DA TORONTO

REPORT FOR ACTION

1-70 Eglinton Square, 1431 and 1437 Victoria Park Avenue, 14, 18, 19, 22, 23 and 26 Engelhart Crescent and 64 and 68 Harris Park Drive – Zoning Amendment Application – Request for Interim Directions Report

Date: May 18, 2018
To: Scarborough Community Council
From: Director, Community Planning, Scarborough District
Wards: Ward no. 35 – Scarborough Southwest

Planning Application Number: 17 242390 ESC 35 OZ

SUMMARY

This Report responds to an application where staff are currently not in a position to provide a Final Report to Council, but which could be appealed to the Local Planning Appeal Tribunal due to a lack of decision during the break in Council's meeting schedule (July to December 2018).

The report sets out outstanding issues related to the application and makes an initial determination as to whether or not the application is consistent with the Provincial Policy Statement (2014) and conforms with the Growth Plan for the Greater Golden Horseshoe (2017).

This application proposes to amend the Zoning By-law to permit five blocks of residential and mixed use development in a variety of forms including stacked townhouses, mid-rise and tall buildings at 1-70 Eglinton Square, 1431 and 1437 Victoria Park Avenue, 14, 18, 19, 22, 23 and 26 Engelhart Crescent and 64 and 68 Harris Park Drive. A total of 1814 units are proposed.

The application is premature and should not be considered until the Golden Mile Secondary Plan (GMSP) Study is completed. The proposed development is not supportable in its current form and has not demonstrated how it will fit in with a future vision for the Golden Mile Study Area. The proposed Zoning By-law Amendment, in its current form is not consistent with the Provincial Policy Statement (PPS 2014), does not conform with the Growth Plan for the Greater Golden Horseshoe (2017), and does not conform to the City's Official Plan.

RECOMMENDATIONS

The City Planning Division recommends that:

- 1. City Council direct City Staff to continue to work with the applicant to resolve outstanding issues detailed in this report in the context of the Golden Mile Secondary Plan Study;
- 2. This application be considered by Council following Council's consideration of the Golden Mile Secondary Plan;
- 3. City Council direct the City Solicitor and appropriate City Staff to attend and oppose the application in its current form, should the application be appealed to the Local Planning Appeal Tribunal (the "LPAT") on the basis of Council's failure to make a decision on the application within the statutory timeframe of the Planning Act.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

Eglinton Connects Planning Study

In May, 2014, City Council adopted the Eglinton Connects Planning Study which examined future land use, built form, public realm and road layout for the 19 kilometres of the Eglinton Crosstown Light Rail Transit (LRT). The Eglinton Crosstown LRT is a major public transit line approved and under construction along Eglinton Avenue from Weston Road to Kennedy Road. The LRT is expected to open in 2021. In conjunction with construction of the LRT, the City is developing a long-range plan for the Eglinton Avenue corridor that includes economic growth, intensification and beautification.

The Eglinton Connects Planning Study identified six Focus Areas along the Eglinton Avenue corridor with the capacity to accommodate future residential, mixed use, and/or employment growth. Each Focus Area was identified as requiring further study. The Golden Mile was identified as one of the Focus Areas having the capacity to accommodate significant mixed-use, residential, and employment intensification and redevelopment through more detailed planning and analysis.

Further information on Eglinton Connects, including staff reports and study material, can be found at <u>www.toronto.ca/eglinton</u>.

Golden Mile Secondary Plan Study (GMSP)

At its meeting of April 5, 2016, Scarborough Community Council received, for information, a report from the Acting Director, Community Planning, Scarborough District, dated March 15, 2016, advising that City Planning is initiating a Golden Mile Secondary Plan Study for the lands known as the Golden Mile Focus Area, as

recommended in the Eglinton Connects Planning Study, adopted by City Council in May, 2014. The intent of the Golden Mile Secondary Plan study is to develop a vision and comprehensive planning framework specific for the Golden Mile Focus Area that will form the foundation and recommendations for a Golden Mile Secondary Plan, Urban Design Guidelines, Conceptual Master Plan, Community Infrastructure Strategy, Transportation Master Plan, Master Servicing Plan, Parks and Open Space Strategy and other strategies and planning tools that will further reinvestment and new development within the Golden Mile's *Mixed Use Areas, Apartment Neighbourhoods* and *Employment Areas* in advance of the construction of the Eglinton Crosstown LRT.

The GMSP Study includes two key study components:

- A Market Analysis and Economic Strategy Study to provide an understanding of current economic and employment conditions and to suggest an economic strategy for the Golden Mile area that would assist and inform the development of a land use policies, guidelines and a concept plan for the Golden Mile area; and
- The Golden Mile Secondary Plan Study to build upon the findings of the Golden Mile Market Analysis and Economic Strategy Study and develop a vision and planning framework for the GMSP Focus Area.

UrbanMetrics Inc. was retained by City Planning to undertake the Golden Mile Market Analysis and Economic Strategy Study. This Study was completed in December, 2016. At its meeting of April 4, 2017, Scarborough Community Council received as information, the Golden Mile Market Analysis and Economic Strategy Final Report. Further information on the Golden Mile Market Analysis and Economic Strategy Report can be found at:

http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.SC21.12

The Golden Mile Market Analysis and Economic Strategy Study provides an understanding of current economic and employment conditions to inform the GMSP Study. Following a detailed analysis of current conditions and future opportunities, the Study made a number of recommendations related to:

- Development Incentives, including: Golden Mile Community Improvement Plan; Tax Increment Equivalent Grants; and Development Charge Exemption for all Office Space.
- Parking, including: reduced parking standards; prohibition of surface parking for new development; and a centralized parking facility.
- Programming and Institutional, including a Golden Mile Business Improvement Area (BIA).
- Land Use Policy, including: provision of office space in mixed use projects; infill proposals; re-purpose older industrial buildings in Employment Areas; enhanced pedestrian connections to LRT stops; and active street frontage and uses.
- Design Guidelines.

Phase One of the GMSP Study has focused on understanding the GMSP Study area and its surrounding context, developing an understanding of the opportunities and constraints within the Golden Mile and identifying the necessary work to be undertaken in other components of the Study. This phase also developed draft guiding principles and a draft vision that will inform the work to be undertaken in Phase Two. Phase One of the GMSP Study was completed in December, 2017.

Phase Two of the Study commenced in January, 2018 and will further develop a vision and guiding principles for the Study area. Phase Two will encompass the identification, analysis and testing of alternative planning and design scenarios (alternatives) for the Golden Mile. At the conclusion of Phase Two and following further public consultation, a preferred alternative will be recommended and advanced for policy development and plan implementation.

The final phase of the GMSP Study will result in the development of Official Plan policies, guidelines and implementation strategies and is expected to be brought to City Council for consideration in early 2019.

Official Plan Amendment Application 16 230597 ESC 35 OZ and Rental Housing Demolition Control Application 16 230698 ESC 35 RH (same lands as for subject zoning by-law amendment application)

At its meeting of January 31, 2017, Scarborough Community Council considered a Preliminary Report from the Director, Community Planning, Scarborough District, dated December 13, 2016, respecting an application to amend the Official Plan for the lands at 1-70 Eglinton Square, 1431 & 1437 Victoria Park Avenue, 14, 18, 19, 22, 23 and 26 Engelhart Crescent, and 64 & 68 Harris Park Drive. The application proposes to apply a Site and Area Specific Policy to the subject lands to add new policies to guide future mixed-use development on the lands. A related Rental Housing Demolition application was also submitted which proposes to remove 91 existing rental units in the eight apartment buildings at 14, 18, 19, 22, 23 and 26 Engelhart Crescent and 64 & 68 Harris Park Drive, to be replaced in the future redevelopment of the subject lands.

Scarborough Community Council adopted the recommendations of the report, which included in particular that staff will process the applications concurrently with, and within the context of, the GMSP Study, and that the applications would be considered by Council concurrently or following Council's consideration of the GMSP.

Further information on the December 13, 2016 report on the Official Plan Amendment application on the subject lands tabled at the January 31, 2017 Scarborough Community Council meeting can be found at: http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2017.SC19.19.

The applicant filed an appeal to the Ontario Municipal Board (OMB) as it was then constituted, on November 10, 2016 for the City's failure to make a decision on the application to amend the Official Plan. A pre-hearing conference was held on April 5, 2018 wherein the legal counsel for the owner and the City of Toronto both advised that a Secondary Plan Study for the Golden Mile Focus Area, which includes the subject properties, is underway and acknowledged the value of allowing the Study to advance before dealing any further with the appeal of the application to amend the Official Plan.

A second pre-hearing conference has been set for October 18, 2018 to provide an update on the status of the Golden Mile Secondary Plan Study and any other relevant matters.

Rezoning Application 17 242390 ESC 35 OZ

The subject rezoning application was submitted on October 3, 2017 and deemed complete on February 7, 2018. A Preliminary Report on the application was adopted by Scarborough Community Council on January 16, 2018 authorizing staff to conduct a community consultation meeting with an expanded notification area. The Preliminary Report and the decision of SCC can be found at the following link: http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2018.SC27.7.

Pre-application Consultation

A pre-application consultation meeting was held on June 6, 2017 with the applicant to discuss complete application submission requirements. At the meeting staff expressed a strong desire that the applicant withhold their zoning by-law amendment application until the GMSP Study was complete.

ISSUE BACKGROUND

Proposal

The applicant proposes to rezone the subject lands to permit the development of a mixed use community on the Eglinton Square lands (1-70 Eglinton Square) and lands to the south and southwest (1431 & 1437 Victoria Park Avenue, 14, 18, 19, 22, 23 and 26 Engelhart Crescent, and 64 & 68 Harris Park Drive). See Attachment 2: Location Map.

The application proposes to retain the existing Eglinton Square Mall and to develop surface parking lot areas on the site. Existing Beer Store and H&R Block buildings at 1431 & 1437 Victoria Park Avenue are proposed to be replaced by two towers, with the southerly tower atop a 4-6 storey base building. Eight existing walk-up apartment buildings facing Engelhart Crescent and Harris Park Drive are proposed to be replaced with mid-rise buildings to the north of Engelhart Crescent and stacked townhouses to the south. The application proposes development on five blocks as follows:

- Block A fronting Eglinton Avenue A mixed-use development consisting of two towers (38 and 40 storeys) rising from a 6-storey base building, 696 residential units and 22,554 m² of retail space, with 713 parking spaces in two levels of below grade parking and five partial levels of above grade parking.
- Block B fronting Pharmacy Avenue and Alvinston Road A mixed-use development consisting of one tower (25 storeys) rising from a 6-storey base building, 304 residential units and 692 m² of retail space, with 211 parking spaces located below grade.
- Block C fronting Victoria Park Avenue A mixed-use development consisting of two towers (25 and 30 storeys) rising from 4 and 6-storey base buildings, 495 residential units and 1,416 m² of retail space, with 346 parking spaces located below grade.

- Block D fronting Engelhart Crescent Two 8-storey mid-rise buildings that are connected at the ground floor containing 207 residential units, with 144 parking spaces located below grade.
- Block E fronting Engelhart Crescent and Harris Park Drive A 4-storey stacked townhouse development in five building blocks containing 112 residential units, with rooftop terraces and 111 parking spaces located below grade.

In total, the application proposes 1,814 residential units and 24,662 m² of nonresidential Gross Floor Area, as well as 1,525 parking spaces and 1,401 bicycle parking spaces. See Attachment 1: Application Data Sheet; Attachment 3: Site Plan; Attachments 4-8: Elevations for more information respecting the application.

As previously noted, applications have been received to amend the Official Plan (File No.: 16 230597 ESC 35 OZ) and for Rental Housing Demolition under Municipal Code Chapter 667 (File No.: 16 230698 ESC 35 RH). These applications proposed the same development concept as the present zoning application with the exception of Block D, which was previously proposed to be redeveloped as three blocks of four storey stacked townhouses. The change in development form in that block has increased the proposed number of units from 1640 to the present 1814. Further, the application to amend the Official Plan has been appealed by the owner to the OMB as previously noted.

Site and Surrounding Area

The subject lands include a total of 7.511 hectares. Present uses on the subject lands include the Eglinton Square Mall, extensive areas of surface parking lots, commercial-retail uses at 1431 & 1437 Victoria Park Avenue (Beer Store, H&R Block and Ontario Conservatory of Music), and eight 3-storey walk-up apartment buildings with a total of 91 rental units. The subject area is generally flat, with lands to the west and south sloping downward such that the subject lands occupy an area of high ground.

The easterly portion of the Eglinton Square Mall, which includes the Metro supermarket, Burger King and City Optical as well as their associated parking lots, is not part of the application or development proposal. Surrounding land uses are as follows:

- North: Across Eglinton Avenue, a large footprint retail-office plaza (known as the 'Golden Mile Shopping Centre') featuring No Frills, Bulk Barn, Dollarama, Scotiabank, Joe Fresh, Fit 4 Less, City of Toronto Employment and Social Services offices, and a number of food outlets (designated *Mixed Use Areas*), known as the Golden Mile Shopping Centre. Beyond this development is a second smaller plaza at 1525-1527 Victoria Park Avenue that contains Value Village, Pet Valu, Woodgreen Employment Services, the Victoria Park Hub and office uses on a second storey. An area designated *Apartment Neighbourhoods* comprising fourteen 4-storey apartment buildings is located east of Victoria Park Avenue, north of the Golden Mile Shopping Centre, and west of Pharmacy Avenue.
- South: The Clairlea residential community, designated *Neighbourhoods*, is an area of predominantly single family dwellings with a few low rise apartment

buildings. South of the subject lands at1421 Victoria Park Avenue is a two storey Bell utility building, designated *Mixed Use Areas*.

- West: Lands at the northwest and southwest corner of O'Connor Drive and Victoria Park Avenue are designated *Mixed Use Areas*. They contain a townhouse development and a variety of commercial uses to the north of O'Connor Drive, and more commercial uses to the south of O'Connor Drive. Further south along Victoria Park Avenue to Sunrise Avenue, lands are designated *Apartment Neighbourhoods*, which comprise two 10-storey and six 4-storey apartment buildings.
- East: A large single storey employment use lies on the southeast corner of Pharmacy Avenue at Eglinton Avenue East (1891 Eglinton Avenue). The northerly portion of the site was redesignated to *Mixed Use Areas* through OPA 231 and a Site and Area Specific Policy applied (SASP 435). The southerly portion of the lands are designated *General Employment Areas* by OPA 231. Further south is the lpex plastics manufacturing plant, a large scale employment use.

Section 2 of the *Planning Act*

The *Planning Act* governs land use planning in Ontario and sets out the means by which a municipality must implement land use planning decisions. In particular, Section 2 of the *Planning Act* requires that municipalities, when carrying out their responsibility under this Act shall have regard to matters of provincial interest including:

- the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- the orderly development of safe and healthy communities;
- the adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- the adequate provision of a full range of housing, including affordable housing;
- the adequate provision of employment opportunities;
- the co-ordination of planning activities of public bodies;
- the resolution of planning conflicts involving public and private interests;
- the protection of public health and safety;
- the appropriate location of growth and development;
- the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- the promotion of built form that,
 - (i) is well-designed,
 - (ii) encourages a sense of place, and
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

These matters, which all approval authorities shall have regard for in carrying out their responsibilities under the *Planning Act*, are particularly relevant to this proposal.

Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

The Provincial Policy Statement (2014) (the "PPS") provides policy direction provincewide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

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

The provincial policy-led planning system recognizes and addresses the complex interrelationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

The Growth Plan for the Greater Golden Horseshoe (2017) (the "Growth Plan") provides a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part, including:

• Setting minimum density targets within strategic growth areas and related policies directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, cultivate a culture of conservation and promote compact built form and better-designed communities with high quality built form

and an attractive and vibrant public realm established through site design and urban design standards;

- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Building complete communities with a diverse range of housing options, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable employment lands and encouraging municipalities to develop employment strategies to attract and retain jobs;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan seeks to optimize provincial investments in *higher order transit* by directing growth to *major transit station areas* and other *strategic growth areas*. The Eglinton Connects Planning Study identified the Golden Mile as one of six focus areas having the capacity to accommodate significant mixed-use, residential and employment intensification and as such is a *strategic growth area*.

Schedule 5 of the Growth Plan identifies Eglinton Avenue as a priority transit corridor and Map 4 of the Official Plan identifies Eglinton Avenue as a higher order transit corridor. The Growth Plan policies for *major transit station* areas on priority *transit corridors* inform the evaluation of this application. Policies include:

- 2.2.4.8 b): the areas around *major transit station* areas will be planned with infrastructure to support *active* transportation, including sidewalks, bicycle lanes, and secure bicycle parking;
- 2.2.4.9 a): development will be supported by planning for a diverse mix of uses, including *affordable* housing to support existing and planned transit service levels; and
- 2.2.5 d): integrating and aligning land use planning and economic development goals and strategies to attract investment and employment.

Like other provincial plans, the Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards.

Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

Policy 5.1 of the Growth Plan states that where a municipality must decide on a planning matter before its official plan has been amended to conform with this Plan, or before other applicable planning instruments have been updated accordingly, it must still consider the impact of its decision as it relates to the policies of the Growth Plan which require comprehensive municipal implementation.

Staff have reviewed the proposed development for consistency with the PPS (2014) and for conformity with the Growth Plan (2017). The outcome of staff analysis and review are summarized in the Comments section of the Report.

Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Chapter 2 - Shaping the City

Section 2.2 Structuring Growth in the City: Integrating Land Use and Transportation

The Official Plan states that future growth within Toronto will be steered to areas which are well served by transit, the existing road network and which have a number of properties with redevelopment potential. Growth areas in the City are locations where good transit access can be provided along bus and rapid transit routes. Areas that can best accommodate this growth are shown on Map 2 – Urban Structure of the Official Plan.

The lands immediately north and south of Eglinton Avenue are identified as an *Avenue* on Map 2. A portion of the Eglinton Square lands are included in the *Avenue* area, which also encompasses those lands proposed for development in Block A. Eglinton Avenue East within the Golden Mile Study Area is a major arterial and a Higher Order Transit Corridor, as described by Maps 3 & 4 in the Official Plan.

Section 2.2.3 Avenues: Reurbanizing Arterial Corridors

Chapter 2 of the Official Plan sets out a policy framework and strategy for managing Toronto's growth and includes policies respecting *Avenues*. An *Avenue* is an important corridor along a major street where reurbanization is anticipated and encouraged to create new housing and job opportunities, while improving the pedestrian environment, the appearance of the street, shopping opportunities and transit service for community residents. Section 2.2.3 states that the framework for new development on an *Avenue* will be established through an *Avenue* (segment) Study, resulting in appropriate zoning and design guidelines created in consultation with the local community. Development may be permitted on the *Avenues* prior to an *Avenue* Study and will be considered on the basis of all the policies of the Plan.

Development applications on lands designated *Mixed Use Areas* and located along an *Avenue*, which proceed in advance of an *Avenue* Study, have the potential to set a precedent for the form and scale of reurbanization along the *Avenue*. In addition to the *Mixed Use Areas* policies, proponents of such proposals are also required to address the larger context and examine the implications for the segment of the *Avenue* in which the proposed development is located. Development requiring a rezoning will not be allowed to proceed prior to completion of an *Avenue* Study unless the review demonstrates to Council's satisfaction that subsequent development of the entire Avenue segment will have no adverse impacts within the context and parameters of the review.

Policy 2.2.3.3 c) states that in addition to satisfying all other policies of the Plan, including in particular the neighbourhood protection policies, development in *Mixed Use Areas* on an *Avenue* that precedes the completion of an Avenue Study will:

- i. Support and promote the use of transit;
- ii. Contribute to the creation of a range of housing options in the community;
- iii. Contribute to an attractive, safe and comfortable pedestrian environment that encourages walking and strengthens local retailing;
- iv. Provide universal physical access to all publicly accessible spaces and building;
- v. Conserve heritage properties;
- vi. Be served by adequate parks, community services, water and sewers, and transportation facilities;
- vii. Be encouraged to incorporate environmentally sustainable building design and construction practices that;
 - 1) Reduce stormwater flows;
 - 2) Reduce the use of water;
 - 3) Reduce waste and promote recycling;
 - 4) Use renewable energy systems and energy efficient technologies; and
 - 5) Create innovative green spaces such as green roofs and designs that reduce the urban heat island effect.

Section 2.3.1 Healthy Neighbourhoods

The rear (south) portion of the Eglinton Square Mall property and the other properties that are the subject of the application (1431 & 1437 Victoria Park Avenue, 14, 18, 19, 22, 23 and 26 Engelhart Crescent, and 64 & 68 Harris Park Drive) are not identified as part of the *Avenue* portion of Eglinton Avenue East. The Healthy Neighbourhoods policies of the Official Plan (policy 2.3.1.1) state that *Neighbourhoods* are considered to be physically stable areas. Development within *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and opens space patterns in these areas. Policy 2.3.1.3 further states that intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. Where significant intensification of land adjacent to *Neighbourhoods* or *Apartment Neighbourhoods* is proposed, Council will determine, at the earliest point in the process, whether or not a Secondary Plan,

area specific zoning by-law or area specific policy will be created in consultation with the local community following an *Avenue Study*, or area based study.

Chapter 3 - Building a Successful City

Section 3.1.1 The Public Realm

The Plan recognizes the importance of good design in the creation of a great city. The policies contained in this section emphasize the need for new development to improve the public realm and recognize the essential role the City's streets, open spaces, parks, ravines, natural areas and other key public assets play in creating a great city. The policies are designed to ensure that a high standard is achieved through urban design, landscaping, and architecture for both public and private development and works. Public Realm policies also provide for new streets to be public; new development blocks to be appropriately sized and parks and open spaces to be well designed and appropriately located.

Section 3.1.2 Built Form

The Built Form policies in Section 3.1.2 of the Official Plan require that new development be located and organized to fit within its existing and/or planned context and to frame and support adjacent streets, parks and open spaces. Section 3.1.3 (Built Form – Tall Buildings) further articulates that the City's taller buildings come with larger civic responsibilities and obligations than other buildings. This section of the Plan provides direction respecting Tall Buildings, addressing key urban design considerations, including:

- meeting the built form principles of the Official Plan;
- demonstrating how the proposed buildings and site designs will contribute to and reinforce the overall City structure;
- demonstrating how the proposed buildings and site designs relate to the existing and/or planned context;
- taking into account the relationship of the topography and other tall buildings; and
- providing high quality, comfortable and usable publically accessible open space areas.

Section 3.1.4 Public Art

Section 3.1.4 of the Official Plan recognizes the importance of Public Art to reflect the City's cultural diversity and history. Public art is encouraged to be included in all significant private sector developments.

Section 3.2.1 Housing

The Housing policies in Section 3.2.1of the Official Plan support a full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods. New housing supply will be encouraged through intensification and infill that is consistent with the Official Plan. Where six or more rental housing units will be lost as a result of redevelopment, the rental units are required to be replaced with the same number, type and size of units. Large residential developments provide an opportunity to achieve a mix of housing in terms of types and affordability. On large sites, such as the Eglinton Square Mall and associated lands, generally greater than 5 hectares in

size, where an increase in density and/or height is proposed, the policies of the Plan provide for 20 percent of the additional residential units to be affordable housing.

Section 3.2.2 Community Services and Facilities

The Community Services and Facilities policies in Section 3.2.2 of the Official Plan state that strategies for providing new social infrastructure or improving existing community service facilities will be developed for areas that are inadequately serviced or experiencing major growth or change, and will be informed through the preparation of a community services strategy. The inclusion of community service facilities are encouraged in all significant private sector development.

Section 3.3 Building New Neighbourhoods

When creating new neighbourhoods, it is important to have a comprehensive planning framework to reflect the Plan's city-wide goals as well as the local context. Policy 3.3.1 states that the framework should include:

- the pattern of streets, development blocks, open spaces and other infrastructure;
- the mix and location of land uses;
- a strategy to provide parkland and to protect, enhance or restore natural heritage;
- a strategy to provide community services and local institutions; and
- a strategy to provide affordable housing

Policies 3.3.2 and 3.3.3 further state that new neighbourhoods must be viable as communities and be carefully integrated into the surrounding fabric of the City. This objective is also captured in Section 1.2 of the adopted city-wide Tall Building Design Guidelines, wherein a master plan for larger sites is required.

Chapter 4 – Land Use Designations

The lands at 19 & 23 Engelhart Crescent and 64 & 68 Harris Park Drive are designated *Neighbourhoods* on Map 20 of the Official Plan (refer to Attachment 9: Official Plan Land Use Map). *Neighbourhoods* are physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes and townhouses, as well as interspersed walk-up apartments that are no higher than four storeys. Section 4.1 of the Official Plan outlines policies pertaining to lands within the *Neighbourhoods* designation.

The Official Plan contains specific development criteria related to lands designated *Neighbourhoods*. On infill sites where it is not possible to maintain the prevailing pattern of lot size, configuration and/or orientation in established area, Policy 4.1.9 sets out the development criteria to guide the development. The criteria set out in Policy 4.1.9 requires infill development in established Neighbourhoods to:

- a) have heights, massing and scale appropriate for the site and compatible with that permitted by the zoning for adjacent and nearby residential properties;
- b) provide adequate privacy, sunlight and sky views for residents of new and existing buildings by ensuring adequate distance and separation between building walls and using landscaping, planting and fencing to enhance privacy where needed;

- c) front onto existing or newly created public streets wherever possible, with no gates limiting public access;
- d) locate and screen service areas and garbage storage to minimize the impact on existing and new streets and residences.

The lands at 1-70 Eglinton Square and the properties at 1431 & 1437 Victoria Park Avenue and 14, 18, 22 & 26 Engelhart Crescent are designated *Mixed Use Areas* on Map 20 of the Official Plan (refer to Attachment 9: Official Plan Land Use Map). The *Mixed Use Areas* designation provides for a broad range of commercial, residential and institutional uses, in single-use or mixed-use buildings, as well as parks, open spaces and utilities. Section 4.5.2 includes development criteria in *Mixed Use* Areas, which direct that new development:

- a) create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community;
- b) provide for new jobs and homes for Toronto's growing population, creating and sustaining well-paid, stable, safe and fulfilling employment opportunities;
- c) locate and mass new buildings to provide a transition between areas of different development intensity and scale by providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- d) locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*;
- e) locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- f) provide an attractive, comfortable and safe pedestrian environment;
- g) take advantage of nearby transit services;
- h) provide good site access and circulation and an adequate supply of parking for residents and visitors;
- i) locate and screen service areas, ramps and garbage areas to minimize the impact on adjacent streets and residences; and
- j) provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, Council adopted Official Plan Amendment No. 320 (OPA 320) on December 10, 2015 to strengthen and refine the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods, allow limited infill on underutilized *Apartment Neighbourhood* sites and implement the City's Tower Renewal Program.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016, and this decision has been appealed in part. On December 13, 2017 the OMB issued an Order partially approving OPA 320 and brought into force new Policies 10 and 12 in Section 2.3.1, Healthy Neighbourhoods and Site and Area Specific Policy No. 464 in Chapter 7. Other portions of OPA 320 remain under appeal, and these appealed policies as approved and modified by the Minister are relevant and represent Council's

policy decisions, but they are not in effect. More information regarding OPA 320 can be found here: <u>www.toronto.ca/OPreview/neighbourhoods</u>.

In addition, OPA 320 adds new criteria to existing Healthy Neighbourhoods policy 2.3.1.2 in order to improve the compatibility of new developments located adjacent and close to *Neighbourhoods* and in *Mixed Use Areas*, *Apartment Neighbourhoods* and *Regeneration Areas*. The new criteria address aspects in new development such as amenity and service areas, lighting and parking.

Official Plan Amendment No. 231

At its December 16, 2013 meeting, City Council adopted Official Plan Amendment (OPA) No. 231. OPA 231 was approved (in part) by the Province in July, 2014. OPA 231 promotes a balanced growth of jobs and housing across the City so Torontonians can both live and work in the City, and reduce the need for long distance commuting and avoid congestion on the City's roads.

OPA 231 also added new policies to Section 3.5.1 of the Official Plan respecting the promotion of office development within *Mixed Use Areas* and on lands within 500 metres of a subway/LRT/GO Station. While currently under appeal, these policies are intended to provide for minimum standards for commercial development and increased non-residential gross floor area within mixed use buildings.

Chapter 5 – Implementation: Making Things Happen

Section 5.1.1 of the Official Plan contains policies to secure public benefits in exchange for increased height and density for new development pursuant to Section 37 of the Planning Act. Section 37 may be used to secure community benefits, provided the proposal represents good planning and is recommended for approval.

Section 5.2.1, state that Secondary Plans establish local development policies to guide growth and change in a defined area of the City. Specifically, Secondary Plans will guide the creation of new neighbourhoods and employment districts, they will promote a desired type and form of physical development that result in functional and attractive communities and plan for appropriate transition in scale and activity, while ensuring adequate public infrastructure and environment protection.

Policy 5.3.1.4 states that consideration of development proposals, the City will ensure that the intensity and scale of proposed development can be accommodated by the various components of the City's infrastructure.

Section 5.3.3 of the Official Plan discusses the constant need for investment in infrastructure and services to maintain and improve our quality of life. Policy 5.3.3.2 refers to the need for new municipal investment to replace, enhance or build new infrastructure to implement this Plan will be identified through a multitude of implementation plans and strategies, including Secondary Plans. Community service and facility strategies and other similar city-building initiatives.

The Official Plan can be found on the City's website at: <u>https://www1.toronto.ca/wps/portal/contentonly?vgnextoid=03eda07443f36410VgnVCM</u> <u>10000071d60f89RCRD</u>.

The City of Toronto Official Plan can be found here: <u>https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/</u>.

Zoning

The Eglinton Square Mall property as well as 1431 & 1437 Victoria Park Avenue are zoned Commercial Residential (CR 0.1 (c0.1; r0.0) in the City of Toronto Zoning By-law 569-2013, as amended. This zone permits a wide range of uses including dwelling units, community centre, retail store, eating establishment, and recreation use. However, the current site specific zoning does not permit residential development. The properties at 14, 18, 19, 22, 23 and 26 Engelhart Crescent and 64 & 68 Harris Park Drive are zoned Residential Apartment (RA (ou99)(x475)) and (RA (ou99)(x476)) in the City of Toronto Zoning By-law 569-2013, as amended. Permitted uses in this zone include dwelling units, park, community centre, residential care home and seniors community house.

Under the Clairlea Community Zoning By-law 8978, as amended, the Eglinton Square Mall and the two subject properties on Victoria Park Avenue are zoned District Commercial (DC). Permitted uses are day nurseries and district commercial uses, which are defined as retail stores, offices, personal services, places of assembly, hotels, preparation and retail sale of foods and/or beverages for consumption on or off the premises. The remaining properties are zoned Apartment Residential (A), with permitted uses limited to apartment buildings, day nurseries, group homes, multiplefamily dwellings, and private home day care.

Refer to Attachment 10: Existing Zoning By-law Map.

Design Guidelines

City-Wide Tall Building Design Guidelines

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines 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. The link to the guidelines is here:

https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf

Avenues and Mid-rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and stepbacks, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods* and *Parks* and *Open Space Areas* and corner sites. The link to the guidelines is here: <u>https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/.</u>

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Its decision is here:

http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2016.PG12.7 and http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf.

Townhouse and Low-rise Apartment Guidelines

City Council has adopted city-wide Townhouse and Low-Rise Apartment Guidelines and directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development applications. The new Townhouse and Low-Rise Apartment Guidelines replace the Infill Townhouse Guidelines (2003) and is intended to be used in the review of an application when the proposed built form meets the City's Official Plan Policies. The new Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios. The link to the Guidelines is here:

https://www.toronto.ca/city-government/planning-development/official-planguidelines/design-guidelines/townhouse-and-low-rise-apartments/

Growing Up Draft Urban Design Guidelines

In July 2017, Toronto City Council adopted the Growing Up Draft Urban Design Guidelines, and directed City Planning Staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals. The objective of the Growing Up Draft Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale.

Site Plan Control

The lands are subject to site plan control. A Site Plan Control application has not been filed in support of this proposal.

Reasons for Application

The currently applicable zoning for the subject lands does not permit residential development at 1-70 Eglinton Square and 1431 & 1437 Victoria Park Avenue. Zoning at 14, 18, 19, 22, 23 and 26 Engelhart Crescent and 64 & 68 Harris Park Drive contains specific provisions respecting setbacks and lot coverage and other matters and stacked townhouses are not a permitted use in the City of Toronto Zoning By-law 8978. An amendment to the Clairlea Community Zoning By-law 8978, as amended for the former City of Scarborough and the City of Toronto Zoning By-law 569-2013, as amended, is required to permit the proposed development and to establish appropriate development standards including: use, building height, massing, stepbacks and setbacks; density of development; and vehicular and bicycle parking amongst other standards.

Application Submission

The Eglinton Square Mall and associated properties are not presently located within a Secondary Plan area, nor has the City undertaken an *Avenue* Study for these lands or any adjacent lands. The owner has proposed and submitted under separate cover an

Official Plan Amendment (OPA) to establish a vision for the partial redevelopment of the site and a Rental Housing Demolition application. The subject application to amend the Zoning By-law is intended to implement the Official Plan Amendment. In support of the application, the owner has submitted the following reports/studies:

- Planning Rationale
- Avenue Segment Study Response
- Housing Issues Report Addendum
- Urban Design Brief
- Shadow Study
- Pedestrian Level Wind Study
- Community Services and Facilities Study
- Public Consultation Strategy
- Arborist Report and Tree Preservation Plan
- Transportation Impact Study
- Noise Impact Study
- Energy Strategy
- Hydrogeological Reports for each proposed Block
- Functional Servicing Report
- Toronto Green Standard Checklist

A Notice of Incomplete Application was issued on November 6, 2017, which identified that an Avenue Segment Study, a Master Plan for the site to address all elements per Section 3.3 of the Official Plan and an Energy Strategy as per terms of reference sections 3.a and 3.b, as outstanding for a complete application.

The applicant submitted an Avenue Segment Study, Master Plan for the site to address Section 3.3 of the Official Plan; and an Energy Strategy and a Notice of Complete Application was issued on February 26, 2018.

Agency Circulation

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received will be used to assist in evaluating the application. The GMSP Study process will also directly inform the review and evaluation of the application, specifically the GMSP Study will identify improvements and investment necessary to benefit workers and residents, and support the long term health of the Golden Mile Focus Area. The GMSP Study will provide direction on a number of planning matters such as the appropriate built form and densities that respect adjacent *Neighbourhoods, Apartment Neighbourhoods, Employment Areas* and *Parks and Open Space Areas*. The Study will review community infrastructure, servicing, transportation, built form and public realm relationships, and synergies across all users and uses within the Study area.

Community Consultation

A Community Consultation Meeting was held by City Planning, in consultation with the Ward Councillor, on April 10, 2018 at Clairlea Public School. The meeting was attended by approximately 100 people. Planning staff presented the policy framework, an overview of the application and reasons for the application. The applicant then

presented a more detailed description of the proposal. Following the presentations, City staff facilitated a question and answer period.

The following provides a summary of the comments, issues and concerns expressed both at the meeting and individually submitted to City Planning:

Relating to Built Form:

- significant concerns were raised over the proposed heights; many felt the proposed buildings were too tall
- concerns were raised over potential shadow impacts on abutting neighbourhoods, particularly Block B
- impact to light, view and privacy of neighbouring properties
- proposed density is too high
- lack of green space on the site
- inadequate regard for City guidelines

Relating to Community Considerations:

- the area is being over developed, especially with tall buildings
- impact of proposed development on existing community services in area, including schools, parks, libraries, etc.; and cumulative impact of future developments
- traffic infiltration and ability of existing streets to handle increased traffic from development; already high volumes of traffic and safety concerns
- concerns about lack of schools and teachers and overcrowding in classrooms
- concerns over whether there are appropriate services to accommodate this development and future redevelopment proposed along Golden Mile, including: capacity of existing utilities and sewers; stormwater management; and waste management
- concerns of cumulative impact of this development and others along Golden Mile
- concerns over light pollution

Relating to Construction:

- wanted to know how construction is managed
- concerns over truck traffic and congestion, dust and pollution during construction of proposed development and the Eglinton LRT
- damage to local streets during construction
- construction noise, both for proposed development and Eglinton LRT

Relating to Rental demolition:

- concerns over where existing rental units get replaced
- question about whether any additional rental units are being proposed beyond those being replaced
- concerns that there will be increases to rents once units are replaced

Relating to GMSP Study:

- concerns over the process and how to become involved
- clarity on boundary of Study area
- how to ensure the applicant complies with the future GMSP

 concerns over the cumulative impacts of proposed units/density across the Study area

COMMENTS

During the pre-application meeting, Planning staff expressed a strong desire that the applicant withhold their zoning by-law amendment application until the GMSP Study was complete.

Staff are of the opinion that the proposed rezoning application is premature and should not proceed in advance of the GMSP Study, which will establish a Secondary Plan for the lands known as the Golden Mile Focus Area as recommended in the Eglinton Connects Planning Study. The intent of the Secondary Plan is to establish a vision and policy framework for further reinvestment and new development within the Golden Mile's *Mixed Use Areas, Apartment Neighbourhoods and Employment* Areas in advance of the Eglinton Crosstown LRT.

In the absence of a completed Secondary Plan for the Golden Mile Focus Area, staff are of the opinion that the proposed development application does not have regard for relevant matters of provincial interest in Section 2 of the *Planning* Act, is not consistent with the Provincial Policy Statement (2014) and does not conform with the Growth Plan for the Greater Golden Horseshoe (2017).

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2017). The proposal has also been reviewed and evaluated against Policy 5.1 of the Growth Plan as described in the Issue Background section of the Report.

In the absence of a Secondary Plan for the Golden Mile Focus Area, staff are of the opinion that the proposal does not demonstrate that it is consistent with the PPS and does not conform with the Growth Plan for the reasons outlined below.

The PPS sets the direction for development, intensification and redevelopment that supports an appropriate mix of land uses for healthy, livable and safe communities. This is implemented through policies noted below.

Section 1, Policy 1.1.1 (b), (c), (d) and (g) of the PPS states that:

- (b) accommodating an appropriate range and mix of residential....employment (including industrial and commercial), institutional...recreation, park and open space, and other uses to meet long-term needs;
- (c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- (d) *avoiding* development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;

(g) ensuring that necessary *infrastructure*, electricity generation facilities and transmission and distribution systems, and *public service facilities* are or will be available to meet current and projected needs.

Policy 1.1.3.2 a) and b) states that land use patterns within settlement areas shall be based on the efficient use of land and resources and shall be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs. *Intensification* and *redevelopment* shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources and Section 3: Protecting Public Health and Safety.

Policies 1.1.3.6 and 1.1.3.7 states that new development in *designated growth areas* should occur adjacent to the existing built-up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities;* and that planning authorities shall establish and implement phasing policies to ensure the orderly progression of development and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.

Policies in 1.3.1 of the PPS encourage and promote economic development and competitiveness by providing for an appropriate mix and range of employment and institutional uses to meet long-term needs and ensuring the necessary *infrastructure* is provided to support current and projected needs.

With respect to Policies 1.1.3.2 a) and b), 1.1.3.3, 1.1.3.6, 1.1.3.7 and 1.3.1 noted above, the City has initiated the GMSP study that amongst other matters, will examine strategies to direct and manage anticipated growth and development within the Golden Mile area. It is critical to align proposed and anticipated growth and development with infrastructure and public service facilities. The proposed development has not demonstrated the ability to accommodate projected needs from the proposed development with respect to infrastructure and public service facilities, nor has it demonstrated and appropriate mix and range of employment and institutional uses.

Policy 1.4.3 c) and d) state that planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected needs by directing the development of new housing towards locations where appropriate levels of infrastructure and *public service* facilities are or will be available to support current and projected needs and support the efficient and wise use and management of land and *infrastructure* and transportation choices that increase the use of active transportation and transit in areas where it exists or is to be developed. The proposed development has not demonstrated an appropriate level of infrastructure and public service facilities to support the proposed intensification; it has not demonstrated an appropriate range and mix of housing types; and has not been designed in a manner to achieve a complete community.

Section 1.5, Policy 1.5.1 a) and b) state that healthy, active communities should be promoted by "planning public streets, spaces and facilities to be safe, meet the needs of

pedestrians, foster social interaction and facilitate *active transportation* and community connectivity" and by "planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for *recreation*, including facilities, parklands, public spaces, open space areas, trails and linkages...". The proposed development has not demonstrated an appropriate public realm plan that creates a healthy, complete community with spaces that are safe, connected and pedestrian friendly, nor has it demonstrated an appropriate parks/open space strategy for the site.

Section 1.6 speaks to Infrastructure and Public Service Facilities and that they should be coordinated and integrated with land use planning to ensure they are financially viable and that they are able to meet current and projected needs. The proposed development has not demonstrated how it would support the achievement of adequate community services, including schools, libraries and community centres, to meet current and/or projected needs.

The PPS is not intended to mandate any form of intensification in all situations, but rather relies on local official plans to set out a suitable policy framework to guide development and intensification in a manner consistent with provincial interests. As previously noted, the GMSP Study is currently well underway. The Study will develop vision and comprehensive planning framework specific for the Golden Mile that will form the foundation and recommendations for a GMSP, Urban Design Guidelines, Conceptual Master Plan, Community Infrastructure Strategy, Transportation Master Plan, Master Servicing Plan, Parks and Open Spaces Strategy and other strategies and planning tools. The Golden Mile planning framework will incorporate the use of policies and strategies designed to manage the anticipated growth in employment and the residential population within the Golden Mile area. Staff are of the opinion that the proposed Zoning By-law Amendment is premature in the context of the on-going GMSP Study, and in its current form, does not demonstrate that it is consistent with the PPS (2014).

The Guiding Principles in Section 1.2.1 support the achievement of complete communities, as defined in the Growth Plan, recognizing that communities can take different shapes and forms appropriate to their context. The Guiding Principles also support a range and mix of housing options and the integration of land use planning with planning and investment in *infrastructure* and *public service* facilities.

With regard to policy 2.2.1.4, in achieving complete communities, amongst other aspects, there are requirements to provide a diverse mix of land uses, a diverse range and mix of housing options, and to ensure that development is of high quality *compact built* form, and attractive and vibrant *public* realm, including public open spaces, through site design and urban design standards.

The proposed development has not demonstrated how it will support the achievement of a complete community that supports healthy, active living in a high quality compact built form, it has not provided an appropriate range and mix of housing options, it has not provided an appropriate public realm plan, it has not provided an acceptable open space/parks strategy, nor has it demonstrated how it would support the achievement of adequate infrastructure and public service facilities to meet current and/or projected needs. Policy 2.2.2.4 states that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas which will:

- a) encourage intensification generally to achieve a desired urban structure;
- b) identify the appropriate type and scale of development and transition of built form to adjacent areas;
- c) identify strategic *growth areas* to support achievement of the intensification target and recognize them as a key focus for development;
- d) ensure lands are zoned and development is designed in a manner that supports the achievement of *complete communities*;
- e) prioritize planning and investment in *infrastructure* and *public service facilities* that will support *intensification*; and
- f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

In the absence of a completed GMSP, the proposed development is premature, and does not demonstrate that it conforms with Section 2.2.2.4. b), c), d), e) and f) of the Growth Plan. The proposed development does not represent an appropriate scale of development for the surrounding area and does not appropriately transition to adjacent properties; it is not designed in a manner to achieve a complete community; it has not demonstrated infrastructure and public service facilities to support the proposed intensification.

Policies in 2.2.4 and 2.2.5 in the Growth Plan inform development in and around *major transit station* areas on priority *transit corridors* and speak to the importance of planning for infrastructure to support *active* transportation and the provision of diverse mix of uses, including *affordable* housing to support existing and planned transit service levels. The subject properties are located along Eglinton Avenue, a *priority transit corridor*, and are strategically situated between two *major transit station areas* at O'Connor Drive and Pharmacy Avenue. The proposed development has not demonstrated an appropriate mix and diversity of uses, including affordable housing affordable housing, to accommodate people at all stages of life, or new employment opportunities required to support existing and planned transit service levels, nor has it demonstrated how it will support and/or provide the infrastructure required for *active* transportation.

In Section 3, Infrastructure to Support Growth, well planned infrastructure is essential to the viability of communities and critical to economic competitiveness, quality of life, and the delivery of public services. The policies in this section provide a framework to guide and prioritize *infrastructure* planning and investment. Policies 3.2.1.1 and 3.2.1.2 state that *infrastructure* planning, land use planning, and *infrastructure* investment must be coordinated and the planning for new or expanded *infrastructure* will occur in an integrated manner, including evaluation of long-range scenario-based land use planning and financial planning, and will be supported by *infrastructure* master plans. Further, the proposed development does not conform with Section 5.2.4.5. requiring the type and scale of development to be contextually appropriate; integrated planning for *infrastructure* and *public service facilities*; and the achievement of *complete communities*. At present, neither a transportation master plan or a servicing plan has

been provided by the applicant that adequately demonstrates it can support the proposed development.

Similar to the PPS, the Growth Plan also contains policies to develop a public open space system. Policy 4.2.5.2 states that "municipalities are encouraged to establish an open space system within *settlement areas*, which may include opportunities for urban agriculture, rooftop gardens, communal courtyards, and public parks". At present, the proposal has not demonstrated an appropriate parks/open space strategy for the site.

In Section 5.2.5 Targets, Policy 6 states that "in planning to achieve the minimum intensification and density targets in the Plan, municipalities will develop and implement urban design and site design official plan policies and other supporting documents that direct the development of a high quality *public realm* and *compact built form*".

As discussed above, staff are unable to determine the impact of the proposed development on infrastructure and public service facilities and whether or not the development would support the achievement of complete communities, including a diverse mix of land uses, sufficient open space and adequate community services. The scale, massing and heights proposed do not recognize the local context, both existing and planned and do not demonstrate a high quality public realm and compact built form.

The GMSP Study will incorporate policies and strategies designed to manage anticipated growth in the Golden Mile area. The GMSP Study will also provide direction on appropriate built form and densities, to ensure a high quality public realm is achieved. Staff are of the opinion that the proposed Zoning By-law Amendment is premature, and in its current form, does not conform to, and conflicts with the Growth Plan.

Official Plan

Section 4 of the PPS outlines methods in which the PPS should be implemented and interpreted. Policy 4.7 states that a municipality's "Official Plan is the most important vehicle for implementation of this Provincial Policy Statement" and that "comprehensive, integrated and long-term planning is best achieved through official plans." Furthermore, the PPS directs municipalities to provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

The lands at 19 & 23 Engelhart Crescent and 64 & 68 Harris Park Drive (Block E) are designated *Neighbourhoods*. The applicant is proposing to demolish the existing 4-storey walk-up apartment buildings and replace them with 4-storey stacked townhouses in five building blocks. The criteria for development in *Neighbourhoods* (4.1.5) includes a requirement to respect and reinforce the existing physical character of the neighbourhood, including the prevailing building type. The Healthy Neighbourhoods Policy 2.3.1.1 requires that development will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in neighbourhoods. There are concerns with the proposed stacked townhouses from a land use and development criteria perspective.

The lands at 1-70 Eglinton Square and the properties at 1431 & 1437 Victoria Park Avenue and 14, 18, 22 & 26 Engelhart Crescent are designated *Mixed Use Areas*. A portion of these lands are identified as an Avenue. Chapter 2 of the Official Plan sets out a policy framework and strategy for managing Toronto's growth and includes policies respecting Avenues. Development applications on lands designated Mixed Use Areas and located along an Avenue, which proceed in advance of an Avenue Study, have the potential to set a precedent for the form and scale of reurbanization along the Avenue. In addition to the Mixed Use Areas policies, proponents of such proposals are also required to address the larger context and examine the implications for the segment of the Avenue in which the proposed development is located. Development requiring a rezoning will not be allowed to proceed prior to completion of an Avenue Study unless the review demonstrates to Council's satisfaction that subsequent development of the entire Avenue segment will have no adverse impacts within the context and parameters of the review. In this regard, the proposed development has not adequately addressed the larger context, nor has it adequately demonstrated that it satisfies the policies contained in Section 2.2.3.3, including in particular the neighbourhood protection policies and the availability of infrastructure to support the proposed development.

Healthy Neighbourhoods Policy 2.3.1.3 states that "Intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. Where significant intensification of land adjacent to a *Neighbourhood* or *Apartment Neighbourhood* is proposed, Council will determine, at the earliest point in the process, whether or not a Secondary Plan, area specific zoning by-law or area specific policy will be created in consultation with the local community following an *Avenue Study*, or area based study. In this regard, City Council adopted the "Eglinton Connects Planning Study", which identified the Golden Mile as one of the Focus Areas having the capacity to accommodate significant mixed-use, residential, and employment intensification and redevelopment through a more detailed planning and analysis. At its meeting of April 5, 2016, staff advised Scarborough Community Council that it was initiating the "Golden Mile Focus Area Secondary Plan Study". The intent of the Secondary Plan is to develop a vision and policy framework for further reinvestment and new development. The Study will include:

- A vision and planning framework for the Golden Mile;
- Additional policies to the City's Official Plan;
- Urban Design Guidelines;
- Transportation Master Plan;
- Community Infrastructure Strategy;
- Parks and Open Space Strategy; and
- Built form, streetscape, pedestrian, cycling and public art strategies

Phase Two of the Study commenced in January, 2018 and will further develop a vision and guiding principles for the Study area. The final phase of the GMSP Study will result in the development of Official Plan policies, guidelines and implementation strategies and is expected to be brought to City Council for consideration in early 2019.

The proposal for the lands at 1-70 Eglinton Square and the properties at 1431 & 1437 Victoria Park Avenue and 14, 18, 22 & 26 Engelhart Crescent, in its current form, does not provide for a development that achieves the objectives of the Official Plan.

Conclusion

The proposed Zoning By-law Amendment application has been reviewed against the policies of the PPS (2014), the Growth Plan (2017) and the Official Plan. Staff are of the opinion that the Zoning By-law amendment is premature in the context of the ongoing Golden Mile Secondary Plan Study, and in its current form, is not consistent with the Provincial Policy Statement (PPS 2014), does not conform with the Growth Plan for the Greater Golden Horseshoe (2017), and does not conform to the City's Official Plan.

Staff recommend that City Council direct City Staff to continue to negotiate with the applicant to try to resolve the outstanding issues detailed in this report in the context of the ongoing GMSP Study. City Council direct the City Solicitor, and appropriate City Staff, to attend and oppose the application in its current form should the application be appealed to the Local Planning Appeal Tribunal (the "LPAT") on the basis of Council's failure to make a decision on the application within the statutory timeframe.

CONTACT

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E-mail:	Kelly.Dynes@toronto.ca

SIGNATURE

Paul Zuliani, Director Community Planning, Scarborough District

ATTACHMENTS

Attachment 1: Application Data Sheet Attachment 2: Location Map Official Plan Land Use Map Attachment 3: Existing Zoning By-law Map Attachment 4: Attachment 5: Site Plan Elevations Block A Attachment 6: Attachment 7: Elevations Block B Attachment 8: Elevations Block C Attachment 9: Elevations Block D Attachment 10: Elevations Block E

Attachment 1: Application Data Sheet

Application Type	R	ezoning		Appli	blication Number:		17 242390 ESC 35 OZ				
Details		ezoning, Sta	ndard		cation Date:		October 3, 2017				
Municipal Address		EGLINTON		11							
Location Descripti	on: Pl	PLAN 4141 PT BLK X IR **GRID E3501									
Project Description	us Pa St ra re no	Zoning By-law amendment to apply zoning for five development blocks in a mixed use community. Includes land known as 1-70 Eglinton Square, 1431 & 1437 Victoria Park Avenue, 14,18,19-23 & 26 Engelhart Crescent and 64, 68 Harris Park Drive. Stacked townhomes, two 8 storey mid-rise buildings and five mixed use towers ranging from 25 to 40 storeys on base buildings of 4-8 storeys. Overall 1814 units of residential development representing 158,038 m2 of GFA and 24,662 m2 of new non-residential (retail) GFA are proposed, for a total of 182,700 m2 of new GFA. The existing Eglinton Square mall is proposed to be retained.									
Applicant:	A	gent:		Architect:		Owner:					
SHERMAN BROV	٧N				KS EGLINTON SQUARE						
PLANNING CON	FROLS										
Official Plan Desig	/	lixed Use reas/Neighbo	urboode	Site Speci Provision:	Specific						
Zoning:	C	0	-2013), DC &	Historical	Status:	N/A					
Height Limit (m):		R 11m; RA 2	4 m	Site Plan (Area:	Control	Yes					
PROJECT INFOR	MATION										
Site Area (sq. m): 7511		10	Height:	eight: Storeys:		Ranging from 4 to 40					
Frontage (m):			on Eglinton Ave			15.6-133.1					
		on Victoria Park Ave. north to south									
Total Ground Floor Area (sq. m): 40		m): 408	52				Tota	l			
Total Residential GFA (sq. m): 15		: 158	38 Parking		Parking Sp	Spaces: 1525					
		• • •	Proposed: 24662 Total: 48662 206700		Loading Docks 9						
Total GFA (sq. m):											
Lot Coverage Ratio (%):		54									
Floor Space Index		2.75	5								
DWELLING UNIT	S		FLOOR AR	EA BREAK	DOWN (upo	on proje	ct comp	oletion)			
Tenure Type:	Re	ental, Condo			A	bove G	irade	Below Grade			
Rooms:	0		Residential C	GFA (sq. m):	: 1	58038		0			
Bachelor:	3		Retail GFA (sq. m):	4	8662		0			
1 Bedroom:	10	1011 Office		⁼ A (sq. m):				0			
2 Bedroom:		640 Industrial GFA		· · /				0			
3 + Bedroom:		60	Institutional/0	Other GFA (GFA (sq. m): 0			0			
Total Units:	18	814									
CONTACT:	NTACT: PLANNER NAME: Kelly Dynes, Senior Planner										
	TELEPHON	NE:	416-396-4250)							









Attachment 4: Elevations Block A





Applicant's Submitted Drawing Not to Scale 10/16/17

Elevations

Staff Report for Action – Request for Interim Directions Report – 1 Eglinton Square





Attachment 9: Official Plan Land Use Map





Attachment 10: Existing Zoning By-law Map