

**859-861 and 875 Eglinton Ave W - Zoning Amendment
Application - Preliminary Report**

Date:	August 8, 2016
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 21 – St. Paul's
Reference Number:	16 198806 STE 21 OZ

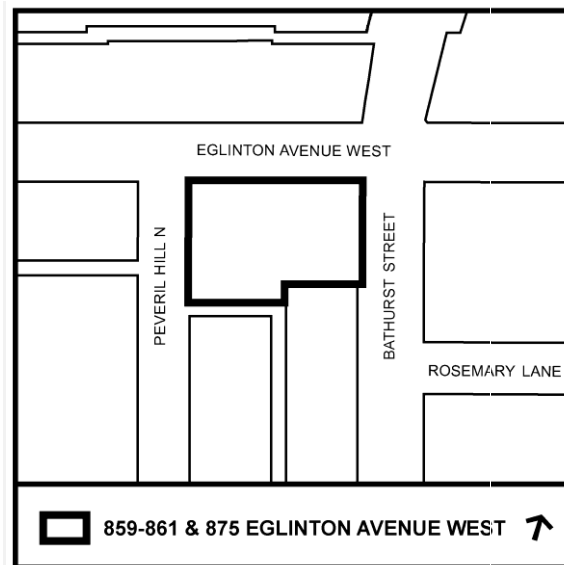
SUMMARY

This application proposes a 16-storey (55.89 metres plus mechanical penthouse) mixed-use building containing 253 residential units with commercial at grade.

The proposal represents overdevelopment and is not good planning. The proposed building exceeds the height established for the planned context. The proposed development does not meet the Healthy Neighbourhoods, Built Form or *Mixed Use Area* policies of the Official Plan.

The proposed development is not consistent with the intention of City Council through the approved Eglinton Connects Study and related Official Plan and Zoning By-law Amendments, both currently under appeal at the Ontario Municipal Board.

This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.



RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting for the lands at 859-861 and 875 Eglinton Avenue West together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Staff be requested to continue to work with the applicant to address the issues outlined in this report.
4. Notice for the public meeting under the Planning Act be given according to the regulations of the Planning Act.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

The subject site is situated within the area of the Eglinton Connects Planning Study. At its meeting of May 6-8, 2014, City Council considered the Final Directions Report for the Eglinton Connects Planning Study. City Council adopted 21 recommendations under the themes of Travelling, Greening and Building Eglinton. The report and Council's direction are available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG32.4>

The Final Directions Report on the Eglinton Connects Planning Study was considered together with a report on the "Eglinton Connects – Environmental Assessment Study" which was also adopted by City Council. The EA Study included information regarding a special streetscape for Eglinton Avenue. This report is available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PW30.7>

The Phase 1 (Part 1) Implementation Report for the Eglinton Connects Planning Study was considered by City Council at its meeting of July 8, 2014. From this report, City Council adopted Official Plan Amendment No. 253 that included, among other things, a Site and Area Specific Policy No. 476 requiring the provision of a public laneway extension at the rear of this site as part of a continuous public rear laneway system along most sections of Eglinton Avenue west of Yonge Street. City Council also adopted a resolution directing staff to implement the Eglinton Connects Streetscape Plan as development proceeds along Eglinton Avenue West. The applicant and a number of other parties have appealed OPA #253 to the Ontario Municipal Board. The report and Council's direction are available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG34.1>.

On August 25, 2014 City Council considered the Phase 1 (Part 2) Implementation Report for the Eglinton Connects Planning Study. City Council adopted an amendment to the City-wide Zoning By-law 569-2013 to permit mixed-use buildings along most of Eglinton Avenue West, west of Duplex Avenue that conform to the Council-approved Mid-rise Performance Guidelines. A portion of the subject site (859-861 Eglinton Avenue West) is included in the amendments. The applicant and a number of other parties have appealed this by-law to the Ontario Municipal Board. The Council's direction is available on the City's website at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG35.3>

Pre-Application Consultation

The applicant did not hold a pre-application consultation with staff to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

The applicant proposes to demolish the existing 2-storey commercial plaza located on the site and to construct a 16-storey mixed-use building with commercial uses at grade.

Along the Eglinton Avenue West frontage, the west portion of the building is 11 storeys in height (39.6 metres, plus 4.5 metre mechanical penthouse), while the east end of the building has a height of 16 storeys (55.9 metres, plus 4.5 metre mechanical penthouse). The tower portion of the building has a floor plate of 650 square metres. A stepback of 1.9 metres is provided at the 7th floor on the west end of the building, and the middle portion of the building steps back 1.9 metres at the 8th floor. The 16-storey tower portion of the building located at the east end of the site has a 1 metre stepback at the 9th floor.

The rear of the proposed building is divided into three components. The 16-storey tower portion of the building has a 3.5 metre stepback at the rear on the 7th floor. On the west side, approximately half of the 11-storey portion of the building is terraced down to the *Neighbourhood* to the south. The series of stepbacks are as follows:

Floor	Stepback
3-5	3 metres
6	3.28 metres
7-8	3.5 metres
9	2.94 metres
10	2.77 metres
11	4.5 metres

The remainder of the 11-storey portion of the building has a stepback of approximately 22.5 metres above the 1st floor allowing for a large 2nd floor terrace to be used as outdoor amenity space.

The building is set back 2.43 metres from the rear lot line abutting the low-rise residential neighbourhood to the south, and 1.12 metres from the rear lot line abutting the commercial buildings fronting onto Bathurst Street to the south. The proposed building is set back less than 1 metre on the Bathurst Street frontage, 0 metres on the west side by Peveril Hill North, and 0 metres on Eglinton Avenue West. On the ground floor, additional setbacks of 1.9 metres and 1.8 metres are provided along Eglinton Avenue West and Bathurst Street, respectively, resulting in sidewalk widths of approximately 10 metres and 7.2 metres on these streets.

The proposed development consists of 21,573 square metres of residential gross floor area, containing 253 residential units. There is a proposed unit mix of 157 one-bedroom units, 70 two-bedroom units, and 26 three-bedroom units. Two residential entrances will be located on the Bathurst Street and Peveril Hill North frontages. An entrance to the new Eglinton Crosstown LRT line is proposed on the Eglinton Avenue West frontage. The proposal has 564 square metres of indoor and 493 square metres of outdoor amenity space. The proposed Floor Space Index is 7.23 times the area of the lot.

A total of 232 parking spaces are proposed in a 3-level underground parking garage, comprised of 198 residential parking spaces, 25 visitor spaces, and 9 retail spaces. A Type G loading space will be provided. The parking garage and loading space will be accessed from a private driveway extending along the rear of the site with entrances on both Bathurst Street and Peveril Hill North. A total of 262 bicycle parking spaces will be provided.

The Site Plan and Elevations are included in Attachments 1-5. Additional project information is included in Attachment 7 of this report (Application Data Sheet).

Site and Surrounding Area

The subject site is rectangular in shape and approximately 3,125 square metres in size with frontages of 71.61 metres on Eglinton Avenue West, 50.27 metres on Peveril Hill North and 45 metres on Bathurst Street. The subject site is currently occupied by a 2-storey commercial plaza.

The elevation of the subject site varies, with the highest point at its northeast corner, and the lowest point at its southwest corner. The difference in elevation between the northeast and southwest corners of the site is approximately 4.9 metres.

The following uses surround the property:

North: 2-storey mixed-use buildings with retail/commercial at-grade with offices and/or residential units above. Further north on Bathurst St is a low-rise residential neighbourhood.

South: An existing public laneway. Along Peveril Hill there are single detached houses in a low-rise neighbourhood. Along Bathurst Street there are two-storey detached houses containing a mix of residential and office uses.

East: 2-storey commercial buildings and 4-storey residential apartment buildings further east on Eglinton Ave W.

West: 2-storey mixed-use buildings with retail/commercial at-grade with offices and/or residential units above.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, to be consistent with the PPS.

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

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is shown on an *Avenue* on Map 2 (Urban Structure) and designated *Mixed Use Areas* on Map 17 (Land Use) in the Official Plan.

Mixed Use Areas

The *Mixed Use Areas* designation (Section 4.5) in the Official Plan provides for a broad range of commercial, residential and institutional uses, in single-use or mixed-use buildings, as well as parks and open spaces and utilities.

Development in *Mixed Use Areas* is subject to development criteria to: locate and mass new buildings to provide a transition between areas of different development intensity and scale; provide appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*; locate and mass new buildings to adequately limit shadow impacts on adjacent *Neighbourhoods* particularly during the spring and fall equinoxes; provide good site access and circulation and an adequate supply of parking for residents and visitors; provide an attractive, comfortable and safe pedestrian environment; locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and, provide indoor and outdoor recreation space for residents in multi-unit residential buildings.

The Built Form policies (Section 3.1.2) of the Official Plan require that new development provide appropriate proportion between the building and the street right-of-way. The Built Form policies require that new buildings be located parallel to the street, be massed to define the street edge at good proportion and on corner sites giving prominence to the corner. *Mixed Use Areas* policy 2(e) reinforces the requirement that new buildings be massed to frame the edge of streets and parks with good proportion.

The Healthy Neighbourhoods policies (Section 2.3.1) of the Official Plan require that development in *Mixed Use Areas* provide a transition of scale and density through setbacks from adjacent *Neighbourhoods*. The Built Form policies also require that new development create appropriate transitions in scale to neighbouring existing and planned buildings. In addition, *Mixed Use Areas* policy 2(c) states that new development is to locate and mass new buildings to provide transition between areas of different development intensity and scale, through means such as setbacks, and stepping down of heights towards lower-scale *Neighbourhoods*.

Avenues

Avenues are important corridors along major streets where re-urbanization is anticipated and encouraged to create new housing and job opportunities. The *Avenues* will be transformed incrementally. They will change building-by-building over a number of years. The growth and redevelopment of *Avenues* should be supported by high quality transit services, urban design and traffic engineering practices that promote a street that is safe, comfortable, and attractive for pedestrians and cyclists.

Avenue Studies are intended to precede major development proposals for redevelopment on these streets. An Avenue study was completed for Eglinton Avenue in the form of the Eglinton Connects Planning Study.

Eglinton Connects Planning Study

The subject site falls within the Eglinton Connects Planning Study.

City Planning staff began working on the Eglinton Connects Planning Study in January 2012. This comprehensive planning study examined the land use planning framework, built form, public realm and road configuration on Eglinton Avenue between Weston Road and Kennedy Subway Station, corresponding to the extent of the Eglinton Crosstown LRT.

A long-term vision for the intensification of Eglinton Avenue was developed through extensive public consultation with residents and stakeholders. The vision states that "Eglinton Avenue will become Toronto's central east-west avenue – a green, beautiful linear space that supports residential living, employment, retail and public uses in a setting of community vibrancy. Its design will balance all forms of mobility and connect neighbourhoods and natural valley systems to the larger City and the region."

The Study findings, implementing zoning by-laws, and an Official Plan Amendment were adopted by City Council in 2014. The study and links to the various staff reports and implementing by-laws can be found here: <http://www.toronto.ca/planning/eglinton>

Public Laneway Policies

As discussed above, Council-approved amendments to the Official Plan to implement the Eglinton Connects Planning Study require the provision of a publicly accessible laneway, 6 metres in width, at the rear of this property in accordance with Site and Area Specific Policy No. 476 adopted by Council (refer to Decision History), through Official Plan Amendment 253. Such a lane would eventually become part of a continuous laneway system allowing deliveries and parking access off Eglinton Avenue West, in accordance with city-wide policy and best practices. The applicant has appealed OPA 253. City Council also directed that private and public redevelopment along Eglinton Avenue be required to provide public lanes in the rear, as shown in the plan, to be secured through appropriate agreements or permits.

City Council approved OPA 253 on July 8, 2014, and it has subsequently been appealed to the Ontario Municipal Board (OMB). As a result, OPA 253 as approved by City Council is relevant but not determinative in terms of the Official Plan policy framework.

OPA 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

The revised Policy in Section 2.3.1.3, Healthy Neighbourhoods, of the Official Plan requires that development within *Mixed Use Areas* that is adjacent or close to *Neighbourhoods* will:

- a) be compatible with those *Neighbourhoods*;
- b) provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
- c) maintain adequate light and privacy for residents in those *Neighbourhoods*;
- d) orient and screen lighting and amenity areas so as to minimize impacts on adjacent properties in those *Neighbourhoods*;
- e) locate and screen service areas and access to underground parking, locate any surface parking so as to minimize impacts on adjacent properties in those *Neighbourhoods*,

and enclose service and access areas where distancing and screening do not sufficiently mitigate visual and noise impacts upon adjacent properties in those *Neighbourhoods*; and

- f) attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.

Official Plan Amendment 320 as adopted by City Council is available on the City's website at: <http://www.toronto.ca/legdocs/bylaws/2015/law1297.pdf>

Zoning

The subject site is subject to the former City of York Zoning By-law 1-83, as amended, and is zoned MCR – Main Street Commercial/Residential. A range of uses are permitted including an apartment house, retail store, office, and restaurant.

MCR regulations include: a maximum building height of 8 storeys or 24 metres; a maximum floor space index of 2.5; the requirement that all access for vehicles be from a flanking street or public lane; angular plane provisions from a rear lot line which abuts an R1 or R2 district; and the requirement that at least one major building entrance provide direct access to the street.

In addition, a portion of the subject site at the corner of Eglinton Avenue West and Bathurst Street (859-861 Eglinton Avenue West) is subject to City of Toronto Zoning By-law 569-2013. This portion of the site is zoned 'CR', commercial/residential under the Zoning By-law 569-2013 which allows for the same broad range of uses as mentioned above along with the same permitted density and maximum height.

Zoning By-law 569-2013 was further amended by City Council in 2014 in accordance with the vision and recommendations of the Eglinton Connects By-law 1030-2014. The amendment requires buildings on the portion of the subject site at the corner of Eglinton Avenue West and Bathurst Street (859-861 Eglinton Avenue West) to follow the Mid-rise Performance Standards with a maximum height of 25.5 metres, with angular planes from the front and the rear lot lines.

Site Plan Control

The proposal is subject to Site Plan Control. The applicant has not yet submitted an application.

Mid-Rise Building Guidelines

City Council, at its meeting of July 6, 7, and 8, 2010, requested that staff use the Mid-rise Building Performance Standards in the evaluation of mid-rise development proposals on the *Avenues*. The vision for the *Avenues* is one of animated sidewalks and buildings that frame the street, with heights that are proportionate to the right-of-way widths and transition to *Neighbourhoods*.

The Mid-rise Guidelines set minimum performance standards guided by the objective to create healthy, liveable and vibrant main streets while protecting the stability and integrity of adjacent neighbourhoods.

In June 2016, City Council approved the Mid-rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used by City Staff together with the 2010 approved Mid-rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-rise Building Design Guidelines, which is targeted for the fourth quarter of 2017. Refer to the Council Decision

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and Attachment 1: Mid-rise Building Performance Standards Addendum (April 20, 2016)

<http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

Tall Building Design Guidelines

In May 2013, City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use them in the evaluation of tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

Reasons for the Application

The proposed height at 16 storeys plus mechanical penthouse (55.89 metres) and the proposed density of 7.23 FSI, require an amendment to Zoning By-law 1-83, as the permitted maximum building height is 8 storeys or 24 metres and maximum floor space index is 2.5. Further areas of non-compliance with the by-law will be identified through the review of the application.

A portion of the subject site, at the corner of Eglinton Avenue West and Bathurst Street (859-861 Eglinton Avenue West), is also subject to Zoning By-law 569-2013, which has the same permitted density and height as Zoning By-law 1-83. The proposed 16-storey development does not meet the requirements of the by-law in terms of height or density. Further areas of non-compliance with the by-law may be identified through the review of the application.

Zoning By-law 569-2013 was further amended by City Council in 2014 (By-law 1030-2014) in accordance with the vision and recommendations of the Eglinton Connects Study. The amendment requires buildings on the portion of the subject site at the corner of Eglinton Avenue West and Bathurst Street (859-861 Eglinton Avenue West) to follow the Mid-rise Performance Standards with a maximum height of 25.5 metres, with angular planes from the front and the rear lot lines.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Shadow Study, prepared by Quadrangle;

- Arborist Report, prepared by Bruce Tree Expert Company Ltd.;
- Planning Rationale Report, prepared by WND Associates Ltd.;
- Community Services and Facilities Study, prepared by WND Associates Ltd.;
- Avenue Segment Study, prepared by WND Associates Ltd.;
- Urban Transportation Considerations Report, prepared by BA Group;
- Environmental Noise Feasibility, prepared by Valcoustics Canada Ltd.;
- Functional Servicing Report, prepared by Cole Engineering;
- Phase I Environmental Site Assessment, prepared by CCI Group;
- Preliminary Pedestrian Level Wind Study, prepared by Theakston Environmental Consulting Engineers;
- Toronto Green Development Standard Checklist.

A Notification of Incomplete Application issued on August 23, 2016 identifies the outstanding material required for a complete application submission as follows: Geotechnical Report/Hydrogeological Review Report.

Issues to be Resolved

Issues to be addressed include, but are not necessarily limited to:

- Height, massing, and transition to the adjacent *Neighbourhood*;
- Privacy impact on the adjacent *Neighbourhood*;
- Impact on the Eglinton Avenue West and Bathurst Street streetscapes;
- Sun/Shadow impacts on Eglinton Avenue West;
- Wind conditions within the development site;
- Adequacy of outdoor amenity space;
- Traffic impact and access.

Height, Massing and Transition

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

As part of the Healthy Neighbourhoods policies in Section 2.3.1 of the Official Plan, development in *Mixed Use Areas* is to provide a gradual transition of scale and density from adjacent *Neighbourhoods*.

The Eglinton Connects Planning Study established the planned context and recommended a mid-rise built form for the subject site. The study resulted in amendments to Zoning By-law 569-2013 which apply to the portion of the subject site at the corner of Eglinton Avenue West and Bathurst Street (859-861 Eglinton Avenue West). The amendment permits a maximum height of 25.5 metres, with angular planes from the front and rear lot lines. The Eglinton Connects Planning Study took into account the proximity of the proposed station entrances for the Eglinton Crosstown LRT, as well as the potential for a tertiary entrance located on the subject site, and did not recommend greater intensification for this site.

The planned context for the *Avenue* along Eglinton Avenue West is a *Mixed Use Area* made up of mid-rise buildings. The proposed height of 16 storeys (55.9 metre, plus mechanical penthouse) for the tower portion of the building, and the proposed height of 11-storeys (39.6 metres, plus mechanical penthouse) for the base portion of the building would not fit harmoniously into the planned context. It exceeds the 27 metre right-of-way width of Eglinton Avenue West. The area context of the proposal does not support the proposed increase in height. A tall building is not appropriate development for this site.

The Healthy Neighbourhoods policies of the Official Plan require that development adjacent to *Neighbourhoods* will provide a gradual transition of scale and density through stepping down of buildings and setbacks from those *Neighbourhoods*. The Built Form policies require that new development create appropriate transitions in scale to neighbouring existing and planned buildings.

Mixed Use policy 2(c) further states that new development is to locate and mass new buildings to provide transition between areas of different development intensity and scale, through means such as setbacks, and stepping down of heights, particularly towards lower-scale *Neighbourhoods*. Angular planes are widely used and recognized as an appropriate form of transition, particularly when combined with an adequate setback from the property line.

The Mid-rise Building Guidelines state that in situations where the rear of the property is at a different grade level than the Avenue frontage, a rear angular plane should be taken from the lowest grade elevation of the adjacent property to the rear of the site. Due to grade changes on the subject site, the elevation at the rear of the site is 2-3 metres lower than the average elevation. When a 45 degree rear angular plane is applied using the elevation at the rear of the subject site, there are significant penetrations from the terraced 11-storey portion of the building. As well, the 16-storey tower portion of the building at the east end of the site does not comply with a rear angular plane.

Furthermore, while Planning staff do not support a tall building on the subject site, when reviewed against the Tall Building Design Guidelines, the proposed 16-storey tower does not provide appropriate tower setbacks. The 16-storey tower portion of the building is set back only 3.8 metres from the south lot line, whereas the Tall Building Design Guidelines recommend a minimum setback of 12.5 metres.

The proposed building does not comply with the *Mixed Use Areas*, Built Form, and Healthy Neighbourhood policies of the Official Plan or the Mid-rise Building Guidelines. The building does not provide adequate transition to the adjacent low-rise *Neighbourhood*.

Privacy

The proposed building would have negative privacy impacts on the adjacent low-rise *Neighbourhood* to the south. The proposed increase in height and lack of proper transition will create a negative impact on the privacy of the adjacent *Neighbourhood* to the south.

The large outdoor amenity area located at the rear of the building on the second floor is set back 2.43 metres from the rear lot line. Planning staff have concerns with the proximity of the amenity space to the adjacent *Neighbourhood* to the south, and the lack of landscape buffering along the south end of the amenity space.

Streetscape

The *Mixed Use Areas* policies of the Official Plan require that new development frame the edge of streets with good proportion. The Mid-rise Building Guidelines recommend that no part of the building is located above an angular plane drawn from the abutting street lot line, commencing at a height of 80% of the width of the right-of-way, and then angling upwards at an angle of 45 degrees away from the street over the site.

The proposed building does not comply with the front angular planes recommended by the Mid-rise Building Guidelines. Along Eglinton Avenue West, the proposed building provides stepbacks above the 6th floor at the west end of the building, above the 7th floor for the middle portion of the building, and above the 8th floor for the east end of the building. The 16-storey tower portion of the building is set back only 1 metre from both Eglinton Avenue West and Bathurst Street with balconies extending to the lot lines.

The proposed 16-storey (55.9 metres, plus mechanical penthouse) building does not frame the street with good proportion. The proposed development significantly penetrates the recommended angular planes in the Mid-rise Building Guidelines negatively impacting the Eglinton Avenue West and Bathurst Street streetscapes.

Sun/Shadow

The Built Form policies require new development to adequately limit any resulting shadowing of neighbouring streets, properties, and open spaces. The *Mixed Use Areas* policies require that new buildings are massed to frame the edge of streets with good proportion and maintain adequate sunlight for pedestrians on adjacent streets, parks and open spaces. The Official Plan states that City streets are significant public open spaces that provide amenities such as sky view, sunlight, and gathering places. The Mid-rise Building Guidelines recommend that a minimum of 5 hours of sunlight be maintained on the Avenue sidewalks.

The proposed building would significantly reduce the amount of sunlight on Eglinton Avenue West to less than 4 hours during the spring and fall equinox. The proposed building does not meet the Built Form or *Mixed Use Areas* policies of the Official Plan, or the Mid-rise Building Guidelines.

Traffic Impact and Access

The parking garage and loading space for the proposed development will be accessed from a private laneway extending along the rear of the site with entrances on both Bathurst Street and Peveril Hill North. The proposed private laneway will duplicate services as there is an existing public laneway located to the south of the site, adjacent to the low rise *Neighbourhood* along Peveril Hill North.

The Eglinton Connects Planning Study recommended the creation of a continuous laneway system allowing deliveries and parking access to be taken off Eglinton Avenue West, in accordance with city-wide policy and best practices. A publicly accessible laneway, 6 metres in width, would be required at the rear of the subject site by OPA 253. As part of the approval of the Eglinton Connects Planning Study, City Council directed that private and public redevelopment along Eglinton Avenue is required to provide public lanes in the rear, as shown in the plan, to be secured through appropriate agreements or permits.

The application should be revised to remove the duplication of services and extend the existing public laneway to Bathurst Street.

Wind

The wind study submitted by the applicant is unclear as to the wind conditions for the outdoor amenity space located on the second floor of the proposed building. The study states that mitigation measures may be necessary if "activities requiring long exposures are desired". Further details regarding the mitigation measures will be required in order to properly assess the proposed development.

Amenity Space

A total of 506 square metres of outdoor amenity space is required by the Zoning By-law. The proposed development will provide 493 square metres of outdoor amenity space. The application should be revised to provide the required amount of outdoor amenity space.

The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

CONCLUSION

The proposal constitutes overdevelopment of the subject site. This is a mid-rise building site based on the policies of the Official Plan. A tall building is not appropriate.

The proposed building does not fit within the planned context along Eglinton Avenue West and does not meet the Healthy Neighbourhoods, Built Form and *Mixed Use Areas* policies of the Official Plan. The proposed building conflicts with the Eglinton Connects Study, which recommends a mid-rise building for this site. The proposed 16-storey building does not meet the Mid-rise Building Guidelines.

The proposal is not acceptable in its current form and should be revised to address the above issues.

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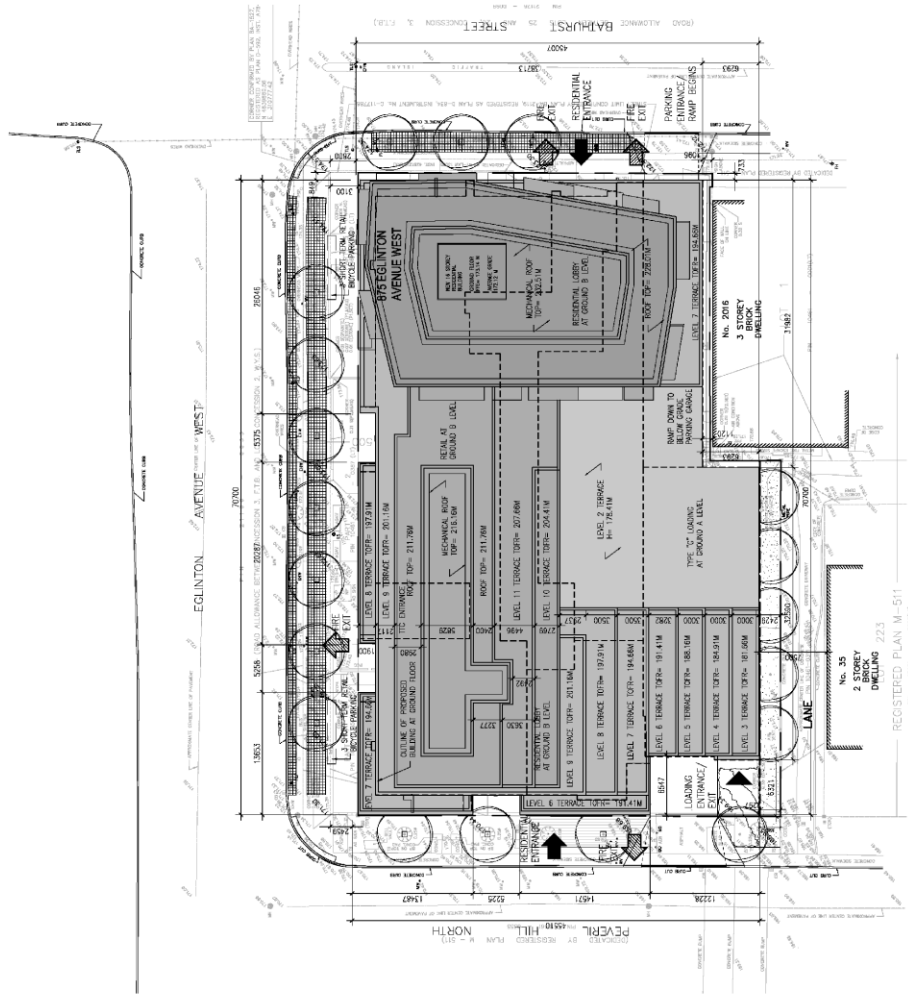
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

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ATTACHMENTS

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

Attachment 1: Site Plan



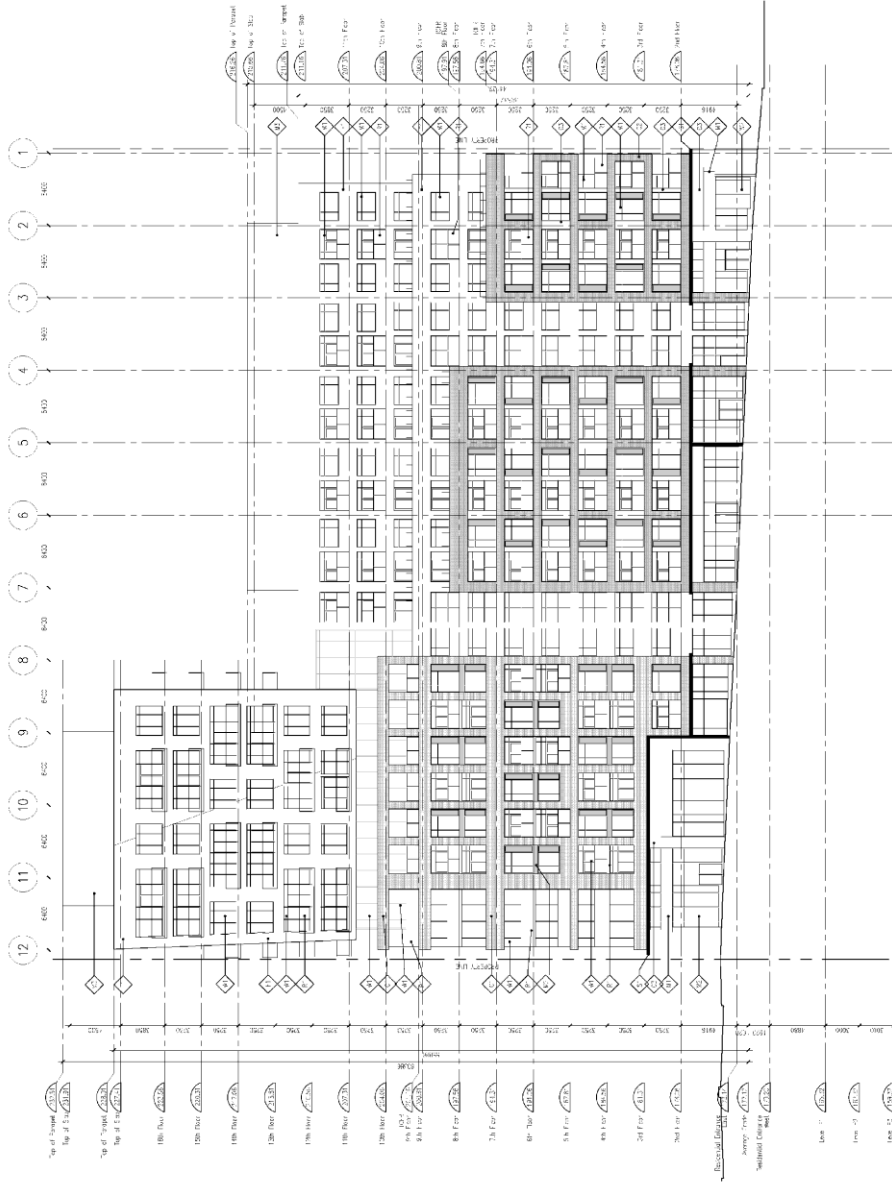
859-861 & 875 Eglinton Avenue West

Site Plan
 Applicant's Submitted Drawing

Not to Scale
 09/13/2016

File # 16 198806 STE 21 OZ

Attachment 2: North Elevation



North Elevation

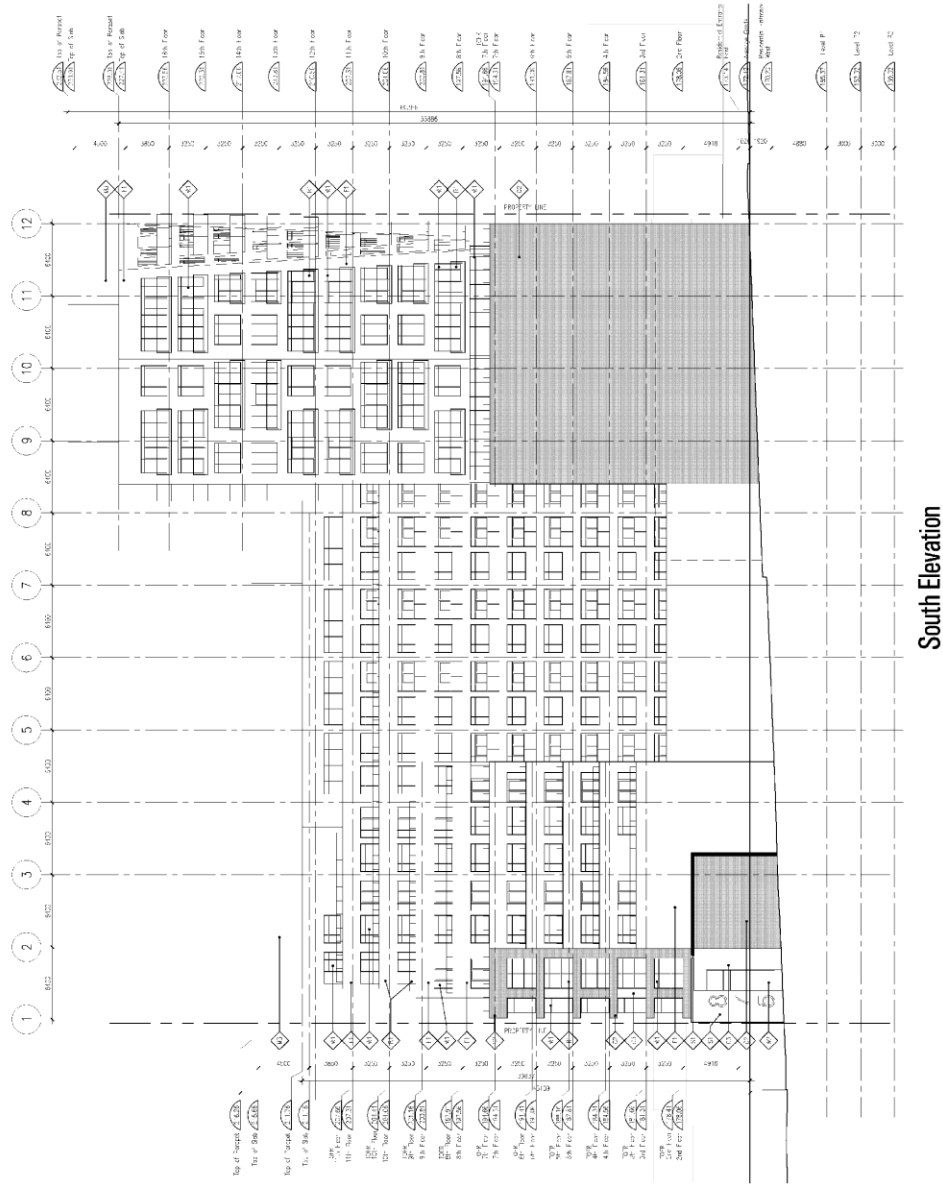
859-861 & 875 Eglinton Avenue West

Elevations
 Applicant's Submitted Drawing

Not to Scale
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File # 16 198806 STE 21 0Z

Attachment 3: South Elevation



859-861 & 875 Eglinton Avenue West

Elevations
Applicant's Submitted Drawing

Not to Scale
09/13/2016

File # 16 198806 STE 21 0Z

Attachment 4: East Elevation



East Elevation

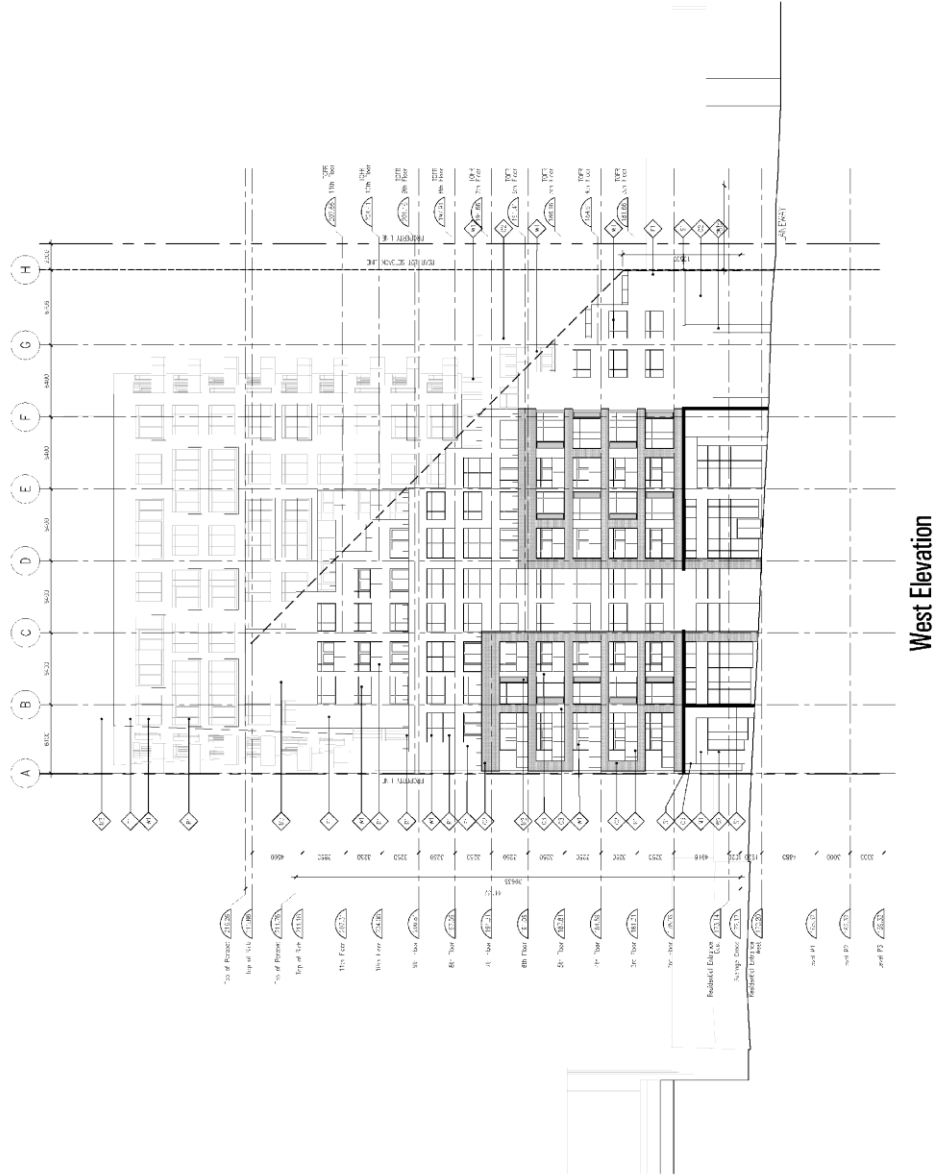
859-861 & 875 Eglinton Avenue West

Elevations
Applicant's Submitted Drawing

Not to Scale
09/13/2016

File # 16 198806 STE 21 0Z

Attachment 5: West Elevation



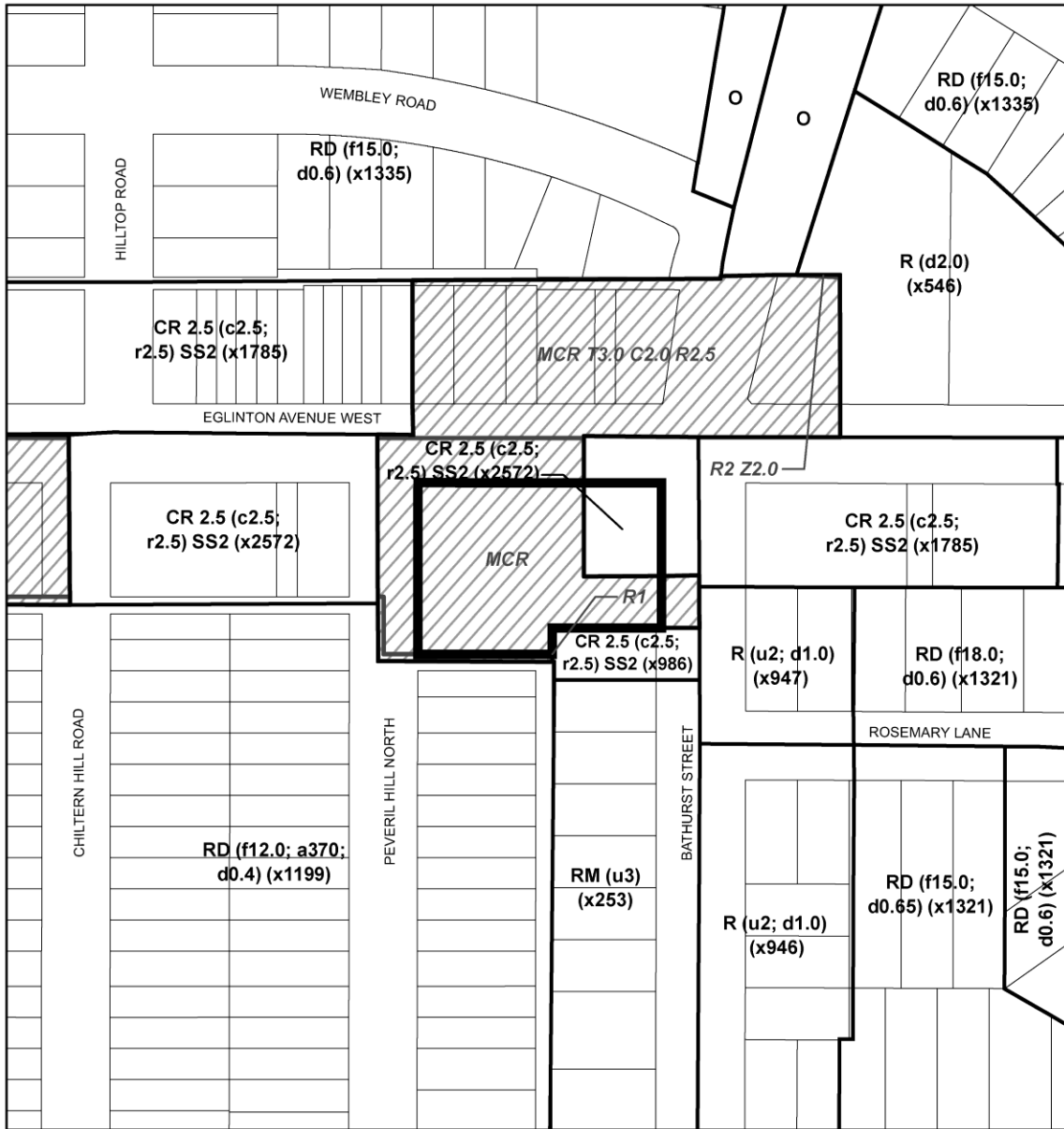
859-861 & 875 Eglinton Avenue West

Elevations
 Applicant's Submitted Drawing

Not to Scale
 09/13/2016

File # 16 198806 STE 21 OZ

Attachment 6: Zoning



Zoning By-Law No. 569-2013

859-861 & 875 Eglinton Avenue West

File # 16 198806 STE 21 0Z

Location of Application

R Residential
RD Residential Detached
RM Residential Multiple
CR Commercial Residential
O Open Space

See Former City of Toronto By-Law No. 438-86

R2 Residential District
MCR Mixed-Use District

See Former City of York By-Law No. 1-83

R1 Residential Zone
MCR Mixed Commercial Zone



Not to Scale
 Extracted: 09/13/2016

Attachment 7: Application Data Sheet

Application Type	Rezoning	Application Number:	16 198806 STE 21 OZ
Details	Rezoning, Standard	Application Date:	July 29, 2016

Municipal Address: 859-861 & 875 EGLINTON AVE W
 Location Description: & 2020 BATHURST ST PLAN M378 PT LOTS 499 & 500 66R 16487 PART 1 **GRID S2102
 Project Description: 16-storey mixed use building with terraced portion at 11th storey on the east side. The building has 253 residential units with retail on the ground floor and a proposed fsi of 7.23.

Applicant:	Agent:	Architect:	Owner:
DEVINE PARK LLP, 250 Yonge Street, Suite 2302, Toronto, ON M5B2L7	DEVINE PARK LLP, 250 Yonge Street, Suite 2302, Toronto, ON M5B2L7	Quadrangle Architects Ltd., 901 King Street West, Suite 701, Toronto, ON M5V 3H5	Upper Village Investments Limited and Bateg Investments Limited

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	N
Zoning:	CR 2.5 (c2.5; r2.5) SS2 (x2572)	Historical Status:	N
Height Limit (m):	5	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq. m):	3125.23	Height:	Storeys:	16
Frontage (m):	71.6		Metres:	55.9
Depth (m):	47.17			
Total Ground Floor Area (sq. m):	2005			Total
Total Residential GFA (sq. m):	21573.5		Parking Spaces:	232
Total Non-Residential GFA (sq. m):	1020		Loading Docks	1
Total GFA (sq. m):	22593.5			
Lot Coverage Ratio (%):	64			
Floor Space Index:	7.23			

DWELLING UNITS

FLOOR AREA BREAKDOWN (upon project completion)

		Above Grade	Below Grade
Tenure Type:	Condo		
Rooms:	0	Residential GFA (sq. m):	21573.5
Bachelor:	0	Retail GFA (sq. m):	874
1 Bedroom:	157	Office GFA (sq. m):	0
2 Bedroom:	70	Industrial GFA (sq. m):	0
3 + Bedroom:	26	Institutional/Other GFA (sq. m):	146
Total Units:	253		

CONTACT:	PLANNER NAME:	David Driedger, Planner
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