Commercial Parking: Required: 523 Proposed: 639
Residential Parking*: Required: 128 Proposed: 138

* Based on the assumption of 102 two bedroom condominium units in an apartment house within 500 metres of a rapid transit station

Official Plan:

The Official Plan designates the site "Mixed Use". This designation provides a flexible frame work for future redevelopment on the lands. The policies encourage the growth and vitality of pedestrian-oriented and transit supportive neighbourhood commercial activity and encourage an increase in residential activity. In addition the policies promote improving the appearance, attractiveness, operation and safety of the street environment. Permitted uses in Mixed Use Areas include housing, stores, offices, restaurants, institutional uses (except for places of worship, hospital, universities, and colleges), recreational uses, theatres and public garages. The applicant requests an amendment to the Official Plan to permit direct vehicular access to Eglinton Avenue West, parking in the front yard abutting Eglinton Avenue West, and buildings with primary entrances that are not located on the public street frontages.

Zoning By-law Amendment:

The site is zoned RM2 and Section 16(317) in Zoning By-law No. 1-83. This zoning allows commercial and residential uses, and regulates these uses with respect to density, building location and height, setbacks, parking, loading spaces, amenity areas, etc. The proposal requires a rezoning, as the proposed type, form and location of commercial and residential development is not permitted by current zoning provisions.

Site Plan Control:

Site plan control is in effect for this proposal. The applicant has submitted a site plan application which includes building elevations and a landscape plan.

Reasons for the Application:

An Official Plan Amendment is required to permit direct vehicular access to Eglinton Avenue West, parking in the front yard abutting Eglinton Avenue West, and buildings with primary entrances that are not located on the public street frontages. An amendment to Zoning By-law is required because the existing site specific provisions permit a shopping mall and high rise residential development, and not a big box commercial type of development and mixed residential/commercial development in the locations proposed by the applicant. Modifications to the zoning by-law are required to address reconfiguration of the buildings, parking, loading areas, driveway access, landscaping, grading and servicing. The application also requires site plan approval.

Comments:

Department Comments/Agency Circulation:

The application for an amendment to the Official Plan and Zoning By-law No. 1-83 was circulated to all required departments and agencies. Comments on the application are located in Attachment 9. Comments have not been received from the following:

Works and Emergency Services, Technical Services Division and Transportation Services Division

Works and Emergency Services, Solid Waste Management Services Division Urban Development Services, Transportation Planning Toronto District School Board Toronto Catholic School Board.

Community Meeting:

A Community Meeting was held on August 9, 2000 at the York Civic Centre Council Chambers to invite community comments regarding the application. 61 members from the community attended. The minutes are contained in Attachment 8. In summary, the following issues and concerns were expressed:

(1) increased traffic on the residential streets to the north, on Eglinton Avenue West and

Caledonia Road;

- (2) the need for access driveways at the Blackthorn Avenue and Eglinton Avenue intersection, and at Carnarvon Street to be closed;
- (3) non-assumption of Gabian Way by the City of Toronto;
- (4) the need for a Traffic Study to be submitted;
- (5) the need for traffic calming measures on the residential streets to the north;
- (6) the construction schedule and commitment of the Canadian Tire and Price Chopper companies to the project;
- (7) the need for extensive landscaping along Eglinton Avenue West;
- (8) the need for maintenance of the existing walkway connecting Gabian Way and Yore Road (west of the subject property); and
- (9) the lack of support by the area residents and the property owner for residential component.

All of the issues raised at the Community Meeting were addressed at the meeting or will be discussed in a relevant section of this report.

Comments and Correspondence Received on the Application from the Public:

In addition to the comments received at the Community Meeting, staff have received many telephone calls and one letter on the application indicating additional concerns.

Concern has been expressed over the loss of indoor climate controlled informal meeting space that is now provided by the shopping mall. Many seniors have suggested that the new development should include weather protected benches and pedestrian amenity space. Staff recommend the following provisions as conditions to be incorporated through Site Plan approval: each building to be provided with a bench or picnic table with a minimum length of 1.2 metres (4 feet) and to be located within 10 metres from a primary front entrance; walls directly abutting the Eglinton Avenue West and Gabian Way right-of-ways shall have a continuous canopy with a minimum width of 3 metres (9.8 feet) for pedestrian weather protection; and that weather protected canopies be provided along all front faces of each building.

Concern has been expressed over the temporary loss of a grocery store, bank and pharmacy. The applicant has indicated that it is their intent to relocate all of the existing businesses in the mall to the new building space and not to have a gap when stores would not be open. It is the intent of the applicant to relocate the existing bank into Building B1 at the northeast corner of Gabian Way, the supermarket into the building at the corner of Eglinton Avenue West and the CNR, and the pharmacy into Building A. Building B1 containing the bank, Building A containing the pharmacy and the grocery store would be constructed prior to the demolition of the majority of the mall and therefore service would not be interrupted.

Concern has been expressed over the truck arrestor at Carnarvon Street being knocked down. Staff recommend a zoning provision to have a truck arrestor erected and maintained with improved signage to increase awareness of the arrestor.

The correspondence received from a household on Lonborough Street expressed concerns regarding the high density of apartment housing in the area, the need for more local service establishments, traffic problems on Eglinton Avenue West from a 7 029 square metre (75,663 square foot) Canadian Tire store, and that the area is already well served by Canadian Tire stores. It is noted that the applicant is proposing a significant reduction in the amount of housing that is currently approved and that the proposed residential development would be restricted in its location and timing of when it could be built. The new development would be zoned to permit local service establishments. A Traffic Study is required and will address traffic impact on Eglinton Avenue West.

Conformity With the Official Plan:

While the existing Official Plan policies for mixed commercial and residential development permit the uses proposed by the applicant, the applicant has requested an amendment from specific policy provisions relating to:

- (i) provision of primary building entrances to be located on public street frontages
- (ii) prohibition of parking and/or loading facilities between buildings and the street; and,
- (iii) prohibition of direct vehicle access to arterial roadways where alternative site access is available from a side or rear land or street.

Staff have requested a Traffic Study to be submitted to support the requested vehicular access to Eglinton Avenue West. It is likely that the traffic study will recommend the continuation of the existing access to Eglinton Avenue West between Gabian Way and Blackthorn Avenue. Given the large size of the property and scale (total gross commercial floor area of 14 818 square metres (159,512 square feet)), the subject development is viewed to be not a completely "Main Street" form of development. Staff are satisfied that the intent of the Mixed Use policies would be maintained by permitting 2 driveways from Gabian Way which flanks the property, one driveway from Carnarvon Street, and one limited access to Eglinton Avenue West. Subject to the Traffic Study that is satisfactory to City Staff and that recommends an access driveway at Eglinton Avenue West, from a land use planning basis staff can support the requested amendment to the Official Plan with respect to vehicular access to Eglinton Avenue West.

With respect to parking and/or loading facilities between buildings and the street being prohibited, Staff cannot support the applicant's request to have parking in the front yard along Eglinton Avenue West due to the Eglinton Avenue West streetscape being harmed by this visual intrusion. Staff would prefer a continuous building street wall along the entire Eglinton Avenue West right-of-way. The applicant has indicated that this form of development is not feasible. If a continuous building street wall along the entire Eglinton Avenue West right-of-way cannot be provided, staff recommend that the prominent landscaping and features be introduced in the front yard area in order to meet the intent of the Official Plan policies to create pleasant, attractive, and safe public spaces along public sidewalks.

With respect to the request to have primary building entrances not oriented to a public street, staff can support this request because of the large size of the development. Staff are satisfied that locating two of the five buildings and requiring primary entrances for these buildings along the

Eglinton Avenue West right-of-way will provide an appropriate degree of continuity and enclosure to the Eglinton Avenue West streetscape.

With respect to the residential component, the applicant, local residents indicated at the Community Meeting that this component was not supported. The "Mixed Use" Area policies encourage an increase in residential activity. The site is ideally suited for residential development because it is located on a "Main Street", is well served by community facilities and is located on a high occupancy vehicle roadway. In addition, there is a potential for an Eglinton Avenue subway station and GO train station to be built abutting the site. The site is currently zoned to permit 242 apartments whereas the applicant has applied for 102 apartments. Staff recommend that zoning provisions allow a maximum of 102 residential units on the site subject to the following conditions:

- (1) the apartment building being located within the buildable area at the north-east corner of Gabian Way and Eglinton Avenue West;
- the construction of a rapid transit station or a high level rail commuter station within 500 metres of the subject property; and
- (3) the construction of 14 651 square metres of gross commercial floor area.

The submission of a site plan application to address parking, vehicular driveways, landscaping, loading spaces, and indoor and outdoor amenity space would be required for the residential use.

Urban Design Issues:

Urban design issues such as building design, parking layout, site landscaping, buffering to abutting residential uses, and weather protected recreational areas, amenities, and walkways for pedestrians will be addressed at the time of site plan review. Comments from the Urban Design Section include the following requirements, as conditions to be provided or secured through site plan review:

- a substantial landscaped strip will be located at the Eglinton Avenue West frontage and needs to be designed in a comprehensive manner with the drawings to show the planting scheme combined with the scheme provided by the Forestry Division for the Eglinton Avenue West road allowance;
- (2) the design intent is to form a continuous treed and planted edge along Eglinton Avenue West and possibly eliminate the low metal barrier at the east end of the site along the road;
- (3) parking in front yard along Eglinton Avenue West will need to be eliminated in favour of planting;
- (4) some of the trees marked on the submitted landscape drawings as deletions should not be deleted ie. the trees by the hydro plant at the far northeast corner of the site;

- a four-meter strip of additional tree planting and a 1.5 metre wide pedestrian sidewalk would be desirable along the east side of the new north/south driveway entry plus another 4 meter strip along the south edge of the new east/west paved entry driveway that bisects the site; and
- (6) the south portion of Gabian Way may require the trees shown in front of the proposed retail to be placed in the sidewalk with pre-cast concrete covers, as turf in this area will be hard to maintain.

Animation of Eglinton Avenue West:

Although the animation of Eglinton Avenue West will be addressed through the review of the site plan, it was discussed at the Community Meeting. The applicant has indicated that Eglinton Avenue West will be animated through the placement of street trees, extensive landscaping and recreational space along this street as well as locating weather protected building entrances and, commercial uses along this façade. As shown on the south elevations located in Attachment 2, the façades facing Eglinton Avenue West will have large windows and weather protected entrances. The By-law will ensure that a minimum of 2 buildings abut the Eglinton Avenue West right-of-way. Through site plan review it will be a requirement that the buildings at the northeast corner of Gabian Way and Eglinton Avenue West be constructed at grade with the public sidewalks along these right-of-ways. It is also recommended that bicycle parking and benches along Eglinton Avenue West, and that walls directly abutting the Eglinton Avenue West and Gabian Way right-of-ways will have a continuous canopy with a minimum width of 3 metres for pedestrian weather protection be secured through site plan review.

Staff recommend that the Zoning By-law include the following provisions to animate the Eglinton Avenue West streetscape:

- (1) for commercial units abutting the Eglinton Avenue West right-of-way, the following provisions will apply: the primary entrance will directly face Eglinton Avenue West; and
- (2) a minimum of 50 percent of the exterior façade of any wall abutting the Eglinton Avenue West right-of-way shall be constructed using glass materials.

Parking:

The applicant has indicated that adequate parking will be provided for each phase of the development. The following is a summary of the total parking proposed and associated parking standard for each phase, and the minimum amount of parking and associated parking standard that staff recommend for each phase:

Phase Parking Provided/Standard Minimum Parking Recommended/Standard

1 725 spaces @ 1 space/29 square metres 655 spaces (with a probable reduction of

	of gross commercial floor space	approximately 5 spaces due to urban design requirements) @ a rate based on the actual occupied gross commercial floor area for a temporary period of 1 year, which is likely to be 1 space/28 square metres or less of occupied gross commercial floor space		
2	678 spaces @ 1 space/21.8 square metres of gross commercial floor space	529 spaces @ 1 space/28 square metres of gross commercial floor space		
3	639 spaces @ 1 space/22.9 square metres of gross commercial floor space	523 spaces @ 1 space/28 square metres of gross commercial floor space		
	138 spaces @ 1.35 parking spaces per residential dwelling unit	128 parking spaces @ 1.25 per residential dwelling unit (based on 102 apartments with two or more bedrooms in a condominium apartment house within 500 metres of a rapid transit station) *(the amount of required parking may be lower based on the tenure of the building and unit type/size)		

Staff are satisfied with the amount of parking provided in each phase of the development. The following section is a detailed discussion of the parking provided and recommended for each phase of the development.

Phase 1 Parking:

Phase 1 will involve the net loss of 146 existing surface level parking spaces to construct the Price Chopper store, 935 square metres (10,064 square feet) of Building A, and Buildings B1 and B2. The site would be occupied by 21 124 square metres (227,384 square feet) of gross floor area (including existing mall space which will be vacant once Phase 1 construction is complete) and have 725 parking spaces consisting of 264 underground parking spaces and 461 surface level parking spaces. Parking would be provided at a rate of 1 parking space per 29 square metres (313.6 square feet) of gross floor area which does not meet the former City of York's minimum standard of 1 parking space per 28 square metres (301 square feet) for a shopping centre with a supermarket. Using this standard, 754 parking spaces would need to be provided which is 29 spaces less than the total required.

The applicant has shown 33 parking spaces which encroach on the Canadian National Railway. The applicant has indicated that he has an existing agreement with the Railway to park in this area. The Canadian National Railway have not commented on the existence of this agreement or whether continuing this arrangement is satisfactory. Staff will review the site plan application based on these parking spaces being removed.

The typical parking space length on the site plan is shown as 5.5 metres (18 feet). The former City of York standard is 5.7 metres (18.7 feet). The applicant can achieve this standard by

narrowing the proposed 7 metre (23 feet) driveway width to the minimum 6 metre (19.6 feet) width specified by the former City of York By-law.

As noted earlier, the Official Plan does not permit front yard parking in lands designated "Mixed Use". The applicant proposes to locate 39 parking spaces between the south wall of the Price Chopper store and the Eglinton Avenue West right-of-way. Staff recommend the removal of parking in this yard. The net loss of parking in this area would be 37 parking spaces.

Taking into account the loss of 33 parking spaces along the Canadian National Railway and 37 parking spaces along Eglinton Avenue West, the site would be provided with 655 parking spaces during Phase 1. Parking would be provided at a rate of 1 parking space per 32.2 square metres (313.6 square feet) of gross floor area. During this time the entire mall would not be occupied and the applicant has indicated that many of the existing businesses in the mall would be relocated to the newly constructed buildings in Phase 1.

To address the problem of complying with the minimum standard of 1 parking space per 28 square metres (301 square feet) of gross floor area, staff recommend a provision in the Zoning By-law that permits for a one year period during the phased construction of the commercial buildings a maximum gross floor area for commercial uses of 21 124 square metres, and that during this time parking requirements to be calculated based on occupied gross floor area.

Phase 2 Parking:

Phase 2 will involve the removal of the remaining 14 147 square metres (152,280 square feet) of the existing mall, the 264 underground parking spaces and the 171 surface level parking spaces to the west, north and east of the existing mall. A 7 029 square metre (75,663 square foot) Canadian Tire Store would be constructed and 812 square metres (8,740 square feet) of the northerly portion of Building A would be constructed. The total gross floor area would be 14 818 square metres (159,512 square feet) and the site would have 678 surface level parking spaces. Parking would be provided at a rate of 1 parking space per 21.8 square metres (235 square feet) of gross floor area.

Taking into account the loss of 33 parking spaces along the Canadian National Railway and 37 parking spaces along Eglinton Avenue West, the site would be provided with 608 parking spaces during Phase 2. Parking would be provided at a rate of 1 parking space per 24.3 square metres (262 square feet) of gross floor area. Utilizing the recommended minimum standard of 1 parking space per 28 square metres of gross commercial floor area, a total of 529 parking spaces are required. Assuming no other modifications to the parking on the site, the site would have a surplus of 79 parking spaces. The Urban Design Section prefers that the width of landscaped islands in the parking lot be increased to break up the large expanse of asphalt. This can be achieved by reducing some of the surplus parking available while continuing to meet minimum

By-law standards for parking. The details of the parking layout for Phase 2 will be addressed at the time of site plan review.

Phase 3 Parking:

Phase 3 will involve the construction of the 9 643 square metre (103,800 square feet) residential building, removal of 167.2 square metres (1,800 square feet) of commercial gross floor area (to provide ground floor lobby space for the residential building) and removal of 31 commercial parking spaces to achieve a parking ramp for the underground parking and driveway for the residential building. A total of 130 underground parking spaces would be constructed for the residential building. Eight of the surface level parking spaces to the east of the drop off driveway for the residential building would become visitor parking for the residential building. In total the site would have 777 parking spaces consisting of 130 underground parking spaces and 647 surface level parking spaces. Parking would be provided at a rate of 1 parking space per 22.9 square metres (246.8 square feet) of gross commercial floor area and 1.35 parking spaces per dwelling unit.

Taking into account the loss of 33 parking spaces along the Canadian National Railway and 37 parking spaces along Eglinton Avenue West, the site would be provided with 707 parking spaces during Phase 3. Parking would be provided at a rate of 1 parking space per 25.7 square metres (277 square feet) of gross commercial floor area and 1.35 parking spaces per dwelling unit. Utilizing the minimum recommended standard of 1 parking space per 28 square metres of gross commercial floor area, a total of 523 parking spaces are required for the commercial floor area.

The applicant has not provided information on the size/type of apartments that are proposed. For the purpose of calculating parking requirements, staff have assumed the highest parking generation rate (based on a condominium apartment house with 102 two or more bedroom units within 500 metres of a rapid transit station). The rate used is 1 parking space for each dwelling unit and 1 visitor parking space per 4 dwelling units. It is noted that the parking requirements are lower for the following:

- (1) a bachelor or one bedroom unit in a condominium apartment building within 500 metres of a rapid transit station would require 0.85 parking spaces for each unit;
- (2) a bachelor or one bedroom unit in a rental apartment house within 500 metres of a rapid transit station would require 0.72 parking spaces for each unit;
- (3) a two or more bedroom unit in a rental apartment house within 500 metres of a rapid transit station would require 0.81 parking spaces for each unit;
- (4) a bachelor or one bedroom unit in a rental non-profit or publicly subsidized apartment house within 500 metres of a rapid transit station would require 0.60 parking spaces for each unit; and

(5) a two or more bedroom unit in a rental non-profit or publicly subsidized apartment house within 500 metres or a rapid transit station would require 0.70 parking spaces for each unit.

Visitor parking would be required at a rate of one space for every four dwelling units for all of the above types of apartments.

Utilizing the minimum standard of 1.0 parking spaces per dwelling unit with 2 or more bedrooms and 1 parking space per every 4 dwelling units (for a condominium apartment house located within 500 metres of a rapid transit station), a total of 128 parking spaces are required for the 102 unit building. A total of 651 parking spaces are required. Assuming no other modifications to the parking on the site, the site would continue to have a surplus of 56 parking spaces. As with Phase 2, landscape improvements to the parking area can be achieved by reduction to the amount of surplus parking. The details of the parking layout for Phase 3 will be addressed at the time of site plan review.

Other minor revisions to the parking layout include reconfiguring 16 parking spaces in front of proposed Building A. These spaces have double driveway access. Staff recommend a reconfiguration of the parking such that no parking have access directly off the driveway in front of Building A.

With respect to the layout of the parking, Staff require that the applicant upgrade the landscaped islands along the south limit of the driveway in front of the Canadian Tire store, the north and south limits of the east-west driveway in the middle of the property, the west limit of the driveway in front of the Price Chopper store, and the north end of the parking north of Building A. The layout of the parking will be addressed at site plan review stage.

The applicant has shown eight surface level visitor parking spaces to the east of Building B2 which would have commercial uses at ground level. These spaces will have to be signed as exclusive use parking for the residential use at the time of site plan review for the development of the apartment house.

Bicycle Parking Standards:

The applicant has indicated bicycle parking areas on the site plan. The site abuts the beltline railway which is scheduled to be developed as a linear park with a bicycle path in the near future. Due to the large size of the development (24 294 square metres or 261 512 square feet) and the site being deemed to be a "Main Street" property, there is a high potential for customers to travel to the property by bicycle. Staff recommend that bicycle parking standards be imposed on the development. Staff have reviewed the existing bicycle parking standards for the former City of Toronto and recommend that the same standards be incorporated into the draft Zoning By-law for the subject property. The standards are:

(i) 1 bicycle parking space for every 1 250 square metres of gross leasable commercial floor area and with each building being provided with the required bicycle parking within 30 metres of a primary front entrance to the building;

- (ii) 0.75 bicycle parking space for each dwelling unit provided in the following proportion: 80 percent as bicycle parking space for occupants and 20 percent as bicycle parking space for visitors;
- (iii) not more than 50 percent of the bicycle parking spaces for residential uses be provided in a manner that requires a person to park the bicycle in a vertical position;
- (iv) bicycle parking spaces for residential uses not be provided in a dwelling unit or a balcony thereof:
- (v) a bicycle parking space is an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, and:
 - (1) where bicycles are parked on a horizontal surface, has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres; and
 - where bicycles are parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.9 metres; and
- (vi) all bicycle parking spaces shall be provided and maintained a highly visible weather protected area.

The above noted provisions would result in the following minimum amount of bicycle parking being provided on the site:

- (a) Canadian Tire store six bicycle parking spaces
- (b) Price Chopper store four parking spaces
- (c) Building A one bicycle parking space
- (d) Buildings B1 and B2 one bicycle parking space
- (e) Residential Building 77 bicycle parking spaces of which 62 would be for occupants and 15 would be for visitors

The amount and location of bicycle parking will be addressed at the time of site plan review.

Loading Spaces:

The applicant is proposing two large loading spaces to serve the Canadian Tire store, two large loading spaces to serve the Price Chopper store and one parking space to serve the Shoppers Drug Mart. Staff require that an additional space be provided for Buildings B1 and B2. An additional space can be accommodated for a small loading space in compliance with By-law standards.

The loading area for the Canadian Tire store is in close proximity to the rear yards of the lots fronting onto Lonborough Street. Staff recommend that this area be property screened from view of the houses on Lonborough Street. The following Zoning By-law provision is

recommended: where a loading space located is within 12 metres of a R1 or R2 district, a solid brick screening wall with a minimum height of 4.5 metres from the grade of the loading space extend the entire length of the side or end of the loading space abutting the R1 or R2 district. A provision is also recommended to require that loading areas be fully screened from the view of Eglinton Avenue West and Gabian Way.

With respect to the residential building included in Phase 3, the applicant has not indicated a loading space for the residential building. Loading space requirements will be addressed at the time of site plan review.

Outside Storage:

The current Section 16(317) does not permit outdoor display or storage of any goods or merchandise at any time. The applicant has requested that a garden centre be permitted. Staff support this use subject to a provision that garden centres shall be in a screened, fenced or walled enclosure attached to a main building.

Landscape Plan:

Overall, the landscape plan submitted by the applicant and shown in Attachment 5 is not satisfactory to the Urban Design Section and the Forestry Section. The applicant indicates that all of the existing landscaping within in the public right-of-way for Eglinton Avenue West would be removed. The Forestry Section has indicated that the two existing coniferous trees can be removed and that the four Green Elm trees located in the right-of-way should be maintained. The applicant proposes to remove all of the existing trees and bushes along the north limit of the property. The Forestry Section has indicated that some of the trees near the bottom of the slope can be removed and that the majority of the trees near the top of the slope should be maintained. It is recommended that the application be approved conditional on a landscaping inventory being submitted to the satisfaction of the Forestry Division.

The Urban Design Section has recommended additional landscape areas to break up the parking lot and to replace the proposed parking area in the front yard. Staff recommend upgrading the landscaped islands along the south limit of the driveway in front of the Canadian Tire store, the north and south limits of the east-west driveway in the middle of the property, the west limit of the driveway in front of the Price Chopper store, and the north end of the parking north of Building A. Staff recommend a site plan approval condition requiring that all landscaped islands planted with trees be a minimum width of 1.5 metres (4.9 feet) to promote healthy tree growth.

A revised landscape plan is required and will be reviewed at the site plan review stage.

Fencing:

The applicant has not shown fencing between the rear wall of the Canadian Tire store and the rear (north) limit of the property. Too discourage trespassing, staff recommend that a chain link fence with a minimum height of 1.83 metres (6 feet) be located at the west and east ends of this area. Fencing shall be addressed during site plan review.

Canadian National Railway Requirements

The Canadian National Railway abuts the subject property to the east. Comments from the Canadian National Railway are located in Appendix 8. The Railway requires a minimum building setback of 30 metres (98.4 feet) to the railway right-of-way. The applicant proposes that the Price Chopper store have a minimum setback of 1.5 metres (4.9 feet) to the Railway right-of-way. The imposition of a 30 metre (98.4 foot) building setback to the railway would have a significant impact on the site plan. Staff recommend that the CNR's requirement for a 30 metre (98.4 feet) setback to the Railway not be included in the draft Zoning By-law at this time and that the applicant be required to resolve the setback issue with the Railway prior to the approval of this application.

The Canadian National Railway requires other conditions of approval including:

- (1) The installation and maintenance of a chain link fence with a minimum height of 1.83 metres (6 feet) along the Railway right-of-way;
- (2) A drainage report to the satisfaction of the Railway;
- (3) Warning clauses in offers to purchase, and agreements of purchase and sale or lease advising of the presence of the Railway;
- (4) A noise study to address noise abatement to the limits set by the Ministry of Environment and Canadian National Railway and to the satisfaction of the City of Toronto; and
- (5) That the Zoning By-law address the required mitigation measures.

It is recommended that as a condition of approval of the application that favourable comments be received from CNR to indicate resolution of their requirements for redevelopment of the lands.

The applicant is proposing parking on the lands currently owned by the Canadian National Railway. The acquisition of these lands must be to the satisfaction of the Canadian National Railway.

Zoning:

An amendment to the Zoning By-law is required to address the change in the form of commercial development from a climate controlled shopping mall to a shopping centre with five buildings. An amendment is also required to address the revised location, phasing and form of residential development. The existing Section 16(317) zoning regulates building area, parking, loading site access, density, building heights, and site access. Staff recommend that the majority of the provisions of the Section 16(317) be deleted as they relate to the subject property and that all references to the existing high rise residential building and 16 townhouses permitted by Section 16(317) to the west of the subject property be retained. A new underlying MCR District

zoning and site specific zoning is recommended to address the new location, form and phasing of the commercial and residential development.

The provisions of the MCR zone require that the height of a building can be no greater than 70 percent of the horizontal distance from a building that abuts a R2 zone. The applicant is proposing a rear yard setback of 7.2 metres (23.6 feet) to the abutting residential lots fronting onto Lonborough Avenue that are zoned R2. The height of the Canadian Tire store is 8.5 metres (27.8 feet). Based on this standard, the Canadian Tire store would have to be setback a minimum of 10.7 metres (35.1 feet) from the rear lot line. Staff can support a reduced building setback to the R2 zone given that there is a significant grade change between the subject property and the residential properties to the north. A standard requiring that the maximum height of a building abutting an R2 zone be no greater than 85 percent of the horizontal distance from the R2 zone, is recommended. This site specific standard would result in a minimum setback of the Canadian Tire store to the R2 zone of 8.8 metres (28.8 feet).

The provisions of the MCR zone require that parking and loading be prohibited in the front yard. Staff support imposing this provision on the subject property since the integrity of the Eglinton Avenue West streetscape would be harmed by the introduction of parking in this area.

The provisions of the MCR zone require access for all vehicles to be from secondary streets if the property abuts a flanking street. Staff have requested a Traffic Study to verify if direct access to Eglinton Avenue West is required and if so whether the access should be limited in turning movements. The Traffic Study is likely to recommend the continuation of the existing direct access to Eglinton Avenue West, and therefore staff have included a provision in the draft Zoning By-law to permit one right-in and right out access to Eglinton Avenue West.

The draft Zoning By-law implements the proposed building heights, maximum gross floor area for the commercial and residential use, and the phasing requested by the applicant.

Traffic Impact:

Staff have requested that a Traffic Study be submitted. To date the study has not been submitted. The applicant is proposing to close the driveway ramp opposite the intersection of Blackthorn Avenue and Eglinton Avenue West. The existing right-in and right-out driveway from Eglinton Avenue West to the site would be relocated approximately 2 metres (6.5 feet) to the east.

At the Community Meeting, concerns were expressed about traffic impact on Eglinton Avenue West, Caledonia Road and the residential streets to the south. Staff have requested that the Traffic Study address all of these concerns. The applicant has indicated that the Traffic Study is likely to recommend the continuation of the existing right-in and right-out access to Eglinton Avenue West. While the draft Zoning By-law at this time includes a provision to include one access to Eglinton Avenue West, staff are recommending that approval of the application be conditional upon:

(1) Submission of a Traffic Impact Study that:

- (a) is satisfactory to the Works and Emergency Services and Urban Development Services; and
- (b) contains recommendations that supports the development and access arrangements substantially as proposed.
- (2) The owner providing an undertaking to the satisfaction of the Community Planning Division, that the owner will address all recommendations of the approved Traffic Study and requirements of the City in regards to site access, on-site parking circulation, and signage provision, and off-site road and traffic control alterations or improvements, as part of the site plan review process including entering into agreements, if required.

Weather Protection and Amenities for Pedestrians:

Safe, convenient and protected walkways from the surrounding neighbourhood to the site and connecting the buildings on-site are a high priority given the "Main Street" nature of the property. Staff recommend the following design features be secured through Site Plan review to ensure a high quality pedestrian environment:

- (a) a continuous sidewalk with a minimum width of three metres shall abut the Gabian Way and Eglinton Avenue right-of-ways where buildings abut the right-of-way, and in front of the front face of all commercial units;
- (b) a continuous sidewalk with a minimum width of 1.8 metres be provided from Carnarvon Street to the front face of the closest building;
- (c) lighting for all on-site sidewalks be provided and maintained at a minimum standard of 540 Lux;
- (d) all sidewalk crossings of driveways be distinguished from driving surfaces through raising height of the sidewalk to curb level and through the use of special pavers, bricks or a scored concrete so as to promote pedestrian safety;
- (e) a paved walkway with a minimum width of 3 metres be provided from the south limit of the property to each transit stop abutting the site;
- (f) walls directly abutting the Eglinton Avenue West and Gabian Way right-of-ways have a continuous canopy with a minimum width of 3 metres (9.8 feet) for pedestrian weather protection;
- (g) weather protected canopies along all front faces of other buildings;
- (h) a continuous sidewalk from Eglinton Avenue West to the front entrance of the Canadian Tire store; and

(i) each building be provided with a bench or picnic table with a minimum length of 1.2 metres (4 feet) and to be located within 10 metres from a primary front entrance.

Condition of the Portion of the Site Formerly Occupied by a Gasoline Station:

A record of site condition is required for the portion of the property that was formerly used for a gasoline station and is proposed for mixed commercial and residential use. As a measure of ensuring the environmental suitability of the lands, a provision will be included in the amending Zoning By-law to require that prior to the issuance of a Building Permit(s) for the development of this portion of the site, a Record of Site Condition (which has passed an applicable Ministry of the Environment Audit, if applicable) be submitted to the City, and that the suitable use of the land as set out in the Record is consistent with the permitted residential use of the lands as represented by this application.

Building Design:

The development would involve large buildings with large flat surface walls constructed with the same building material. In order to achieve attractive architectural design, staff recommend, as a site plan condition, that buildings with a wall facing Eglinton Avenue West or Gabian Way and with a length greater than 30 metres be constructed with recesses and projections and/or changes in texture and building material along at least 20 percent of the length of the façade. A site plan condition is also recommended that all roof top mechanical units, flues and vents be screened.

Issues Related to the Residential Building

The applicant has indicated that the residential building would be provided with 130 underground parking spaces to be constructed underneath Building B2 and to the east and north of this building. This would require the demolition of Building B2 unless it is constructed with 2 levels of underground parking beneath it.

Staff do not support the location of the underground parking garage ramp in the middle of the parking lot for the Canadian Tire store and recommend that the applicant relocate this ramp. The applicant has not shown a loading space for the residential building. It may be problematic to provide a loading space for this building that is screened from the view of Eglinton Avenue West and Gabian Way. Staff request that the applicant show outside amenity space for the residential building.

The Parks and Recreation Division require that the Zoning By-law address the provision of indoor amenity space. Staff recommend a provision to require 1 square metre (10.7 square feet) of indoor amenity space for every dwelling unit. The applicant will be required to provide a minimum of 102 square metres (1,097 square feet) of indoor meeting rooms and/or recreation rooms for the residential building. The proposed residential building would abut the roof area of a portion of Building B1. There is a potential to provide rooftop amenity space in this area. The Zoning By-law currently requires that a minimum of 2 square metres per unit of outdoor amenity space be provided for apartment houses containing more than 20 units.

At the time of Phase 3 site plan review, parking, driveway, loading space and recreational amenity space for the residential building will be reviewed.

Fire Department Access Routes:

The Fire Department has requested that the applicant submit mechanical drawings and additional information on the Fire route. Comments will be prepared subsequent to the receipt of this information and will be incorporated into site plan conditions.

Protection for Future Rapid Transit Facilities:

The Toronto Transit Commission (TTC) will require property across the southern portion of the site for the future Eglinton West subway line. Property also needs to be protected for a future subway station and ancillary station facilities, including off-street bus buys. Building setbacks and landscaping will have to be to the satisfaction of the TTC. A GO rail station is proposed within the CNR right-of-way immediately east of the applicant's lands. The GO station would not be built prior to the construction of the Eglinton West subway line. It is our understanding that there is sufficient right-of-way within the CNR corridor to accommodate the future GO station. All transit property protection matters can be addressed through the site plan review process and modification to the subdivision agreement.

Stormwater Management:

The applicant has not submitted a grading and drainage plan. A large stormwater sewer easement is located in the centre of the property. Stormwater management will be addressed at site plan review and will be to the satisfaction of the Works and Emergency Services Department.

Modification of the Existing Subdivision Agreement:

The outstanding requirements of the existing subdivision agreement will need to be addressed and the agreement modified to address the proposed form of commercial and residential development, and requirements such as the protection of the TTC easement for the future construction of the Eglinton West subway. It is recommended that Staff be authorized to amend the subdivision agreement as necessary to implement the development to the satisfaction of the City Solicitor. Staff recommend that the application be approved subject to a condition that the owner provide an assurance to the satisfaction of the City that he agrees to amend the Subdivision Agreement to the satisfaction of City Staff.

Phasing the Development:

Staff recommend that a phasing plan be submitted and addressed in the amended Subdivision Agreement to reflect the proposed development of the lands in three phases together with alternate landscaping plan should development of the Building Areas not proceed within established time frames. Staff recommend a phasing provision in the Zoning By-law that permits the majority of the mall to exist with four new buildings for a temporary period of one

year. The total gross floor area that would be permitted during this time is 21 124 square metres (227,384 square feet). During this time, parking requirements would be calculated based on occupied gross floor area.

Conclusions:

The application has undergone a full circulation and community consultation, where no objections were filed regarding the proposal. The proposal respects the general intent of both the Official Plan and the performance standards of Zoning By-law No. 1-83. The proposal was favourably evaluated with respect to the criteria set forth in the Official Plan regarding Mixed Use areas. The application is recommended for approval subject to the fulfillment of the conditions listed below. An amendment to the Official Plan is recommended to support direct vehicular access to Eglinton Avenue West and permit building entrances which are not located on public street frontages. The draft Zoning By-law appended as Attachment 7 to permit the development is also recommended for approval. Both the Official Plan Amendment and draft Zoning By-law are recommended for approval by City Council following the fulfillment of conditions for the approval of the application.

It is further recommended that Staff be authorized to take the necessary action to finalize the draft Official Plan Amendment and By-law and to amend the subdivision agreement as necessary to implement the development, all worded to the satisfaction of the City Solicitor.

Conditions to Approval

- (1) Approval of the application shall be conditional on fulfillment of the following requirements:
 - (a) submission of a Traffic Impact Study that:
 - (i) is satisfactory to Works and Emergency Services, and Urban Development Services; and
 - (ii) contains recommendations that supports the development and access arrangements substantially as proposed;
 - (b) the owner providing an undertaking to the satisfaction of the Community Planning Division, that the owner will address all recommendations of the approved Traffic Study and requirements of the City in regards to site access, onsite parking circulation, and signage provision, and off-site road and traffic control alterations or improvements, as part of the site plan review process including entering into agreements, if required;
 - (c) the receipt of comments from Works and Emergency Services, Technical Services Division;

- (d) the submission of a landscape inventory to the satisfaction of the Forestry Division:
- (e) receipt of comments from Canadian National Railway that their requirements with respect to building setbacks, parking on the Railway right-of-way and other matters have been satisfactorily addressed; and
- (f) the owner provide an assurance to the satisfaction of the City that he agrees to amend the Subdivision Agreement to the satisfaction of City Staff.
- (2) Introduction for approval by Council of an Official Plan Amendment in accordance with the draft Official Plan Amendment appended to this report as Attachment 6, and a Zoning By-law in accordance with the draft Zoning By-law appended to this report as Attachment 7, shall be subject to approval of the application.
- (3) Further consideration of the proposal toward Site Plan Approval shall include, but not limited to the resolution of the following requirements:
 - (i) The payment of two percent cash-in-lieu of parkland for that portion of the development that is non-residential in nature, the payment of five percent cash-in-lieu of parkland for that portion of the development that is residential in nature, and any applicable development charges.
 - (ii) Signing of a Development Agreement and payment of the necessary fees associated with the preparation, execution and registration of same, if required.
 - (iii) Signing of a Site Control Agreement, which may include, among other matters the securing of financial guarantees in respect of the facilities, works and matters required by the agreement.
 - (iv) The submission of a landscaping plan detailing curbing, walkways, grading, and plant materials to the satisfaction of the Urban Development Services.
 - (v) Provision of a lighting plan to the satisfaction of the Urban Development Services.
 - (vi) All matters with respect to road, driveway and intersection improvements shall be to the satisfaction of Works and Emergency Services.
 - (vii) The submission of a site servicing report, storm water management report and waste management report to the satisfaction of Works and Emergency Services.
 - (viii) The dedication of property for the future Eglinton West subway line and appropriate agreements to protect/convey property for the future Caledonia subway station and its ancillary facilities to the satisfaction of the City of Toronto.

(ix) Urban Design considerations, to include provisions for the following:

- (a) Walls directly abutting the Eglinton Avenue West and Gabian Way right-of-ways shall have a continuous canopy with a minimum width of three metres for pedestrian weather protection.
- (b) All rooftop mechanical units, flues and vents shall be screened.
- (c) Landscaped islands planted with trees shall have a minimum width of 1.5 metres to permit healthy tree growth.
- (d) A continuous sidewalk with a minimum width of three metres shall abut the Gabian Way and Eglinton Avenue right-of-ways where buildings abut the right-of-way, and in front of the front face of all commercial units.
- (e) A continuous sidewalk with a minimum width of 1.8 metres shall be provided from Carnarvon Street to the front face of the closest building.
- (f) Lighting for all on-site sidewalks and underground parking spaces shall be provided and maintained at a minimum standard of 540 Lux.
- (g) All sidewalk crossings of driveways shall be distinguished from driving surfaces through raising height of the sidewalk to curb level and through the use of special pavers, bricks or a scored concrete so as to promote pedestrian safety.
- (h) Each building shall be provided with a minimum of one bench or picnic table with a minimum length of 1.2 metres and located a maximum of 10 metres of a primary front entrance.
- (i) Buildings with a wall facing Eglinton Avenue West or Gabian Way and with a length greater than 30 metres shall be constructed with recesses and projections and/or changes in texture and building material along at least 20 percent of the length of the façade.
- (j) The buildings that the northeast corner of Gabian Way and Eglinton Avenue West shall be constructed at the grade with the public sidewalks along these right-of-ways.
- (k) Loading areas shall be fully screened from the view of Eglinton Avenue West and Gabian Way.
- (l) Directional signage for entrances, exits, customer pick-up areas, handicapped parking areas, and loading zones shall be provided.

(m) A paved walkway with a minimum width of 3 metres shall be provided from the south limit of the property to each transit stop abutting the site.

Contact:

matter:

Al Rezoski, Senior Planner Community Planning, West District Phone: 394-2615; Fax: 394-2782 E-mail: arezosk@city.toronto.on.ca

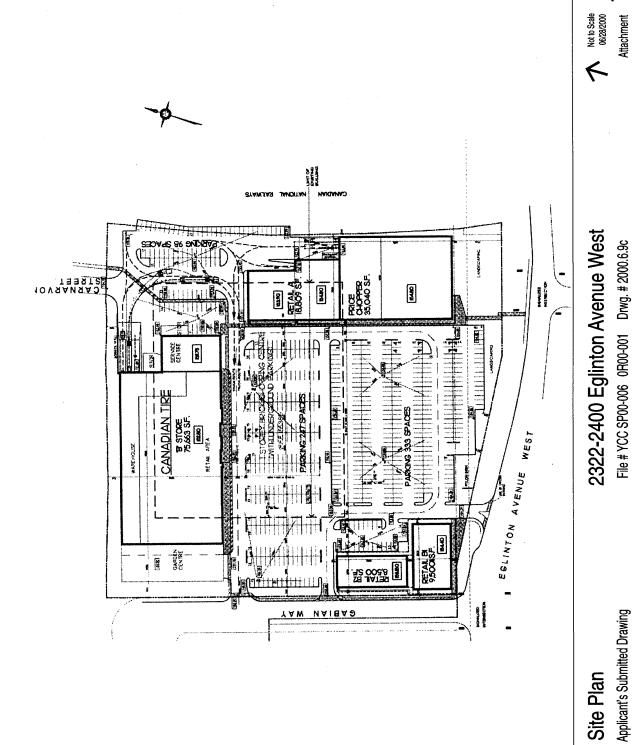
The York Community Council also had before it during consideration of the foregoing matter, a letter (September 12, 2000) from Mr. Danny Pavia, 19 Glenhaven Street, expressing concerns regarding this project due to its close proximity to his residence, in view of past problems with vibration and damage to his property.

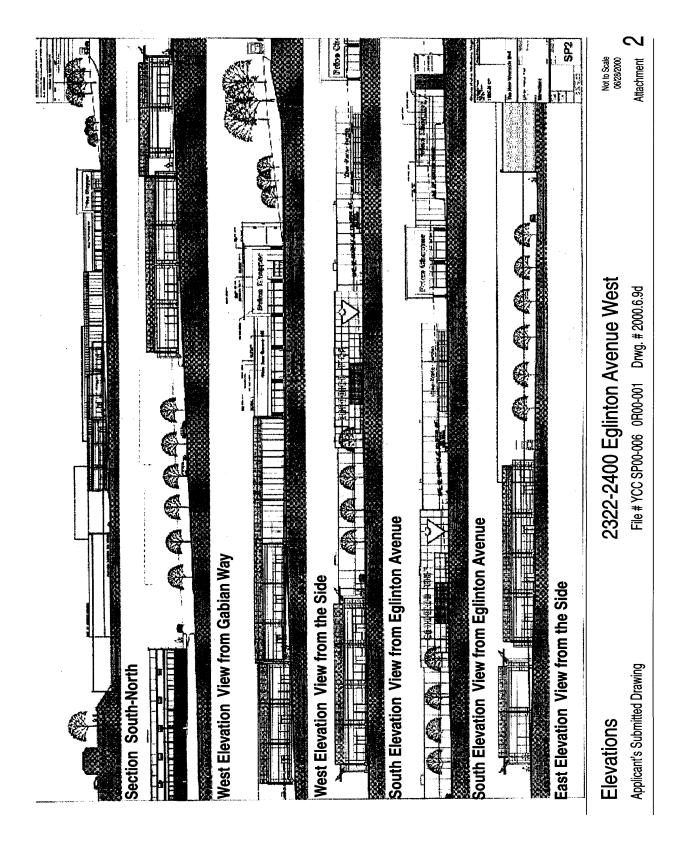
The following persons appeared before the Community Council in connection with the foregoing

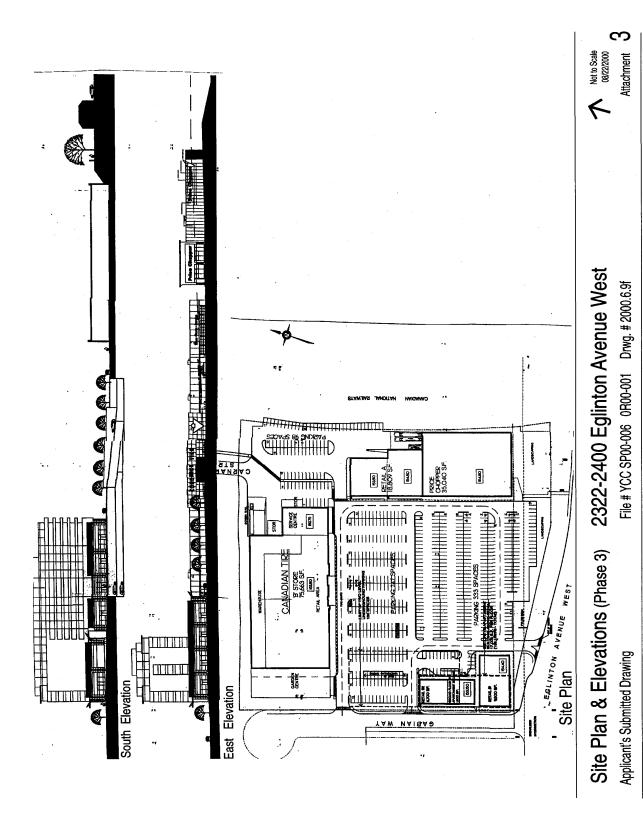
- Mr. Frank DiGiorgio commented that the criteria used to evaluate the application was done under the old Official Plan and Zoning By-laws that exist for the former City of York; there are no comments in the staff report that indicated how the application fits in with the Metro Official Plan with respect to redevelopment on major arterial roads; that to his knowledge Metro does not have big box stores on any major arterial road when there is complete redevelopment; that community benefits should be generated; another issue is the setback required to shoehorn all the major stores on to the site; both trucks and cars going will be going through the residential property on the north to access this development; expressed concerns regarding the co-existing agreement in the subdivision prior to the owner of this site; that the agreement provided for approximately 1,500 feet for community use that the Parks and Recreation department was supposed to be leasing from the owner; that 1,500 ft. of space for community use will not be replaced; that there are no net benefits gained by this development; suggested that truck arrestors be installed on a portion of City property; that the applicant provide community space and a letter of credit for approximately \$250,000. in lieu of community space; and that the site plan and the zoning application be dealt with concurrently.
- Mr. Steve Tasses, Chair, Keele-Eglinton BIA indicated support for the development and enquired as to whether the Community Council has given consideration to the impact the development would have on the small retail stores in the area and whether it was suggested to the applicant as to how the losses incurred would be offset by this project.

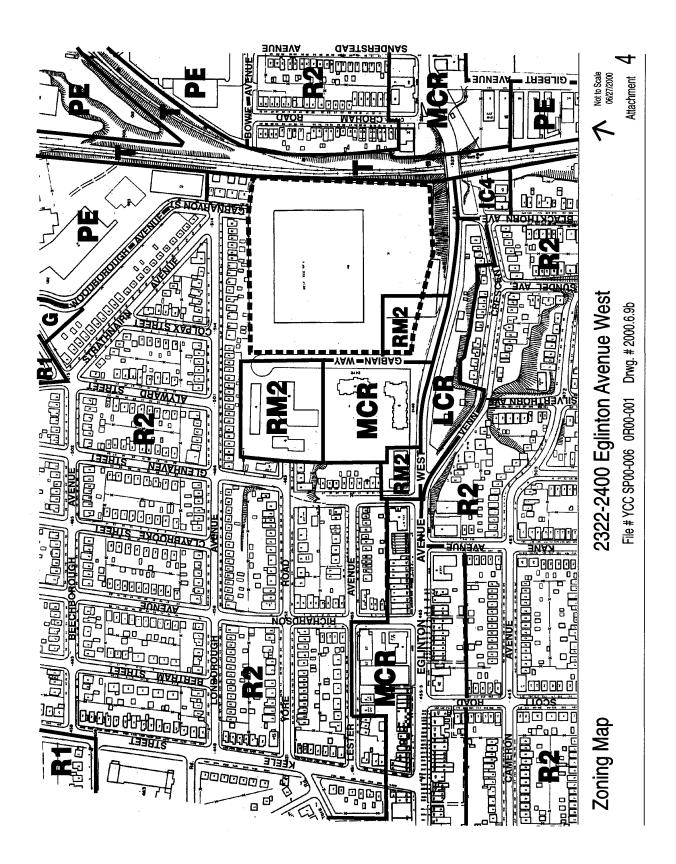
- Mr. Floyd Migory, President, Silverthorn Ratepayers Association advised that there were no traffic and environmental studies undertaken; the Fire Department had commented but they required additional information; that there has been no report from the Police Services; enquired as to the removal of the Blackthorn Avenue ramp; indicated that there should be a separate roadway for trucks entering the mall without going through the neighbouring residential areas; and that there should be no residential buildings.
- Mr. Pat Hainer commented as a former tenant of the mall for 15 years; advised that underneath the building is sand and swamp; that when Zellers left the mall deteriorated; the only way to help the Keele-Eglinton area is to provide the residents with services of interest; does not see the need for 1,500 ft. of community space; supports the development; and that if this application is delayed the retail businesses would lose interest.
- Ms. Angela Bianchi would like to see community space provided.

- Mr. John Cruz expressed concerns regarding traffic which has increased tremendously in the Keele Street and St. Clair Avenue West area; trucks are using all entrances to deliver goods; this area needs help and therefore this development must be done properly; there a quite a few seniors who frequent the mall to visit with friends and they need a rest area.
- Mr. Mark Scotia advised that his primary concern is with truck traffic and the benefits of this development to the community; that his parents live on Lonborough Avenue on the section of the hill furthest north which is owned by the applicant; that this has not been maintained and enquired as to future maintenance plans.
- Mr. Laurie Roberts concerned with proposal for housing development; the area is presently depressed due to the existing apartments and more units are not needed; supports the proposed redevelopment of the mall.
- Mr. Murry Goldman advised that all the concerns expressed have not gone unnoticed or they have been discussed with staff; attempts were made to renovate, the asbestos was removed but the plumbing was in a state of deterioration; that it was decided to demolish instead of rebuilding; that the amount of square footage being proposed for commercial use is less than what exists; the charges for rental space will be less; the space is offered to existing tenants; will try to make the truck arrestors as permanently as possible with replacements as necessary; the soil is not contaminated; and does not intend to proceed with the building of residential apartments.









Landscape Plan

Applicant's Submitted Drawing

2322-2400 Eglinton Avenue West File # YCC SP00-006 0R00-001 Drwg. # 2000.6.9e

ATTACHMENT 6

DRAFT OFFICIAL PLAN AMENDMENT

PART ONE – PREAMBLE

1.1 PURPOSE/LOCATION

Official Plan Amendment No. 159 applies to a 4.7 hectare (11.6 acre) parcel of land located at the northeast corner of Eglinton Avenue West and Gabian Way (2322 -2400 Eglinton Avenue West).

The purpose of this amendment is to add a policy to the Site Specific Development Policies of the Plan to permit a commercial development with limited access to Eglinton Avenue West.

1.2 BASIS

On July 19, 2000 Westside Developments Limited submitted an Official Plan Amendment and Zoning Amendment application to permit a phased commercial and residential development. A community consultation meeting on the application was held on August 9, 2000. The application was subsequently revised to delete the residential component.

The staff report of August ____, 2000 concluded that the required Official Plan and Zoning Amendments were supportable.

At	a	public	meeting	held	on	September	19,	2000,	the	York	Community	Council
rec	om	mended	d t									

NOTE:

AS REQUIRED UNDER S 17(16) OF THE PLANNING ACT (BILL 20) THIS CONSTITUTES A DRAFT OF THE PROPOSED AMENDMENT TO BE AVAILABLE PRIOR TO THE PUBLIC MEETING BEING HELD. THE COMPLETED AMENDMENT WIL BE PRESENTED TO COUNCIL FOR ADOPTION FOLLOWING THE APPROVAL OF THE APPLICATION.

PART TWO - THE AMENDMENT

2.1 <u>INTRODUCTION</u>

All of this part of the Amendment, consisting of the following text constitutes Amendment No. 159 to the York Official Plan for the City of York Planning area. The Plan is hereby amended as follows:

2.2 <u>TEXT CHANGES</u>

Development of the lands affected by this Amendment will be consistent with the following Site Specific Development Policy which is hereby added as Section 21.4(m):

- 21.4 (m) Notwithstanding any other provisions of this Plan, the lands located at the northeast corner of Eglinton Avenue West and Gabian Way and municipally known as 2322-2400 Eglinton Avenue may be used for a commercial and residential development, subject to the following conditions:
 - (1) direct access from Eglinton Avenue West shall be restricted to one driveway;
 - (2) a minimum of two buildings shall be located abutting the Eglinton Avenue right-of-way and have primary entrances facing onto this street; and
 - (3) regulations shall be implemented through the zoning By-law for the following development criteria:
 - (a) the rate at which parking spaces are to be provided and maintained;
 - (b) building height and setbacks;
 - (c) loading areas;
 - (d) outside storage;
 - (e) site landscaping; and
 - (f) phasing of the development.

2.3 IMPLEMENTATION

The policy established by this Amendment will be implemented through a site-specific amendment to Zoning By-law 1-83, Council's conditions of approval, and the signing and registering of the appropriate agreements.

INTERPRETATION

The provisions of the Official Plan as they may be amended from time to time with respect to the interpretation of the Plan shall apply with respect to this Amendment.

ATTACHMENT 7 Draft Zoning By-law

Authority: York Community Council Report No. Clause

As adopted by Council on , 2000

Enacted by Council:

CITY OF TORONTO

BY-LAW No.

To amend former City of York By-law No.1-83 (Re: Lands – northeast corner of Gabian Way and Eglinton Avenue West)

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law, and whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act.

The Council of the City of Toronto HEREBY ENACTS as follows:

SECTION 6 AMENDED

2. That Section 6 of Zoning By-law No. 1-83, as amended, of the former City of York, be further amended by adding a new Subsection (67) as follows:

"(67) MAP 24

By changing the area shown on District Map 24, municipally known as Lands – Northeast Corner of Gabian Way and Eglinton Avenue West and more particularly described in Schedule "A" hereto, from a RM2 District and Section 16(317) to an MCR District and Section 16(317) and Section 16(400) as shown on Schedule "B" hereto and by changing District Map 24 accordingly."

SECTION 16 AMENDED

- 3. That Section 16 of Zoning By-law No. 1-83, as amended, of the former City of York, is hereby further amended as follows:
 - i) by revising the opening paragraph of Section 16(317)so that it reads as follows:

"Notwithstanding the provisions of Paragraph (iv) and Parking Schedule Paragraphs A, D.1, and D.2 contained in Subsection 3.2.1. of Section 3 of this By-law and the provisions of Sections 10.1 and 12 of this By-law, the lands located on the north side of Eglinton Avenue West abutting the CN-Railway

located west of Caledonia Road, which lands are municipality known as 2322 to 2400 Eglinton Avenue West, and which lands are more particularly described in Schedule "A" hereto and shown on the plan attached as Schedule "B" hereto, and the plan attached as Schedule "C" hereto, shall only be used for or to erect or use any building or structure for one or more of the following uses, namely:"

by deleting in Section 16(317) paragraphs a) to d), both inclusive, paragraphs 1 to 24, both inclusive, and Schedules "C1", "C3", "D" and "E"to Subsection 16(317), and adding the following after the opening paragraph:

"a) Residential Uses

Within Block "B" as shown on Schedule "B" hereto, one apartment house and a maximum of 16 townhouses.

Within Blocks "A" and "C" on Schedule "B" hereto, refer to Section 16(400) of this By-law.

b) Commercial Uses

Within Blocks "A" and "C" on Schedule "B" hereto, refer to Section 16(400) of this By-law.

- 1. The buildings erected and used for the purposes permitted by this Subsection shall be located within the area marked as "Buildable Area" on the plan attached as Schedule "C2" and hereto so as to provide the minimum building setbacks shown on the said Schedules.
- 2. The maximum height of buildings, exclusive of mechanical floors, recreation buildings and parking garages shall be as shown on Schedule "C2".
- 3. Off-street parking for residential buildings shall be provided and maintained at a minimum rate of 1.5 parking spaces per dwelling unit of which 1.25 parking spaces shall be for occupant parking and 0.25 parking spaces shall be exclusively devoted for visitor parking.
- 4. A minimum of 60% of the exterior façade of all residential apartment houses shall be constructed using glass materials. The balance of the exterior façade shall be constructed predominantly of clay brick.
- 5. Air conditioning shall be provided throughout all buildings but in no case shall exterior window or wall-mounted unit air conditioners be permitted.
- 6. Each residential apartment unit shall be provided with an enclosed solarium. No open air balconies shall be permitted.

7. In the case of Block "B", the following restrictions shall apply:

Maximum Number of Dwelling Units: 232 apartments and 16 townhouses

Maximum Building Area Coverage: 2,650 square metres

Maximum Gross Floor Area: 32,300 square metres

Minimum Indoor Recreational Space per Dwelling Unit: 4.0 square

metres

Minimum Outdoor Recreational Space per Dwelling Unit: 28.0 square

metres

- 8. For the purpose of this Subsection the following shall apply:
 - a) The calculation of Minimum Outdoor Recreational Space shall include:
 - i) in the case of Block "B" that portion of the westerly half of the lands which are conveyed to the City for roads after the enactment of this By-law comprising the landscaped area of the western boulevard excluding curbs, sidewalks and pavement areas.
 - b) The calculation of gross floor area shall exclude floor space occupied by enclosed solariums and stairways within residential buildings.
- 9. In the case of Block "B", the following minimum net dwelling unit floor areas shall apply:

For Apartment Houses:

Dwelling Unit Type

Minimum Net Dwelling Unit Size

1-Bedroom

72 square metres

2-Bedroom

102 square metres

3-Bedroom

125 square metres

For Townhouses:

A minimum net dwelling unit floor area of 185 square metres shall be provided.

10. For the purpose of this Subsection the following definitions shall apply:

"BLOCK" means the parcels of land shown as Block "B" hereto;

"BUILDING AREA COVERAGE" means the amount of lot or Block surface area permitted to covered by buildings excluding parking garages, recreational structures and canopies;

"INDOOR RECREATIONAL SPACE" means indoor areas intended and designated for recreational or social purposes for the use of occupants of the residential building and includes all sports areas, swimming pools, saunas, change rooms, space for meetings, hobbies, parties, games or club activities, lounge and lobby areas, and enclosed solariums;

"OUTDOOR RECREATIONAL SPACE" means landscaped on-site open space;

"THE LANDS" means the whole of the lands described in Schedule "A" hereto and shown on Schedule "B" hereto;

"TOWNHOUSE" means one of three or more attached dwelling units divided vertically above-grade by party walls not less than seventy-five percent (75%) in length common to the adjoining dwelling units; and

- 11. All other provisions of this By-law shall apply except in cases where the provisions and Schedules of this Subsection are in conflict, in which case the provision and Schedules of this Subsection shall prevail."
- 4. That Section 16 of Zoning By-law No. 1-83, as amended, of the former City of York, is hereby further amended by adding the following as a new Subsection (400):

"(400) LANDS – 2322-2400 Eglinton Avenue West

Notwithstanding any provisions of Section 12 and Subsection (317) of Section 16 and any other provisions of this By-law, the lands municipally known as 2322-2400 Eglinton Avenue West, more particularly described in Schedule "A" to this Subsection and shown on the plans attached as Schedule "B" and Schedule "C" hereto, (hereinafter referred to as "the Lands") may be used for one or more of the following purposes:

- i) a retail store or stores but not including a flea market; offices, recreational use; theatre; restaurant; restaurant, licensed; take-out eating establishment; and accessory buildings, uses and structures including associated parking, outdoor display and sales and outdoor eating areas; and
- ii) an apartment building;

subject to the following provisions:

- a) The buildings excluding exits, shall be located within the area shown on the Site Plan attached as Schedule "C" to this By-law. The minimum setbacks shall be those shown on the site plan.
- b) An apartment building with a maximum of 102 units shall be located within the buildable area at the north-east corner of Gabian Way and Eglinton Avenue West shown on the Site Plan as Building B1 and B2 attached as Schedule "C" to this By-law subject to the following:
 - i) the construction of a rapid transit station or a high level rail commuter station within 500 metres of the subject property; and,
 - ii) the construction of a minimum of 14 651 square metres of gross commercial floor area.
- c) The maximum height of the commercial uses shall be two storeys, exclusive of mechanical floors and the basement floor.
- d) The maximum height of the residential uses shall be seven storeys, exclusive of mechanical floors and the basement floor.
- e) The maximum gross floor area for commercial uses shall be 14 818 square metres. The maximum gross floor area for residential uses shall be 9 643 square metres.
- f) The maximum height of any portion of a building shall not be greater that 85% of the horizontal distance of that portion of the building from a R1 or R2 district.
- g) Off-street parking shall be provided and maintained for commercial uses at a rate of 1 parking space for each 28 square metres of gross floor area.
- h) Not withstanding the provisions contained in Sections e) and g), for a one year period during the phased construction of the commercial buildings, a maximum gross floor area for commercial uses shall be 21 124 square metres. During this time period, parking requirements shall be calculated based on occupied gross floor area.
- i) Off-street parking in the front yard shall be prohibited.
- j) All visitor parking shall be designated as such and shall be conveniently located on the site, and signs shall be posted on the site directing visitors to the said visitor parking spaces.

- k) Parking spaces shall not be accessed from a driveway which is designated a Fire Route and runs parallel to a front face of building.
- The Chief Building Official for the City or his designate, prior to the issuance of any building permit for the development shall be provided with a completed "Record of Site Condition" pursuant to the Ministry of the Environment "Guideline for Use at Contaminated Sites in Ontario, February 1997", as amended or updated, marked as having been received by the Ministry of Environment along with a letter from the Ministry of Environment advising that the Record of Site Condition is not subject to an audit review; or, alternatively, a letter from the Ministry of Environment advising that the Record of Site Condition has passed a Ministry audit for compliance with the Guideline; and the suitable use or uses for the lands set out in Part 3 of the "Record of Site Condition" is consistent with the uses for the lands permitted by this Subsection.
- m) Vehicular access to Eglinton Avenue West shall be restricted to one access point. Access to Eglinton Avenue West shall be to the satisfaction of the Works and Emergency Services Department.
- n) Vehicular access shall include 2 driveways from Gabian Way and Carnarvon Street. Access to Gabian Way and Carnarvon Street shall be to the satisfaction of the Works and Emergency Services Department.
- o) A "Truck Arrestor" with a minimum height of 2 metres to the underside of the bar shall be constructed and maintained to restrict truck access to the site from Carnarvon Street. Improved signage to increase awareness of the arrestor shall be erected and maintained.
- p) For commercial units abutting the Eglinton Avenue West right-of-way, the following provisions shall apply:
 - i) the primary entrance shall directly face Eglinton Avenue West; and
 - ii) a minimum of 50% of the exterior façade of any wall abutting the Eglinton Avenue West right-of-way shall be constructed using glass materials.
- q) All rooftop mechanical units, flues and vents shall be screened.
- r) Bicycle parking spaces shall be provided and maintained in accordance with the following:
 - 1) 1 bicycle parking space for every 1 250 square metres of goss leasable commercial floor area and with each building being provided with the required bicycle parking within 30 metres of a primary front entrance to the building;

- 2) 0.75 bicycle parking space for each dwelling unit provided in the following portion: 80 percent as bicycle parking space for occupants and 20 percent as bicycle parking space for visitors;
- 3) not more than 50 percent of the bicycle parking spaces for residential uses shall be provided in a manner that requires a person to park the bicycle in a vertical position;
- 4) bicycle parking spaces for residential uses shall not be provided in a dwelling unit or a balcony thereof;
- 5) a bicycle parking space is an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles, and:
 - a) where bicycles are parked on a horizontal surface, such space has horizontal dimensions of at least 0.6 metres wide by 1.8 metres long and a vertical dimension of at least 1.9 metres high; and
 - b) where bicycles are parked in a vertical position, such space has horizontal dimensions of at least 0.6 metres wide by 1.2 metres long and a vertical dimension of at least 1.9 metres high; and
- 6) all bicycle parking spaces shall be provided and maintained a highly visible weather protected area.
- s) Where a loading space located is within 12 metres of a R1 or R2 district, a solid brick screening wall with a minimum height of 4.5 metres from the grade of the loading space shall extend the entire length of the side or end of the loading space abutting the R1 or R2 district.
- t) All of the front yard area shall be landscaped on-site open space.
- u) A public activity centre which has a minimum gross floor area of 140 square metres shall be provided and maintained on the main floor of one of the commercial buildings.
- v) All uses shall be conducted within a fully enclosed building. There shall be no open outdoor storage or display of goods or merchandise except for storage and display of seasonal plants and related gardening equipment and material shall be stored and displayed in a screened, fenced or walled enclosure attached to a main building.
- w) Eating areas shall be permitted in the area abutting the façade of the building containing the main entrance to an ice cream parlour; bake shop; restaurant; restaurant, licenced; or take out eating establishment; provided that the area of the outdoor eating area does not exceed fifty percent (50%) of the total floor area

devoted to patron use of the associated use and the floor space of the outdoor eating area is included for the purposes of calculating required parking for the use.

- x) For a residential building, indoor recreational space shall be provided and maintained at a standard of 1 square metre per dwelling unit.
- y) All other provisions of this By-law shall continue to apply except in the case where provisions of this Subsection are in conflict in which case the provisions of this Subsection shall prevail.
- 2. For the purpose of the Subsection the following definitions shall apply:
 - **"FLEA MARKET"** means a building or portion thereof where floor space is made available to two or more individual retail operators where such operator is allocated space and where such allocated space is not physically separated from space made available to other operators by floor to ceiling walls;
 - **"PUBLIC ACTIVITY CENTRE"** means floor space operated by or on behalf of the City for various indoor community functions which may include a senior citizen activity centre.
- 3. Subject to the provisions of Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, this Bylaw shall come into force and effect on the date of the passing.

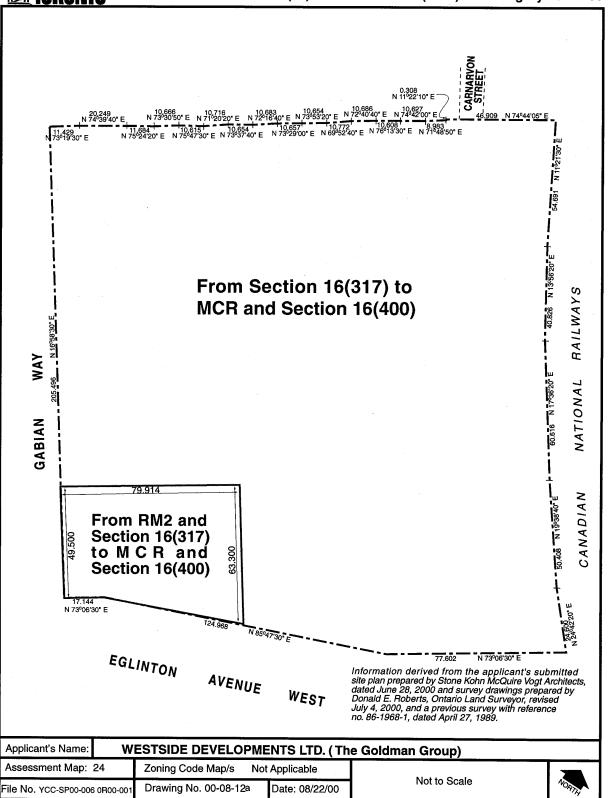
ENACTED AND PASSED this	day of	A.D. 2000.	
MAYOR		CLERK	

SCHEDULE "A" to BY-LAW No. and to Section 6(67) and Section 16(400) of ZONING BY-LAW 1-83

SCHEDULE "A"

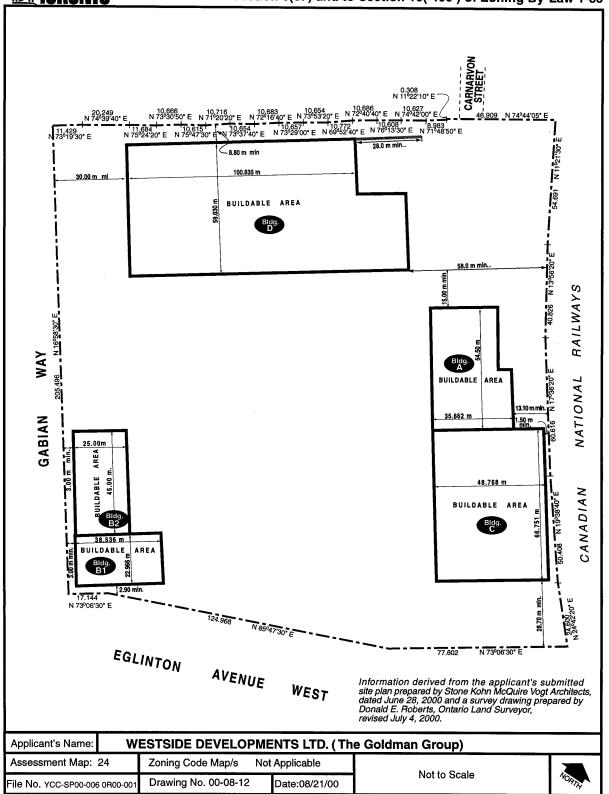


Schedule 'B' to By-Law Number _____ Section 6(67) and to Section 16(400) of Zoning By-Law 1-83





Schedule 'C' to By-Law Number _____ Section 6(67) and to Section 16(400) of Zoning By-Law 1-83



The following attachments referred to in the foregoing report, were forwarded to all Members of Council with the agenda for the York Community Council meeting on September 19, 2000, and copies thereof are on file in the office of the City Clerk, York Civic Centre:

Attachment 8 – Minutes of the Community Information Meeting held on Wednesday, August 9, 2000 at 7:00 p.m. in the York Civic Centre, 2700 Eglinton Avenue West; and

Attachment 9 – Department Comments

- 9.1 Economic Development Division, Economic Development, Culture and Tourism Department
- 9.2 Fire Prevention Division, Works and Emergency Services Department
- 9.3 Toronto Hydro
- 9.4 Canadian National Railway
- 9.5 Urban Design Division, Urban Development Services Department
- 9.6 Parks and Recreation Division, Economic Development, Culture and Tourism Department