

3060 Eglinton Avenue E - Zoning Amendment, Draft Plan of Subdivision Applications – Preliminary Report

Date: December 19, 2018

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 24 (formerly Ward 38)

Planning Application Number: 18 198833 ESC 38 OZ, 18 198841 ESC 38 SB

Notice of Complete Application Issued: September 28, 2018

Current Use(s) on Site: The site is currently vacant

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the applications located at 3060 Eglinton Avenue East. Staff are currently reviewing the applications. The applications have been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the applications with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the applications located at 3060 Eglinton Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

The subject lands were part of a group of land holdings under City ownership which were originally intended for the former Scarborough Transportation Corridor (STC). The

STC ultimately was never pursued by the City. Of note, City Council declared the subject lands surplus to the City's requirements at its meeting of October 3-12th, 2000. At its meeting of May 17, 2011, City Council adopted a staff recommendation to transfer the property at the rear of 3090–3122 Eglinton Avenue (the subject site) to Build Toronto (now CreateT.O). The lands were subsequently sold to the current owner who submitted the subject planning applications.

See relevant report links below:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2011.GM3.21>

<https://www.toronto.ca/legdocs/2000/agendas/council/cc/cc001003/adm19rpt/cl022.pdf>

<https://createto.ca/project/3090-3122-eglinton-avenue-east-3/>

ISSUE BACKGROUND

Application Description

The zoning by-law amendment application proposes to amend the relevant zoning by-laws to permit 76 new residential dwelling units within 5, 4-storey stacked townhouse blocks, fronting on a new 16.5 metre public road. The new units are proposed to have 76 resident vehicular parking spaces accessed via a new 6 metre wide private laneway. No dedicated on-site visitor parking spaces are proposed.

The application proposes that Block 1 which is comprised of 10 units would be transferred to Habitat for Humanity once all required planning approvals are in place. The unit mix proposed consists of 66, 2-bedroom units within Blocks 2 through 5 and 10, 3-bedroom units within Block 1 (for Habitat for Humanity).

The proposal contemplates the provision of 781 square metres of common/shared outdoor amenity space comprised of an 187 square metre space at the westerly limit of the development site and a 594 square metre space between Block 3 and Block 4. Of note, private amenity space is provided for each of the units via a rear deck or a rooftop terrace. The applicant proposes a crash berm along the northerly end of the site given the proposal's proximity to the rail corridor to the north. Acoustical walls are proposed on top of the berm and adjacent to outdoor amenity spaces to address road and rail noise.

A draft plan of subdivision application has also been submitted to create the development blocks and a new public street.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment No. 1 of this report, for a three dimensional representation of the project in context.

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2017) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Toronto Official Plan Policies and Planning Studies

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application. Toronto Official Plan policies may be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The current application is located on lands shown as *Avenues* on Map 2 Urban Structure of the Official Plan and *Mixed Use Areas* on Land Use Map No. 23.

Zoning By-laws

The majority of the subject site is zoned Commercial Residential (CR) Zone with a small part of the northeast portion of the site zoned Residential Detached (RD) Zone in City of Toronto Zoning By-law 569-2013, as amended. Permitted Uses in the (CR) Zone include uses such as a dwelling unit, retail store office and personal service shop and in the RD Zone a use such as a dwelling unit within a detached house. Of note, the majority of the site is subject to Exception No. 646 which permits a prescriptive list of land uses such as office uses not including dental or medical office, retail store, eating establishment, personal service shop.

The maximum permitted gross floor area of all buildings in the (CR) Zone is 0.4 times the area of the lot and this is reserved only for permitted commercial uses. There are no residential density permissions. A maximum building height of 11 metres is permitted.

The majority of the subject site is zoned Community Commercial (CC) Zone with a small part of the northeast portion of the site zoned Single Family Residential (S) Zone in the Scarborough Village Community By-law No. 10010, as amended. Permitted uses in the (CC) Zone include uses such as community commercial uses, day nurseries and neighbourhood commercial uses and in the (S) Zone uses such as correctional group

homes, group homes and single family dwellings. *However*, the majority of the site is subject to Exception No. 6 which permits a prescriptive list of land uses such as retail stores, banks, personal service shops and business and professional offices.

The City's Zoning By-law No. 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Eglinton East Planning Study

The City of Toronto has commenced a planning study to review the Eglinton East Light Rail Transit (EELRT) corridor which is envisioned as an extension of Line 5 (Eglinton) to University of Toronto Scarborough Campus (UTSC) and beyond with through-service at Kennedy Station. The preliminary design indicates LRT stops at the Eglinton Avenue / Bellamy Road N and Eglinton Avenue / Mason Road intersections which are located in the vicinity of the subject site.

Design Guidelines

The following design guideline will be used in the evaluation of this application:

Townhouse and Low-Rise Apartment Guidelines.

The City's Design Guidelines may be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/>

Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application (File No. 18 198844 ESC 38 SA) been submitted.

COMMENTS

Reasons for the Applications

The Zoning By-law amendment application has been filed in order to permit the proposed stacked townhouse development and to establish the appropriate zoning provisions applying across the site to regulate the development under the City's Zoning By-law 569-2013, as amended.

The application is also required to permit the proposed residential land use and to establish appropriate zoning provisions applying across the site to regulate the development under Scarborough Village Community By-law No. 10010, as amended.

A draft plan of subdivision application is required to create the development blocks and the new public street.

ISSUES TO BE RESOLVED

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

Provincial Policies and Plans Consistency/Conformity

The applicant's proposal is being evaluated against the PPS(2014) and the Growth Plan (2017) to establish the applications consistency with the PPS(2014) and conformity with *the Growth Plan (2017)*.

There are a number of key provincial policies relevant to the evaluation of these applications.

PPS Policies 1.1.1(c), 1.2.6.1, 1.4.3(e) and 1.6.9.1 which read together speak to preventing or mitigating adverse effects between major facilities (such as the rail corridor) and sensitive land uses and ensuring environmental and public health and safety matters are addressed. PPS Policy 1.1.1(b) speaks to provincial interest in the provision of affordable housing. With respect to parks, PPS policy 1.5.1 contains direction related to the promotion of active communities by planning for a full range and equitable distribution of parkland. The proposal is located near an 'existing corridor', a 'transportation facility' and a 'planned corridor' (the rail corridor to the north, the existing GO station to the south and the Eglinton East future LRT alignment adjacent to the site immediately to the south). Accordingly, the proposal will be evaluated against policy 1.6.8.3 which indicates that planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified and speaks to ensuring the compatibility of new development proposed on lands adjacent to existing or planned corridors and transportation facilities with those areas. Since the proposal includes extension of the public road network, the proposal will be evaluated against PPS Policy 1.6.7.5 which indicates that transportation and land use considerations shall be integrated at all stages of the planning process.

Policy 4.7 is germane to understanding the relationship between provincial plans and the official plan as the policy indicates 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.

Growth Plan Policy 3.2.2.3 speaks to transportation issues and notes that in the design of the existing and planned street network a complete streets approach will be adopted that ensures the needs and safety of all road users are considered and appropriately accommodated. With respect to affordable housing, Growth Plan Policy 2.2.1.4(c) indicates that applying the policies of this plan will support complete communities that, provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes. With respect to parks, Growth Plan Policy 2.2.1.4 d) states that applying the policies of this Plan will support the achievement of complete communities that expand convenient access to an appropriate

supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities.

Official Plan Conformity

The subject lands have frontage on Eglinton Avenue which is identified as an *Avenue* on Map 2 - Urban Structure in the Official Plan(O.P). Relevant policies are contained in 2.2.3.3 related to development along *Avenues*.

The subject site is designated *Mixed Use Areas* in the City of Toronto Official Plan. Policies 4.5.2 contain development criteria for *Mixed Use Areas* which include, the provision of a comfortable, safe pedestrian environment, access to parks, good site access and circulation and an adequate supply of parking for residents and visitors, the location and screening of garbage storage to minimize the impact on adjacent streets and residences and the provision of appropriately designed outdoor amenity spaces.

Public Realm policies 3.1.1(16) and (17), addresses how new streets should be designed and that they should be public.

Natural Environment policy 3.4(21) addresses matters of safety and preventing adverse effects from major facilities such as transportation/rail infrastructure on sensitive land uses such as residences.

Parks and Open Spaces policy 3.2.3(5) indicates that an alternative parkland dedication rate of 0.4 hectares per 300 units applies to proposals for residential development where the development proposal is in a priority area where Council has identified a need for parkland and enacted an Alternative parkland dedication By-law. Map 8(B) shows the local parkland provisions across the City.

To ensure official plan conformity, the proposal will be evaluated against the aforementioned policies and all relevant Transportation and Land Use and Built Form policies in the O.P as a part of the development review process.

Parkland Dedication

The proposal does not contemplate the provision of any on-site City parkland. Parks staff have reviewed the applicant's proposal and advise that the subject lands are in a parkland priority area, as per Chapter 415, Article III of the Toronto Municipal Code. At the alternative rate of 0.4 hectares per 300 units, the parkland dedication would be 910.4 square metres. Staff will work with the applicant to address on-site parkland provision as a part of the development review process.

Noise and Vibration Impacts

The proposed development is within close proximity to an existing rail corridor to the north and areas of the site are either abutting or within close proximity to Eglinton Avenue East. The applicant has submitted noise and vibration impact studies to analyze and evaluate the effects of existing noise sources on the proposed residential land use. Staff will require a peer review of these materials to assist in evaluating the appropriateness and effectiveness of the noise and vibration mitigation measures proposed within the context of other relevant policy objectives.

Rail Corridors and Safety Issues

The applicant proposes crash derailment protection measures in the form of a crash berm generally along the northern boundary of the site. In support of the proposal, the submitted materials include a 'Derailment Protection Report' and an associated 'Derailment Protection Plan'. Staff will require a peer review of these materials to assist in evaluating the appropriateness and effectiveness of the derailment protection measures proposed within the context of other relevant policy objectives.

Parking, Road and Private Laneway Design and Layout

In support of the proposal, the applicant has submitted a Transportation Operational Assessment. Transportation Services Division staff have identified concerns regarding the adequacy of the proposed vehicular parking supply, and furthermore note they do not support the applicant's rationale for a reduction in the total required parking spaces. All required visitor parking must be provided for on private property.

Concerns have also been identified regarding the safety, design and functionality of the proposed public road, including its interface with the existing road (Conn Smythe Drive), as well as the accesses to the proposed rear laneway. Transportation Services advises that the width of the proposed right-of-way should be increased to 16.5 metres along the entire length of the road in accordance with Development Infrastructure Policy and Standards (DIPS).

Staff will work with the applicant to address and resolve these matters.

Built Form, Planned and Built Context

Staff are reviewing the application against the Townhouse and Low-Rise Apartment Guidelines and have identified the following high level concerns:

The proposed private common outdoor amenity area with a play area on the western portion of the site located across the proposed public street and partially surrounded by proposed noise walls and a berm with limited visibility is not supported by the Guidelines. In addition, the proposed outdoor amenity area between Blocks 3 and 4 with a noise wall proposed along the north boundary is not supported by the Guidelines and should be enlarged and revised to improve visibility and better address the public realm and adjacent townhouse blocks.

Two outdoor garbage storage areas are currently proposed in standalone buildings within the common outdoor amenity area on the western portion of the site and north of the proposed street block on the eastern portion of the site. This condition is not supported by the Guidelines. Garbage storage areas should be relocated and integrated into the townhouse buildings.

The number of stairs (ranging between 8 and 11 stairs) leading to the front entrances of the townhouse units in Block 1 and the relationship of the unit entrances to the proposed public street is a public realm condition that is not supported in the Guidelines, which requires that developments relate directly to the existing or 'natural' grade.

The requirement of on-site City parkland dedication and issues identified above and in previous sections regarding common outdoor amenity areas, transportation, noise, vibration and rail safety mitigation will have implications on site organization, including the street and block layout.

Staff will work with the applicant to address and resolve these matters.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law).

Based on submissions, of the 18 private trees which qualify for protection under the City's Private Tree By-law, 6 are proposed to be protected and retained and 12 are proposed for removal. Of note, given the quality of the submissions, staff are unable to confirm the total number and exact location of trees and whether they are located on private property or public property.

The applicant has submitted an Arborist report and tree preservation plans. The materials have been reviewed by relevant divisions and Urban Forestry staff indicate that a revised Arborist Report and tree preservation plans are required to address the identification of trees located on site that were not identified in the submissions. Staff are working with the applicant to address this issue.

Affordable Housing

The applicant has indicated that the 10 residential units in Block 1 will be transferred to Habitat for Humanity once all required planning approvals are in place. Staff have requested confirmation from the applicant regarding the proposed affordability of the subject units and the process and mechanism which will be used to ensure the transfer to an affordable housing provider during the development review process.

Archaeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. Whether a property has archaeological resource potential can be confirmed at the searchable database TO maps. An archaeological assessment may also be required if a property is identified on the City of Toronto's Inventory of Heritage Properties as part of the Heritage Impact Assessment process.

The site has archaeological resource potential and therefore a Stage 1 and Stage 2 Archaeological assessment was completed and submitted in support of the applications. The report determined that there are no further archaeological concerns regarding the subject property. The relevant City staff have reviewed the report and concur with this determination.

Infrastructure/Servicing Capacity

Staff will review the Functional Servicing and Stormwater Management Report, submitted and evaluate the effects of a proposed change in land use and development on the City's municipal servicing infrastructure and watercourses and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide for adequate servicing to the proposed change in land use and proposed development.

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. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Staff will review the TGS checklist submitted by the applicant to ensure compliance with the Tier 1 performance measures.

Eglinton East Planning Study

Staff will continue to evaluate the application within the context of the ongoing Planning Study.

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

CONTACT

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SIGNATURE

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ATTACHMENTS

City of Toronto Drawings

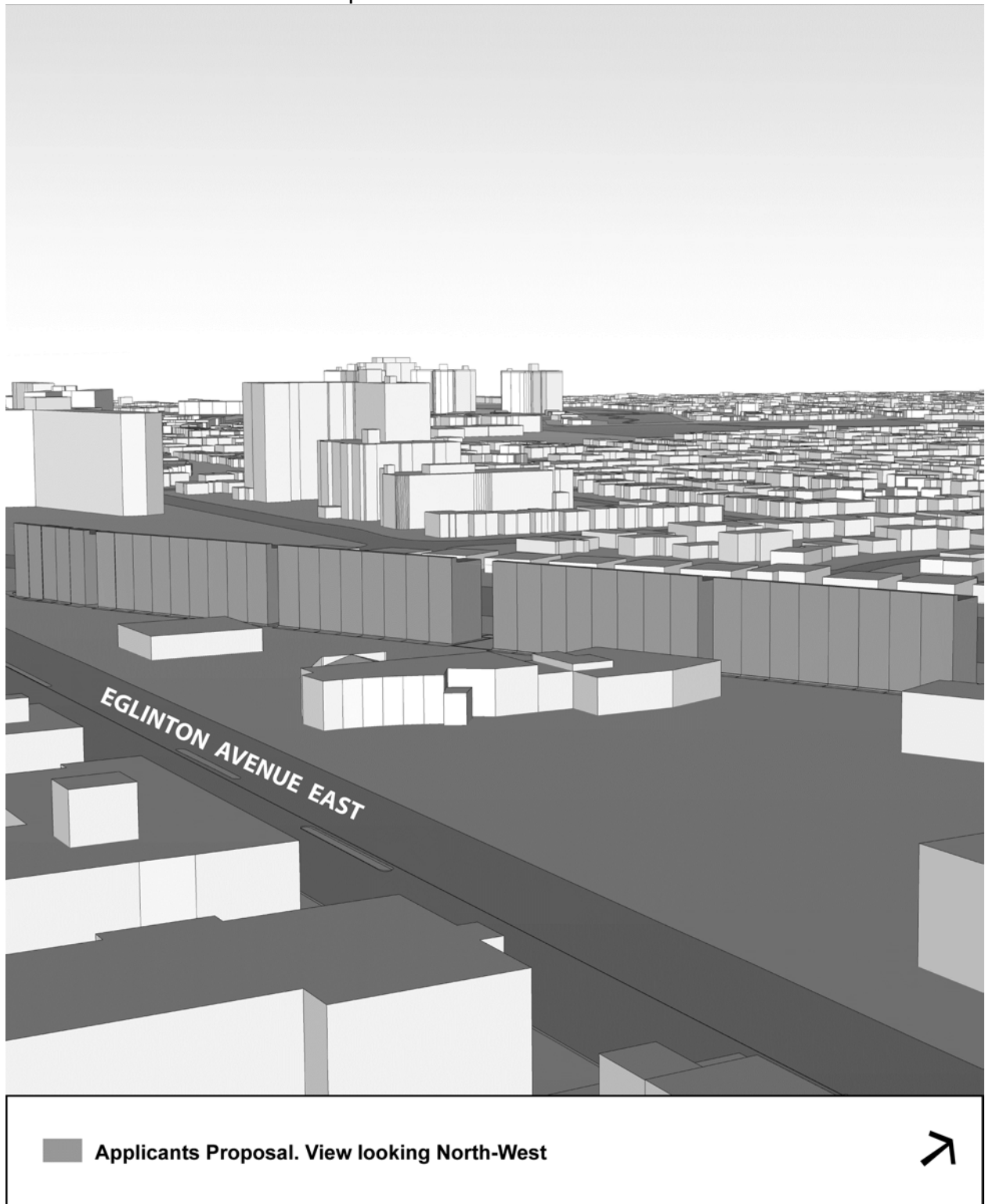
Attachment 1: 3D Model of Proposal in Context

Attachment 2: Location Map

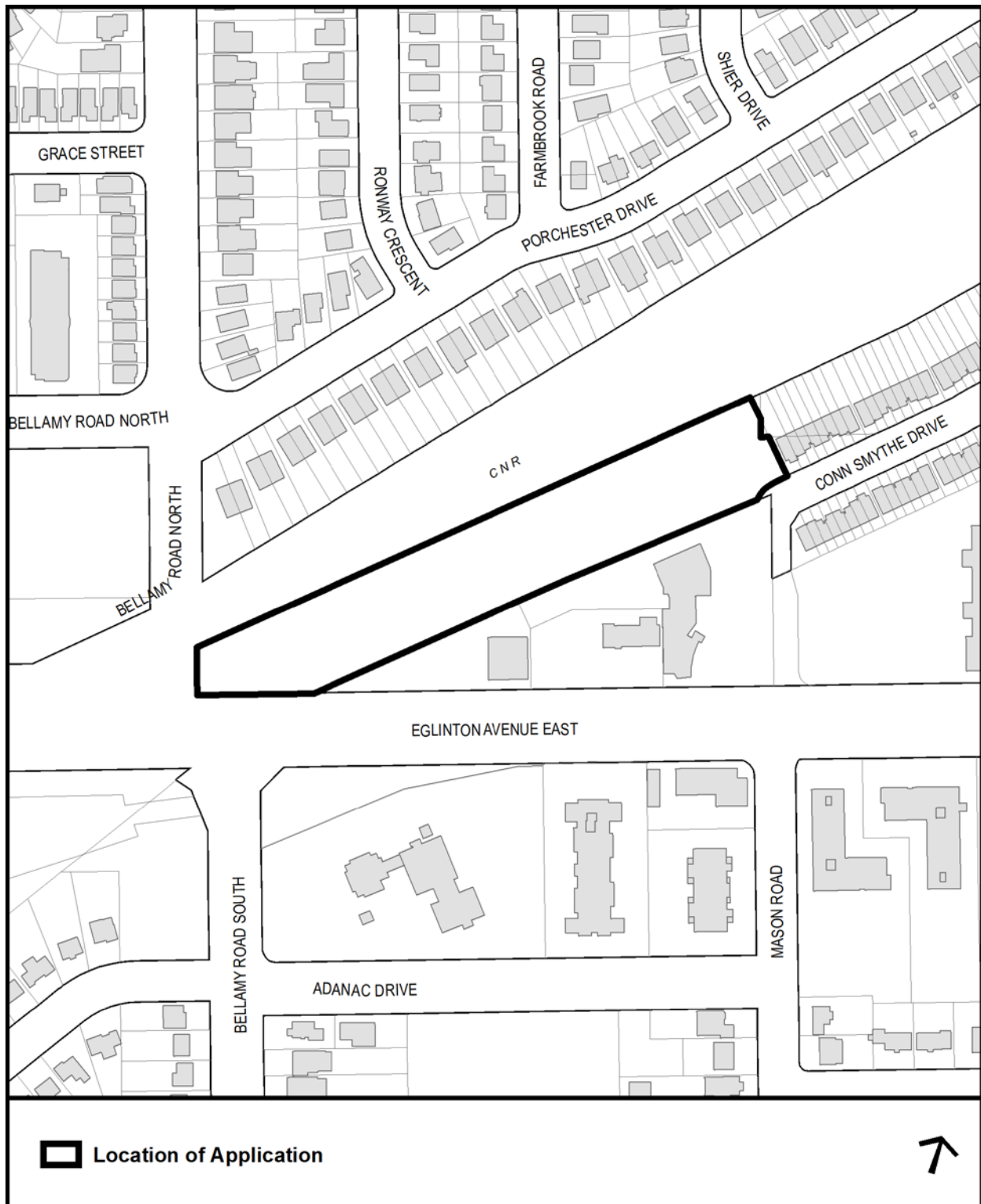
Attachment 3: Site Plan

Attachment 4: Official Plan Map

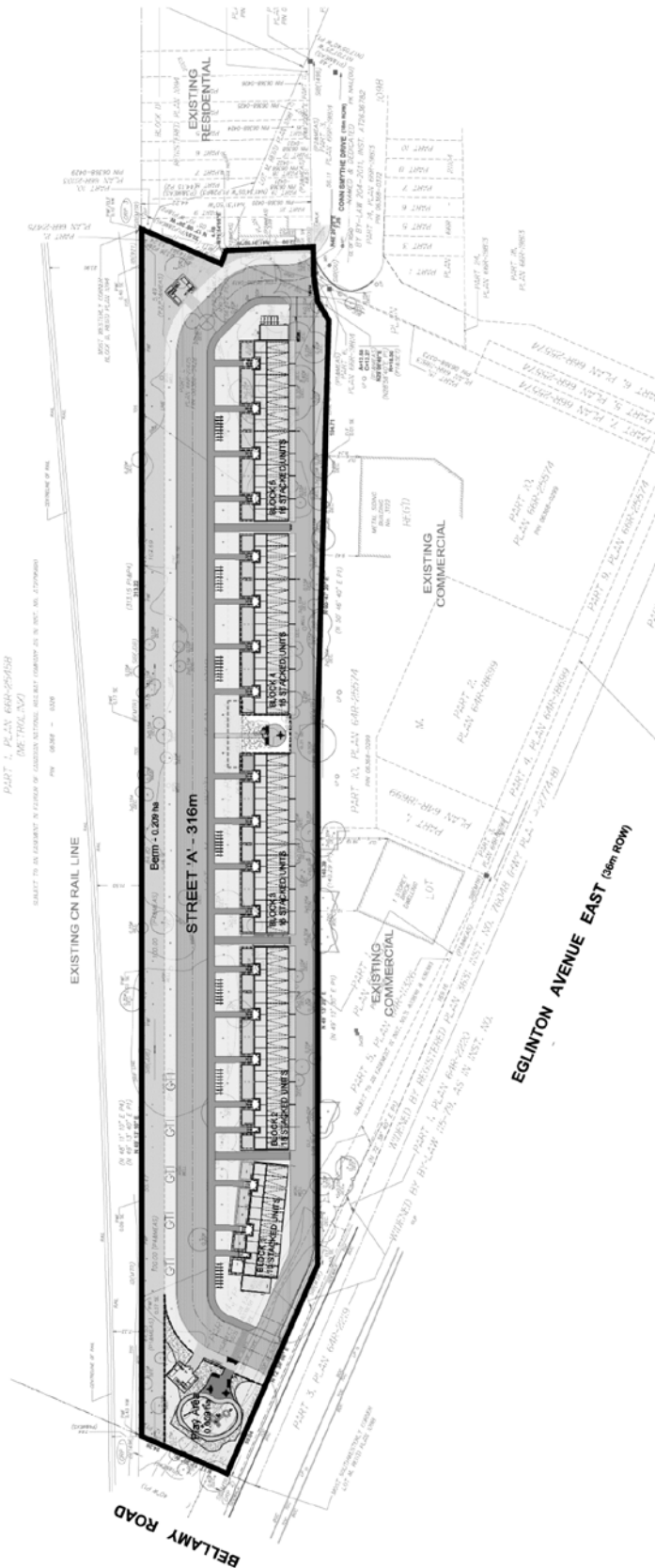
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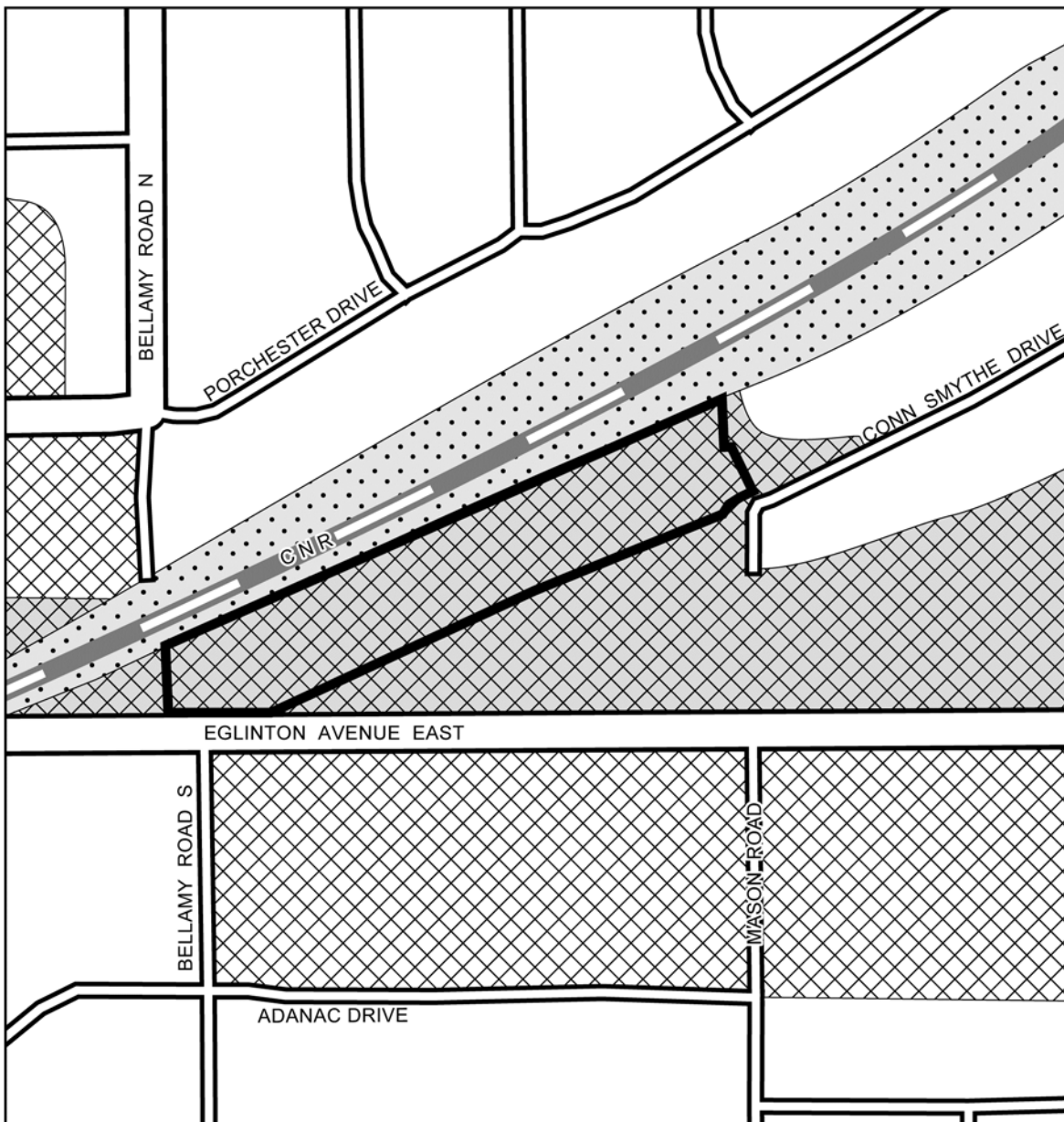
Attachment 2: Location Map



Attachment 3: Site Plan



Attachment 4: Official Plan Map



Official Plan Land Use Map #23

3060 Eglinton Avenue East

File # 18 198833 ESC 38 0Z



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Not to Scale
12/12/2018