

## **2421 Eglinton Avenue West – Zoning By-law Amendment Application – Preliminary Report**

Date: January 16, 2019

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward: 5 - York South-Weston

**Planning Application Number:** 19 109784 WET 05 OZ

**Related Application:** Site Plan Control Application 19 109790 WET 05 SA

**Notice of Complete Application Issued:** November 18, 2019

**Current Use on Site:** The development site is currently occupied by a one-storey building, presently vacant but formerly containing a vehicle servicing establishment.

### **SUMMARY**

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This report provides information and identifies a preliminary set of issues regarding the application to amend the former City of York Zoning By-law No. 1-83 and City-wide Zoning By-law No. 569-2013 to permit a 4-storey (12.1 m in height) townhouse development containing 7 residential units located at 2421 Eglinton Avenue West. The proposal would have a gross floor area of approximately 902 m<sup>2</sup>, resulting in a Floor Space Index (FSI) of approximately 2.6 times the area of the lot. No parking is proposed for the development.

Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 2421 Eglinton Avenue West together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the 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**

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The recommendations in this report have no financial impact.

## **DECISION HISTORY**

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A pre-application consultation meeting was held with the applicant on September 24, 2017 to discuss complete application submission requirements and to identify issues with the proposal. The proposal discussed at the meeting was for a development containing 7 townhouse units with no parking. At the meeting, staff identified concern with the lack of parking proposed for the site.

The applicant subsequently submitted the application for the 7 townhouse units with no parking on January 30, 2019. The application was deemed complete on November 18, 2019.

## **ISSUE BACKGROUND**

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### **Application Description**

This application proposes to amend the former City of York Zoning By-law No. 1-83 and City-wide Zoning By-law No. 569-2013 to permit a 4-storey (12.1 m in height) townhouse development containing 7 residential units. The proposal would have a gross floor area of approximately 902 m<sup>2</sup>, resulting in a Floor Space Index (FSI) of approximately 2.6 times the area of the lot. No parking is proposed for the development either on or off site. Each unit would have access to approximately 12 m<sup>2</sup> of private rooftop terrace amenity space on the 4<sup>th</sup> floor.

The proposed development would be setback between 1.4 m to 3.8 m from the north property line (fronting Eglinton Avenue West), 0.6 m from both the west and east property lines, and 0.6 m to 0.7 m from the south property line.

South from Eglinton Avenue West there is a substantial grade change up to a higher elevation along Venn Crescent. A retaining wall is located along the south lot lines of the properties fronting Eglinton Avenue West in this area, including the subject site. This grade change would result in the 2<sup>nd</sup> storey of the proposed townhouses being level with the ground floors of the adjacent detached dwellings to the south.

See Attachments 1, 2 and 3 of this report for three dimensional representations of the project in context and the submitted site plan.

Detailed project information can be found on the City's Application Information Centre at:  
<https://www.toronto.ca/city-government/planning-development/application-information-centre/>.

### **Site and Surrounding Area**

The subject site is located on the south side of Eglinton Avenue West, west of Blackthorn Avenue (see Attachment 4: Location Map). The closest major intersection is Eglinton Avenue West and Caledonia Road to the east. The site is rectangular in shape and is currently occupied by a one-storey building, presently vacant but formerly containing a vehicle servicing establishment. The site is approximately 349 m<sup>2</sup> in size.

Surrounding land uses include:

- North: Directly across Eglinton Avenue West is Caledonia Station, currently under construction as part of the Eglinton Crosstown LRT. Further north is the Westside Mall. To the northeast across the rail corridor is a low-rise residential area.
- West: Adjacent to the site west to Venn Crescent, are 1 to 2-storey retail and service commercial uses fronting Eglinton Avenue West. To the northwest are residential apartment buildings with heights from 8 to 21 storeys.
- East: Adjacent to the site is vacant land, and further east is a one storey commercial building and a two-storey mixed-use building adjacent to the rail corridor.
- South: Low-rise residential area with 1-3 storey detached dwellings fronting Venn Crescent, Sundel Avenue and Blackthorn Avenue. Along the south property line is a retaining wall with a height of approximately 3.0 m separating the site from the backyards of the adjacent single-detached dwellings fronting Venn Crescent.

### **Provincial Policy Statement and Provincial Plans**

Land use planning in the Province of Ontario is a policy led system. Any decision of City 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: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans can be found on the Ministry of Municipal Affairs and Housing website.

The Growth Plan (2019) contains policies pertaining to population and employment densities that should be planned for in Major Transit Station Areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities. The subject site is located less than 35 m from the future Eglinton Crosstown LRT Caledonia Station.

### **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.

The subject site is located on an *Avenues* as identified on Map 2 – Urban Structure. *Avenues* are identified as areas of growth and reurbanization. Map 17 – Land Use Plan designates the site *Mixed Use Areas* (see Attachment 5: Official Plan Land Use Map) which are made up of a broad range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. Development in *Mixed Use Areas* will locate and mass new buildings to provide appropriate transition towards areas of different intensity and scale.

With the approval of the Eglinton Crosstown LRT in 2012, the City initiated the Eglinton Connects Planning Study to develop a vision for the future of Eglinton Avenue between Jane Street and Kennedy Road. In 2014, City Council approved the recommendations of the Eglinton Connects Planning Study and passed City-Initiated Official Plan Amendment No. 253, and Zoning By-law No's. 1030-2014 and 1031-2014 to make changes to land use designations and implement the recommendations of the Eglinton Connects Planning Study. Official Plan Amendment No. 253 redesignated the directly adjacent lands to the south from *Neighbourhoods* to *Mixed Use Areas*. The 2014 zoning amendments were intended to facilitate the use of land and buildings for the operation of a transit system by exempting them from minimum building height requirements, setback requirements, and landscaped open space requirements that would apply to other, non-transit development.

Eglinton Connects Volume 2 Appendix F: Planning Objectives and Directions for Focus Areas and Mobility Hubs, identifies the site as being located within the West Side Focus Area. The West Side Focus Area includes the Westside Mall and a number of smaller properties along the south side of Eglinton Avenue West, between Blackthorn Avenue and Venn Crescent.

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

## **Zoning By-laws**

The site is zoned LCR (Local Commercial/Residential) by the former City of York Zoning By-law No. 1-83, as amended. This zoning permits a range of uses including residential uses such as townhouses and apartments, and non-residential uses such as retail stores, restaurants, recreational uses, theatres, funeral parlours, institutional uses and public garages, among others.

The site is also zoned CR (Commercial Residential) by City-Wide Zoning By-law No. 569-2013 (see Attachment 6: Zoning Map). This zoning permits a range of commercial, education and service uses up to a maximum density of 1.0 times the area of the lot. In addition, the site is subject to Exception 925, which provides for the continuing use of the former vehicle servicing establishment. This zoning does not permit residential uses.

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

## **Design Guidelines**

The following Design Guideline(s) will be used in the evaluation of this application:

- Townhouse and Low Rise Apartment Guidelines;
- Streetscape Manual;
- Eglinton Connects Planning Study;
- Bird Friendly Development Guidelines; and
- Toronto Green Standard.

The application may be subject to further design guidelines as the review of the application progresses.

The City's Design Guidelines can 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 has been submitted and is being reviewed concurrently with this application.

## COMMENTS

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### Reasons for the Application

An application to amend the former City of York Zoning By-law No. 1-83 is required to establish zoning standards to facilitate the development of the proposal. Amendments to City-wide Zoning By-law No. 569-2013 are required to permit the townhouse use and establish zoning standards to facilitate the development of the proposal.

### 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 application will be evaluated against the *Planning Act* and applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan (2019), especially with regard to ensuring that the development recognizes the local context in terms of appropriate intensification, the promotion of well-designed built form, providing for a range of housing options and whether the proposal complies with the municipal direction for growth.

Section 2 of the *Planning Act* sets out matters of provincial interest that City Council shall have regard to in making any decision under the *Planning Act*. Relevant matters of provincial interest are: (j) the adequate provision of a full range of housing, including affordable housing; (p) the appropriate location of growth and development; (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; and (r) the promotion of built form that is well designed, encourages a sense of place and provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The Provincial Policy Statement contains policies related to managing and directing development. It requires that sufficient lands be made available for intensification and redevelopment, and that planning authorities identify and promote opportunities for intensification and redevelopment, where this can be accommodated taking into account, among other things, the existing building stock and surrounding area.

While the PPS encourages intensification and efficient development, it recognizes that local context is important and that well-designed built form contributes to overall long-term economic prosperity. The PPS indicates that the Official Plan is the most important vehicle for implementing the PPS and planning authorities shall identify appropriate locations for intensification and redevelopment. Policy 4.8 states that zoning and development permit by-laws are important for implementation of the PPS and that planning authorities shall keep their zoning and development permit by-laws up-to-date with their Official Plan and the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) emphasizes the importance of complete communities where a range of housing options are to be provided, and that new development should provide high quality compact built form and an attractive and vibrant public realm. The Growth Plan (2019) provides municipalities the authority to define the location and nature of growth that will occur in intensification areas in a flexible manner suitable to the local context, while still meeting the overriding objectives of the Growth Plan.

Through its Official Plan, the City has identified appropriate locations and opportunities for intensification. Although growth is intended to occur on this particular site given its land use designation, the level of intensification of this site must reflect the existing and planned context as established by the implementing zoning by-laws and Official Plan policies.

### **Official Plan Conformity**

The Official Plan states that *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. However, not all *Mixed Use Areas* will experience the same scale or intensity of development. Development along the *Avenues* will generally be at a much lower scale than in the Downtown and most often at a lower scale than in the *Centres*.

The Official Plan generally supports the provision of retail uses in a form that promotes pedestrian and transit use. Although single-use buildings are permitted in *Mixed Use Areas*, due to the proximity of the site to Caledonia Station the potential for at-grade retail uses will be explored with the applicant.

Providing built form transition from areas designated *Mixed Use Areas* to areas with different development intensity and scale are key objectives of the Official Plan. New buildings should be located and massed with appropriate setbacks and/or stepping down of heights. Other *Mixed Use Areas* development criteria establish that new development should provide good site access, circulation and parking as well as provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Although development in *Mixed Use Areas* should be designed to reduce automobile dependency, development must also provide an adequate supply of parking for residents and visitors. Any reduction in vehicular parking must be balanced with the provision of alternative modes of transportation and the provision of curbside management strategies to ensure minimal conflict with traffic flow along major streets and discourage future residents and visitors from parking in the surrounding community.

The subject application will be reviewed to determine its conformity with the Official Plan.

## **Built Form, Planned and Built Context**

The suitability of the proposed height and massing and other built form issues will be assessed based on Section 2 of the *Planning Act*, particularly Sections 2 (p), (q) and (r) and Section 2 of a Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019). The built form will also be assessed based on the City's Official Plan policies and other City Urban Design Guidelines. An evaluation will be made to confirm whether the proposal fits within its planned and built context. In particular, staff will be evaluating:

- Appropriateness of the proposed dwelling type/built form;
- Appropriateness of the proposed building height;
- Appropriateness of the proposed building massing, setbacks, transition to lower scale adjacent lots, streetscaping, landscaping and grading; and
- Potential privacy impacts of the development.

Although the adjacent lands to the south are designated *Mixed Use Areas*, they are currently occupied by detached dwellings. The proposal must ensure that an appropriate transition is provided to the lower-scale built form of the adjacent lands.

The subject site is additionally constrained due to its narrow lot depth. The main objective for lands on the south side of Eglinton Avenue West (including the subject site) within the West Side Focus Area of the Eglinton Connects Planning Study is for properties to be consolidated and redeveloped following the Mid-Rise Performance Standards. Retail and commercial uses would be incorporated into the base of buildings fronting Eglinton Avenue West. The concept plan for the West Side Focus Area shows a portion of a mid-rise building and a future pedestrian connection located on the subject site. The applicant is strongly encouraged to explore opportunities to acquire adjacent lands to better achieve the goals of the Eglinton Connects Planning Study.

## **Metrolinx Eglinton Crosstown LRT and GO Station**

The site is located in close proximity to the Metrolinx Eglinton Crosstown LRT and Caledonia LRT/GO Station, which is currently under construction. As a result, Metrolinx will require the application to undergo a Technical Review process to examine the engineering and design aspects of the development proposal and identify issues that may impact existing or future Eglinton Crosstown LRT infrastructure. The applicant will be required to obtain Metrolinx's written acknowledgement that the owner has satisfied all conditions arising from the Technical Review.

## **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).

The applicant submitted an Arborist Report prepared by Phoenix Tree Care and Consulting, dated February 15, 2019. The report indicates that the development proposes to remove one City-owned tree. Urban Forestry staff require an *Application to Injure or Destroy Trees* and the required application fees for permission to remove the tree in question.

The applicant has submitted a Landscape Concept Plan that proposes 7 new trees on the City road allowance. Staff will work with the applicant to address the provision of trees and the requirement to add to the City's tree canopy.

### **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 is identified as having archaeological resource potential. The applicant submitted a Stage 1 Archaeological Assessment prepared by A. M. Archaeological Associates and dated April 12, 2019. Staff have reviewed the submitted report and concur with the consultant's analysis that there are no further archaeological concerns regarding the subject property.

### **Infrastructure/Servicing Capacity**

The applicant submitted a Geotechnical Investigation prepared by Haddad Geotechnical Solutions and dated November 16, 2017, and a Functional Servicing Report prepared by Premier Engineering Solutions and dated February 15, 2018. The purpose of these reports is to evaluate existing subsurface conditions and the effects of the development on the City's municipal servicing infrastructure and watercourses, and to identify and provide the rationale for any new infrastructure or upgrades to existing infrastructure necessary to adequately service the proposed development. Staff are reviewing the submitted reports and plans.

The applicant submitted a Transportation Review prepared by LEA Consulting Ltd. and dated October 26, 2017 to justify the proposed zero parking supply. Transportation Services staff do not support a zero parking supply at this location.

### **Toronto Green Standard**

City 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 on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant submitted a TGS Checklist with this application and it is currently being reviewed by staff. The applicant will be strongly encouraged to achieve a Tier 2 or higher level of performance.

## **Other Matters**

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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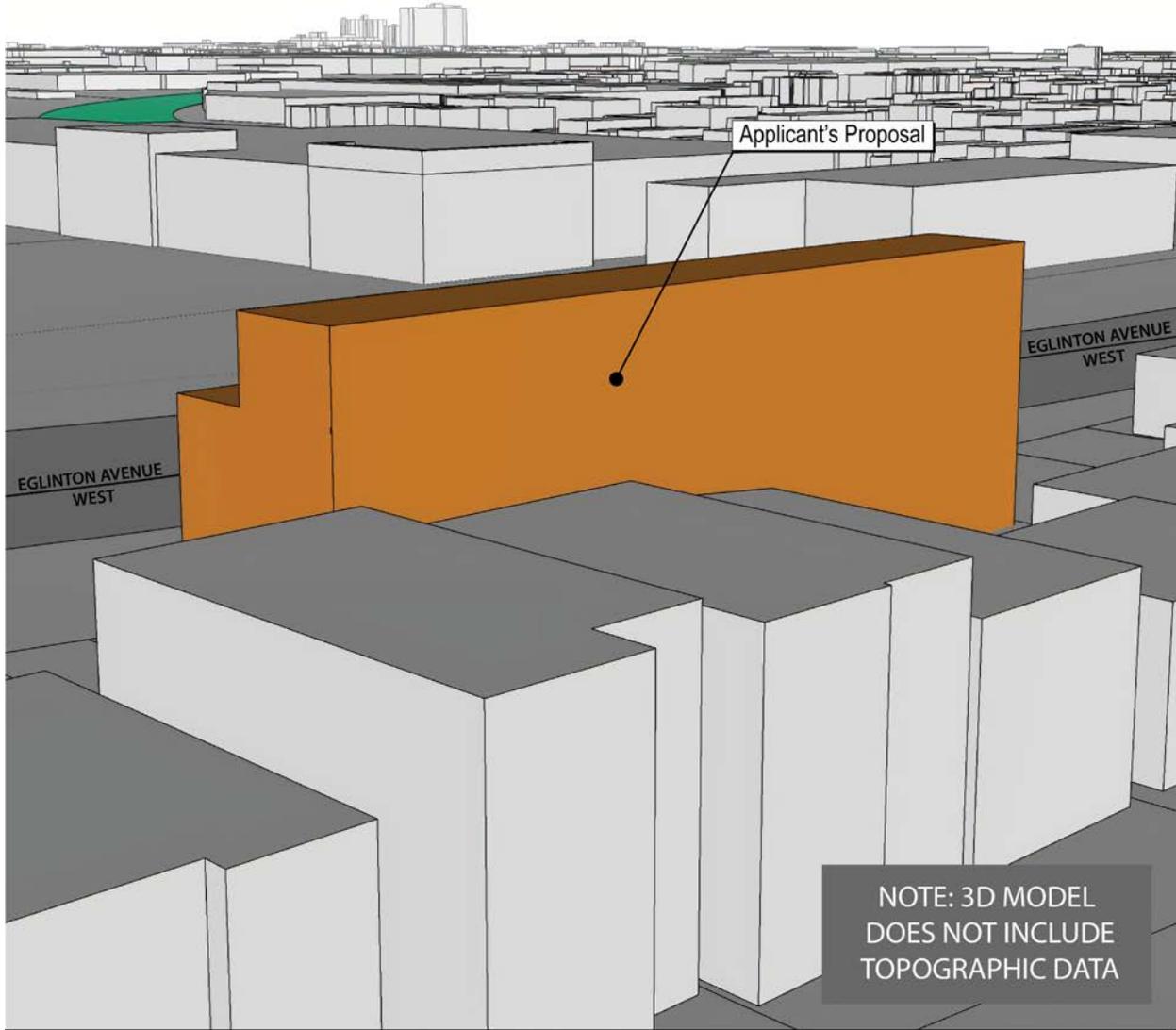
Neil Cresswell, MCIP, RPP  
Director of Community Planning  
Etobicoke York District

## **ATTACHMENTS**

### **City of Toronto Drawings**

- Attachment 1: 3D Model of Proposal in Context Looking Northeast
- Attachment 2: 3D Model of Proposal in Context Looking Southwest
- Attachment 3: Site Plan
- Attachment 4: Location Map
- Attachment 5: Official Plan Land Use Map
- Attachment 6: Zoning Map

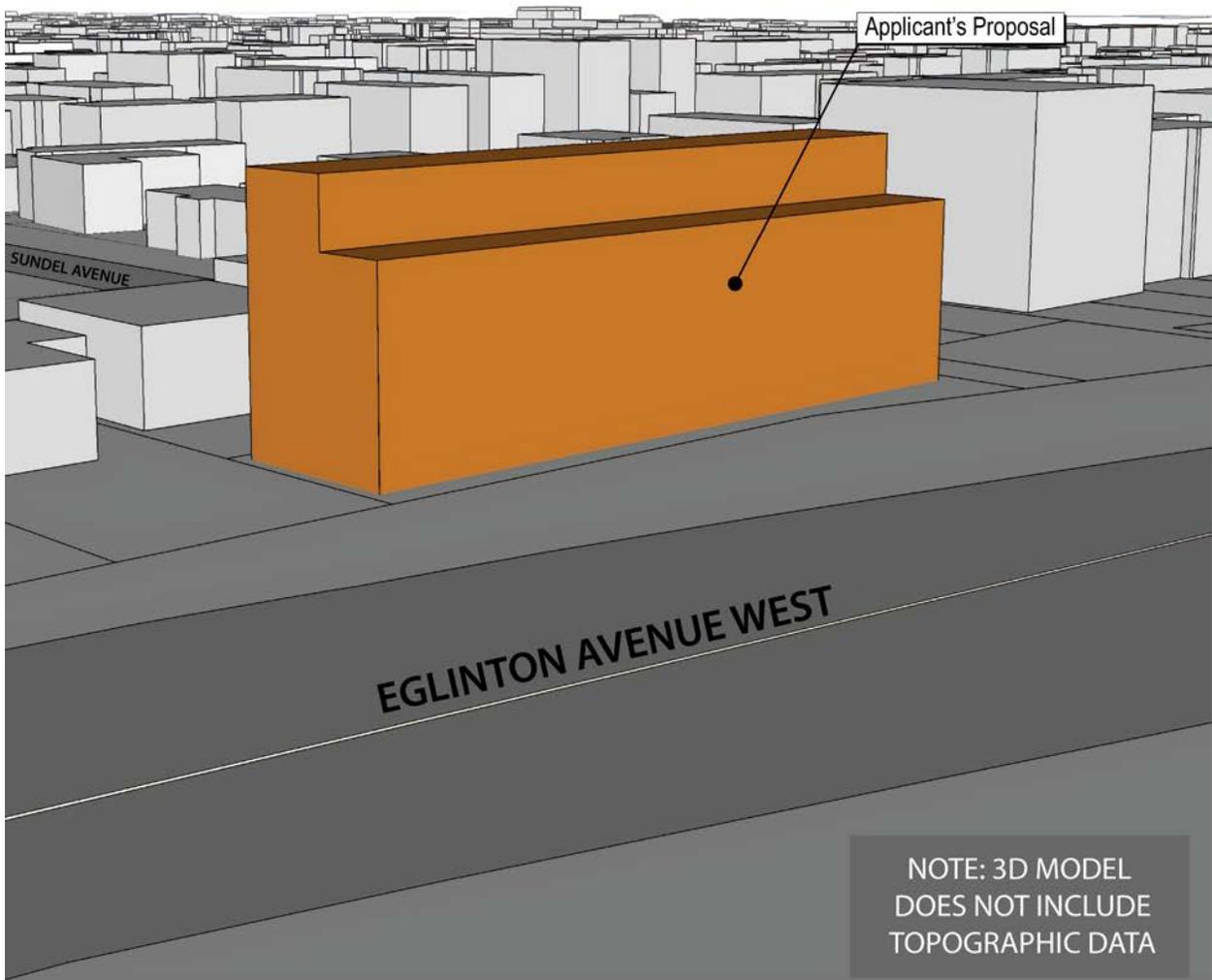
Attachment 1: 3D Model of Proposal in Context Looking Northeast



**View of Applicant's Proposal Looking Northeast**



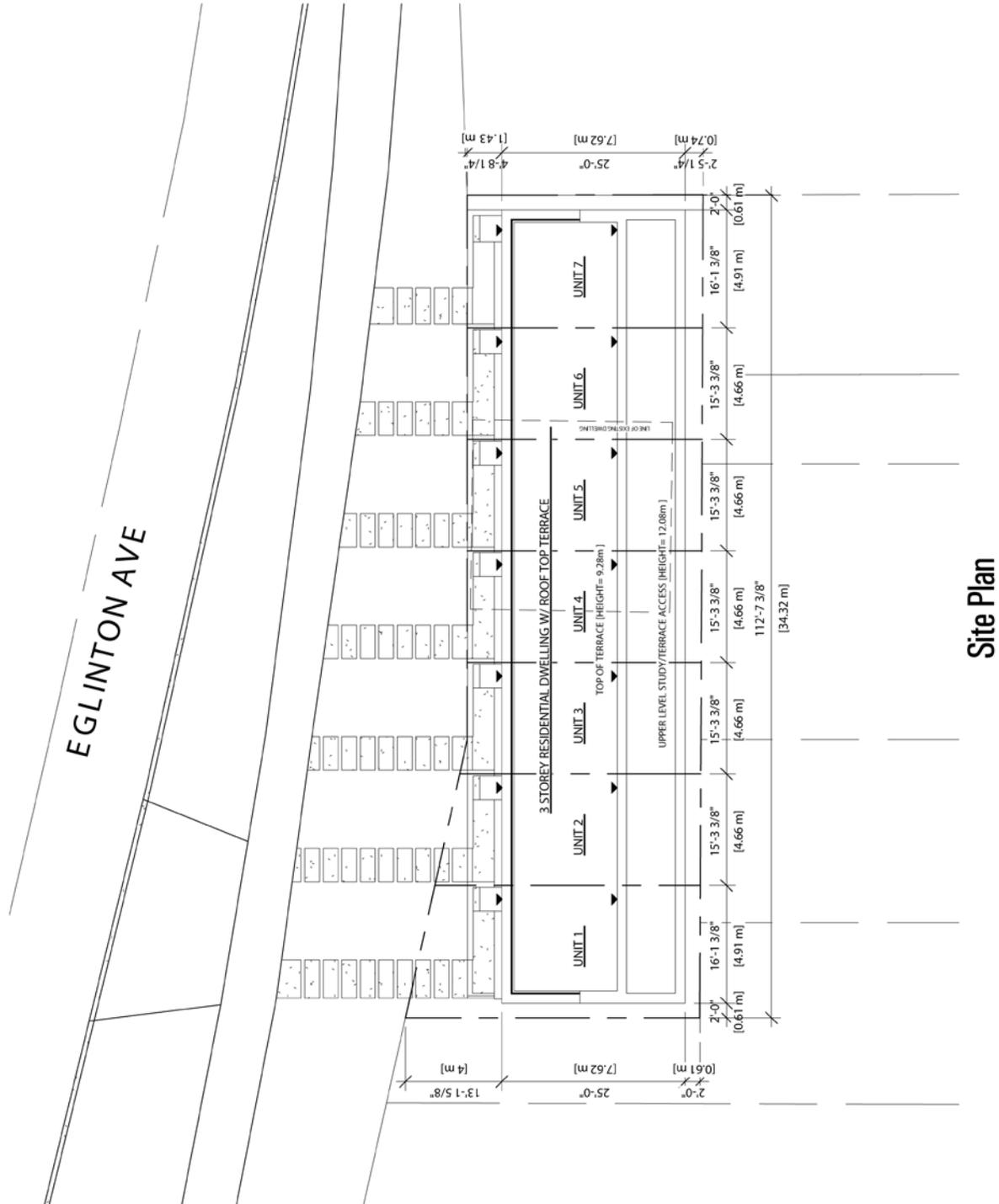
Attachment 2: 3D Model of Proposal in Context Looking Southwest



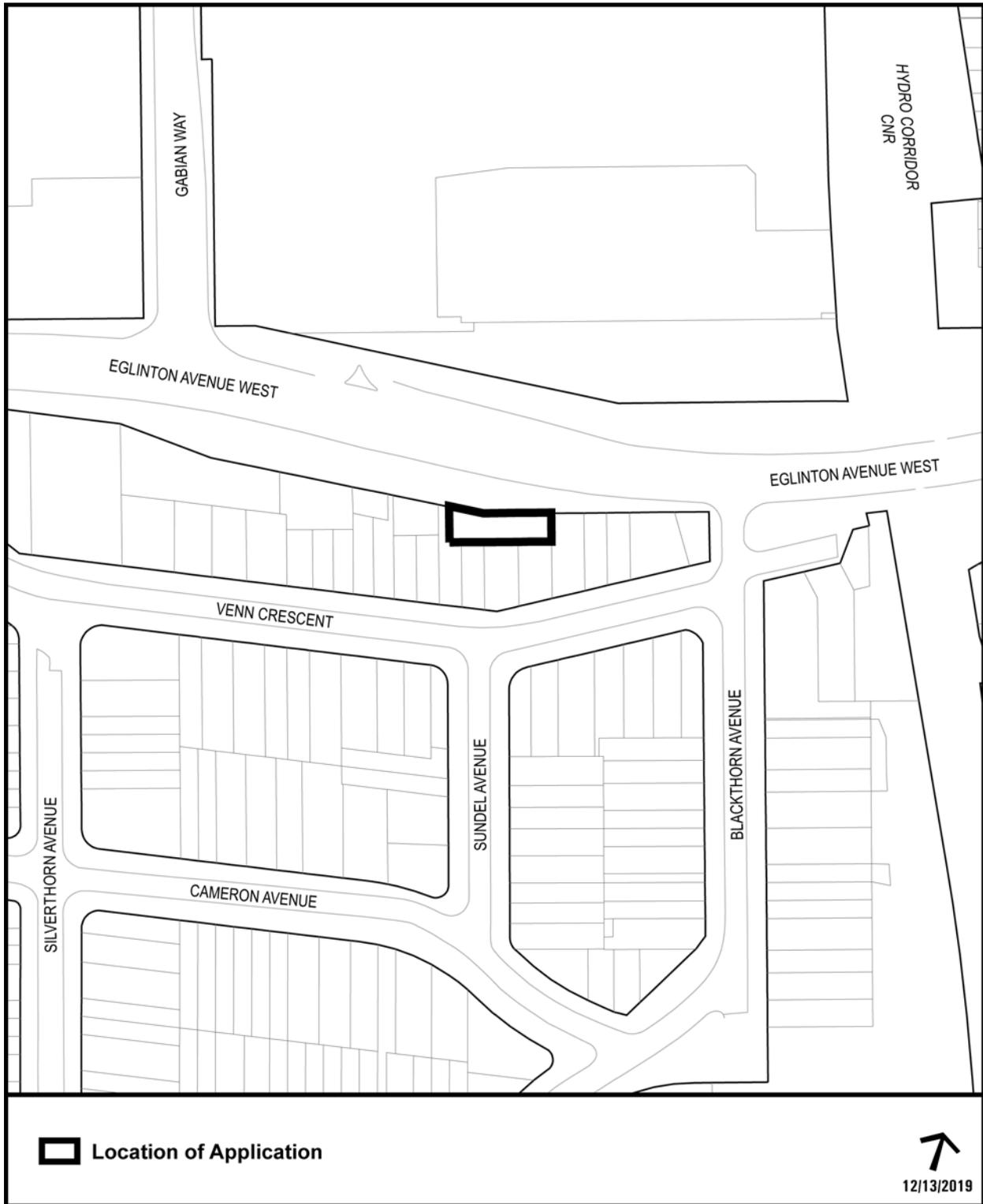
View of Applicant's Proposal Looking Southwest



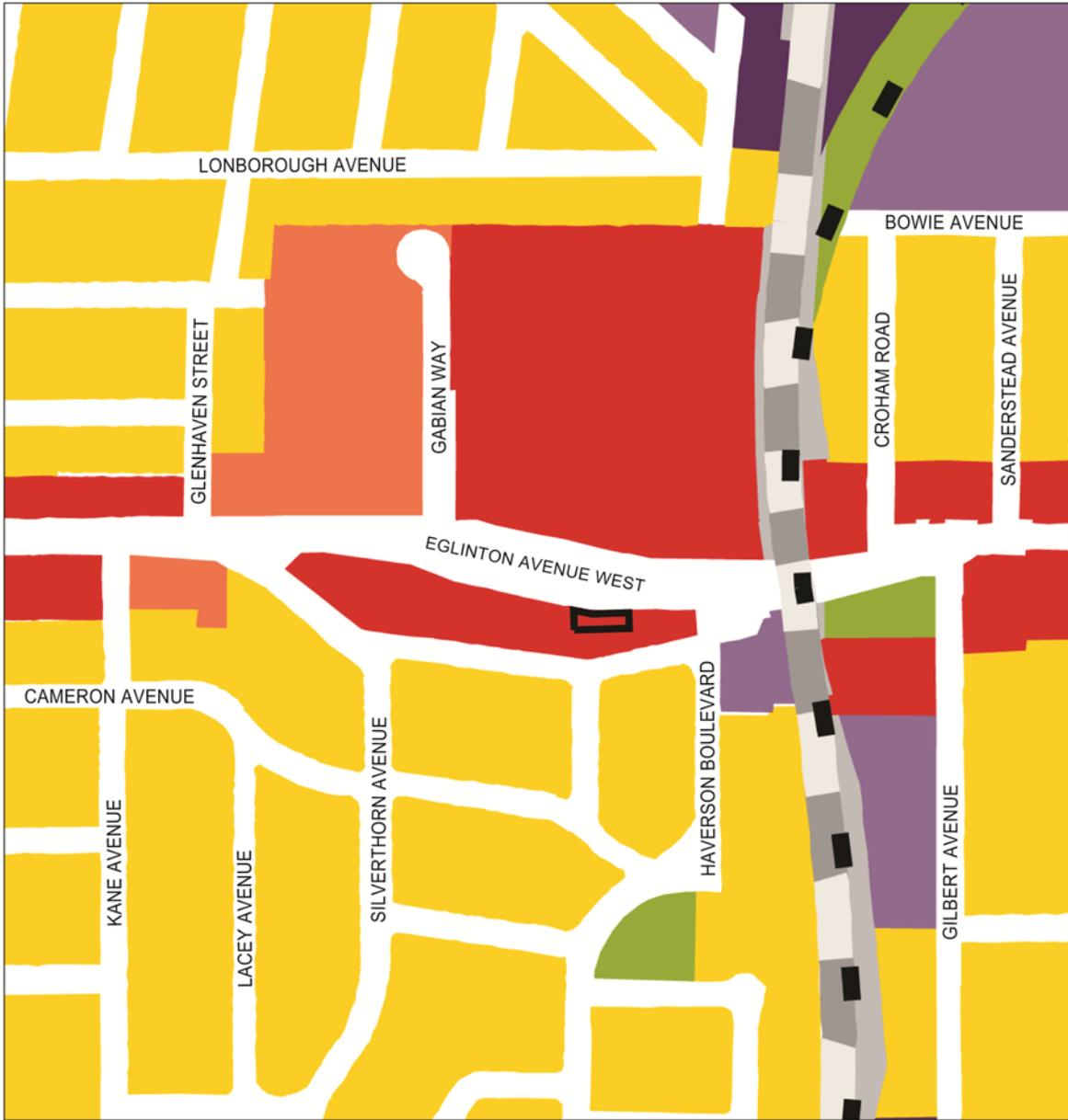
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Attachment 4: Location Map



Attachment 5: Official Plan Land Use Map



Official Plan Land Use Map #17

2421 Eglinton Avenue West

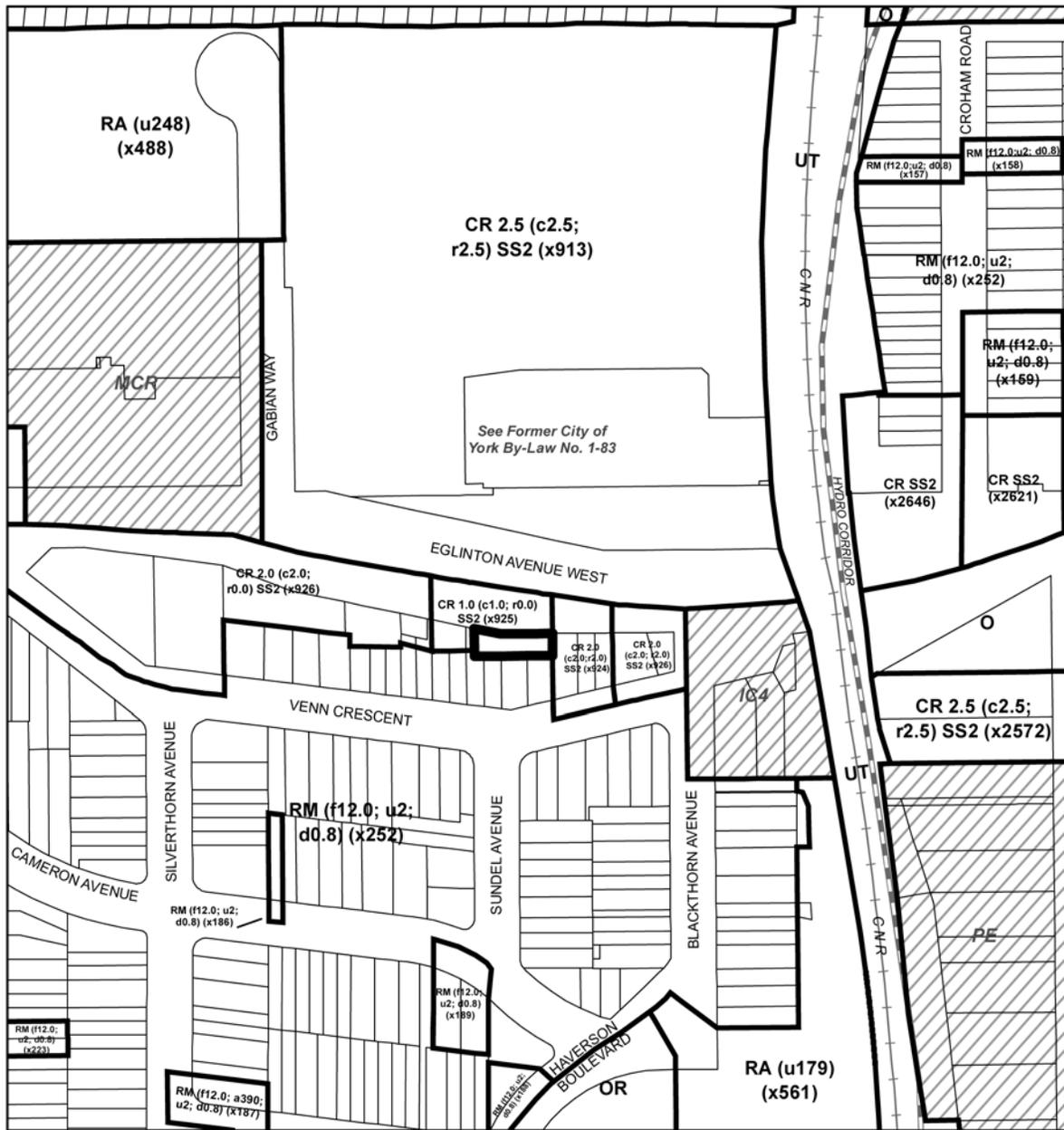
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 Location of Application	 Parks & Open Space Areas	 General Employment Areas
 Neighbourhoods	 Parks	 Core Employment Areas
 Apartment Neighbourhoods		 Utility Corridors
 Mixed Use Areas		



Not to Scale  
12/13/2019

Attachment 6: Zoning Map



Zoning By-law No. 569-2013

2421 Eglinton Avenue West

File # 19 109784 WET 05 0Z

Location of Application

RM Residential Multiple  
 RA Residential Apartment  
 CR Commercial Residential

O Open Space  
 OR Open Space Recreation  
 UT Utility and Transportation



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

MCR Mixed Commercial Residential Zone  
 PE Prestige Employment Zone  
 IC4 Industrial/Commercial District 4 Zone



Not to Scale  
 Extracted: 01/09/2020