

## **815-845 Eglinton Avenue East – Official Plan and Zoning By-law Amendments and Plan of Subdivision Applications – Request for Directions Report**

Date: October 29, 2019  
To: North York Community Council  
From: Director, Community Planning, North York District  
Wards: Ward 15 - Don Valley West

**Planning Application Number:** 16 210199 NNY 26 OZ, 18 201853 NNY 26 OZ & 18 201865 NNY 26 SB

### **SUMMARY**

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Official Plan and Zoning By-law Amendments and Plan of Subdivision applications have been submitted to the City, proposing the redevelopment of the existing 3.56 hectare (8.8 acre) site at the southeast corner of Eglinton Avenue East and Laird Drive at 815-845 Eglinton Avenue East. Proposed are a mix of uses comprised of residential, commercial, and office with various heights of 2, 4, 10, 12, 18, 21, 36 and 38-storeys, a total of 1,673 residential units, a floor space index of 3.84, gross floor area of 138,830 square metres, a 2,100 square metre (1-storey) community space, and a 3,770 square metre public park. Also proposed are a private internal street and a new public street extension of Don Avon Drive.

The Official Plan Amendment application was submitted on August 19, 2016, and has been appealed to the Ontario Municipal Board, now Local Planning Appeal Tribunal (LPAT) as of October 3, 2017, and the Zoning By-law Amendment and Plan of Subdivision applications were submitted on July 30, 2018, and have been appealed to the LPAT as of October 2, 2019, as a result of Council's failure to make a decision within the time prescribed by the Planning Act. A full hearing at the LPAT was scheduled to commence on November 12 to 22, 2019. The parties to the Official Plan Amendment appeals have also agreed to pursue private mediation, which is tentatively scheduled to take place on November 18, 19 and 20, 2019, and which may include consideration of all three related applications. A case management conference (CMC) will also take place at the LPAT on Thursday, November 14, 2019.

The report recommends that the City Solicitor, together with City Planning staff and any other City staff as appropriate, appear before the Local Planning Appeal Tribunal (LPAT) hearing to oppose the applications in their current form and to continue discussions with the applicant in an attempt to resolve outstanding issues outlined in this report.

In terms of site organization, the proposal is generally consistent with the Laird in Focus study objectives. However, the proposal in its current form is not in keeping with the Council endorsed Laird in Focus Planning Study heights which are being considered through the draft Site and Area Specific Policy (SASP 568) at North York Community Council on November 5, 2019.

## **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council authorize the City Solicitor, together with City Planning staff and any other City staff as appropriate, to appear before the Local Planning Appeal Tribunal (LPAT) hearing to oppose the appeal respecting the Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision applications in their current form for the lands at 815-845 Eglinton Avenue East.
2. City Council authorize the City Solicitor and appropriate staff to continue discussions with the applicant in an attempt to resolve the outstanding issues outlined in the report dated October 29, 2019 from the Director, Community Planning, North York District regarding 815-845 Eglinton Avenue East, and report back to City Council on the outcome of discussions, if necessary.
3. Should the Local Planning Appeal Tribunal approve the applications, City Council direct the City Solicitor to advise the Local Planning Appeal Tribunal that the Zoning By-laws should not be approved without the provision of such services, facilities or matters pursuant to Section 37 of the Planning Act, as may be considered appropriate by the Chief Planner and Executive Director, City Planning in consultation with the applicant and the Ward Councillor.
4. In the event that the Local Planning Appeal Tribunal (LPAT) allows the appeal in whole or in part, City Council direct the City Solicitor to request the LPAT to withhold the issuance of any Orders on the Official Plan and/or Zoning By-law Amendments and/or Plan of Subdivision appeals for the subject lands until such time as:
  - a. the Local Planning Appeal Tribunal has been advised by the City Solicitor that the proposed Official Plan and Zoning By-law Amendments are in a form and with content satisfactory to the City;
  - b. the City Solicitor confirms the satisfactory execution and registration of a Section 37 Agreement satisfactory to the Chief Planner and Executive Director, City Planning to secure the Section 37 matters;
  - c. a peer review of the submitted Environmental Noise and Vibration Assessment Report has been undertaken, at the expense of the applicant, to the satisfaction of the Chief Planner and Executive Director, City Planning and any recommended mitigation measures are included in the subdivision conditions and/or Section 37 Agreement;

- d. a peer review of the submitted Air Quality, Dust and Odour Assessment Report has been undertaken, at the expense of the applicant, to the satisfaction of the Chief Planner and Executive Director, City Planning and any recommended mitigation measures are included in the subdivision conditions and/or Section 37 Agreement;
- e. the LPAT has been provided with a list of subdivision conditions to the satisfaction of the Chief Planner and Executive Director, City Planning and the Owner has entered into a subdivision agreement with the City to secure matters related to the plan of subdivision, to the satisfaction of the Executive Director, Engineering and Construction Services, the Director, Community Planning, North York District and the City Solicitor;
- f. the Local Planning Appeal Tribunal has received confirmation from the City Solicitor that the Owner has at the Owner's expense:
  - i. addressed all outstanding engineering issues outlined in the memo dated September 20, 2019, from Engineering and Construction Services as they relate to the Official Plan and Zoning By-law Amendment applications, and Plan of Subdivision application, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services;
  - ii. provided a Functional Servicing Report and Stormwater Management Report, satisfactory to the Chief Engineer and Executive Director, Engineering and Construction Services, and the General Manager, Toronto Water;
  - iii. designed and provided financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing Report and Stormwater Management Report, to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and General Manager, Toronto Water, should it be determined that improvements or upgrades are required to support the development, according to the accepted Functional Servicing Report and Stormwater Management Report, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water;
  - iv. confirmation from the City Solicitor that the implementation of the Functional Servicing Report and Stormwater Management Report, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Transportation Services does not require changes to the proposed amending by-laws or any such required changes have been made to the proposed amending by-laws to the satisfaction of the Chief Planner, City Planning Division and the City Solicitor; and
  - v. that should it be deemed necessary by the Chief Engineer and Executive Director, Engineering and Construction Services, the by-laws and the Section 37 agreement shall require the owner, at no cost to the City, prior to the issuance of any above grade permit for all or any part of the site, including for clarity, any

conditional above-grade building permit, to design, financially secure, construct, and make operational, any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Functional Servicing Report and Stormwater Management Report, to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, the General Manager, Toronto Water, and the City Solicitor.

- g. the owner withdraws its appeal to Official Plan Amendment 231 as part of the Local Planning Appeal Tribunal case number PL140860.

## **FINANCIAL IMPACT**

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The recommendations in this report have no financial impact.

## **DECISION HISTORY**

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### **Official Plan and Zoning By-law Amendment and Plan of Subdivision Applications**

A pre-application meeting was held with the applicant on June 8, 2016 to discuss complete application submission requirements for the Official Plan Amendment application. The Official Plan Amendment application was submitted on August 19, 2016. A notification of Complete Application was issued on November 18, 2016, deeming the application complete as of October 20, 2016. Staff advised the applicant that their application would be reviewed concurrently with the Laird in Focus Planning Study.

A Preliminary Report on the Official Plan Amendment application was adopted by North York Community Council on January 17, 2017 authorizing staff to conduct a community consultation meeting with an expanded notification area. The decision of the North York Community Council can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.NY19.27>

The link to the Preliminary Report can be found here:

<https://www.toronto.ca/legdocs/mmis/2017/ny/bqrd/backgroundfile-99369.pdf>

On October 2, 2017, the applicant appealed the application to the Ontario Municipal Board (OMB) (Case No. PL 171057), now the Local Planning Appeal Tribunal (LPAT), citing City Council's failure to make a decision within the prescribed time frames set out in the *Planning Act* (File No. 16 210199 NNY 26 OZ).

On July 30, 2018, the applicant submitted a Zoning By-law Amendment and Plan of Subdivision applications and notification of Complete application was issued August 28, 2018 for both applications deeming the applications complete as of July 30, 2018. Subsequently, both applications were appealed to the LPAT on September 26, 2019 on the basis that Council failed to render a decision on their applications within the prescribed time period (File Nos. 18 201853 NNY 26 OZ and 18 201865 NNY 26 SB).

Pre-hearing conferences were held on February 15, and September 7, 2018, and June 3, 2019, and a tele-conference was held on July 18, 2019.

A hearing was scheduled to commence on the Official Plan Amendment application on November 12 to 22, 2019. In light of the recent rezoning and plan of subdivision appeals and ongoing discussions between the applicant and City staff, the Official Plan Amendment hearing has been converted to a case management conference (CMC) which will take place at the LPAT on Thursday, November 14, 2019. The parties to the Official Plan Amendment appeals have also agreed to pursue private mediation, which is tentatively scheduled to take place on November 18, 19 and 20, 2019, and which may include consideration of all three related applications.

### **Official Plan Review - OPA 231 and SASP 396**

The review of the City's employment lands and policies resulted in the adoption of Official Plan Amendment 231 (OPA 231) in December 2013. OPA 231 redesignated the lands bounded by Eglinton Avenue East, Laird Drive, Vanderhoof Avenue and Brentcliff Road from *Employment Areas* to *Mixed Use Areas*, with the exception of the southerly 50 metres, which is retained for employment uses, and is redesignated to *General Employment Areas*. (Refer to **Attachment 3**: Official Plan Land Use Map).

OPA 231 also introduces a new Site and Area Specific Policy 396 (SASP 396) that established policies to ensure compatibility with future residential and non-residential sensitive uses. SASP 396 limits major retail development within the *Employment Areas* designation and requires residential development in the *Mixed Use Areas* designation to also increase the amount of non-residential gross floor area within each new development.

OPA 231 was approved by the Minister of Municipal Affairs and Housing in July 2014. Portions of the amendment are under appeal at the Local Planning Appeal Tribunal (LPAT), including an appeal made by the applicant on July 28, 2014 with respect to the non-residential gross floor area replacement policies. Although not in full force and effect for the subject lands, OPA 231 represents Council's long-term land use planning direction for the lands.

### **Eglinton Connects Planning Study**

The Eglinton Crosstown Light Rail Transit (LRT) is a 19 km transit line that stretches from Weston Road to Kennedy Road providing increased east-west mobility choice for Torontonians across the centre of the City. The LRT is an \$8 billion investment by the Province of Ontario and is expected to be completed in 2021.

The Eglinton Connects Planning Study provides a plan for Eglinton Avenue that is based on a long-term vision - a beautiful green linear space that supports residential living, employment, retail and public uses within a vibrant community. This vision is supported by 21 recommendations organized under three themes of Travelling, Greening and Building. The Eglinton Connects Planning Study final recommendations were adopted by City Council on May 6, 7, and 8, 2014.

City Council's Decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG32.4>

Eglinton Connects identified a built form for Eglinton Avenue that would provide for mid-rise and mixed use development for most, but not all, sites along the corridor. There are eight locations within the Eglinton Connects Planning study area (6 Focus Areas and 2 Mobility Hubs) where lot sizes and patterns create a condition where intensification may be supported. The four large blocks located on the south side of Eglinton Avenue East, east of Laird Drive, were identified through the Eglinton Connects Planning Study as a Focus Area for more detailed study based on their potential to accommodate future residential, mixed use and/or employment growth.

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. City Council adopted Official Plan Amendment 253 and City Council adopted resolutions regarding implementation of the Streetscape Plan.

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>

The recommendations of the Phase 1 (Part 2) Implementation Report for Eglinton Connects Planning Study were adopted at the August 25, 26, 27 & 28th, 2014 City Council meeting, including the enactment of Zoning By-law 1030-2014. Zoning By-law 1030-2014 was not applied to the subject site as it was identified as one of the Focus Areas where further study would be undertaken.

The report for the Eglinton Connects Planning Study Phase 1 (Part 2) Implementation Report, is available on the City's website at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG35.3>

Recommendation 18 of the Eglinton Connects Planning Study indicates that the Focus Areas provide opportunities for incorporating a mix of residential and employment uses in a range of building heights and sizes, combined with new public streets, community services and facilities and high quality green and open spaces. The Eglinton/Laird Focus Area Demonstration Plan illustrated mid-rise buildings fronting along Eglinton Avenue East with tall buildings located away from Eglinton Avenue East toward the interior of the large blocks.

## **PROPOSAL**

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The applicant is proposing to develop the south-east corner of Eglinton Avenue East and Laird Drive with a 10-storey (38.2 metre high excluding mechanical Penthouse (MPH)) mid-rise, mixed-use building (Building B) fronting onto Eglinton Avenue East with a 146 residential units. Building B incorporates lands owned by Metrolinx and integrates the Eglinton LRT Laird station secondary entrance as part of the building design. Adjacent and to the east of the proposed 10-storey building are proposed 18 and 21-storey (64.1 and 73.1 metres high, excluding MPH) mixed-use buildings (Building A East and Building A West) with a 9-storey massing form along Eglinton Avenue East with 486 residential units. Located south of proposed Building A would be

proposed 36 and 38-storey (117.4 and 123.4 metres high, excluding MPH) residential buildings (Building D East and Building D West) with 774 residential units, and adjacent the proposed north-south Don Avon Drive public street extension to the east. South of Building D proposed is a 4-storey (15.5 metres high, excluding MPH) office building (Building E) located at the south-east corner of the site with frontage on Vanderhoof Avenue. On the south-west corner of the site a 3,770 m<sup>2</sup> public park is proposed with frontage along Laird Drive and Vanderhoof Avenue. Adjacent and to the north of the proposed park would be proposed 12 and 10-storey (44.9 and 38.9 metres high, excluding MPH) mixed-use buildings (Building C South and Building C North) with 270 residential units. Attached to Buildings C is Building F, a proposed 1-storey (8.5 metre high, excluding MPH) community facility. The secondary Eglinton Crosstown Light Rail Transit (LRT) Station entrance is proposed to be incorporated within Building B with at-grade and below grade connections, adjacent to a corner urban square (POPS) at the north-west corner of the site (see Attachment 7 - Site Plan).

A future north-south public street is proposed along the east side of the site between Eglinton Avenue East and Vanderhoof Avenue with a width of 20 metres of which 15.5 metres would be dedicated by the subject site with the remaining 4.5 metres dedicated as part of the redevelopment of the adjacent property to the east, and would connect to Eglinton Avenue East opposite Don Avon Drive.

The proposal includes an "L" shape new publicly accessible internal private street that will extend from the future north-south public street to the east and connect to Vanderhoof Avenue to the south. The private street is proposed to have a 7 metre pavement width, a total of five, 2.5 metre wide laybys, and 2.1 metre wide sidewalks and landscaping on both sides of the street. The laybys would serve for pick-up and drop-off activities. The proposed distance between buildings along the street would provide for a private street right-of-way width of 20 metres.

The proposal includes a shared parking access/loading ramp accessed off the new north-south Don Avon Drive public road extension, and a second underground parking access located in Building A off the private internal "L" shape street.

The development would total 138,830 square metres of gross floor area and result in a density of 3.84 times the area of the lot. Two levels of a common underground parking garage to serve all buildings are proposed with a total of 1,103 vehicular parking spaces, which include 840 residential, 263 non-residential and 3 car share parking spaces. A total of 1,752 bicycle parking spaces are proposed to be provided of which, 213 are short-term located on the ground level and 1,539 are long-term spaces located on the first level underground. No parking is proposed under the new public park.

Eleven loading spaces (2 Type 'G', 5 Type 'B' and 4 Type 'C' spaces) are proposed within a central loading facility located in the second level underground parking garage. Access would be provided from the shared parking access/loading ramp off of the future public north-south Don Avon Drive street extension abutting the east side of the subject site, north of Building E. The loading facilities will serve waste and recycling collection, and moving and delivery activities for the entire project.

A total of 1,932 square metres of amenity space is proposed for Building A comprised of 966 square metres each for indoor and outdoor amenity on levels 1, 4, and 10. A total of 584 square metres of amenity space is proposed for Building B comprised of 292 square metres each for indoor and outdoor space on levels 4 and 10.

A total of 1,080 square metres of amenity space is proposed for Building C comprised of 540 square metres each for indoor and outdoor amenity on level 4 with indoor space located in the west and east podium areas and the outdoor space contiguous in the middle, and an additional outdoor amenity area on the east end of the podium. A total of 3,096 square metres of amenity space is proposed for Building D comprised of 1,548 square metres each for indoor and outdoor amenity space on level 5 with indoor space located in the west and east podium areas and the outdoor space contiguous in the middle.

A corner urban square that would be privately owned and publicly-accessible space (POPS) with a size of 1,200 square metres is proposed at the north-west corner of the site adjacent to the future Eglinton Crosstown LRT secondary station entrance. Contiguous to the square is a diagonally configured urban plaza (POPS) space with an area of 1,600 square metres which connects mid-way through the site towards the proposed private internal street.

Table 1 below provides a summary of the key project statistics.

Table 1: Site Statistics

	Bldg A 18 & 21- storeys	Bldg B 10- storeys	Bldg C 10 & 12- storeys	Bldg D 36 & 38- storeys	Bldg E 4-storeys	Bldg F 1-storey	Total
Site Area (m2)							35,608
Density							3.84
Lot Coverage %							45
Height (m) + Mechanical Penthouse (m)	64.1 + 5 73.1 + 5	38.2 + 5	38.9 + 5 44.9 + 5	117.4 + 5 123.4 + 5	15.5 + 5	8.5	
GFA (m2)							
Residential	33,858	9,891.6	20,622.6	54,359.2	0	0	120,535.0*
Office	0	0	0	0	10,229.4	0	10,229.4
Community	0	0	0	0	0	2,100	2,100.0
Retail	2,274.6	1,267.9	1,158	896.3	0	0	5,956.8**
Total GFA	36,132.6	11,159.5	21,780.6	55,255.5	10,229.4	2,100	138,821.2



Residential Units							
1-bedroom - 57%	266	95	175	425	0	0	961
2-bedroom - 35%	169	51	95	271	0	0	586
3-bedroom - 8%	48	0	0	78	0	0	126
Total - 100%	483	146	270	774	0	0	1,673
Indoor Amenity Space (m2)	966	292	540	774	0	0	3,346m2
Outdoor Amenity Space (m2)	966	292	540	1548	0	0	3,346m2
Public Park (m2)							3,770
POPS (m2)							
Corner Square							1,200
Urban Plaza							1,600
Total							2,800
*Includes 1,812 square metres below grade							
** Includes 360 square metres below grade							

## Site and Surrounding Area

The property is located at the southeast corner of Eglinton Avenue East and Laird Drive. It is approximately 3.46 hectares (8.8 acres) with a frontage of approximately 178 metres along Laird Drive, and approximately 200 metres along both Eglinton Avenue East and Vanderhoof Avenue.

The site is currently developed with approximately 11,500 square metres of commercial retail space. There is a large commercial building set back from Eglinton Avenue East with a parking area abutting the street accommodating 615 surface parking spaces. This building is occupied by the Canadian Tire showroom (4,250 square metres), a Canadian Tire store (4,350 square metres) and a Petsmart (2,200 square metres). The remaining retail use is Pier 1 Imports (700 square metres) in a smaller stand-alone building located at the north-west corner of the site. Loading activities for these commercial uses occur at the south end of the building with access from Vanderhoof Avenue.

The future Eglinton Crosstown LRT's Laird Station main entrance will be at the south-west corner of Laird Drive and Eglinton Avenue East and the secondary entrance will be located on the south-east corner of the intersection on the subject site.

Surrounding land uses include a mix of residential, commercial and employment uses as follows:

North: Residential uses fronting the north side of Eglinton Avenue East in three and four-storey walk-up apartments. Further north are residential uses in detached and semi-detached dwellings. Northwest, on the north side of Eglinton Avenue

East, are commercial uses in two-storey buildings in a main-street form.

West: At the southwest corner of Laird Drive and Eglinton Avenue East is the under-construction Laird Station main entrance for the future Eglinton Crosstown LRT, and flanking Laird Drive are residential uses in detached dwellings and a restaurant.

South: Two-storey commercial office building, large vacant industrial property and one-storey industrial building.

East: Mercedes-Benz car dealership, service centre and associated office building.

### **Reasons for Application**

An Official Plan Amendment is required for site specific planning policies and development principles to establish a vision for the future development of the site. A Zoning By-law Amendment is required to permit the proposed residential uses on the site and to establish appropriate development standards for the proposed development. A Draft Plan of Subdivision is required to establish the proposed development blocks including the proposed public park and the Don Avon Drive public street extension.

### **Agency Circulation Outcomes**

The application together with the applicable reports, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application.

## **POLICY CONSIDERATIONS**

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

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;

- Residential development promoting a mix of housing; recreation, parks and open space; and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form and by conserving features that help define local character.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships 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 City Council shall also be consistent with the PPS.

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."

## **Provincial Plans**

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 City 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.

## **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) (the "Growth Plan (2019)") came into effect on May 16, 2019. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2017. The Growth Plan (2019) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan, 2019 establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan (2019), including the establishment of minimum density targets for and the

delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- 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 (2019) 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 (2019) 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.

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 (2019). The outcome of staff analysis and review are summarized in the Comments section of the Report.

## **Growth Plan (2006)**

On September 6, 2019 the Ministry of Municipal Affairs and Housing filed a transition regulation O.Reg 305/19 which states that the "City of Toronto Official Plan Amendment 231 shall be continued and disposed of in accordance with the 2006 Growth Plan as it read on June 16, 2006". The portion of the lands that remain under appeal through the Official Plan Amendment 231 proceedings (LPAT case number 140860) are subject to the previous Growth Plan (2006).

## **Toronto Official Plan**

The applications have been reviewed against the policies of the Official Plan. Additionally, the applications have been reviewed concurrently with the emerging policy context of the Laird in Focus Planning Study, including the Proposals Report adopted by City Council in July 2018 and the draft Site and Area Specific Policy presented at the Public Open House in September 2019.

## **Mixed Use Areas**

OPA 231 designates the northern portion (128 metres) of this site as *Mixed Use Areas* (Attachment 3). *Mixed Use Areas* are made up of 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. Section 4.5.2. identifies development criteria for *Mixed Use Areas* that include, but are not limited to:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community;
- locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locating and massing new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes; and
- providing an attractive, comfortable and safe pedestrian environment.

## **Employment Areas**

The southern 50 metres of the site is designated as *General Employment Areas* within the Official Plan (Attachment 3). The land use policies of Section 4.6 state that, *General Employment Areas* are places for business and economic activities generally located on the peripheries of Employment Areas where, in addition to all uses permitted in a Core Employment Area, restaurants, fitness centres and services uses are permitted. Also, a decision by the LPAT has yet to determine whether all types of retail uses will be permitted.

Uses permitted in the *Core Employment Areas* include: all types of manufacturing, processing, warehousing, wholesaling, distribution, storage, transportation facilities, offices, research and development facilities, utilities, offices, research and development facilities, industrial trade schools, media, information and technology facilities, and

vertical agriculture. Secondary uses, which support the primary employment uses permitted in *Core Employment Areas* include uses such as: parks, small-scale restaurants and catering facilities, and small-scale services uses that directly serve business needs such as courier services, banks and copy shops.

### **SASP 396**

OPA 231 also introduced a new site and area specific policy (SASP 396) to provide policy direction on the subject site and also the two properties located to the east. The owners of the subject site appealed SASP 396 as it relates to the non-residential gross floor area replacement policies and that part of the SASP is not in force. SASP 396 policies that would apply to these lands provides the following policy directions:

- *General Employment Areas* uses in the southerly 50 metres of the lands are limited to those that are compatible with residential and sensitive non-residential uses permitted in the *Mixed Use Areas* and *Neighbourhoods* designations;
- major retail developments with 6,000 square metres of retail floor area would not be permitted in the southerly 50 metres of the lands;
- development on the *Mixed Use Areas* lands that includes residential units is required to also increase the non-residential gross floor area on the SASP 396 lands; and
- given the presence of industries to the south and south-east, a study of noise, dust, air quality, odour and other industrial related impacts is required prior to the approval of residential development so that appropriate design standards and building heights can be determined for buildings containing residential uses.

### **The Built Environment**

Among other relevant policies in evaluating the proposal are policies related to the Built Environment in Section 3.1. For larger sites the Official Plan includes Public Realm policies in Section 3.1.1 which promote the use of new streets to provide connections and divide larger sites into smaller development blocks. These development blocks should be appropriately sized and configured in relation to the requested land use and scale of development, provide adequate room within the block for parking and servicing needs and allow for phasing to be properly undertaken. Policies also require that new parks and other public spaces front onto a street for good visibility, access and safety. Section 3.1.2 identifies the importance of urban design as a fundamental element of city building and contains built form policies intended to minimize the impacts of new development and guide the form of new buildings to fit within the context of the neighbourhood and the City. These policies require new development to:

- be located and organized to fit with its existing and/or planned context. Development will frame and support adjacent streets, parks and open spaces to improve safety, pedestrian interest and casual view to these spaces;
- locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces;

- be massed and its exterior façade will be designed to fit harmoniously into its existing and/or planned context, and will limit its impact on neighbouring streets, parks, open spaces and properties;
- be massed to define the edges of streets, parks and open spaces at good proportion. Taller buildings will be located to ensure adequate access to sky view for the proposed and future use of these areas;
- provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians;
- provide indoor and outdoor amenity space for residents of new multi-unit residential development. Each resident of such development will have access to outdoor amenity spaces such as balconies, terraces, courtyards, rooftop gardens and other types of outdoor spaces;

Tall buildings come with larger civic responsibilities and obligations than other buildings. To ensure tall buildings fit within their existing and/or planned context and limit local impacts, there are additional built form principles that apply to the location and design of tall buildings. These built form policy objectives are found in Section 3.1.3 as they specifically relate to tall buildings.

### **Transportation**

Official Plan transportation policies speak to the City's transportation network being maintained and developed to support the growth management objectives of the Plan by protecting and developing the network of right-of-ways as shown on Map 3 of the Official Plan. At this location, Eglinton Avenue East with a planned right-of-way of 30 metres and Laird Drive with a planned right-of-way of 27 metres are major streets as identified on Map 3. Also, Eglinton Avenue East is identified on Map 4 of the Official Plan as a transit corridor and on Map 5 of the Official Plan as a transit priority segment.

Official Plan transportation policies speak to developing mobility systems for future generations while taking full advantage of existing transit infrastructure to reduce dependency on vehicles. The integration of transportation and land use planning is critical to achieving the overall aim of increasing accessibility to transportation infrastructure and services throughout the City of Toronto. Accessibility can be delivered through two components: increasing mobility by providing modal choice, and/or increasing the speed of travel, which allows more trips to be made within a given time; and, increasing proximity through greater mixing of uses and/or higher densities, which can achieve the same effect by shortening trip lengths.

The Official Plan stresses the importance of mutually supportive transportation and land use policies that combine the mechanisms of mobility and proximity to maximize accessibility. In addition, the policies direct that existing and proposed streets be part of the public realm where they provide present and future access for vehicles, pedestrians and bicycles, space for utilities and services, building address, view corridors and sight lines. Streets will contribute to the development of a connected network which provides

direct and clearly understood travel routes for all transportation modes and users and act as a fundamental organizing element of the City's physical structure.

The "Complete Streets" policies of the Official Plan overall objective is to create a well-functioning street network that is planned and designed to provide safe access and efficient operation for all street activities and functions. They are to provide safe and comfortable pedestrian, cycling and transit facilities and balance the competing demands placed upon the use of street rights-of-way. These objectives are to be applied when streets are constructed, reconstructed or otherwise improved.

## **Housing**

Section 3.2.1 of the Official Plan requires a full range of housing, in terms of form, tenure and affordability across the City and within neighbourhoods, to be provided and maintained to meet the current and future needs of residents. A full range includes housing such as: ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock.

## **Building New Neighbourhoods**

Section 3.3 of the Official Plan requires that new neighbourhoods will have a comprehensive planning framework reflecting the Plan's city-wide goals as well as the local context. The framework should include: the pattern of streets, development blocks, open spaces and other infrastructure; the mix and location of uses; a strategy to provide parkland; a strategy to provide community services and local institutions; and a strategy to provide affordable housing.

New neighbourhoods will be viable as communities. They should have: a community focal point within easy walking distance of the neighbourhood's residents and workers; a fine grain of interconnected streets and pedestrian routes that define development blocks; a mix of uses and a range of building types; high quality parks, community recreation centres, open space and public buildings; and services and facilities that meet the needs of residents, workers and visitors.

New neighbourhoods will be carefully integrated into the surrounding fabric of the City. They will have: good access to transit and good connections to surrounding streets and open spaces; uses and building scales that are compatible with surrounding development; community services and parks that fit within the wider system; and a housing mix that contributes to the full range of housing.

## **Section 37**

Policy 5.1.1 of the Official Plan allows for an increase in height and/or density in return for the provision of community benefits for a proposed development, in accordance with Section 37 of the Planning Act. The proposal meets the Official Plan's threshold for Section 37 considerations, as it has a gross floor area in excess of 10,000 square metres. Accordingly, this development proposal is subject to the Section 37 policies of the Official Plan.



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

### **Eglinton Connects Planning Study**

Eglinton Avenue is identified as an intensification corridor in Metrolinx's Regional Transportation Plan. The Eglinton Crosstown is a light rail transit (LRT) line across Eglinton Avenue between Mount Dennis (Weston Road) and Kennedy Station that is currently under construction. From Keele station to east of Laird station the line will operate underground and will resurface onto Eglinton Avenue East just east of Brentcliffe Road. The intersection of Laird Drive and Eglinton Avenue East has been identified as a location for an LRT station.

The subject site falls within the Laird Focus Area, which was one of six Focus Areas identified in the Eglinton Connects Planning Study, as areas with larger parcels of land fronting Eglinton Avenue East (and/or places where two Avenues intersect), that could have a greater capacity to accommodate future population and employment growth. As part of the Eglinton Connects Planning Study, demonstration plans showing the potential arrangement of streets and blocks, building massing, and open spaces were created for each Focus Area. The Eglinton Connects Planning Study report indicated that three Focus Areas (Laird, Don Mills and The Golden Mile) required additional study and public consultation.

The Vision for Eglinton Avenue is that it will become Toronto's central east-west avenue, a beautiful green linear space that supports residential living, employment, retail and public uses in a vibrant and complete community. Its design will balance all forms of mobility and connect neighbourhoods and natural valley systems to the larger city and the region.

### **Laird in Focus Planning Study**

The Laird in Focus Planning Study is an initiative led by the City Planning Division that examined ways to focus and shape anticipated growth in the Laird Drive and Eglinton Avenue East area anchored by the transit infrastructure being constructed as part of the Crosstown LRT. Building on the work of Eglinton Connects, Laird in Focus will improve connections to the surrounding areas, lay out a network of blocks, streets and open spaces, and identify community services necessary to support new growth. The Study centres on the Laird Focus Area, as identified in the Eglinton Connects Planning Study, consisting of four large sites with large-format, low-rise buildings and surface parking, bounded by Eglinton Avenue East, Laird Drive, Vanderhoof Avenue and Aerodrome Crescent. In addition, the properties designated Mixed Use Areas located on the west side of Laird Drive, between Vanderhoof Avenue south to Millwood Road, consisting of mostly commercial uses in 1-2 storey buildings have also been included as part of the Study (Refer to Attachment 6: Laird in Focus Study Areas A and B).

Laird in Focus will result in a new planning framework to guide future development and establish a vision for this area. The Study was initiated in July 2016 with a formal community launch including the retained consultant team on November 30, 2016. The Study is a four phase project with Phases 1, 2 and 3 completed in conjunction with the Consultant Team and resulted in the City Council adoption of the Consultant's Report as

part of the July 2018, Laird in Focus Planning Study - Proposals Report. Phase 4 is the implementation phase and the recommended Site and Area Specific Policy (SASP 568) and Urban Design Guidelines represent the conclusion for the final phase of the Laird in Focus study as implementation instruments. The Laird in Focus Final Report is being considered at the November 5, 2019 North York District Community Council meeting.

The website for the Laird in Focus Planning Study can be found here:

<https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/laird-in-focus/>

The website for the Laird in Focus Staff Final Report can be found here:

<http://app.toronto.ca/tmmis/decisionBodyProfile.do?function=doPrepare&meetingId=15415#Meeting-2019.NY10>

## **Zoning**

The subject site is zoned Light Industrial M1(7) and M1(8) in the former Town of Leaside Zoning By-law No. 1916 (see Attachment 4: Existing Zoning By-law). The base M1 zone permits a number of industrial uses such as manufacturing, warehousing, data processing, communications, graphic arts, wholesaling and accessory offices. Office uses are also permitted including business and professional offices, as well as a limited range of business service uses located on the first floor. The zoning limits retail uses if they are accessory to a manufacturing or wholesaling use provided the area of such retail use is not greater than 30% of the gross floor area. The M1 zone permits a maximum density or Floor Space Index of 0.75 (equivalent to a gross floor area of 26,709 m<sup>2</sup>).

In addition to the above noted uses, the site specific exceptions that apply also permit a number of additional uses such as garden supply centres, restaurants, automotive repair, retail stores and service shops, and banks. Also included are a number of additional provisions and development standards. The subject site is not subject to City of Toronto Zoning By-law 569-2013 (Refer to Attachment 5: Existing Zoning By-law).

## **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 and Addendum**

Toronto City Council, at its meeting of July 8, 2010, adopted the recommendations contained in the staff report prepared by City Planning entitled "Avenues and Mid-Rise

Buildings Study", with modifications. The main objective of the Avenues and Mid-Rise Buildings Study is to encourage future intensification along Toronto's Avenues that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. Mid-Rise Building Guidelines identify a list of best practices, categorize the Avenues based on historic, cultural and built form characteristics, establish a set of performance standards for new mid-rise buildings, and identify areas where the performance standards should be applied.

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum. 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. 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 step backs, 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:

<https://www.toronto.ca/city-government/planning-development/official-planguidelines/design-guidelines/mid-rise-buildings.pdf>

Mid-Rise Building Performance Standards Addendum may be found here:

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

In the City of Toronto Official Plan, Eglinton Avenue East is identified as an Avenue and Laird Drive is not identified as Avenue. The approved 2010 Mid-Rise Building Guidelines and Addendum was used to inform the review and assessment of the proposal.

### **Site Plan Control**

The proposal is subject to Site Plan Control. An application for Site Plan Control has not been submitted.

### **Laird in Focus and RioCan Public Open House Meeting**

On September 17, 2019, City staff facilitated a Public Open House meeting for the Laird in Focus Planning Study with a total of 114 residents, landowners, and business owners in attendance as well as the local Councillor and City staff. Also, the applicant for the subject development proposal and their consultant team participated at the Open House meeting with presentation boards of their current Official Plan, Zoning By-law Amendment and Plan of Subdivision development proposal. At the meeting concerns were raised that included the following: the proposed building heights and density is excessive; the development would generate too much traffic; residents indicated that they wanted sufficient parking on site to ensure no parking would occur within the residential neighbourhood; residents did not want neighbourhood traffic infiltration; concerns about eroding the employment area; concerns over sewer/water capacity; concerns about school capacity; more community space/parks are needed; wind

impacts; need to include affordable housing; and requirement to ensure family-sized units are included.

## **COMMENTS**

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### **Provincial Policy Statement (2014) and Growth Plan (2019)**

Land use planning in the Province of Ontario is a policy led system. The Provincial Policy Statement (PPS) 2014 and the Growth Plan for the Greater Golden Horseshoe (2019) are high-level and broad reaching documents. The *Planning Act* requires that any decision of Council related to land use planning matters be consistent with the Provincial Policy Statement (PPS) and conform to the Growth Plan.

### **Provincial Policy Statement (PPS)**

Policies 1.1.1(a, b and e) of the PPS directs that communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term and which can accommodate an appropriate range and mix of residential (including affordable housing), employment, recreation, park and open space to meet long-term needs and promote cost-effective development patterns and standards to minimize land consumption and servicing costs. The proposal is consistent with the PPS in that it promotes efficient development and land use patterns by providing for a mix of uses on an underutilized site that includes office, retail, parks and open space, residential and community space uses. However, of the proposed 1,673 residential units for this site, none are proposed as affordable housing which remains a concern.

Policy 1.1.3.3 of the PPS states that Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, and the suitable existing or planned infrastructure required to accommodate projected needs.

The proposal promotes the redevelopment of this site through residential, retail and office uses with buildings ranging in heights from 2, 4, 10, 12, 18, 21, 36 and 38-storeys with frontages on either Eglinton Avenue East, Laird Drive and Vanderhoof Avenue, abutting the future Eglinton Crosstown LRT Station. The PPS states that the official plan is the most important vehicle for implementation of the PPS. Although the proposal promotes intensification at an appropriate location adjacent to the Eglinton LRT, the proposal falls short of being consistent with the PPS in that the height does not conform to the Official Plan policies and the policy direction of the Laird in Focus Planning Study as further discussed in this report.

Policy 1.3.2.1 states that Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs. The proposal is consistent with this policy direction as the southern 50 metres of the site remain in a General Employment Areas designation and the proposal includes a 4-storey office building with approximately 10,200 square metres of new office uses.

Policy 1.5.1(a) states 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. The development site is a large 8.8 acre property and incorporates a public street along the east side of the site. However, it does not incorporate a public street through the interior of the site. Public streets ensure public access and further divided the large block into a finer grain network that defines development blocks with a high level of permeability for pedestrian, cycling and vehicular circulation while creating new blocks that will be appropriately scaled for development.

Public streets are vital to the City's ability to preserve access and address for development, provide mobility options for residents and connect to essential public services such as garbage collection, emergency services access, utility infrastructure and snow removal and storage. The City's standards for the design of streets ensure that these public services can be provided over time in an efficient, safe, secure and equitable manner. Public streets can be managed, maintained and upgraded to respond to growth and development. The applicant is proposing a private street through the interior of the site that connects to two public streets. Further discussions on the design and function of this street are necessary.

### **Growth Plan (2019)**

The Growth Plan like the PPS recognizes that planning authorities are responsible for identifying appropriate locations for growth. Intensification and redevelopment is to be provided in areas that take into account the existing building stock or area and availability of infrastructure and public service facilities that meet projected needs.

The Growth Plan (2019) 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. The Growth Plan strives, among other things, to direct growth to areas of urban intensification. It requires municipalities to set clear targets for population and employment growth. The Growth Plan also directs growth to urban growth centres, intensification corridors, major transit station areas, brownfield sites and greyfields to provide a key focus for transit and infrastructure investments to support future growth.

Within this framework, the PPS and the Growth Plan recognize that the Official Plan is the most important vehicle for implementing PPS requirements and that comprehensive, integrated and long term planning is best achieved through municipal official plans. Policy 2.2.2.3 speaks to developing a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas to identify the appropriate type and scale of development and transition of built form to adjacent areas. Although intensification on the Eglinton Crosstown LRT corridor is encouraged, the proposal in its current form does not conform with Official Plan policies related to matters such as: building height, transition, setbacks, stepbacks, angular planes, and shadow impacts. The development does not achieve an appropriate transition of built form to the *Neighbourhoods* areas to the north and west.

Furthermore, Section 2.2.1.4 of the Growth Plan (2019) provides further direction on the achievement of complete communities. It articulates a set of objectives including a

diverse mix of land uses, and range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes. This is a large complete community site built along higher order public transit, with a mix of uses, transportation options and a compact built form, however as currently proposed, the project does not include affordable housing.

The City's Official Plan meets the requirements of the PPS and the Growth Plan. The proposal meets the general objectives of the Official Plan including providing intensification adjacent to transit in a complete community setting. However, the proposal does not conform to some of the policies of the Official Plan as discussed below. Therefore, the proposal in its current form is not consistent with the PPS and does not conform with the Growth Plan.

### **Growth Plan (2006)**

The applicant appealed OPA 231 as it relates to the subject lands in order to designate the entirety of the lands as Mixed Use Areas, which includes the southern 50 metres of the site designated as General Employment Areas. The proposal in its current form does not propose any residential land uses within the southern 50 metres of the site. Additionally, as further discussed in the land use section below, the applicant proposes full replacement of the existing non-residential gross floor area on the subject lands, consisting of retail and community uses in the Mixed Use Areas and a 4-storey, 10,229 square metre office building located in the General Employment Area. The proposal, as it relates to the lands under an OPA 231 appeal, conforms with the Growth Plan (2006). This conformity warrants withdrawal of the OPA 231 appeal as recommended in this report.

### **Land Use**

The site is designated Mixed Use Areas and *General Employment Areas* on Map 17 in the City's Official Plan. The proposed uses in the Mixed Use Areas portion of the site include retail, residential, open space in the form of POPS, and community uses. The southern 50 metre portion of the site designated as General Employment Areas includes parks and open space and offices uses. The proposed land uses conform to their respective official plan designations. Given the presence of industries to the south and south-east, staff have requested a noise, dust, air quality, and odour study that would be required to be peer reviewed and the project would need to incorporate appropriate design standards to ensure any impacts are eliminated or minimized.

SASP 396 also includes policies that speak to uses within the southerly 50 metres of the lands being limited to those that are compatible with residential and sensitive non-residential uses permitted in the Mixed Use Areas and Neighbourhoods designations; and development on the Mixed Use Areas lands that includes residential units is required to also increase the non-residential gross floor area on the SASP 396 lands. As currently proposed the office, and parks and open spaces uses proposed in the southerly 50 metres of the lands are compatible with the residential and retail uses proposed in the Mixed Use Areas. Additionally, the existing site contains a total gross floor area of 11,500 square metres of non-residential commercial-retail uses. The proposal includes a total non-residential gross floor area of approximately 18, 285

square metres consisting of 10,229 square metres of office, 2,100 square metres of community space, and 5,956 square metres of retail. The proposal sufficiently replaces the non-residential gross floor area requirement.

In order to ensure that the non-residential gross floor area component of the development is replaced, the non-residential gross floor area should be development prior to any residential on site. Alternatively, the non-residential could be developed concurrently with the residential uses. The phasing of the non-residential component could be appropriately secured through the section 37 agreement.

### **Site Organization and Building Location**

Section 3.3 of the Official Plan requires that new neighbourhoods have a comprehensive planning framework that reflects local context, and includes: a pattern of streets, development blocks, open spaces and other infrastructure; a mix and location of uses; and provides parkland and community services. They should also have a community focal point within easy walking distance of the neighbourhood's residents and workers; a fine grain of interconnected streets and pedestrian routes that define development blocks; and services and facilities that meet the needs of residents, workers and visitors. New neighbourhoods will be carefully integrated into the surrounding fabric of the City and will have good access to transit and good connections to surrounding streets and open spaces.

The applicant has worked cooperatively with staff and the local community to address the Official Plan Policies in Section 3.3 and throughout the Laird in Focus Planning study to comprehensively approach how their site fits into the overall Laird in Focus study Area A, and to review how their overall site is organized.

The plan incorporates a proposed privately owned and publicly-accessible (POPS) corner urban square at the northwest corner of the site framed by retail uses and the future Eglinton Crosstown LRT Station (secondary entrance). Contiguous to this space proposed will be a POPS urban plaza space in a diagonal configuration that provides direct pedestrian access to the proposed community space in Building F. Together the square, community space and urban plaza function as a community focal point with direct access to the Eglinton LRT station. This corner portion of the site is identified as a Gateway and location for a Community Facility within the Structure Map of the SASP and also as a Key Pedestrian Connection as part of the Mobility Plan. Additionally, the proposed park will be located at the south-west corner of the site abutting two public street frontages, Laird Drive to the west and Vanderhoof Avenue to the south, and this is consistent with the SASP Structure Plan. This corner of the development site also includes two midblock pedestrian connections to Laird Drive and to Eglinton Avenue East that are consistent with the SASP Structure Plan. Two additional midblock connections with one to Eglinton Avenue East and one to Vanderhoof Avenue are identified in the SASP Structure Plan that staff will work with the applicant to further review and secure through the proposed buildings.

The proposal also includes a new north-south public street extension of Don Avon Drive located along the east property line of the site. This street extension will connect the proposed new community with the existing community to the north allowing for the efficient and safe movement of pedestrian and cyclist north and south of Eglinton. New

streets will be designed to deter through movements of vehicular traffic into established neighbourhoods creating a safe environment for pedestrians and cyclists of all ages. The proposed "L" shaped private street that connects Vanderhoof Avenue to the future Don Avon Drive extension aligns with a potential future street extension through the property to the east at 849 Eglinton Avenue East once developed, and ultimately to align with an approved private street bisecting 939 Eglinton Avenue East and beyond. This proposed street through the development site would allow the site to be connected to other properties to the east and would assist in completing the street network for Area A within the SASP. This street layout and organization is in keeping with the Structure Plan of the SASP. Additionally, all buildings are proposed to be located in keeping with potential building edge locations on the SASP Structure Map.

The proposal generally complies with the Laird in Focus policy direction and the draft SASP Map 2 Structure Plan and Mobility Plan. Where the proposal does not entirely address staff concerns is that the proposed street through the development site is a private street. Although all buildings generally comply with potential Building Edge locations in the draft SASP, Building A-West and Building D-West are located internal to the site fronting onto a private street with no direct public street frontage or access. Furthermore, Building F which is identified as the community facility, which is a focal point for this new community, is located internal to the site without direct public street frontage or address. The private street does have some positive attributes in that it enables servicing and loading to be internalized in the underground garage.

The application requires further modifications to the ground floor plan, to enhance building address, view corridors and sight lines from various locations internal to the site. Views through the POPS from the proposed street should be clear and provide direct visibility to the Eglinton Crosstown LRT Station, as well as the urban plaza. Views between Buildings A and Building B from the proposed new street need to provide an enhanced visual connection out to Eglinton Avenue East. As noted earlier, further discussions regarding the design and function of the private street are required.

### **Built Form and Massing**

The proposal consists of a range of built forms including tall buildings, midrise buildings, and various podiums and base building elements massed throughout the site that are meant to frame, support, shape and define public and private streets, parks and open spaces, squares, plazas, and courtyards. This conforms to Section 3.3 "Building New Neighbourhoods" of the Official Plan that speaks to new neighbourhoods being viable as communities that should have a mix of uses and a range of building types.

Midrise building forms are proposed to be massed along the Laird Drive and Eglinton Avenue East frontages with proposed maximum midrise building forms including Building C-South at 12 storeys (44.9m), Building C-North at 10-storeys (38.9m) and Building B at 10 storeys (38.2m). All these midrises also include 2-storey elements and 9-storey streetwalls along Laird Drive or Eglinton Avenue East before stepping up to their overall heights. Additionally, Building A has a proposed 2-storey element and 9-storey streetwall (31m) midrise base form along Eglinton Avenue East and at the southwest corner of Eglinton Avenue East and the proposed Don Avon Drive extension. The built form along the Don Avon Drive extension also includes a 4 storey (18.35m) podium for Building D and a 4 storey (15.5m) commercial office building fronting along



the northwest corner of the Don Avon Drive extension and Vanderhoof Avenue. Buildings A, C (South), and D include tall buildings that will be discussed in the subsequent section of this report.

The proposed "L" shaped internal private street is massed with the following built form elements: Building E 4 storey (15.5m) commercial office building, Building D-West 4 storey (18.35m) podium, Building C-South 3 storey (16.4m) base building element, Building F single storey (8.4m) community space, Building A-West 2 storey base building element, and Building A-East 2 storey and 10 storey building elements.

The proposed corner urban square is massed to the south with a 2 storey base building element of Building C (North) and massed to the east with the 10 storey end of Building B. The central urban plaza is massed to the north with a single storey building element of Building B, to the south with the single storey community space of Building F, and to the east with the 2 storey base element of Building A (West). Staff will work with the applicant to ensure that the proposed corner urban square and urban plaza are appropriately massed and framed. The proposal should be further revised to ensure that buildings massing and framing the public spaces are of a pedestrian scale that fit and contribute to the civic and public nature of these spaces.

The emerging policy direction in the Laird in Focus draft SASP speaks to base buildings having a maximum height of 3 storeys along local streets and abutting parks and open spaces. The proposal should be revised to reduce the base building heights of Building D (East and West) along the internal street; Building A (East) where the 9 storey building element meets the internal street; and Building C (South) where the 12 storey building abuts the public park. Furthermore, there are portions of both Building B and Building C (North) where 10 storey elements meet the corner urban square and urban plaza without any base building elements.

Also, the Laird in Focus draft SASP includes policy direction, consistent with what is currently found within the City's Midrise Building Guidelines, that buildings are set back under an angular plane measured at a height of 80% of the right-of-way width. This provision assists in regulating the height, massing, and transition of the building. The current proposal has portions of the buildings that protrude into the angular plane requirement and this has implications with respect to shadowing which is discussed in a subsequent section of this report.

Staff will work with the applicant to further revise, refine and articulate the built form and the massing to be in keeping with the emerging policy direction in the draft Laird in Focus SASP and City Urban Design Guidelines, including matters such as, but not limited to: providing a 6 storey streetwall height at the setback line for midrise building forms along Eglinton Avenue East and Laird Drive; ensuring buildings will step back above the 6 storey streetwall and change building materials and expression; ensuring all buildings are set back under an angular plane measured at a height of 80% of the right-of-way width; and minimize and/or limit and balcony projections within step backs.

## **Height**

The Official Plan's Tall Building Section 3.1.3 states that tall buildings exist in many parts of the City, in the Downtown, in the Centres, along parts of the waterfront, at some

subway stops and in clusters around the City. It further states that tall buildings are desirable in the right places but they don't belong everywhere. When poorly located and designed, tall buildings can physically and visually overwhelm adjacent streets, parks and neighbourhoods.

The City-wide Tall Building Design Guidelines provide performance standards to ensure that tall buildings fit within their context and minimize their local impacts. The Guidelines illustrate how the public realm and built form policy objectives of the Official Plan can be achieved within a tall building development and within the area surrounding a tall building site.

In addition to the City's policies and Tall Building Design Guidelines, the Laird in Focus draft SASP also includes policy direction that requires tall buildings be set back away from the Laird Drive and Eglinton Avenue East frontages towards the centre of the development blocks and that the tallest buildings should be in close proximity to the Eglinton Crosstown LRT station, with heights of tall buildings decreasing further to the east and west towards established Neighbourhoods. Additionally, the Laird in Focus draft SASP includes a height map in storeys for the subject site that would limit building heights to 18 storeys for Building A (West and East) and limit buildings heights to 26 and 32 storeys for Building D (West and East). The applicant's proposal does not conform to the emerging policy direction in the SASP as Building A tower (East) is 21 storeys and the Building D towers (West and East) are 36 storeys and 38 storeys. Furthermore, the tallest building should be located closest to the Eglinton LRT station (secondary entrance) with heights decreasing further east. As proposed, the tallest building being Building D (East) is located furthest away from the LRT station.

The applicant should revise the proposed heights to be more in keeping with the heights identified in the Laird in Focus draft SASP.

#### *Tower Separation*

The Tall Buildings Design Guidelines state that tall buildings should provide a separation distance between towers on the same site of 25 metres or greater, measured from the exterior wall of the buildings, excluding balconies. The intent is to minimize negative impacts on the public realm and neighbouring properties such as adverse shadowing, pedestrian-level wind, and blockage of sky view, and to maximize the environmental quality of building interiors, including daylighting, natural ventilation, and privacy for building occupants.

The proposed tower separation distances are approximately a minimum of 27 metres for Building A between the west and east towers. A 16 metre separation distance is proposed from Building A (West) tower to the 9 storey portion of Building B, which is a midrise building.

A 25 metre tower separation distance is proposed between the towers of Buildings A and D. However, there are 10 storey elements of Building A (West and East) that project 2-3 metres along portions of the building that would result in separation distances less than the minimum 25 metres. The proposed tower separation distance between the west and east towers on Building D would be 34 metres, and 28 metres from Building C to Building D (West).

The applicant should revise their proposal to ensure that the tall building tower separation distances are adhered to between Buildings A and D.

#### *Floorplate sizes*

The Tall Buildings Design Guidelines state that tall buildings should limit the tower floorplate to 750 square metres or less per floor, including all built area within the building, but excluding balconies. The size and shape of the tower floor plate works together with the height and placement of the tower to determine the overall three-dimensional massing of a tall building and the visual and physical impact it poses on surrounding streets, parks, open space, and properties. When adequately separated, slender, point form towers with compact floorplates cast smaller, faster moving shadows, improve access to sky view, permit better views between buildings and through sites and contribute to a more attractive skyline.

Buildings A, (west and east towers) and Buildings D (west and east towers) propose a 750 square metre floorplate size. Building C (south element) is 12-storeys with an approximate 968 square metre floorplate and does not comply with the Tall Buildings Design Guidelines for a maximum 750 square metre floorplate size, however, this building reads more like a midrise building, and with revisions which include a 6-storey streetwall, additional stepbacks and building articulation, this building will be more in keeping with a midrise form.

#### *Mid-rise Building Guidelines*

The Mid-Rise Building Performance Standards give guidance in regard to building height, massing and transition to achieve Official Plan Built Form Policies. New development along Avenues, are generally envisioned to be mid-rise where the building is no taller than the width of the right-of-way as recommended in the Mid-Rise Performance Standards. The ability to realize the maximum height is tempered by angular planes applied to the front and the rear of the site.

The Mid-Rise Building Performance Standards require a front angular plane in order to provide appropriate massing and scale and allow good access to midday sunlight on streets. The Laird in Focus draft SASP includes policy direction that no part of a building exceeds the height of a 45 degree angular plane originating from the property line from a height of 80 percent of their respective street right of way width. This would allow for appropriate sunlight along the sidewalk of the west side of Laird Drive and the north side of Eglinton Avenue East.

The Mid-Rise Building Performance Standards speak to the maximum height for midrise buildings proposed along *Avenues*. The height of the buildings on *Avenues* should be no taller than the street right-of-way to achieve a moderately scaled building that ensures a comfortable and sunlit pedestrian main street. The Laird in Focus draft SASP height map identifies the portions of the subject site fronting onto Laird Drive and Eglinton Avenue East as a Midrise Area.

The planned right-of-way results in a maximum mid-rise building height of 27 metres or approximately 8-storeys along Laird and a maximum of 30 metres or approximately 9-storeys along Eglinton Avenue East. The applicant is proposing Building C (north)

along Laird Drive with a height of 9-storeys (31.9m) stepping up to 10-storeys (38.9m) and Building C (south) with a height of 9-storeys (31.9m) stepping up to 12-storeys (44.9 m). Similarly, along Eglinton Avenue East, Building B is proposed at 9-storeys (31.2 m) stepping up to 10-storeys (38.2 m), and the midrise portion of Building A both east and west fronting Eglinton Avenue East has a height of 9-storeys (30.6 m).

Staff are working with the applicant to ensure a streetwall of 6-storeys is achieved along Eglinton Avenue East and Laird Drive, with upper floors stepped back from the streetwall.

### **Building Setbacks and Stepbacks**

The proposed buildings are set back a minimum of 6.2 metres from Eglinton Avenue East, 5 metres from the proposed Don Avon Drive extension, 2.5 metres from Vanderhoof Avenue and 5 metres from Laird Drive. The Laird in Focus draft SASP requires a minimum set back of 6 metres along Eglinton Avenue East, Laird Drive and Vanderhoof Avenue, and 3 metres from local streets such as the Don Avon Drive extension and the interior private street. The building setbacks from the internal private street are not dimensioned on the applicant's plan, however appear to be setback greater than 3 metres when scaled. The proposal should be revised to comply with the minimum setback requirements along Laird Drive, Vanderhoof Avenue and the Don Avon Drive extension.

The Laird in Focus draft SASP includes policy direction that towers above the base portion of the building be stepped back 3 metres. Building D includes a stepback of 3 metres above the entire 4-storey podium. Building A includes the appropriate 3 metre stepback from the base portion of the building along its north, east and west edges. There are areas of each of the east and west portions of Building A along the south end that do not meet the 3 metre stepback requirement. The proposal should be revised to incorporate this stepback to ensure that portions of Building A at 10 storeys in height do not meet the ground with no stepback.

Building C (south) at 12 storeys in height is also considered a tall building and would require a 3 metre stepback. This building terraces from Laird Drive from 9 storeys in height to 12 storeys moving from west to east. The east portion of the building includes a 5.2 metre stepback, however, the south and north portions of this building abut a public park and roof terrace of the community space building, respectively, and provide no stepbacks along these edges. The proposal should provide a stepback along the north and south edges of the building as these spaces would be used by the public and having a 12-storey building abutting them does not provide for an appropriate pedestrian perception or create buildings that are of a comfortable scale.

The Laird in Focus draft SASP does not include a similar specific stepback policy for midrise buildings, beyond the angular plane policy and the 6-storey streetwall policy, which create a stepback from Laird Drive and Eglinton Avenue East. The stepbacks for midrise buildings interior to the site are guided by draft SASP policies that speak to developments being appropriately scaled, relating positively to the existing and planned context and enhancing the surrounding public realm. Additionally, draft SASP policy speaks to development achieving appropriate transition in scale from higher building forms to adjacent lower scale areas, through a variety of methods including, appropriate

setbacks, stepback, heights, and façade articulation. Staff will work with the applicant in order to refine and articulate the midrise buildings in order to ensure that the relationship between the midrise buildings and in particular the corner urban square and urban plaza provide appropriate transition and are appropriately scaled for pedestrians.

## **Density**

The proposed density for this project is 3.84 times the area of the lot. The Laird in Focus draft SASP does not include specific density policies, however, through the Laird in Focus Consultant's Report each site in the study area was modelled to determine what density could be achieved. The overall density for this site that was identified in the Consultant's Report was 3.65 times the area of the lot. As detailed in the previous sections of this report, some of the proposed building heights would need to be reduced and setbacks would need to be increased. Through these changes to the proposal the overall density would be decreased and be more in keeping with what was identified in the Consultant's Report.

## **Sun, Shadow**

The Mid-rise Building Performance Standards speak to the importance of building envelopes for mid-rise buildings along the Avenues allowing for a minimum of 5 hours of sunlight on the opposite street sidewalk to create comfortable, sunlit Avenue main streets between the equinoxes from March 21st to September 21st.

A Shadow Study was submitted as part of the application. At 9:18 a.m. to 10:18 a.m. the proposal creates new shadow impacts on the west side of the Laird Drive public sidewalk generally north of Parklea Avenue to Eglinton Avenue East and on approximately 10 properties designated *Neighbourhoods* on the north and south side of Parklea Avenue and Laird Drive. By 10:18 a.m. all but two residential properties are no longer shadowed and by 11:18 a.m. onwards no residential properties or portion of the Laird Drive public sidewalk are shadowed. The 4-storey office building casts shadows onto the proposed public park to the west at 9:18 a.m., however by approximately 10:18 a.m. onward the park is no longer shadowed throughout the rest of the day.

Beginning at 9:18 a.m. and throughout the rest of the day there are small portions of the north side of the Eglinton Avenue East public sidewalk that are shadowed. As discussed in previous sections of this report, the proposal should be revised to reduce heights, comply with angular plane requirements, and further refine and articulate the buildings to minimize shadowing on the north side of the Eglinton Avenue East public sidewalk, and the west side of Laird Drive, as well as the properties on Parklea Avenue and Laird Drive.

The corner square and urban plaza spaces (POPS) are also shadowed at various times throughout the day. These public spaces are in an urban setting framed by midrise and tall buildings and there can be an expectation of some shadowing on these areas. Staff will work with the applicant to refine and articulate the proposal to maximize sunlight on these areas.

Staff will work with the applicant to reduce building heights, comply with angular plane requirements, and refine and articulate the proposal to maximize access to sunlight and daylight, but in particular for the new square and plaza proposed at the heart of the site, and the public sidewalk along the north side of Eglinton Avenue East.

## **Wind**

Winds have been tested for the proposed development massing to ensure for appropriate wind conditions in the public realm for walking, standing and sitting. The wind study submitted by the applicant is generally acceptable, however the study identified some public areas in need of improvement.

Leisurely/fast walking conditions have been identified at the northeast and southwest corners of Building D. Further modifications to the placement and orientation of these towers may be required to improve pedestrian comfort at these prominent site locations. Architectural articulation and cantilevers at ground level may further assist in providing enhanced pedestrian protection from winds across the entire site.

Staff will review the wind impacts in further detail at the site plan stage for each phase with buildings greater in height than four-storeys and work with the applicant to further refine and limit the wind impacts through the massing and articulation of the buildings, including increasing building step backs, adding canopies and wind screens, and landscaping.

## **Traffic Impact, Parking, Access, and Loading**

### *Traffic Impact*

An updated Urban Transportation Considerations report, dated June, 2019, was submitted by the applicant's transportation consultant. The consultant estimates in this study that the proposed residential uses and non-residential uses will generate two-way vehicular trips of approximately 470, 475, and 325 during the morning, afternoon, and Saturday mid-day peak.

The existing site today generates vehicular trips of approximately 95, 285, and 455 during the morning, afternoon, and Saturday mid-day peak. For the future analysis including these trips, the consultant acknowledged the reduced lane capacity currently on Eglinton Avenue East due to construction, included the appropriate background development sites, and outlined the proposed infrastructure changes in the area. As is noted in the updated report, due to existing site traffic, this means the estimated number of net new two-way trips is in the order of 375, 190, and minus 130 during the morning, afternoon, and Saturday mid-day peak hours, respectively. The negative net new Saturday mid-day peak trips is a result of the removal of the existing site traffic for the current retail uses.

In general, Transportation Services accepts the conclusions of the report. Given the large-scale improvements to transit infrastructure and the required road network improvements in the area, including the introduction of new streets and direct connect pedestrian connections to the Laird LRT station.

That said, the applicant and transportation consultant will be required to continue to work with Transportation Services and Transportation Planning to develop an appropriate TDM plan to potentially reduce the vehicular traffic impacts from this site, promote alternate modes of transportation, and reduce the need for parking.

### *Parking*

According to the site statistics for this proposal, a total of 1,106 parking spaces will be provided in a two-level underground garage. This includes 840 resident spaces and 263 shared spaces for visitors, retail, office, and community facility uses, plus the provision for three (3) car share spaces.

The parking requirements for the project are governed by the applicable parking provisions contained in the former Town of Leaside Zoning By-law No. 1916. However, Zoning By-law No. 569-2013 was developed by City staff in order to update the parking requirements for developments. The parking provisions contained in this By-law have been accepted by staff on recent development projects, where appropriate, as the associated parking standards are based on more recent information when compared to the former Town of Leaside Zoning By-law No. 1916. As a result, parking for this project is to be provided in accordance with Zoning By-law No. 569-2013 for Policy Area 3, as defined in the By-law.

Parking Requirements for Project as per Zoning By-law 569-2013 for Policy Area 3 would require a minimum of 1,660 vehicular parking spaces.

By employing the parking sharing provisions outlined in the Zoning By-law, the non-residential and visitor uses can be blended together to allow for a peak parking supply of 234 spaces. This calculation, as outlined in the report, reduces the overall parking supply requirement to 1,559 spaces.

Overall, the proposed supply satisfies the required visitor and commercial parking requirements for the development. However, as noted in the report, the residential parking falls approximately 485 spaces short of the requirement. As a result, the study outlines a justification for the lower residential parking rate (0.5 spaces per unit) and supply. The study includes the following justifications:

- The site's proximity to the new Eglinton LRT and cycling infrastructure;
- Transportation Tomorrow Survey (TTS) data tracking a 5 to 15 percent reduction in auto use (and a 4 to 9 percent increase in transit use) in the area;
- The implementation of a Transportation Demand Management (TDM) plan to further reduce the automobile mode split;
- The development's car-share provisions, which include three (3) spaces on-site;
- The trend of declining parking demand in transit accessible locations; and
- Recent approvals in the area, across North York district, and elsewhere in the City of Toronto.

Taken together, Transportation Services supports the proposal to reduce the residential parking requirement for the site. The applicant will be required to produce an acceptable TDM plan and financial guarantee for its implementation.

As currently shown, the parking supply appears to satisfy both the accessible parking requirements (with 35 spaces), and the electric vehicle provisions of Version 3.0 of the Toronto Green Standards. Additional comments pertaining to the design and configuration of the proposed parking will be provided during Site Plan Approval.

The proposal includes a total of 1,752 bicycle parking spaces consisting of 213 short term and 1,529 long term bicycle parking spaces, which satisfies the zoning by-law requirement.

#### *Access*

Access to the site is proposed via a range of public and private connections, as follows:

- A future Don Avon Drive public street extension abutting the eastern edge of the site with a right-of-way, running in a north-south direction and connecting to Eglinton Avenue East and extending south to Vanderhoof Avenue;
- A private driveway bisecting the site running in an east-west and north-south orientation in an "L" shape configuration connecting to Vanderhoof Avenue and the future Don Avon Drive public street extension;
- A north-south all access driveway into the south end of Building A's east tower from the east-west portion of the private driveway; and
- An east-west private driveway connection from the future Don Avon Drive street extension to the consolidated underground loading area and parking garage sited in between Buildings D and E.

Given that the vehicular access would be limited to two points to the site and both would be off of the future Don Avon Drive public street extension, this would support the City's objectives to minimize the number and location of curb cuts, and to maintain access off of the main streets and onto local streets. The intent would be to minimize potential pedestrian and vehicular conflicts given that it's anticipated that there would be a higher volume of pedestrians traversing the Eglinton Avenue East and Laird Drive sidewalks.

Also proposed is a new traffic signal installation at the intersection of Laird Drive and Vanderhoof Avenue and at the future north-south Don Avon Drive public street extension and Eglinton Avenue East at the owners cost. Transportation Services staff concur with the proposed connections and intersections in principle.

#### *Loading*

Loading requirements for the site to serve the residential, retail and offices uses as per Zoning By-law 569-2013 would be 5 Type 'B', 1 Type 'G' and 3 Type 'C' for a total of 9 loading spaces.

A total of eleven loading spaces (2 Type 'G', 5 Type 'B', and 4 Type 'C') are proposed within one consolidated loading facility located in the second level underground parking garage. Access to the loading facility would be provided by the shared parking and loading ramp located off of the future north-south Don Avon public street extension however, it remains unclear how Building E (office use) will access the underground



loading area and further information is required for staff review. With respect to the loading all being proposed to be located underground, staff support this given that it will internalize the back-of-house uses off of the grade related public realm, thereby, creating an enhanced environment for residents and visitors.

## **Road Widening**

In order to satisfy the Official Plan requirement of a 30 metre right-of-way for this segment of Eglinton Avenue East, a 0.37 metre road widening dedication along the frontage of the subject site is required and is proposed to be conveyed to the City with this application. A 0.45 metre road widening is required along the Laird Drive frontage of this property to satisfy the requirement of a 27 metre wide right-of-way.

## **Draft Plan of Subdivision**

A plan of subdivision application has been submitted in order to ensure the orderly development of the site, creation of development blocks and parks, and the provision of new public roads and infrastructure to support the development (see Attachment 12).

The proposed subdivision includes the following streets and blocks:

Block 1: residential, retail and office block including Buildings A, B, C, D, and E;

Block 2: 1-storey Building F community facility ;

Block 3: proposed public park;

Blocks 4, 5 and 6: street widenings along Laird Drive and Eglinton Avenue East; and  
Street 'A': North-south Don Avon Drive extension.

Street 'A' is the proposed Don Avon Drive extension running in a north-south orientation from Eglinton Avenue East to Vanderhoof Avenue with a right-of-way width of 15.5 metres. The ultimate 20 metre right-of-way will be achieved by dedicating 15.5 metres through the subject site with the remaining 4.5 metres dedicated as part of the redevelopment of the neighbouring property to the east.

City staff have reviewed the application and have not yet formulated a final list of subdivision conditions that would need to be addressed in order to support the development of the site. City staff will be requesting that the City Solicitor advise the LPAT that an Order be withheld until the LPAT has received a list of subdivision conditions to the satisfaction of the Chief Planner and Executive Director, City Planning Division. Additionally, that the owner has entered into a subdivision agreement with the City to secure matters related to the plan of subdivision, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, the Director, Community Planning, North York District and the City Solicitor.

## **Engineering and Construction Services**

The applicant is required to address outstanding issues from Engineering and Construction Services in their memo dated August 16, 2019, and resubmit the necessary reports for review and acceptance to the satisfaction of the Chief Engineer, Executive Director of Engineering and Construction Services.

Revisions include matters such as, but not limited to: submitting to the Chief Engineer and Executive Director of Engineering and Construction Services for review and acceptance, prior to the LPAT order, a Functional Servicing Report to determine the storm water runoff, sanitary flow and water supply demand resulting from this development and whether there is adequate capacity in the existing municipal infrastructure to accommodate the proposed development.

Additionally, the owner will be required to make satisfactory arrangements with Engineering and Construction Services and enter into the appropriate agreement with the City for the design and construction of any improvements to the municipal infrastructure, should it be determined that upgrades are required to the infrastructure to support this development, according to the accepted Functional Servicing Report accepted by the Chief Engineer and Executive Director of Engineering and Construction Services.

## **Housing**

The Official Plan policies state that a full range of housing in terms of form, affordability and tenure arrangements will be provided and maintained to meet the needs of current and future residents. The PPS and Growth Plan for the Greater Golden Horseshoe contain policies to support the development of affordable housing and a range of housing to accommodate the needs of all household sizes and incomes. The proposal is for a mix of units in mid-rise and tall buildings and a series of 2-storey units within a portion of the base of Buildings A and D. The applicant has not yet determined the tenure for the proposed buildings.

The City Council adopted Growing Up: Planning for Children in New Vertical Communities design guidelines also provide guidance on the proportion and size of larger units recommended in new multi-unit residential developments.

The proposed overall unit breakdown consists of 57% 1-bedroom units, 35% 2-bedroom units and 8% 3-bedroom units. The provision of 35% 2-bedroom units supports the unit mix objective of the Growing Up guidelines, however the proposal for 8% 3-bedroom units does not achieve the minimum 10% required. Staff request that the proposed unit mix be revised to include a minimum of 10% 3-bedroom units. Additional details are needed to determine if the units meet the unit sizes identified in the guidelines.

## **Amenity Space**

Proposed indoor and outdoor amenity area would be 2 square metres per dwelling unit for all residential buildings. Also proposed would be terraces and balconies to provide additional private amenity areas. Staff are satisfied with the overall provision of indoor and outdoor amenity space. Further details would be determined through the Site Plan Control application process. A green roof is proposed on Building B on level 4. Further details need to be provided for staff review and acceptance. Staff will also explore with the applicant the possibility of additional green roofs.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with less than 300 people in 2006. The site is in a parkland acquisition priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 414, Article III of the Toronto Municipal Code, the parkland dedication requirement is 2.2 ha or 70% of the site area. However, for sites that are 1 to 5 hectares in size, a cap of 15% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 4,402 square metres.

The applicant has proposed to partially satisfy the parkland dedication requirement through an on-site dedication of 3,770 square metres. The proposed park is located at the south-west corner of the property with frontage along Vanderhoof Avenue, Laird Drive and the new private street. The proposed park complies with the requirements of Policy 3.2.3.8 of the Toronto Official Plan.

The proposed on-site park partially satisfies the parkland dedication requirements for the development proposal. In addition to the proposed park, the applicant is required to provide cash-in-lieu of the 632 square metres of parkland dedication.

## **Privately-Owned Publicly Accessible Open Space (POPS)**

Privately-owned publicly accessible open space (POPS) of a total of 1,200 square metres is being proposed located at the north-west corner of the site as a corner urban square where a high level of pedestrian activity is anticipated due to the future Eglinton Crosstown LRT Station, and connecting to a diagonally configured urban plaza courtyard area of 1,600 square metres to encourage social interaction amongst residents and visitors.

These areas totalling 2,800 square metres would be adjacent to a proposed child care facility located in the 1-storey podium element in Building F. The proposed POPS would contribute positively to an enhanced public realm on the site.

Staff recommend that the POPS spaces be secured in the Section 37 Agreement and their final design be secured through the Site Plan Control approval process should the application be approved. Should the City agree to the private street in the interior of the site, additional pedestrian and vehicular easements over the private street for public access may be required.

## **Tree Preservation**

The applicant has submitted an Arborist Report dated July 6, 2018. The proposal is for the removal of twenty-nine trees on City-owned property and for sixty-eight new trees to be planted within the public right-of-way.

The report identifies the development proposes the injury/removal of one privately-owned tree that is situated on or adjacent to the subject site. Urban Forestry requires a total of three new large growing native shade trees to be planted on private property to replace the one private tree proposed for removal at a replacement ratio of 3 to 1. The proposal is for the planting of twenty-one replacement trees, which satisfies the requirements of By-law 813.

### **Noise & Vibration**

The applicant submitted an assessment evaluating the impacts of potential for noise and vibration on and from the proposed re-development. The summary of the report concludes that: impacts of the environment on the re-development can be adequately controlled through feasible mitigation measures, façade designs, and warning clauses and through the use of a Class 4 designation; impacts of the re-development on itself are anticipated to be negligible, and can be adequately controlled by design guidance included in the noise and vibration report; impacts of the re-development on the surrounding area are anticipated to be negligible, and can be adequately controlled by following the design guidance included in the noise and vibration report. Given the early stage of design and the conservative analysis that has been completed, the acoustical requirements should be refined by an Acoustical Consultant as part of future site plan approval applications.

Prior to acceptance of the applicant's noise and vibration report conclusions, a third party peer review of the report should be conducted at the owner's expense.

### **Air Quality, Dust & Odour**

The applicant submitted an assessment for potential air quality impacts on the proposed development, including dust and odour. Based on the results of the study, adverse air quality impacts are not anticipated at the proposed development, including at the proposed park and community facility, the requirements of MOECC Guideline D-6 are met, no air quality mitigation measures are required and there are no concerns from an air quality perspective.

Prior to acceptance of the applicant's air quality report conclusions, a third party peer review of the report should be conducted at the owner's expense.

### **Toronto District School Board**

The Toronto Lands Corporation (TLC) as the real estate agency reporting to the Toronto District School Board (TDSB), has advised that based on the available data, there is insufficient space at the local schools to accommodate the students that could be anticipated based on the proposed development, and that development is premature until it can be demonstrated that the future students attributed to this development can be accommodated. Further, any information regarding details about tenure, phasing, construction and expected occupancy timing and unit count/affordability will assist TLC and TDSB in planning for future student accommodations. City staff will continue engaging with the Toronto District School Board to facilitate early understanding of future accommodation needs as a result of this development.

## **Toronto Catholic District School Board**

The Catholic District School Board has acknowledged that it has engaged with the City with respect to the Community Services and Facility planning for the Eglinton Connects Study and the Laird in Focus Planning Study where the proposal is located.

The School Board advises that although sufficient space exists within the local elementary school boundary, combined enrolment pressures in this area will require boundary alignments and capital solutions to accommodate future growth. The local secondary schools are operating at capacity and cannot accommodate additional students.

The School Board has requested that should the development proceed, that the applicant erect sign(s) advising that the School Board has plans to accommodate students from this development, and if the elementary and secondary schools which serve this area are oversubscribed, students from this development may need to be accommodated in portable classrooms or may have to be redirected to a school located outside the area. Also, that the applicant include a warning clause in all offers of purchase and sale of residential units, to the effect that students may be accommodated in facilities outside of the area, depending on availability of space.

## **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits in exchange for an increase in height and/or density pursuant to Section 37 of the *Planning Act*. As the application is seeking an increase in height and density, a Section 37 contribution would be warranted if this application were approved. Since the proposal is not considered appropriate in its current form, discussions with the applicant about the nature and amount of community benefits have not been finalized. However, a child care centre and community facility would form part of the section 37 public benefits package for the development.

In the event that the Local Planning Appeal Tribunal (LPAT) allows the appeal in whole or in part, City Council direct the City Solicitor to request the LPAT to withhold the issuance of any Orders on the Official Plan and/or Zoning By-law Amendments and/or Plan of Subdivision appeals for the subject lands until such time as the City Solicitor confirms the satisfactory execution and registration of a Section 37 Agreement satisfactory to the Chief Planner and Executive Director, City Planning to secure the Section 37 matters negotiated in consultation with the applicant and local Councillor.

## **Community Services and Facilities**

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in

community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

### *Child Care*

The proposal includes a not-for-profit child care facility to be located in Building F however, staff request that further information be provided to demonstrate how the space would achieve the minimum space requirements for a child care facility under the City's Child Care Development Guideline. Once such plans are submitted, Policy staff will circulate to Toronto Children's Services for review and comment.

### *Community Service Space*

Planning staff have met with Social Development, Finance and Administration and Real Estate Services staff and have determined that the subject site's location at Laird Station is well positioned to provide community agency space. Non-profit community agencies play an important role in delivering needed programs and services across the city. In planning for complete communities, provision of visible, accessible and affordable spaces for the delivery of community programs and services is encouraged, and was identified as a priority for the Eglinton Laird Focus Area in the Eglinton Connects CS&F Strategy.

Staff recommended that the balance of the proposed 2,100m<sup>2</sup> community facility space (excluding the non-profit child care) be considered for the provision of non-profit community agency space under the City's Community Space Tenancy policy. Such a space would be designed to meet the requirements of the City. This includes locating the space in a highly visible location with convenient access with flexible, accessible, multi-purpose interiors that can be programmed in different ways and be adapted over time to meet the varied needs of different user groups. It has been requested that the applicant submit plans showing a community facility space that meets the above principles and is configured to accommodate two to three agencies with shared common space.

Should a satisfactory layout be achieved, the owner would enter into a long term lease (minimum of 99 years) or convey the space to the City at a nominal cost. The community space would be subject to the City's Community Space Tenancy (CST) Policy under which a selection process (EOI) would be undertaken by the City to identify qualified non-profit organizations to occupy the space at below market rent. These organizations would provide social or health programs and services; and/or cultural or recreational services to Toronto residents that meet a community need, and are consistent with the strategic directions or objectives of the City.

Similar terms would apply to the community agency space, as those applied to the child care centre. The applicant would be responsible for designing, constructing, finishing, furnishing and equipping an operational space to the standards of design and finish acceptable to the City. The City shall not be responsible for any costs associated with the design and construction of the community facility. The community facility space should be provided to the City on a "turn-key" basis and include washrooms, kitchenette, flooring and be separately metered.

Staff recommend that detailed plans for the proposed child care facility be provided based on the City's Growing Up Guidelines and Child Care Development Guideline and the provision of concept plans detailing the potential location and configuration of community facility space. The child care centre and community facility would form part of the section 37 public benefits package for the development.

## **Public Art**

The governing principle for the Percent for Public Art Program is that art is a public benefit to be enjoyed and experienced by residents and visitors throughout the city. The Program requires that the artwork must be clearly visible at all times from publicly accessible areas. Staff recommend that public art be implemented as part of the application, to further anchor the new open space network in proximity with new transit investment.

## **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. Tier 1 performance measures are secured in zoning by-laws, on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Tier 1 development features that could be secured through the zoning by-law process relate to automobile infrastructure, cycling infrastructure, storage and collection of recycling and organic waste. Tier 1 development features that could be secured through the Subdivision Approval process include; construction activity and stormwater retention. Additional applicable TGS performance measures will be secured through the Site Plan Approval process.

## **Conclusion**

The proposal has been reviewed against the policies of the PPS (2014), the Growth Plan (2019) and the Toronto Official Plan. Staff are of the opinion that the proposal in its current form is not consistent with the PPS (2014) and conflicts with the Growth Plan (2019). The proposal conforms with the Growth Plan (2006) as it applies to the General Employment Areas designated lands.

In terms of the site organization, the proposal is generally consistent with the Laird in Focus study objectives. However, the proposal is not in keeping with several policies of the Toronto Official Plan and the Council adopted Laird in Focus Planning Study which is being implemented through the draft Site and Area Specific Policy being considered at North York Community Council on November 5, 2019. The proposal does not conform in particular as it relates to: building height, setbacks, stepbacks and 45 degree angular planes. The proposal at the current height would create shadow impacts on the north public sidewalk of Eglinton Avenue East and the west side of Laird Drive. Staff

are continuing discussions with the applicant in an effort to resolve the outstanding issues.

Therefore, the report recommends that the City Solicitor, together with City Planning staff and any other City staff as appropriate, appear before the Local Planning Appeal Tribunal (LPAT) hearing to oppose the applications in their current form and to continue discussions with the applicant in an attempt to resolve the outstanding issues outlined in this report.

## **CONTACT**

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Diane Silver, Senior Planner, Tel. No. (416) 395-7150, Fax No. (416) 395-7155  
E-mail: [Diane.Silver@toronto.ca](mailto:Diane.Silver@toronto.ca)

## **SIGNATURE**

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Joe Nanos, Director  
Community Planning, North York District

## **ATTACHMENTS**

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City of Toronto Data/Drawings

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning Map: the former Town of Leaside Zoning  
By-law No. 1916

Attachment 5: Existing Zoning Map - City-wide Zoning By-law 569-2013

Attachment 6: Laird Focus Study Areas A and B

Applicant Submitted Drawings

Attachment 7: Site Plan

Attachment 8: North Elevation - Building A and B

Attachment 8a: North Elevation - Building D

Attachment 8b: North Elevation - Buildings F and C

Attachment 9: South Elevation - Building A

Attachment 9a: South Elevation - Building B

Attachment 9b: South Elevation - Buildings C and E

Attachment 10: West Elevation - Building B, C and E

Attachment 10a: West Elevation - Building A, D and E

Attachment 11: East Elevation - Buildings E, D and A

Attachment 11a: East Elevation - Buildings C, F and B

Attachment 12: Draft Plan of Subdivision



## Attachment 1: Application Data Sheet

Municipal Address: 815 EGLINTON AVE Date Received: August 19, 2016  
 EAST 16 210199  
 NNY 26 OZ  
 Application Number: 18 201853 and 18 201865 July 30, 2018  
 NNY 26 SB  
 Application Type: OPA/Rezoning/OZ

Project Description: The proposal is for the redevelopment of the existing 8.8 acre site with a total density of 3.84. The proposal includes 5,956 m<sup>2</sup> of retail, 120,535 m<sup>2</sup> of residential (1,673 units), 10,229 m<sup>2</sup> of office, a new public park 3,770 m<sup>2</sup>, publicly-accessible open space (POPS 2,800 m<sup>2</sup>), community space (2,100 m<sup>2</sup>) and a network of public and private streets. The proposal includes 1, 4, 10, 18, 12, 18, 21, 36 and 38-storey buildings along Eglinton Avenue East, Laird Drive and Vanderhoof Avenue.

Applicant	Agent	Architect	Owner
GOODMANS LLP	Same as Applicant	Quadrangle Architects 701-901 King Street	RIOCAN HOLDINGS INC.

### EXISTING PLANNING CONTROLS

Official Plan Designation: *Mixed Use Areas* Site Specific Provision:  
*General Employment Areas*  
 Zoning: M1(7) M1(8) Heritage Designation: N  
 Height Limit (m): Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 35,608 Frontage (m): 199 Depth (m): 179

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	11,500		15,997	15,997
Residential GFA (sq m):			120,535	120,535
Non-Residential GFA (sq m):	11,500		18,286	18,286
Total GFA (sq m):	11,500		138,821	138,821
Height - Storeys:	1		38	38
Height - Metres:			128	128

Lot Coverage Ratio ( %): 45 Floor Space Index: 3.84

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	118,730	1,517
Retail GFA:	5,709	551
Office GFA:	10,117	104
Industrial GFA:		
Institutional/Other GFA:	2,100	

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:				
Other: TBD	0	0	1,673	1,673
Total Units:	0	0	1,673	1,673

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:	50	911	586	126	
Total Units:	50	911	586	126	

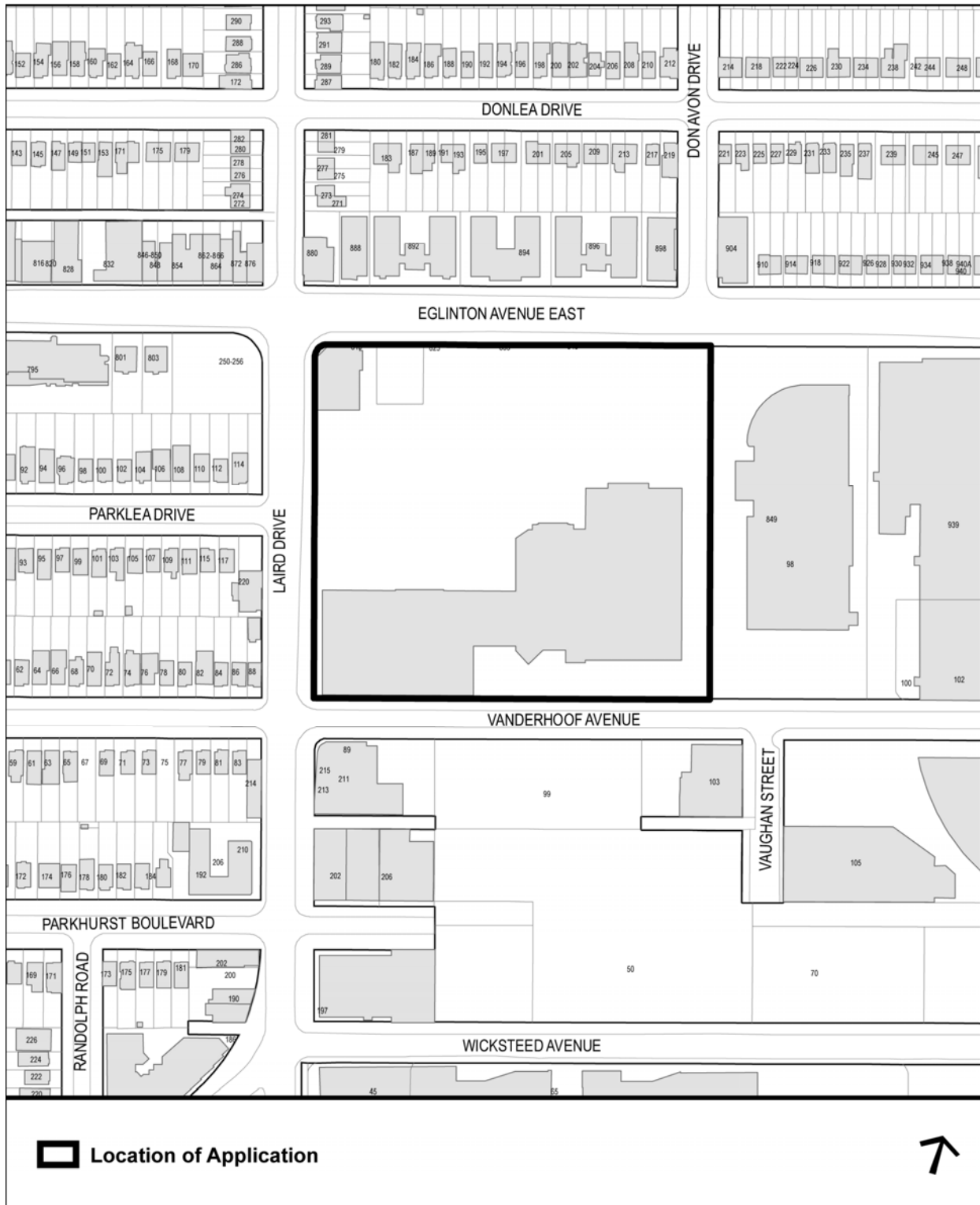
Parking and Loading

Parking Spaces: 1,106 Bicycle Parking Spaces: 1752 Loading Docks: 11

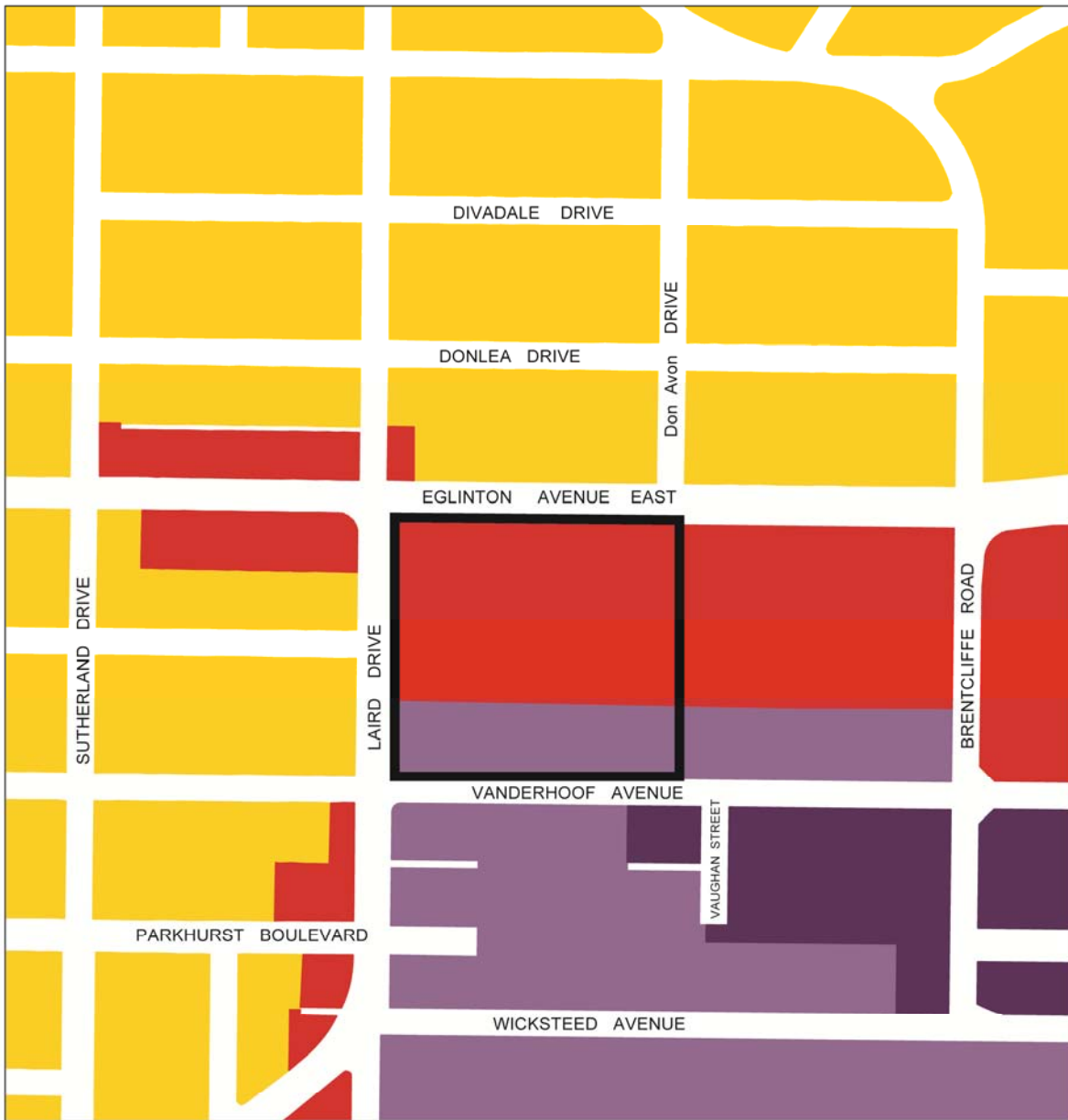
CONTACT:

Diane Silver, Senior Planner  
 Tel. #(416) 395-7150  
 Email: Diane.Silver@toronto.ca

# Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



**Official Plan Land Use Map #17**

**815 - 845 Eglinton Avenue East**

File # 16 210199 NNY 26 OZ

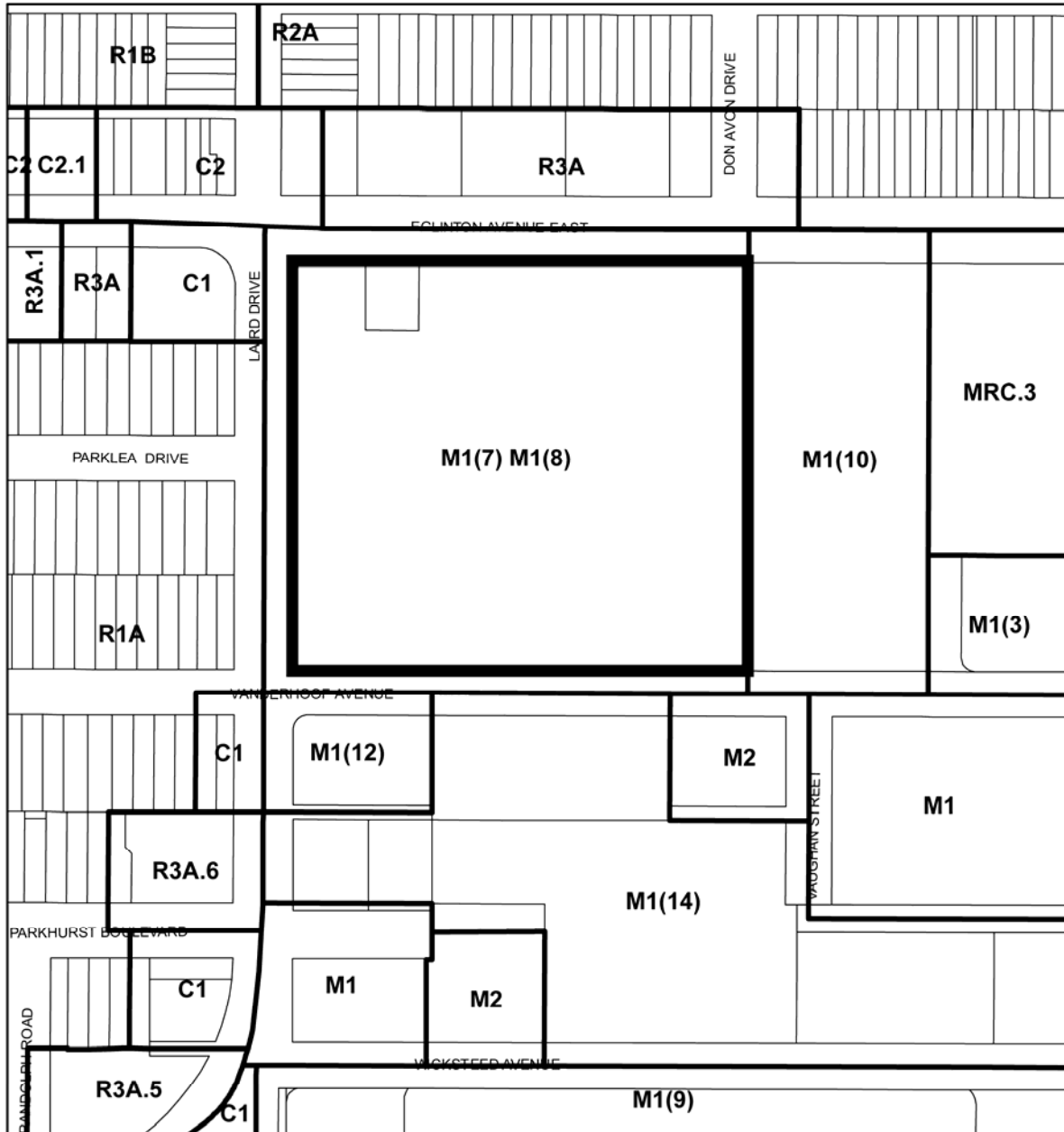
File # 18 201853 NNY 26 OZ

File # 18 201865 NNY 26 SB

- Location of Application
- Neighbourhoods
- Mixed Use Areas
- General Employment Areas
- Core Employment Areas

↑  
Not to Scale  
09/25/2019

Attachment 4: Existing Zoning Map - Zoning By-law the Town of Leaside No. 1916



**Zoning By-law 1916**

**815 - 845 Eglinton Avenue East**

File # 16 210199 NNY 26 OZ  
 File # 18 201853 NNY 26 OZ  
 File # 18 201865 NNY 26 SB



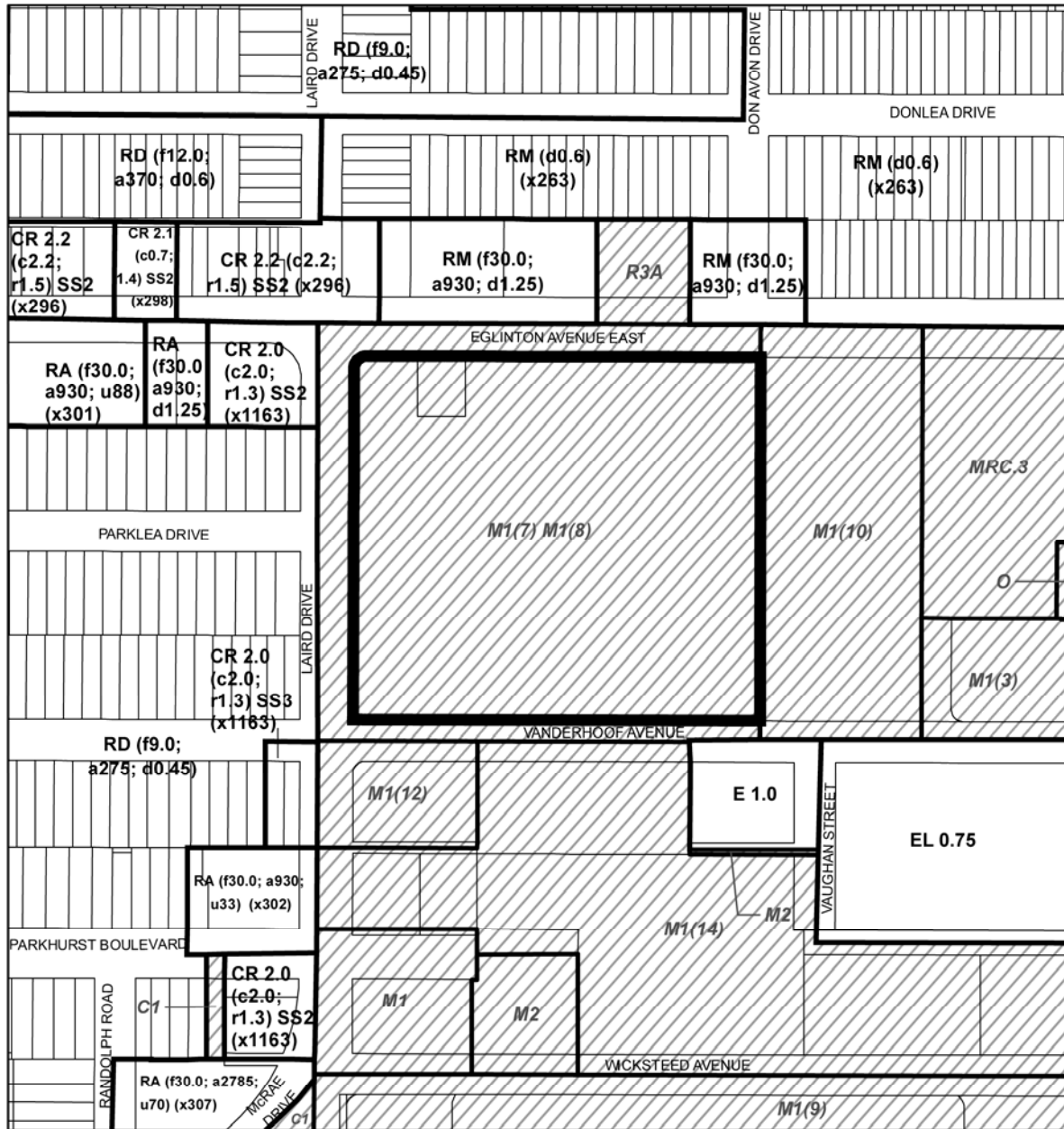
Location of Application

**Zoning By-law 1916 Designations**

R1A	Residential	C1	Commercial
R1B	Residential	C2	Commercial
R2A	Residential	MRC	Commercial Residential
R3A	Residential	M1	Employment Industrial
		M2	Employment Industrial

↑  
 Not to Scale  
 Extracted: 09/26/2019

Attachment 5: Existing Zoning Map - City-wide Zoning By-law 569-2013



Zoning By-law 569-2013

815-845 Eglinton Avenue East

File # 16 210199 NNY 26 OZ  
 File # 18 201853 NNY 26 OZ  
 File # 18 201865 NNY 26 SB

Location of Application

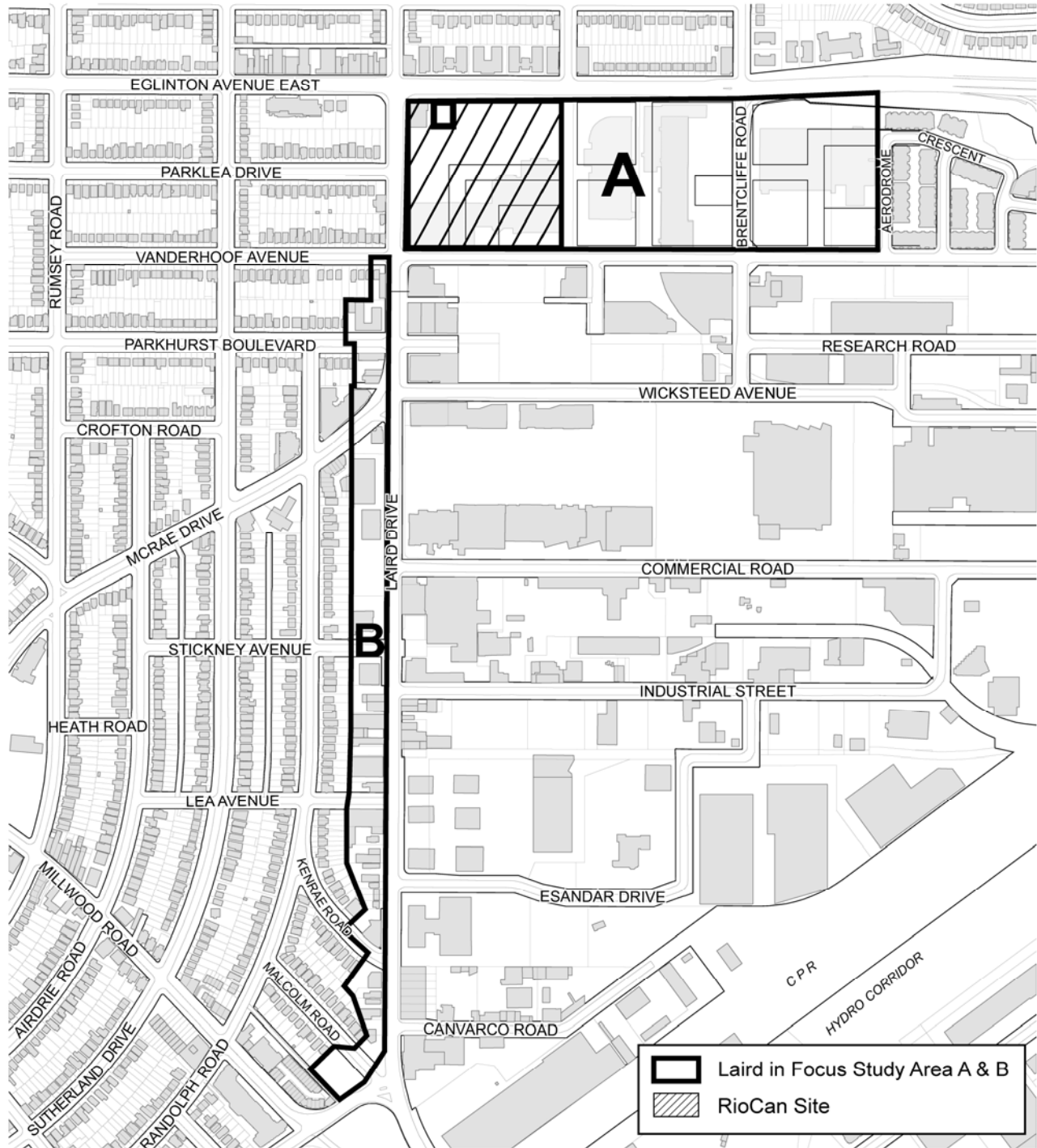
See Former Borough of East York By-Law No. 1916

- RD Residential Detached
- RM Residential Multiple
- RA Residential Apartment
- CR Commercial Residential
- EL Employment Light Industrial
- E Employment Industrial

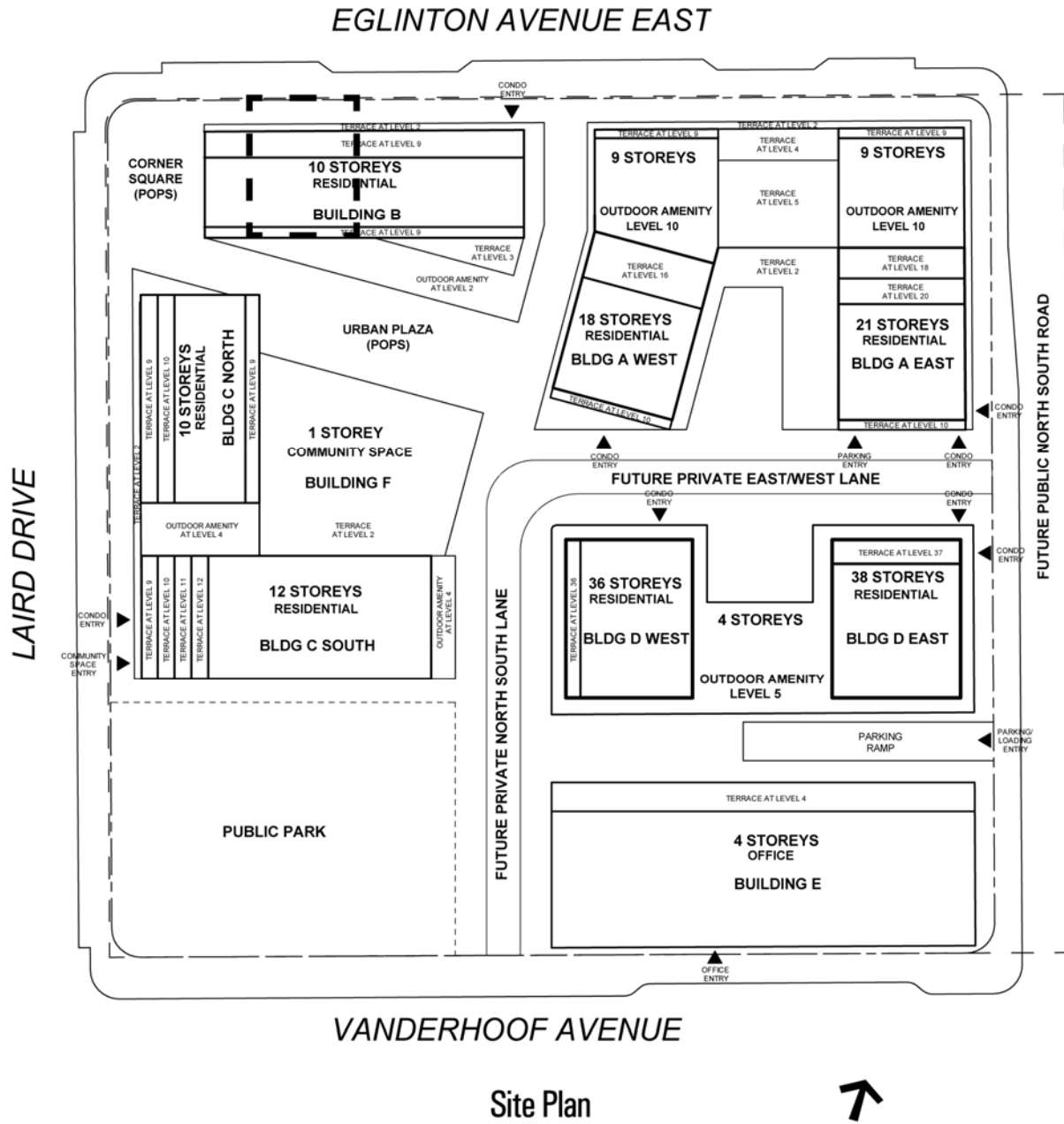
- R3A Residential
- C1 Commercial
- MRC Commercial Residential
- M1 Employment Industrial
- M2 Employment Industrial
- O Open Space

Not to Scale  
 Extracted: 10/31/2018

Attachment 6: Laird in Focus Study Areas A and B



Attachment 7: Site Plan

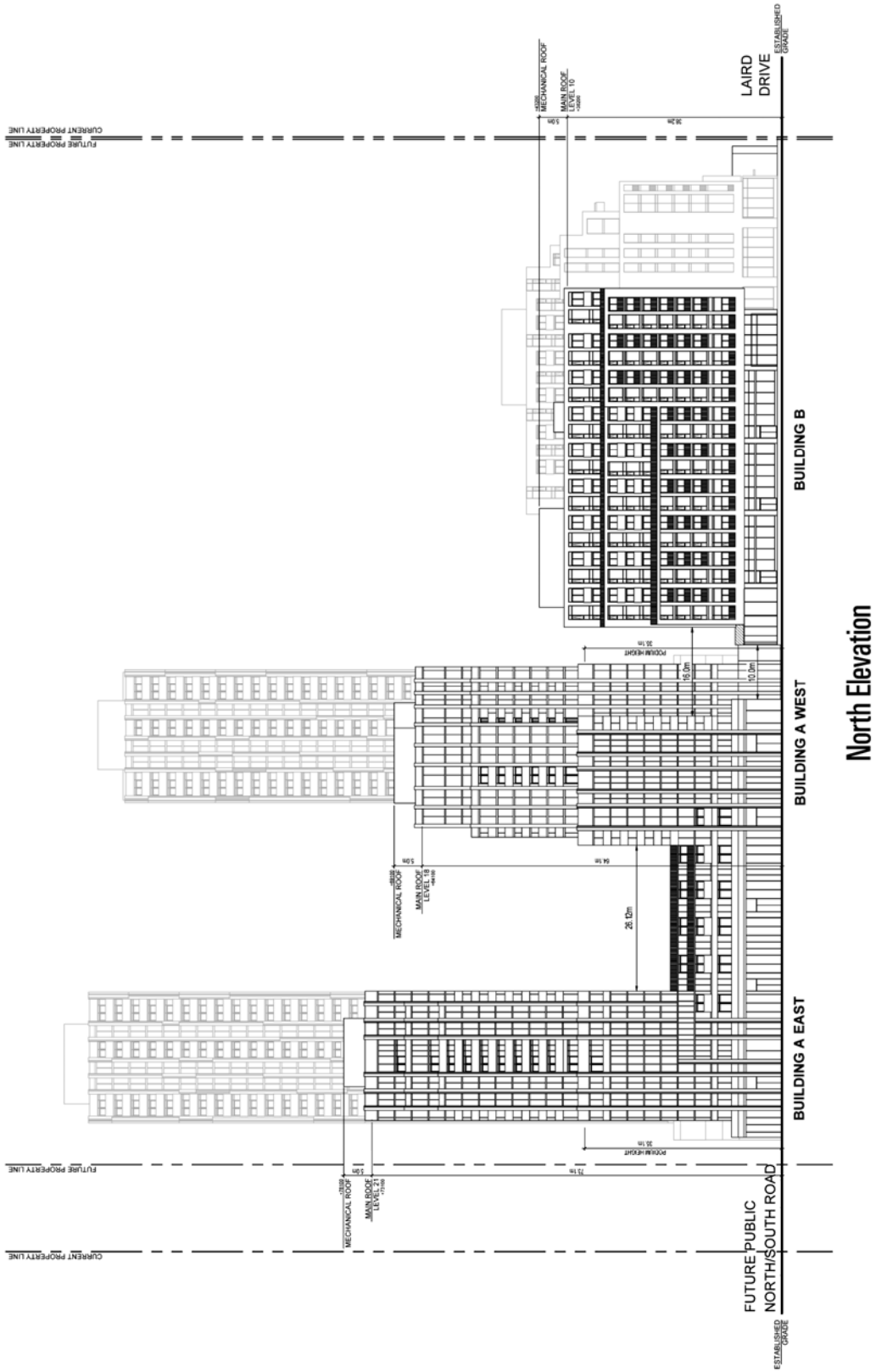


Site Plan

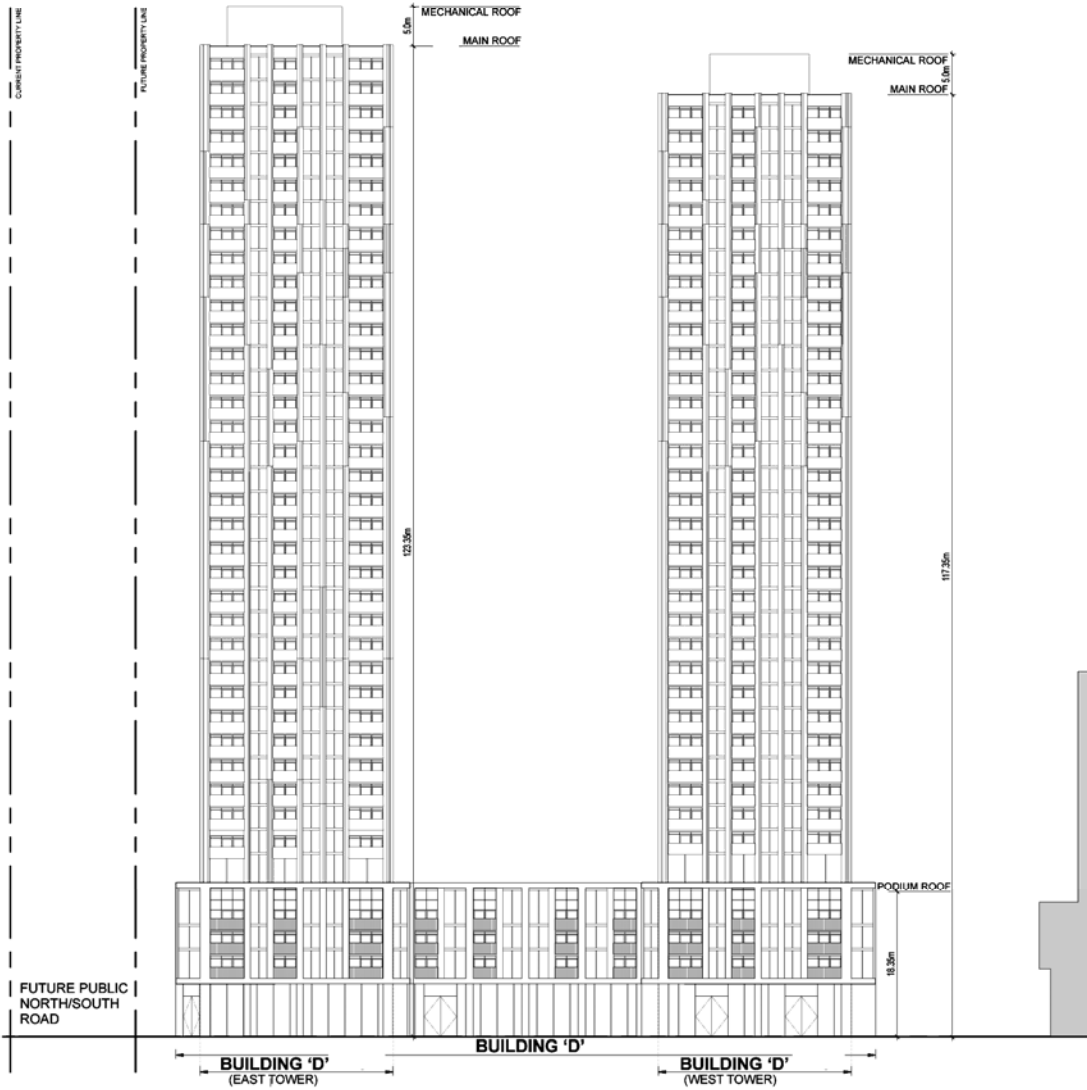




Attachment 8: North Elevation - Buildings A and B

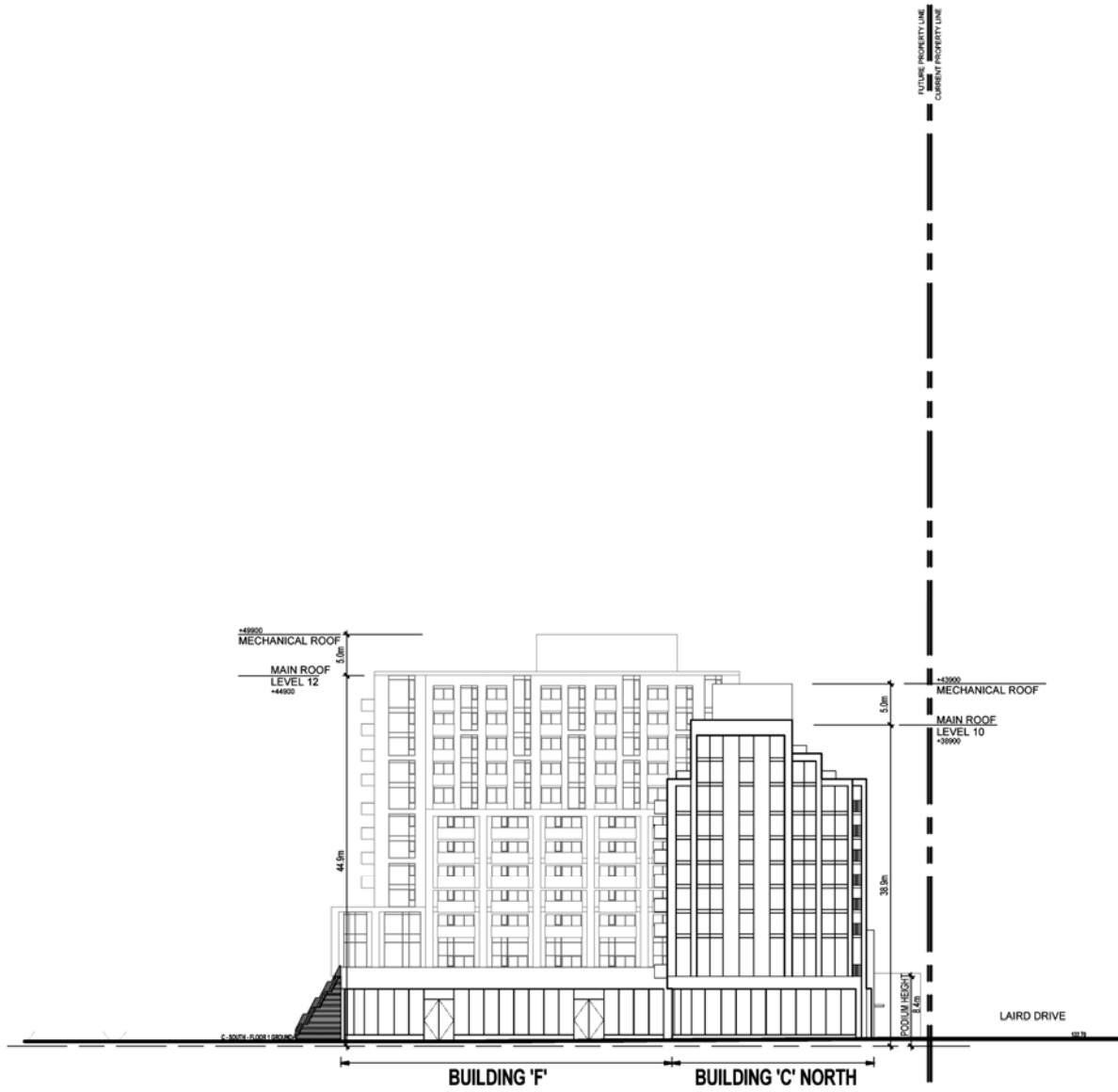


Attachment 8a: North Elevation - Building D



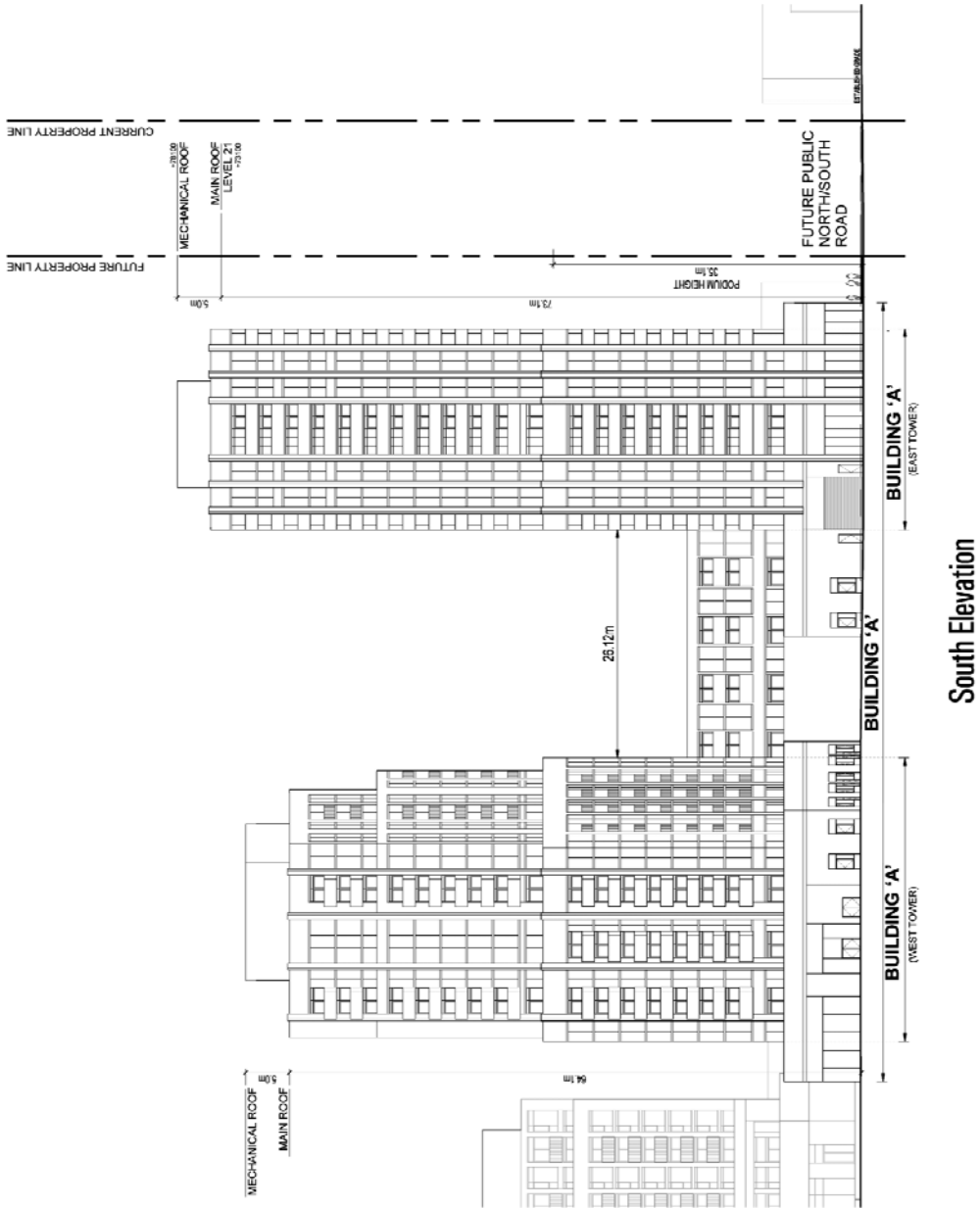
North Elevation

Attachment 8b: North Elevation - Buildings F and C

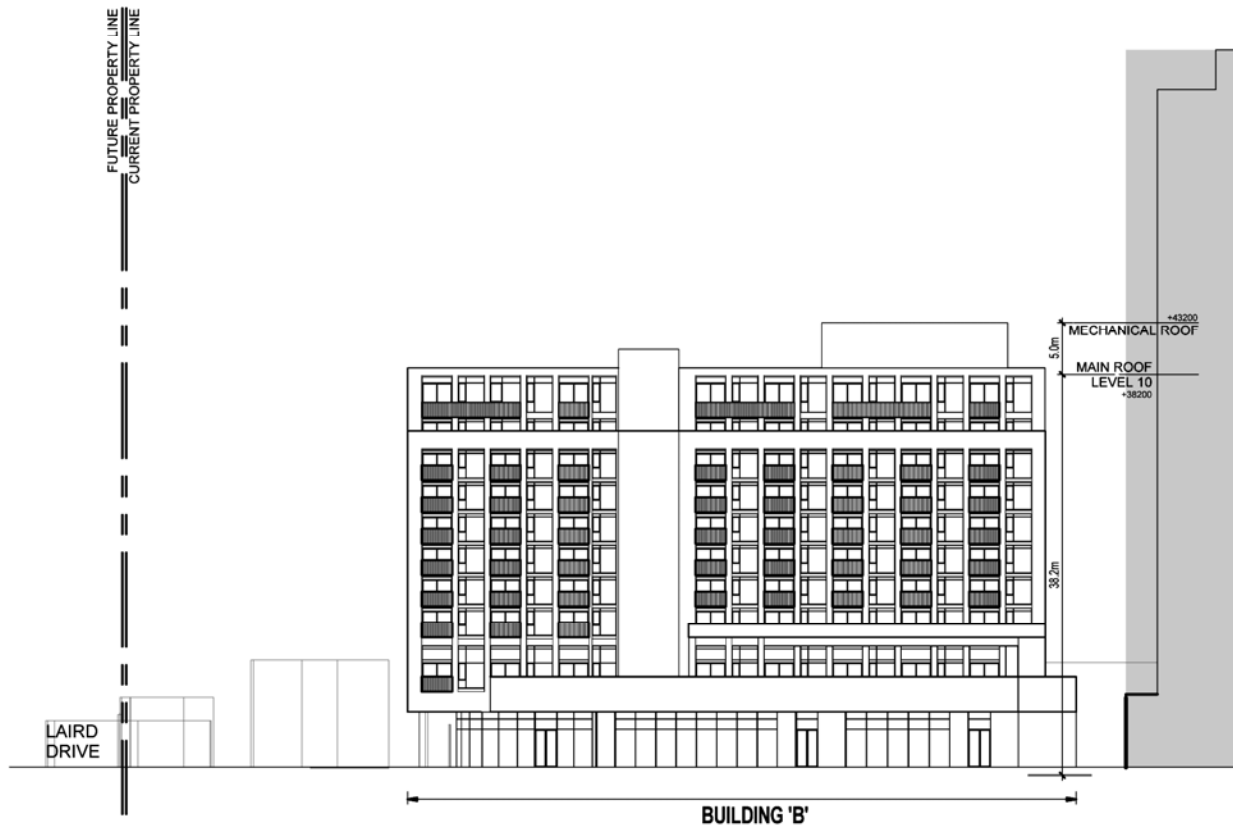


North Elevation

Attachment 9: South Elevation - Building A

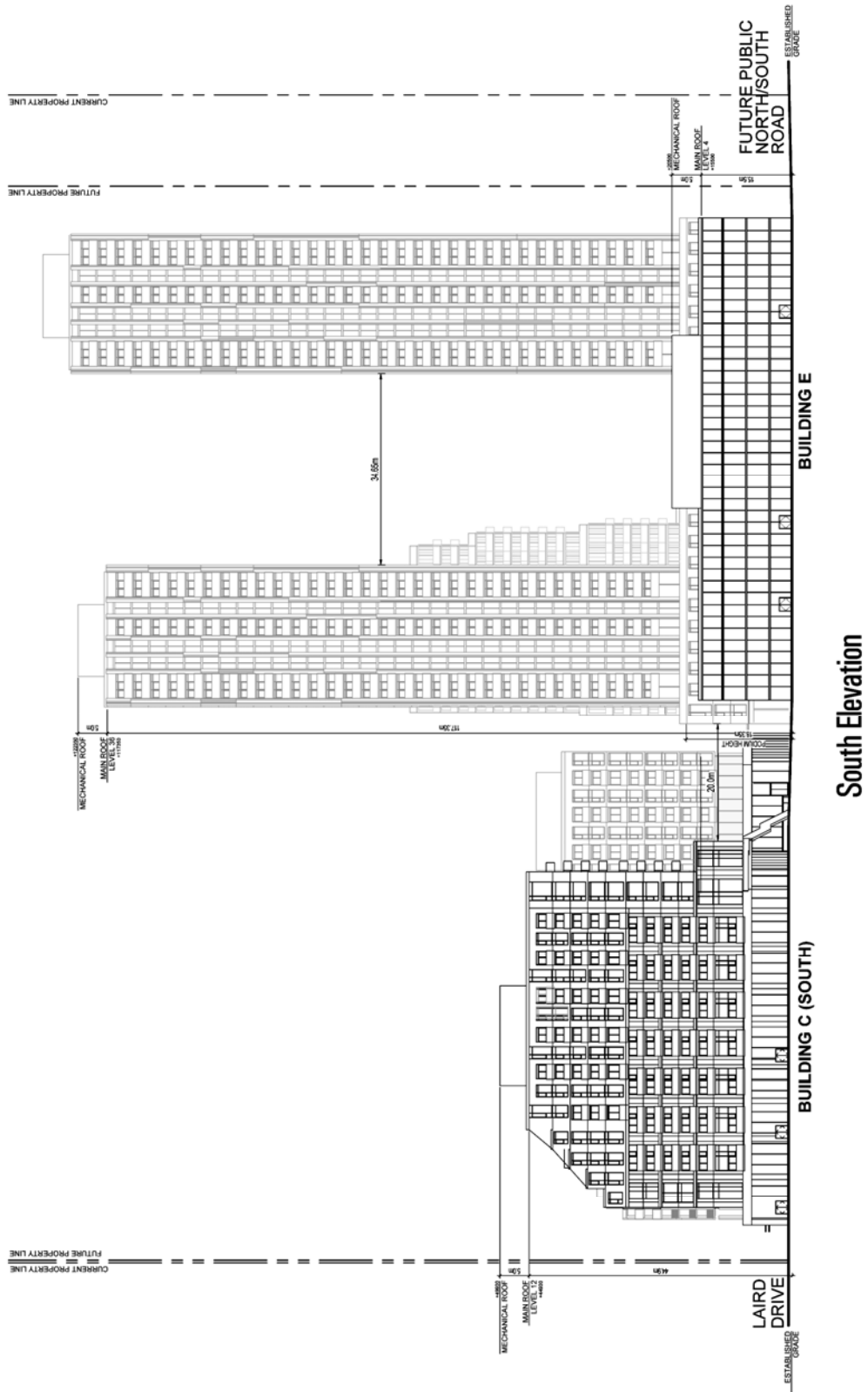


Attachment 9a: South Elevation - Building B



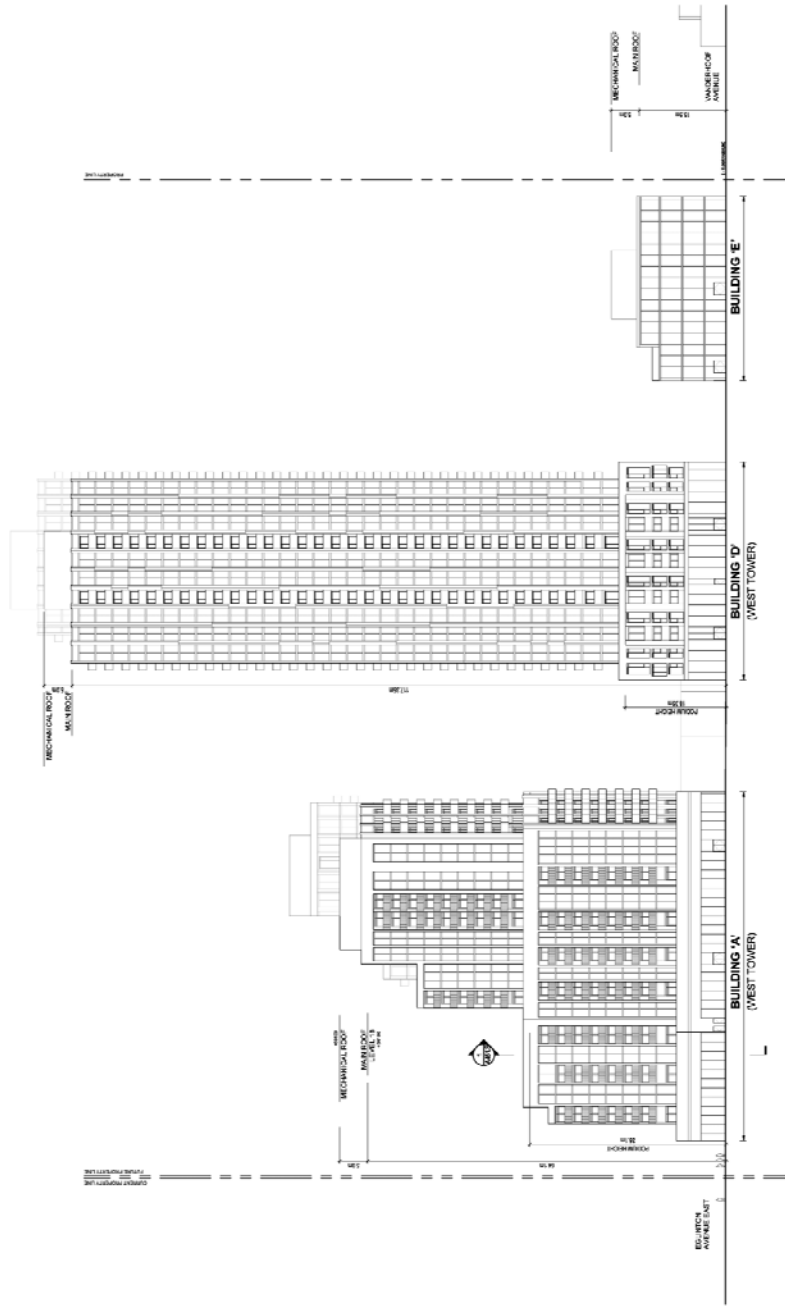
South Elevation

Attachment 9b: South Elevation - Buildings C and E





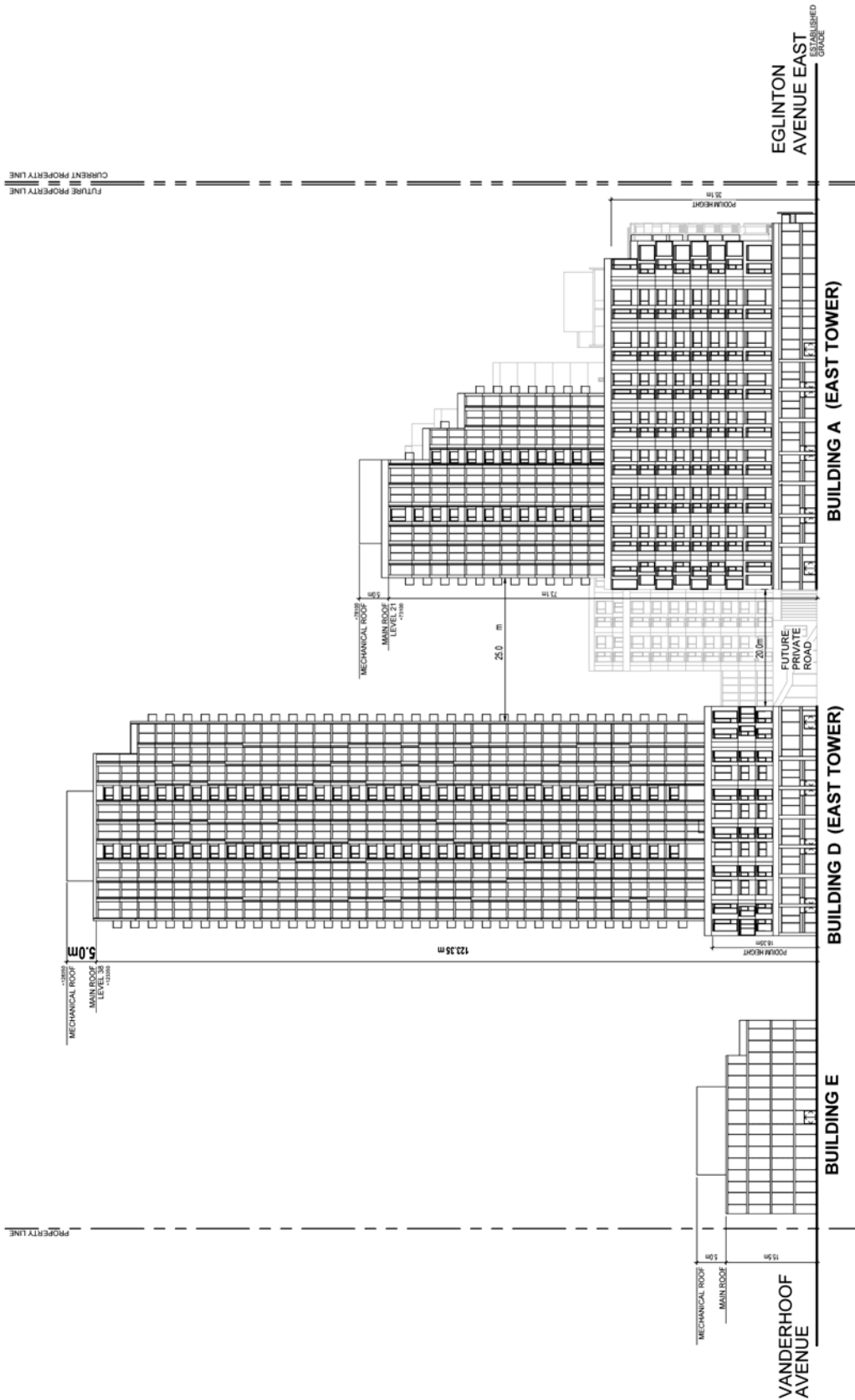
Attachment 10a: West Elevation - Buildings A, D and E



West Elevation



Attachment 11: East Elevation - Building E, D and A



East Elevation

Attachment 11a: East Elevations - Buildings C, F and B

