

1966-2050 Eglinton Avenue East and 50 Thermos Road – Official Plan Amendment Application – Request for Directions Report

Date: December 20, 2019

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 21 - Scarborough Centre

Planning Application Number: 15 258686 ESC 37 OZ

SUMMARY

This application proposes to amend the Official Plan to add a Site and Area Specific Policy ("SASP") for the lands at 1966-2050 Eglinton Avenue East and 50 Thermos Road (RioCan lands) to permit a mixed-use development with new streets and parkland. The SASP would provide for a mixed-use community that would include a range of building heights, approximately 3,000 residential units (242,000 square metres of residential uses) and 58,000 square metres of non-residential uses, with a gross Floor Space Index ("FSI") of up to 2.8 times the area of the site, for a total of 300,000 square metres of gross floor area. Attachments 6 and 7 provides for conceptual 3D models that render densities that range from 2.8 to 3.3 times the area of the site. The subject lands are located within the Golden Mile Secondary Plan study area.

The Official Plan Amendment application was submitted on November 30, 2015, and has been appealed to the Ontario Municipal Board ("OMB"), 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*. The appeal was filed on November 24, 2017.

The purpose of this report is to seek City Council's direction for the City Solicitor, together with appropriate City staff and/or external consultants, to attend the LPAT hearing to support the application up to a maximum gross FSI of 3.0 times the area of the site. While the proposed SASP only requests 2.8 times FSI, City staff can support a higher density of up to 3.0 FSI on the site, subject to resolving issues related to land use, site organization, built form, and the overall structure of the proposed SASP. The revised density would be more aligned with the direction and vision of the proposed Golden Mile Secondary Plan, including the GMSP consultant's reports. City staff will utilize the GMSP consultants' recommendations for the broader Golden Mile area when reviewing the outstanding concerns for the subject site.

The GMSP consultants Transportation Master Plan ("TMP"), Community Infrastructure Strategy and the Master Servicing Plan ("MSP") provide information to assist with the direction on how growth can be accommodated within the Golden Mile Area. These studies will also be used to inform the emerging policy direction in the proposed Golden Mile Secondary Plan, as presented in the report dated December 20, 2019, and being considered at the January 8, 2020 Scarborough Community Council meeting. Absent resolving the key structuring elements to create a complete community, the proposed Official Plan Amendment is not consistent with the Provincial Policy Statement (PPS 2014), do not conform with the Growth Plan (2019), and do not conform to the City's Official Plan.

This report also recommends that the City Solicitor and appropriate City staff be authorized to continue discussions with the applicant in an effort to address the issues outlined in this report.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with appropriate staff and/or external consultants as may be appropriate, to attend the Local Planning Appeal Tribunal ("LPAT") hearing to support the applicant's appeal respecting the Official Plan Amendment application (Application No. 15 258686 ESC 37 OZ), for the lands at 1966 - 2050 Eglinton Avenue East and 50 Thermos Road up to a maximum gross Floor Space Index ("FSI") of 3.0 times the area of the site, subject to the resolution of the matters contained in the report (December 20, 2019), from the Director, Community Planning, Scarborough District, including the identification of: new public streets; accommodating the required widening along Eglinton Avenue East; providing the required parkland dedication; improving the site organization and built form, providing office uses, providing a minimum 20 per cent of affordable housing required by policy 3.2.1.9, and providing of a minimum of one community facility on site.
2. City Council authorize the City Solicitor and appropriate City Staff to continue discussions with the applicant and resolve outstanding issues detailed in the report (December 20, 2019) from the Director, Community Planning, Scarborough District regarding 1966-2050 Eglinton Avenue East and 50 Thermos Road, and report back to City Council on the outcome of discussions, if necessary.
3. 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 Amendment appeal for the subject lands until such time as: the LPAT has been advised by the City Solicitor that the proposed Official Plan Amendment is in a form and with content satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor.

FINANCIAL IMPACT

The recommendations in this report have no financial impact.

DECISION HISTORY

Eglinton Connects Planning Study

In May 2014, City Council directed City Planning staff to undertake further study of the six focus areas that were identified in the Eglinton Connects Planning Study. The Golden Mile was one of the focus areas along the 19-kilometre Eglinton Crosstown Light Rail Transit (“LRT”) corridor. The focus areas were identified due to their capacity to accommodate future residential, mixed-use and employment growth.

Further information regarding the Eglinton Connects Planning Study can be found at: <https://www.toronto.ca/legdocs/mmis/2014/pg/bgrd/backgroundfile-68062.pdf>

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant on August 10, 2015, to discuss complete application submission requirements. The applicant was advised that the RioCan lands would form part of the area subject to the City's proposed Golden Mile Secondary Plan Study. Staff also identified a number of issues including the need for a comprehensive study of the entire Golden Mile area, the need for an analysis of transportation, servicing requirements, community services and facilities needs, park land dedication and open space requirements, provision for complete and walkable communities, and the enhancement of employment and residential uses.

Official Plan Amendment Application (15258686 ESC 37 OZ) - Preliminary Report

The Official Plan Amendment application was submitted on November 30, 2015, which proposes to add a SASP for the subject lands to permit a mixed-use development, new streets and parkland. On April 5, 2016, Scarborough Community Council adopted the Preliminary Report regarding the Official Plan Amendment application.

The Preliminary Report and Scarborough Community Council decision can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.SC13.18>

Appeal to the LPAT (former OMB)

On November 24, 2017, the applicant filed an appeal to the OMB (now LPAT) for the City's failure to make a decision on the Official Plan Amendment within the statutory timeframe set out in the *Planning Act*.

A pre-hearing conference was held on October 23, 2018, wherein the legal counsel for the owner and the City of Toronto both advised that the GMSP Study was underway. Both parties acknowledged the value of allowing the Study to advance before dealing

any further with the appeal of the Official Plan Amendment application. The following additional parties were added to the appeal: Cosmetics Investment Inc. and 191 Ashtonbee Investments Inc. (Cosmetics), S.A. Armstrong Ltd, and Mondelez Canada Inc. A second pre-hearing conference was held on July 10, 2019, to provide an update on the status of the GMSP Study and other relevant matters. The Tribunal has directed that the Parties are to prepare a draft Procedural Order ("PO") for submission to the Tribunal by February 18, 2020, based on the outstanding issues outlined in this report. A third pre-hearing conference has been scheduled for February 25, 2020.

Golden Mile Market Analysis and Economic Study

City Planning staff retained Urban Metrics Inc. to undertake the Golden Mile Market Analysis and Economic Strategy Study, which was completed in December 2016. The Study analyzed the existing economic and employment conditions in the Golden Mile. The Study included suggestions for an economic strategy that would inform the development of a vision and planning framework for the Golden Mile area.

Further information regarding the Golden Mile Market Analysis and Economic Strategy Study can be found at:

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

Golden Mile Secondary Plan Study

In May 2016, City Planning staff initiated the Golden Mile Secondary Plan ("GMSP") Study to develop a vision and comprehensive planning framework for the Golden Mile area that would include Secondary Plan policies and guidelines/strategies that direct:

- Built form, public realm, community infrastructure, and public art strategies;
- A transportation master plan and master servicing plan;
- Urban design guidelines; and
- Implementation/financial strategies.

In consultation with staff from other City divisions and agencies, City Planning staff are working with a team of land use planning, urban design, transportation, servicing, and community services and public engagement consultants led by SvN Architects + Planners Inc. City Planning staff have also consulted with the broader Golden Mile community throughout the Study process as part of the public engagement strategy.

The Study encourages appropriate residential and non-residential growth on lands designated *Mixed Use Areas*, and employment uses, including office development/investment on lands designated *Employment Areas*.

The Study is also intended to identify the infrastructure that will be required to support the anticipated growth in the Golden Mile, including streets, servicing, parks, and community services and facilities.

The GMSP Study is a three-phase study that is currently in Phase Three. Each phase of the Study has included multiple public engagement/consultation meetings for City

staff, external stakeholders, a Local Advisory Committee (“LAC”), and members of the general public.

Phase One

Phase One occurred from June to December 2017. This phase focussed on an analysis of the GMSP Study area and its surrounding context, developing an understanding of the opportunities and constraints within the Golden Mile and identifying the necessary work to be undertaken in other components of the Study. A draft vision and guiding principles were developed to inform the work to be undertaken in Phase Two. A Community Consultation Meeting (“CCM”) was held on June 28, 2017, and a Visioning Workshop was held on October 14, 2017.

On February 21, 2018, Scarborough Community Council received an Information Report from City Planning staff dated January 24, 2018. The report provided information regarding the status and Background Report for the GMSP Study. The report can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.SC28.4>

Phase Two

Phase Two of the Study occurred from January to August 2018, to further develop the vision and guiding principles for the Study area. Phase Two identified several development alternatives for the Golden Mile that were analyzed and tested. Three alternatives were selected for detailed discussion with the TAC and LAC members, as well as through the public consultation process. On June 26, 2018, a CCM and a Landowners and Business Owners Open House were held to present the three development alternatives. An Alternatives Report was drafted by the consulting team, which provides a summary of the analysis and feedback regarding the three development alternatives.

The TMP study has identified congestion on Eglinton Avenue East, limited east-west connectivity, and north-south transit capacity as main transportation constraints for the study area. Several street and block network alternatives were developed and assessed to address these constraints. As a solution, two of the proposed alternatives included the potential reconfiguration and extension of O'Connor Drive.

The presentation materials from the CCM on June 26, 2018, can be found here:

<https://www.toronto.ca/wp-content/uploads/2018/06/8fe4-city-planning-golden-mile-secondary-plan-study-community-consultation-meeting-3-presentation.pdf>

At its meeting on April 16, 2019, City Council approved the expansion of the GMSP Study boundaries to expand the boundaries within Scarborough District and to include lands within North York District on the west side of Victoria Park Avenue, within Ward 16 - Don Valley East (refer to Attachment 5: Golden Mile Secondary Plan Study Area Boundary). As a result, the GMSP study area increased from 97 to 113 hectares, of which approximately 4.3 hectares is located within the North York District. At this meeting, City Council also waived the requirements of Toronto Municipal Code Chapters 27-16.2 and 27-16.5, and directed that all reports related to the GMSP,

including the statutory meeting required under the Planning Act, be directed to Scarborough Community Council.

The City Council decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH4.3>

At this meeting, City Council also received the GMSP Study - Alternatives Report for information, which summarized the findings from Phase Two of the Study. The Alternatives Report can be found here:

<https://www.toronto.ca/city-government/planning-development/planning-studies-initiatives/golden-mile-secondary-plan-study/information-reports/>

Phase Three

Phase Three of the Study commenced in September 2018, to identify a draft preferred alternative based on the feedback from Phase Two. Staff have worked with partners in other divisions and agencies, as well as the consulting team to refine the preferred alternative to develop a final design and plan for the study area. Staff have also consulted with landowners, TAC and LAC members, as well as other stakeholders throughout Phase Three of the Study. This has allowed more fulsome discussions regarding the emerging built form and public realm strategies.

On June 3, 2019, City Planning staff hosted a CCM primarily with residents and stakeholders from the west side of Victoria Park Avenue (former North York and East York), as well as some residents from the east side of Victoria Park Avenue. The purpose of the meeting was to discuss the status of the Study, the emerging direction for Golden Mile, and the potential reconfiguration of O'Connor Drive at Victoria Parks Avenue and extension east of Victoria Park Avenue.

The materials that were presented at the June 3, 2019, CCM can be found here:

https://www.toronto.ca/wp-content/uploads/2019/06/90c1-CityPlanning_GMSP-RoadMeeting-3Jun19.pdf

The preferred alternative, and emerging built form and public realm strategies were presented to the LAC on June 5, 2019, and to the public at a CCM on June 25, 2019. The emerging preferred street and block network presented at the CCM included a conceptual reconfiguration of O'Connor Drive.

The presentation materials from the CCM on June 25, 2019, can be found here:

https://www.toronto.ca/wp-content/uploads/2019/07/97be-CityPlanning_GoldenMile_Presentation.pdf

The final report regarding the GMSP Study is expected to be considered by City Council in Q2 2020.

ISSUE BACKGROUND

Proposal

The Official Plan Amendment application proposes a mixed-use community that would include a range of building heights, new streets, parkland, approximately 3,000 residential units (242,000 square metres of residential uses) and 58,000 square metres of non-residential uses, with a gross FSI of up to 2.8 times the area of the site, for a total of 300,000 square metres of gross floor area. The applicant has also provided four conceptual massing options that would be developed in two to four development blocks which demonstrate a gross Floor Space Index ("FSI") ranges from 2.8 to 3.3 times the area of the site.

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 1: Application Data Sheet.

See Attachment 2: Location Map for a two dimensional view of the subject site and surrounding context.

See Attachments 6 and 7: Conceptual 3D Massing - Options 1 - 4.

The application is also located within the GMSP study area (see Attachment 5: Golden Mile Secondary Plan Study Area Boundary).

Site and Surrounding Area

The subject lands have a site area of 10.7 hectares, with a frontage of approximately 377.1 metres along Eglinton Avenue East, 341.2 metres along Ashtonbee Road and 281.6 metres along Thermos Road. Present uses on the subject lands include mid-size and large-format retail and commercial buildings, and extensive surface parking areas. The lands are generally flat, with a decrease in grade between the northern portion of the site and Ashtonbee Road. Surrounding land uses are as follows:

North: Across Ashtonbee Road are lands designated *Core Employment Areas* and *General Employment Areas*, consisting of a variety of industrial buildings with some outdoor storage. The lands include the S.A. Armstrong Ltd., 191 Ashtonbee Investments Inc. (Cosmetica) and Mondelez Canada Inc. properties.

South: Across Eglinton Avenue East are lands designated *General Employment Areas* and *Core Employment Areas* further south. The lands consist of a variety of employment and commercial uses, and also include the Toronto East Detention Centre.

East: Across Thermos Road are lands designated *Mixed Use Areas*, consisting of office and commercial uses (Dream) and industrial uses (Kawasaki).

West: Cosmetics Investments Inc. property, which is designated *Mixed Use Areas* and consists of manufacturing uses.

POLICY CONSIDERATION

Section 2 of the *Planning Act*

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

- Adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- Orderly development of safe and healthy communities;
- Adequate provision and distribution of educational, health, social, cultural and recreational facilities;
- Adequate provision of a full range of housing, including affordable housing;
- Adequate provision of employment opportunities;
- Resolution of planning conflicts involving public and private interests;
- Protection of public health and safety;
- Appropriate location of growth and development;
- Promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- Promotion of built form that,
 - i. Is well-designed;
 - ii. Encourages a sense of place; and
 - iii. Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

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

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

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

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 Council shall also be consistent with the PPS.

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

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

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) ("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 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 that better connect transit to where people live and work;
- retaining viable employment 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) contains policies pertaining to population and employment densities that should be planned for in Major Transit Station Areas ("MTSA"s) along priority transit corridors or subway lines. MTSA's are generally defined as the area within an approximate 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 MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSA's achieve appropriate densities.

The Golden Mile area is located within 800 metres of the five (5) ECLRT stops, none of which are currently delineated as an MTSA in the Official Plan, which is required to be completed at the time of the next municipal comprehensive review for Ministerial approval.

Schedule 5 of the Growth Plan (2019) identifies Eglinton Avenue as a priority transit corridor and Map 4 of the Official Plan identifies Eglinton Avenue as a higher order transit corridor. The Growth Plan policies for major transit station areas on priority transit corridors informs the evaluation of this application, including the following policies:

- 2.2.4.1: the priority transit corridors shown in Schedule 5 will be identified in official plans. Planning will be prioritized for major transit station areas on priority transit corridors, including zoning in a manner that implements the policies of this Plan;

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

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 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.

Section 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. In the opinion of staff, the recommendations in this report do not impact the policies of the Growth Plan which require comprehensive municipal implementation.

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

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

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.

Official Plan

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. Official Plan policies related to building complete communities,

including heritage preservation and environmental stewardship may be applicable to any application.

Toronto Official Plan policies can be found here:

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

Chapter 2 - Shaping the City

Section 2.2 Structuring Growth in the City

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

The lands immediately north and south of Eglinton Avenue East are identified as an *Avenue* on Map 2. Eglinton Avenue East within the GMSP study area is identified as a Higher Order Transit Corridor, as described by Map 4 in the Official Plan.

Official Plan Policies 2.4.3 and 2.4.4 state that planning for new development will be undertaken in the context of reducing auto dependency and creating a multi-modal approach to address the transportation demands and impacts of new development. Furthermore, policy 2.2.3 requires that the City's transportation network be maintained and developed to support the growth objectives of the plan, by, among other matters, ensuring that new streets will be provided in consideration of surrounding land uses and will contribute to the development of a connected network which provides direct and clearly understood travel routes for all transportation modes and users throughout the City and acts as a fundamental organizing element of the city's physical structure. Furthermore, policy 3.1.1.17 identifies that new streets should be public streets.

Section 2.2.3 Avenues

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

Development applications on lands designated *Mixed Use Areas* and located along an Avenue, which proceed in advance of an Avenue Study, have the potential to set a precedent for the form and scale of reurbanization along the Avenue.

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

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

Chapter 3 - Building a Successful City

Section 3.1.1 The Public Realm

The public realm policies in Section 3.1.1 of the Official Plan acknowledge the importance of the public realm and quality urban design in creating great communities and building a great city. The public realm is comprised of the streets, parks, and open spaces of the City and is the framework with which development occurs. Among other matters, the policies aim to promote quality architectural, landscape and urban design; improve physical and visual access from public spaces of the City's natural features; and ensure that sidewalks and boulevards are designed to provide safe, attractive, interesting, and comfortable spaces for pedestrians.

Policy 3.1.1.5 acknowledges that city streets are significant public open spaces, which connect people and places and support the development of sustainable, economically

vibrant and complete communities. It directs that new and existing City streets incorporate a Complete Streets approach and be designed to perform their diverse roles, including by:

- Balancing the needs and priorities of the various users and uses within the right-of-way;
- Improving the quality and convenience of active transportation options within all communities by giving full consideration to the needs of pedestrians, cyclists and public transit users;
- Reflecting differences in local context and character;
- Providing building access and address, as well as amenities such as view corridors, sky view and sunlight; and
- Serving as community destinations and public gathering places.

Policy 3.1.1.16 provides for development criteria for new streets, including that new streets be designed to provide connections with adjacent neighbourhoods, promote a connected grid of streets that offers safe and convenient travel options, extends sight lines and view corridors, divide larger sites into smaller development blocks; provide access and addresses for new development; allow the public to freely enter without obstruction; implement the Complete Streets approach to develop a street network that balances the needs and priorities of the various users and uses within the right-of-way; improve the visibility, access and prominence of unique natural and human-made features; and provide access for emergency vehicles.

Section 3.1.2 Built Form

The Built Form policies in Section 3.1.2 of the Official Plan state that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. New development will be located and organized to fit within its existing and/or planned context. It will do this by generally locating buildings parallel to the street or along the edge of a park or open space, have a consistent front yard setback, acknowledge the prominence of corner sites, locate entrances so they are clearly visible and directly accessible from the public sidewalk; providing ground floor uses that have views into and, where possible, access to, adjacent streets, parks and open spaces; and preserving existing mature trees wherever possible and incorporating them into landscaping designs (Policy 3.1.2.1).

Policy 3.1.2.3 directs that new development will be massed and its exterior façade to 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 by:

- a) Massing new buildings to frame adjacent streets and open spaces in a way that respects the existing and/or planned street proportion;
- b) Incorporating exterior design elements, their form, scale, proportion, pattern and materials, and their sustainable design, to influence the character, scale and appearance of the development;

- c) Creating appropriate transitions in scale to neighboring existing and/or planned buildings for the purpose of achieving the objectives of the Plan;
- d) Providing for adequate light and privacy;
- e) Adequately limiting any resulting shadowing of, and uncomfortable wind conditions on, neighboring streets, properties and open spaces, having regard for the varied nature of such areas; and
- e) Minimizing any additional shadowing and uncomfortable wind conditions on neighboring parks as necessary to preserve their utility.

Policy 3.1.2.4 requires that new development 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 uses of these areas.

Policy 3.1.2.5 requires new development to provide amenity for adjacent streets and open spaces to make these areas attractive, interesting, comfortable and functional for pedestrians by providing improvements to adjacent boulevards and sidewalks respecting sustainable design elements, such as trees, hedges, plantings, permeable paving materials, street furniture, curb ramps, waste and recycling containers, lighting and bicycle parking facilities; co-ordinated landscape improvements in setbacks to create attractive transitions from the private to public realms; weather protection such as canopies, and awnings; landscaped open space within the development site; and public art, where the developer agrees to provide this, to make the building and its open spaces more attractive and interesting.

Policy 3.1.2.6 requires that every significant new multi-unit residential development provide indoor and outdoor amenity space for residents of the new development. Section 3.1.3 includes Built Form policies for tall buildings, recognizing that tall buildings come with larger civic responsibilities and obligations than other buildings. Policy 3.1.3.1 outlines the main components of a tall building – base building, a middle portion, and a top building, with each having their own unique civic responsibility. The base buildings provide definition and support at an appropriate scale for adjacent streets, parks and open spaces, integrate with adjacent buildings, and minimize the impact of parking and servicing uses. The middle portion should be designed so that smaller floor plate sizes and shapes have appropriate dimensions for the site, are located and oriented on the site and in relationship to the base building and adjacent buildings in a manner that satisfies the policies of the plan. The top of tall buildings contribute to the skyline character and should integrate roof top mechanical systems into the design.

Policy 3.1.3.2 requires that tall buildings address key urban design considerations, including:

- Meeting the built form principles of the Official Plan;
- Demonstrating how the proposed buildings and site designs will contribute to and reinforce the overall City structure;
- Demonstrating how the proposed buildings and site designs relate to the existing and/or planned context;

- Taking into account the relationship of the topography and other tall buildings; and
- Providing high quality, comfortable and usable publically accessible open space areas; and
- Meeting other goals and objectives of the Official Plan.

Section 3.1.4 Public Art

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

Section 3.2.1 Housing

The Housing policies in Section 3.2.1 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. New housing supply will be encouraged through intensification and infill that is consistent with the policies of the Official Plan.

Policy 3.2.1.9 requires large sites that are generally greater than five (5) hectares in size, such as the subject site, where an increase in density and/or height is proposed, the Plan requires that the first priority community benefit will be the provision of 20 per cent of the additional residential units as affordable housing.

Section 3.2.2 Community Services and Facilities

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

Section 3.2.3 Parks and Open Spaces

The City's Green Space System, made up of parks and open spaces, the natural heritage system, and a variety of privately-managed but publicly-accessible spaces, is an integral part of our quality of life and social well-being. It provides opportunities for recreation, relaxation, and experiencing nature in peace and quiet, and contributes to Toronto's competitive advantage as a place to invest.

The City's park planning areas are shown on Map 8(C) of the Official Plan. The information on Map 8(B) for these park planning areas will be used to require, wherever possible, that new parkland be provided when development occurs in areas of low parkland provision. The area requires new parkland on site.

Section 3.3 Building New Neighbourhoods

Section 3.3 of the Official Plan discusses the building of new neighbourhoods. New neighbourhoods are to have a comprehensive planning framework to reflect the Official 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 land uses;
- A strategy to provide parkland and to protect, enhance or restore natural heritage;
- A strategy to provide community services and local institutions; and
- A strategy to provide affordable housing.

The Official Plan directs that new neighbourhoods must be viable as communities, and 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 building and services and facilities that meet the needs of residents, workers and visitors (Policy 3.3.2).

Chapter 4 – Land Use Designations

The subject lands are designated *Mixed Use Areas* on Map 20 of the Official Plan (refer to Attachment 3: Official Plan Land Use Map). The *Mixed Use Areas* designation provides for a broad range of commercial, residential and institutional uses, in single-use or mixed-use buildings, as well as parks, open spaces and utilities. Section 4.5.2 includes development criteria in *Mixed Use Areas*, which direct that new development:

- a) Create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community;
- b) Provide for new jobs and homes for Toronto's growing population, creating and sustaining well-paid, stable, safe and fulfilling employment opportunities;
- c) Locate and mass new buildings to provide a transition between areas of different development intensity and scale by providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- d) Locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*;
- e) Locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- f) Provide an attractive, comfortable and safe pedestrian environment;

- g) Take advantage of nearby transit services;
- h) Provide good site access and circulation and an adequate supply of parking for residents and visitors;
- i) Locate and screen service areas, ramps and garbage areas to minimize the impact on adjacent streets and residences; and
- j) Provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Chapter 5 – Implementation

Section 5.1.1 of the Official Plan provides for the use of Section 37 of the *Planning Act* to secure community benefits in exchange for increased height and density for new development, provided the development constitutes good planning, is consistent with the policies and objectives of the Plan and complies with the built form policies and all applicable neighbourhood protection policies. The community benefits to be secured must bear a reasonable relationship to the increased height and/or density of the proposed development and have a geographic relationship with the proposed development. Section 37 may be used for developments with more than 10,000 m² of gross floor area where the zoning by-law amendment increases the permitted density by at least 1,500 square metres and/or increases the permitted height. The proposal is in excess of 10,000 square metres, exceeds the permitted density by more than 1,500 square metres and is seeking an increase in the permitted height. As such, should this application be approved in some form, Section 37 policies would apply.

Section 37 may be used, irrespective of the size of the project or the increase in height and/or density to replace rental housing in accordance with the provisions of this Official Plan.

Section 5.2.1 of the Official Plan identifies that Secondary Plans establish local development policies to guide growth and change in a defined area of the City. Secondary Plans will be prepared to guide the creation of new neighbourhood and employment areas while ensuring adequate public infrastructure and environmental protection. Further, Secondary Plan policies adapt and implement the objectives, policies, land use designations and overall planning approach of the Official Plan to fit local context and are adopted as amendments to the Official Plan. The City has completed draft Secondary Plan policies for Golden Mile, which are being presented to the January 8, 2020 meeting of Scarborough Community Council for consideration.

Policy 5.2.1.1 recognizes that Secondary Plans set the stage for reurbanization of a defined area to stimulate and guide development in keeping with the Official Plan's objectives. Further, policy 5.2.1.3 states that Secondary Plans will promote a desired type and form of physical development resulting in highly functional and attractive communities and plan for an appropriate transition in scale and activity between neighboring districts.

As per policy 5.2.1.4, Secondary Plans will also recognize city-building objectives and will identify or indicate the following:

- overall capacity for development in the area, including anticipated population;
- affordable housing objectives;
- land use policies for development, redevelopment, intensification and/or infilling;
- urban design objectives, guidelines and parameters; necessary infrastructure investment with respect to any aspect of: transportation services, environmental services including green infrastructure, community and social facilities, cultural, entertainment and tourism facilities, pedestrian systems, parks and recreation services, or other local or municipal services; and
- where a Secondary Planning area is adjacent to an established neighbourhood or neighbourhoods, new development must respect and reinforce the existing physical character and promote the stability of the established neighbourhoods.

Policy 5.3.1.3 requires that amendments to the Official Plan that are not consistent with its general intent will be discouraged. The amendment to the Official Plan is required to be compatible with its physical context and not affect nearby *Neighbourhoods* or *Apartment Neighbourhoods* in a manner contrary to the neighbourhood protection policies of the Official Plan. Policy 5.3.1.3 also recognizes that when considering a site specific amendment to the Plan, at the earliest point in the process, the planning review will examine whether to consider the application in the immediate planning context or whether a broader review and possible area specific or general policy change is appropriate.

As stated earlier in this report, City Staff also identified a number of issues including the need for a comprehensive study of the entire Golden Mile Focus Area, the need for an analysis of transportation, servicing requirements, community services and facilities needs, park land dedication and open space requirements, provision for "complete and walkable communities", and the enhancement of employment and residential uses. The Preliminary Report to City Council, March 15, 2016, directed that the application be considered concurrently or subsequent to the Golden Mile Secondary Plan, and also waived the requirement for the Avenue Segement Study as required by the Official Plan as the Secondary Plan Study was underway.

As detailed in the Proposals Report for the Golden Mile Secondary Plan, City Staff have prepared draft policies that is supported by a comprehensive analysis that proposes a general policy change for the broader Golden Mile area and therefore it is appropriate to consider this application given its implications on the broader area based on the studies and work conducted in this Golden Mile area.

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

Section 5.3.3 of the Official Plan discusses the constant need for investment in infrastructure and services to maintain and improve our quality of life. Policy 5.3.3.2 refers to the need for new municipal investment to replace, enhance or build new

infrastructure to implement this Plan will be identified through a multitude of implementation plans and strategies, including Secondary Plans. Community service and facility strategies and other similar city-building initiatives.

Site and Area Specific Policy No. 129

Lands south and north of Eglinton Avenue East between Pharmacy Avenue and Birchmount Road are subject to SASP No. 129, which permits retail and services uses, including stand-alone retail stores and/or power centers, subject to amendments to the zoning by-law. The implementation of this policy may require the provision of additional public roads or other transportation improvements, and may require the provision of financial compensation as per the TSI charge to equitably allocate the capital costs of any such improvements.

SASP No. 129 can be found at:

<https://www.toronto.ca/wp-content/uploads/2017/11/9832-city-planning-official-plan-chapter-7-saps.pdf>

Official Plan Amendment No. 231

In December 2013, City Council adopted Official Plan Amendment ("OPA") No. 231 (OPA 231), which provides new and revised economic policies and designations for employment lands in the city. OPA 231 was approved by the Province with minor modifications in July 2014 and portions of OPA 231 are under appeal at the Local Planning Appeal Tribunal (LPAT). The LPAT (and previously the Ontario Municipal Board) has issued several Orders partially approving OPA 231.

OPA 231 also added new policies to Section 3.5.1 of the Official Plan respecting the promotion of office development within *Mixed Use Areas* and on lands within 500 metres of a subway/LRT/GO Station. While currently under appeal, these policies represent City Council's contemplated planned vision for this priority transit corridor, do direction on the minimum standards for commercial development and increased non-residential gross floor area within mixed use buildings, with a particular focus on office development.

Consistent with PPS Policy 1.6.7, 1.6.8 and 1.8.1, there is a direction of the PPS to promote and focus major employment, commercial and other travel intensive land uses on sites which are well served by transit where it exists or is to be developed. Further the PPS recognizes that new development proposed on adjacent lands to existing or planned corridors should be compatible with and supportive of the long-term purposes of the corridor and designed to avoid negative impacts on such corridors. Planned corridors is defined as required to meet projected needs and are identified through provincial plans, such as the Growth Plan. Further that planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose it is identified.

As stated earlier, the Growth Plan recognizes this is a priority transit corridor in Schedule 5 and as such prioritizes their implementation, including density targets, yet to be established, for persons and jobs combined. Policy 2.2.5.2 contemplates that major

office and appropriate major institutional development will be directed to major transit station areas. OPA 231 similarly provides direction for these planned corridors to provide for the direction that transit stations provide for office adjacent to existing and approved/funded rapid transit stations.

More information about OPA 231 can be found here:

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

Zoning

The site is not subject to City-wide Zoning By-law 569-2013, as amended. As such, the site is zoned Mixed Employment ("ME") under former City of Scarborough Employment Districts Zoning By-law No. 24982 (Golden Mile Employment District), as amended. The ME Zone permits a range of commercial and institutional uses. Industrial uses are permitted, provided all uses are conducted within buildings. A zoning by-law amendment has not been submitted with this application.

See Attachment 4: Existing Zoning By-law Map.

Design Guidelines

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current 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 city-wide guidelines are available at:

<http://www.toronto.ca/planning/tallbuildingdesign.htm>

Mid-Rise Building Guidelines

In July 2010, Toronto City Council, adopted the recommendations contained in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study", with modifications and directed staff to use the Performance Standards for Mid-Rise Buildings in reviewing all new and current mid-rise development proposals on the Avenues for a two year monitoring period. In November 2013 City Council extended the monitoring period to the end of 2014.

The Avenues and Mid-rise Buildings Study identifies a list of best practices and establishes a set of performance standards for new mid-rise buildings. Key issues addressed by the Study include maximum allowable building heights, setbacks and stepbacks, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods, Parks and Open Space Areas* and corner sites.

The Study can be found at:

<http://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/Urban%20Design/Midrise/midrise-FinalReport.pdf>

In June 2016, City Council approved the Mid-Rise Building Performance Standards Addendum (April 20, 2016). The Addendum is to be used by City Staff together with the 2010 approved Mid-Rise Building Performance Standards during the evaluation of development applications where mid-rise buildings are proposed and the Performance Standards are applicable. The Performance Standards and Addendum may also be used to help inform the preparation or review of area studies and policies involving mid-rise buildings. The Addendum clarifies that these Performance Standards may be a useful planning tool where a Secondary Plan supports mid-rise buildings, but does not regulate built form or does not fully address mid-rise building design, or when a Secondary Plan is under review. The Addendum is approved as an interim supplement to the 2010 Performance Standards until such time as Council considers and adopts updated Mid-Rise Building Design Guidelines.

Refer to the Council Decision:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7>

and Attachment 1: Mid-Rise Building Performance Standards Addendum (April 20, 2016) <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>

Growing Up: Planning for Children in New Vertical Communities Guidelines

In July 2017, City Council adopted the City-wide Growing Up: Planning for Children in New Vertical Communities draft guidelines. The objectives of the guidelines are rooted in the Official Plan vision to create an attractive, safe and healthy city where children are valued and residents have access to housing, support services and recreational activities. The draft guidelines implement Official Plan policies that highlight the importance of integrated community facilities and amenities, the need for a comfortable and safe public realm and the creation of a range of housing options in communities.

The Guidelines and City Council decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.PG21.3>

Site Plan Control

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

Reasons for Application

The applicant proposes to add a SASP to Chapter 7 of the Official Plan for the lands at 1966-2050 Eglinton Avenue East and 50 Thermos Road to permit a range of residential and non-residential uses. The proposed SASP would also include FSI provisions and height limits, and built form and public realm parameters to guide future development on site. The proposed Official Plan Amendment maintains the existing *Mixed Use Areas* land use designation.

Application Submission

The following reports/studies were submitted in support of the application:

- Planning Rationale
- Community Services and Facilities Study
- Transportation Study
- Urban Design Brief
- Archaeological Assessment
- Servicing Study
- Housing Issues Report

A Notice of Complete Application was issued on March 7, 2016. The applicant will be required to provide a Compatibility/Mitigation Study to determine land use compatibility, appropriate mitigation measures, appropriate design, and minimum separation distances between proposed sensitive land uses and the employment uses located to the north, east and west of the site.

Agency Circulation

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

The GMSP Study process will directly inform the review and evaluation of the application, specifically the GMSP Study and associated draft policies identify improvements and investment necessary to benefit workers and residents, and support the long term health of the GMSP area. The GMSP Study has provided direction on a number of planning matters such as the appropriate built form and densities that respect adjacent *Employment Areas* and *Parks and Open Space Areas*. The Study has reviewed community infrastructure, servicing, transportation, built form and public realm relationships, and synergies across all users and uses within the Study area.

Community Consultation

The Official Plan Amendment application is being reviewed concurrently with the GMSP Study. A Community Consultation Meeting has not been held regarding the subject application to date.

COMMENTS

Staff are of the opinion that the proposed Official Plan Amendment application has not demonstrated how it is consistent with the general intent of the Official Plan, and given the consultant studies of the broader Golden Mile area that have provided broader area recommendations, the proposed OPA, in the opinion of staff, does not fit in with some of the policies in the draft Golden Mile Secondary Plan, contained in the report dated December 20, 2019. The intent of the proposed Secondary Plan is to establish a vision

and policy framework that supports a diverse mixed-use community with a balance of residential, commercial and employment uses

In the absence of a completed Secondary Plan for Golden Mile, staff are of the opinion that the proposed application in its current form does not have regard for relevant matters of provincial interest in Section 2 of the *Planning Act*, is not consistent with the Provincial Policy Statement (2014), does not conform with the Growth Plan (2019) and does not conform to the City's Official Plan.

Provincial Policy Statement (2014)

The proposal has been reviewed and evaluated against the PPS (2014) and the Growth Plan (2019). Staff have determined that the proposal is not consistent with the PPS and does not conform with the Growth Plan (2019) for the reasons outlined below.

The PPS provides policy direction on matters of provincial interest related to land use planning and development. Provincial plans and municipal official plans provide a framework for comprehensive, integrated, place-based and long-term planning that supports and integrates the principles of strong communities, a clean and healthy environment and economic growth, for the long term. The PPS states that planning authorities shall identify appropriate locations for intensification and that an appropriate range and mix of housing types and densities be provided.

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

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

- b) Accommodating an appropriate range and mix of residential, employment (including industrial and commercial), institutional, recreation, parks and open space, and other uses to meet long-term needs;
- c) Avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) Avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas; and
- g) Ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs.

Policies 1.1.3.2 a) and b), 1.1.3.3, 1.1.3.6, 1.1.3.7 and 1.3.1 noted above, the GMSP Study and consultant reports have examined strategies to direct and manage anticipated growth and development within the Golden Mile area. It is important to note that the recommended increase of density from 2.8 FSI in the proposed OPA to 3.0 FSI, would align with the proposed Secondary Plan and the GMSP consultant

recommendations. So while the intensification is appropriate, it is required to align that level of intensification and anticipated growth with infrastructure and public service facilities as well as ensuring appropriate parks and open space, transportation network and affordable housing.

The proposed OPA has not demonstrated the ability to accommodate projected needs from the proposed development with respect to infrastructure and public service facilities, including transportation capacity and public service facilities, but city staff, in their opinion, based on the GSMP Study, understand that can be achieved on this site with the appropriate policy direction. Further, the limited amount of non-residential gross floor area does not reflect an appropriate mix of uses that supports the investment in transit infrastructure and would require further evaluation on this site to better align it with the Official Plan, Growth Plan and PPS.

Policy 1.4.3 requires that planning authorities provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by:

- Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households;
- Permitting and facilitation all forms of housing required to meet the social, health, and well-being requirements of current and future residents; and all forms of residential intensification;
- Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs; and
- Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

The application currently proposes 10 per cent of the total units would be larger (three-bedroom) units. However, the proposed OPA does not include any affordable housing options nor secure those in the proposed SASP. In addition, the proposed OPA has not demonstrated an appropriate level of infrastructure and public service facilities to support the proposed intensification; it has not demonstrated an appropriate range and mix of housing types, and has not been designed in a manner to achieve a complete community. As stated earlier, implementing the GMSP recommendations and consultant reports should better align this proposed OPA for this site in achieving those objectives.

Policy 1.5.1 a) and b) state that healthy, active communities should be promoted by "planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity" and by "planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages...". The proposed OPA has not demonstrated an appropriate public realm plan that creates a healthy, complete

community with spaces that are safe, connected and pedestrian friendly, consistent with the GMSP Study direction.

Section 1.6 states that infrastructure and public service facilities should be coordinated and integrated with land use planning to ensure they are financially viable and that they are able to meet current and projected needs. The proposed development has not demonstrated an appropriate level of infrastructure to support the proposed intensification. In addition, the proposed level of intensification on this site demonstrates the demand for a new child care facility among other elements needed for the development of a complete community, however, the proposed OPA has not included a child care facility and other community facility to be planned for the site, nor has it demonstrated how it would support the achievement of adequate community services to meet current and/or projected needs.

Policy 1.7.1 relates to long-term economic prosperity that should be supported by a) promoting opportunities for economic development; and d) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character. Policy 1.8.1 establishes the further requirement regarding energy conservation and efficiency, improved air quality and climate change adaptation through land use and development patterns through compact form, promoting design and orientation to achieve the stated policies.

Policy 4.7 states that a municipality's "official plan is the most important vehicle for implementation of the Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through the official plans. Official Plans shall identify provincial interests and set out appropriate land use designations and policies." Policy 4.11 states that "in addition to land use approvals under the *Planning Act*, infrastructure may also require approval under other legislation and regulations. An environmental assessment process may be applied to new infrastructure and modifications to existing infrastructure under applicable legislation."

The Official Plan, and the draft policies for the GMSP Study, provide for a long term range of growth based on the provision of the necessary infrastructure to meet the planned growth. The proposed OPA in its current form does not conform with, or is inconsistent with the general intent of the City's Official Plan policies and urban design guidelines related to matters of non-residential gross floor area replacement, a range of appropriate housing sizes, density, built form and compatibility.

Furthermore, the PPS is not intended to mandate any form of intensification in all situations, but rather relies on local official plans to set out a suitable policy framework to guide development and intensification in a manner consistent with provincial interests. The Official Plan appropriately establishes the form of intensification, how it is accommodated and development of complete communities through its policy framework. Further, the final report of the GMSP Study is expected to be considered by City Council in Q2, 2020, will provide more detailed direction to further implement the Official Plan, PPS and Growth Plan. The Study has developed a vision and comprehensive planning framework specific for the Golden Mile that will form the foundation and recommendations for a GMSP, Urban Design Guidelines, Conceptual Master Plan, Community Services and Facilities, Transportation Master Plan, Master

Servicing Plan, Parks and Open Spaces Strategy and other strategies and planning tools.

The Golden Mile planning framework will incorporate the use of policies and strategies designed to manage anticipated growth, including a land use strategy that supports a diverse mixed-use community with a balance of residential, commercial and employment uses, anchored by community services and facilities, and connected through a network of streets, parks and open spaces.

Growth Plan (2019)

The Growth Plan (2019) provides a strategic framework for managing growth in the Greater Golden Horseshoe in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The Guiding Principles in Section 1.2.1 support the achievement of complete communities, as defined in the Growth Plan, recognizing that communities can take different shapes and forms appropriate to their context. The Guiding Principles also support a range and mix of housing options and the integration of land use planning with planning and investment in infrastructure and public service facilities.

The Growth Plan provides a strategic framework for managing growth in the Greater Golden Horseshoe. Growth Plan policies for the management of growth (Policy 2.2.1.4) state the application of the policies will support the achievement of complete communities that:

- a) Feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- c) 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;
- d) Expand convenient access to: a range of transportation options; public service facilities; and an appropriate supply of safe, publicly-accessible open spaces, parks, and other recreational facilities; and
- e) Ensure the development of high quality compact built form, and an attractive and vibrant public realm, including public open spaces, through site design and urban design standards.

The proposed OPA has not demonstrated how it will support the achievement of a complete community that supports healthy, active living in a high quality compact built form; it has not provided an appropriate range and mix of housing options; the limited amount of non-residential gross floor area does not reflect an appropriate mix of uses that supports the investment in transit infrastructure; it has not provided an adequate street network or access to public service facilities; it has not provided an appropriate public realm plan; it has not provided an acceptable open space/parks strategy; nor has it demonstrated how it would support the achievement of adequate infrastructure and public service facilities to meet current and/or projected needs.

Policy 2.2.2.3 states that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas which will:

- a) Encourage intensification generally to achieve a desired urban structure;
- b) Identify the appropriate type and scale of development and transition of built form to adjacent areas;
- e) Prioritize planning and investment in infrastructure and public service facilities that will support intensification; and
- f) Be implemented through official plan policies and designations, updated zoning and other supporting documents.

The Official Plan and the proposed GMSP will provide further detailed direction for the Golden Mile area on a comprehensive basis and will collectively establish the intensification strategy for the broader Golden Mile area. In the opinion of staff, the proposed OPA does not conform with Policies 2.2.2.3. a), b), d), e) and f) of the Growth Plan. Although the November 8, 2019, with prejudice settlement offer begins to address some of the built form and public realm objectives identified in the GMSP Study directions, particularly with regard to the proposed street and block network, the original application and the settlement offer do not represent an appropriate scale of development for the surrounding area and do not appropriately transition to adjacent lower scale properties; are not designed in a manner to achieve a complete community have not demonstrated the availability of infrastructure and community service facilities to support the proposed intensification.

The policies in Section 2.2.6 support housing choice through the achievement of the minimum intensification and density targets in the Growth Plan (2019) by identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet the projected needs of current and future residents, as well as to support the achievement of complete communities through the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. There is currently no affordable housing included as part of this development; and the applicant has not provided a unit breakdown for the 3,000 proposed residential units.

In Section 3, Infrastructure to Support Growth, well planned infrastructure is essential to the viability of communities and critical to economic competitiveness, quality of life, and the delivery of public services. The policies in this section provide a framework to guide and prioritize infrastructure planning and investment. Policies 3.2.1.1 and 3.2.1.2 state that infrastructure planning, land use planning, and infrastructure investment must be coordinated and the planning for new or expanded infrastructure will occur in an integrated manner, including evaluation of long-range scenario-based land use planning and financial planning, and will be supported by infrastructure master plans.

Section 5.2.4.5 requires the type and scale of development to be contextually appropriate; requires integrated planning for infrastructure and public service facilities; and the achievement of complete communities. At present, neither a transportation master plan or a servicing plan has been provided by the applicant that adequately demonstrates it can support the proposed development, nor has it demonstrated the provision of community service facilities warranted by a proposal of this magnitude. The proposed massing is not in keeping with the existing and planned context, and does not, in the opinion of staff, fit within some of the directions from the GMSP Study and associated consultant reports.

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

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

As discussed above, the proposed OPA has not demonstrated that the impact of the development is able to be supported by the City's infrastructure and public service facilities, and whether or not the development would support the achievement of complete communities, including a diverse mix of land uses, sufficient open space and adequate community services and facilities. The proposed scale and massing do not recognize the local context, both existing and planned and do not demonstrate a high quality public realm and compact built form.

Staff are of the opinion that the proposed Official Plan Amendment in its current form, does not conform to, and conflicts with the Growth Plan.

Official Plan

Policy 4.7 of the PPS states that a municipality's official plan is the most important vehicle for implementation of the PPS and that "comprehensive, integrated and long-term planning is best achieved through official plans." Furthermore, the PPS directs municipalities to provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

The subject lands are located within the GMSP Study Area. The GMSP Study will develop a comprehensive planning framework for the Golden Mile area that will include Secondary Plan policies that direct:

- Built form, public realm, community services and facilities, housing and public art strategies;
- A transportation master plan and master servicing plan;
- Urban design guidelines; and

- Implementation, phasing and monitoring strategies.

Section 5.2.1 of the Official Plan identifies that Secondary Plans establish local development policies to guide growth and change in a defined area of the City, while ensuring adequate public infrastructure and environmental protection. Policy 5.2.1.3 states that Secondary Plans identify the type and form of physical development and plan for an appropriate transition in scale and activity between neighbouring districts. Policy 5.2.1.4 notes that Secondary Plan will recognize city-building objectives and indicate matters including: affordable housing objectives; land use policies; urban design objectives/guidelines/parameters; necessary infrastructure investment; and ensuring the stability of established neighbourhoods.

In this regard, the proposed OPA has not demonstrated the impact of the proposed development on infrastructure and public service facilities and whether or not the development proposed to be planned through the proposed OPA would support the achievement of complete communities, including a diverse mix of land uses, sufficient open space and adequate community services. The scale and massing in the proposed OPA do not recognize the local context, both existing and planned and do not demonstrate a high quality public realm and compact built form.

The lands at 1966-2050 Eglinton Avenue East and 2050 Thermos Road are designated *Mixed Use Areas*. The lands are identified as an *Avenue*. Chapter 2 of the Official Plan sets out a policy framework and strategy for managing Toronto's growth and includes policies respecting *Avenues*. Development applications on lands designated *Mixed Use Areas* and located along an *Avenue*, which proceed in advance of an *Avenue Study*, have the potential to set a precedent for the form and scale of reurbanization along the *Avenue*. In addition to the *Mixed Use Areas* policies, proponents of such proposals are also required to address the larger context and examine the implications for the segment of the *Avenue* in which the proposed development is located.

Development requiring a rezoning will not be allowed to proceed prior to completion of an *Avenue Study* unless the review demonstrates to Council's satisfaction that subsequent development of the entire *Avenue* segment will have no adverse impacts within the context and parameters of the review. In this regard, the proposed development has not adequately addressed the larger context, nor has it adequately demonstrated that it satisfies the policies contained in Section 2.2.3, including in particular the neighbourhood protection policies, a range of housing options, adequate parks and open spaces, an appropriate network of streets and blocks, a safe and comfortable pedestrian environment, provision of community services, and the availability of infrastructure, including an appropriate transportation infrastructure, to support the proposed development.

The Official Plan contains policies that emphasize the importance of the public realm and quality urban design in creating great communities. The proposal in its current form as it relates to the Public Realm policies in Section 3.1.1 does not create the necessary framework upon which development can occur.

The proposed OPA has not demonstrated how it will support the achievement of a complete community that reflects the Official Plan's goals, as well as the local context.

The proposal in its current form has not demonstrated how it will achieve a complete community that supports healthy, active living in a high quality compact built form; it has not provided an appropriate range and mix of housing options; it has not demonstrated appropriate massing and densities in the context of City structure or the GMSP Study and associated consultant reports.

The application proposes 58,000 square metres of non-residential (retail) uses, no office uses and 3,000 residential units, which is not considered to be an appropriate mix of uses that supports the investment in transit infrastructure. Staff are of the opinion that the application should be revised to provide an appropriate public realm plan, an acceptable open space/parks strategy, reallocation of density across the site, provide office uses, and provide further details about the affordable housing strategy. The proposed OPA has not demonstrated how it would support the achievement of adequate infrastructure and community services and facilities to meet current and/or projected needs, however resolving the concerns outlined in this report will likely result in an OPA of an acceptable form and content to properly manage change and plan for the future of this site without a negative impact of the broader golden mile area or the GMSP Study and forthcoming Secondary Plan.

Policy 3.2.1.1 of the Official Plan states that a full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents. A full range of housing includes: ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, shared and/or congregate-living housing arrangements, supportive housing, emergency and transitional housing for homeless people and at-risk groups, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock.

Policy 3.2.1.9 of the Official Plan relates to residential developments on large site, generally greater than 5 hectares in size. These sites provide an opportunity to achieve a mix of housing in terms of types and affordability, and the Policy requires the following:

- a) A minimum of 30 per cent of the new housing units will be in forms other than single detached and semi-detached houses, such as row housing, triplexes and multi-unit residential buildings; and
- b) In accordance with and subject to Section 5.1.1 of the Official Plan where an increase in height and/or density is sought, the first priority community benefit will be the provision of 20 per cent of the additional residential units as affordable housing. This affordable housing contribution may take the form of affordable housing constructed on-site or the conveyance of land in the development to the City for the purpose of affordable housing, or, at the discretion of the City:
 - i) With the agreement of the developer, affordable housing units constructed near the development site or elsewhere in the City;
 - ii) The conveyance of land to the City for the purpose of affordable housing near the proposed development site; or

- iii) Cash in lieu for the purpose of constructing affordable housing in or near the proposed development site."

The development site is larger than 5 hectares and, as a result, Policy 3.2.1.9 of the Official Plan applies. Official Plan Policy 3.3.1 requires that new neighbourhoods will have a comprehensive planning framework reflecting the Plan's city-wide goals as well as the local context.

The proposal in its current form does not include an affordable housing strategy, and as a result is not meeting the objective of Policy 3.2.1.9 of the Official Plan. An appropriate affordable housing strategy should address the following objectives:

1. The inclusion of affordable housing within each phase of the overall development, ensuring that the affordable housing is provided commensurate with the market residential housing; and
2. Providing for 20% of the additional residential units as affordable housing. The affordable housing may include a combination of approaches, such as land and units constructed on site. The affordable housing should also reflect the mix of building types and units on the overall site.

Through the Growing Up Guidelines, the City seeks to secure a minimum of 10% of the proposed units having three or more bedrooms and a critical mass of both two and three-bedroom units. Although the application proposes 10 per cent of all residential units would be three or more bedrooms, the application does not indicate the minimum unit size. This does not adequately support the objectives of the Growing Up guidelines, the City's Official Plan housing policies, or the Growth Plan's growth management and housing policies to accommodate within new development a broad range of households, including families with children.

The gross FSI for the four conceptual options submitted by the applicant ranges from 2.8 to 3.3 times the area of the site. The GMSP Study and associated consultant reports contemplate a density of 3.0 for this site. The GMSP Study built form and public realm recommendations, including those related to density, are intended to ensure that intensification does not exceed the capacity of the physical infrastructure and is undertaken in a contextually appropriate built form. Although intensification is anticipated in the Golden Mile, the scale of development needs to be consistent with the GMSP Study and associated consultant reports.

The proposal for the lands at 1966-2050 Eglinton Avenue East and 50 Thermos Road, in its current form, does not provide for a development that achieves the objectives of the Official Plan, and the direction from the GMSP Study.

Issues to be Resolved

City Planning staff are of the opinion that the proposed Official Plan Amendment application could be revised to be consistent with the direction of the GMSP Study as follows:

- Maximum gross FSI of 3.0 times the area of the site;

- Provide the required widening along Eglinton Avenue East;
- Provide new public streets at the recommended right-of-way widths;
- Provide the required parkland dedication;
- Revise the site organization and built form;
- Provide office uses;
- Provide the required affordable housing in accordance with Policy 3.2.1.9 of the Official Plan regarding sites greater than five (5) hectares; and
- Provide a minimum of one community facility on site.

Conclusion

Staff are of the opinion that the proposed Official Plan Amendment at a maximum gross FSI of 3.0 is supportable and consistent with the emerging density provisions of the GMSP Study. However, the proposed SASP and conceptual massing options are not consistent with the PPS (2014), does not conform with the Growth Plan (2019), does not conform to, or is not consistent with the general intent of, the City's Official Plan. Further, the proposed OPA does not align with some of the draft policy directions from the GMSP Study and associated consultants reports, that will support the forthcoming Secondary Plan.

The application in its current form does not conform with the Official Plan, particularly as it relates to Public Realm, Built Form, Housing, Community Services and Facilities, Parks and Open Spaces, Neighbourhoods and Implementation policies. The following issues remain outstanding: density, built form and massing, range of building types transition in scale, site organization (including an appropriate street and block network), land use compatibility, unit mix (including affordable housing), infrastructure and community services and facilities, and lack of office uses.

Staff recommend that the application in its current form be opposed at the LPAT. Staff also recommend that City Council direct City Staff to continue to negotiate with the applicant to try to resolve the outstanding issues detailed in this report in the context of the ongoing GMSP Study and the maximum gross FSI of 3.0 times the area of the site, and that the City Solicitor and staff be directed to attend the LPAT in opposition to the application in its current form.

CONTACT

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SIGNATURE

Paul Zuliani, Director, RPP, MBA
Community Planning, Scarborough District

ATTACHMENTS

- Attachment 1: Application Data Sheet
- Attachment 2: Location Map
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: Golden Mile Secondary Plan Area Boundary
- Attachment 6: Conceptual 3D Massing - Options 1 and 2
- Attachment 7: Conceptual 3D Massing - Options 3 and 4

Attachment 1: Application Data Sheet

Application Type	Official Plan Amendment	Application Number:	15 258686 ESC 37 OZ
Details	OPA, Standard	Application Date:	November 30, 2015

Municipal Address: 1966 EGLINTON AVE E
 Location Description: **GRID E3707
 Project Description: Official Plan Amendment application to add a Site and Area Specific Policy ("SASP") to the property at 1966-2050 Eglinton Avenue East (RioCan lands) to permit a mixed-use development with new streets and parkland.

Applicant:	Agent:	Architect:	Owner:
RioCan	Stikeman Elliott	Kirkor Architects	RioCan

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	Mixed Employment	Historical Status:
Height Limit (m):		Site Plan Control Area: N

PROJECT INFORMATION

Site Area (sq. m):	107,200	Height:	Storeys:	0
Frontage (m):	377.13		Metres:	0
Depth (m):	301.82			
Total Ground Floor Area (sq. m):	0			Total
Total Residential GFA (sq. m):	242,000		Parking Spaces:	0
Total Non-Residential GFA (sq. m):	58,000		Loading Docks:	0
Total GFA (sq. m):	300,000			
Lot Coverage Ratio (%):	0			
Floor Space Index:	2.8			

DWELLING UNITS

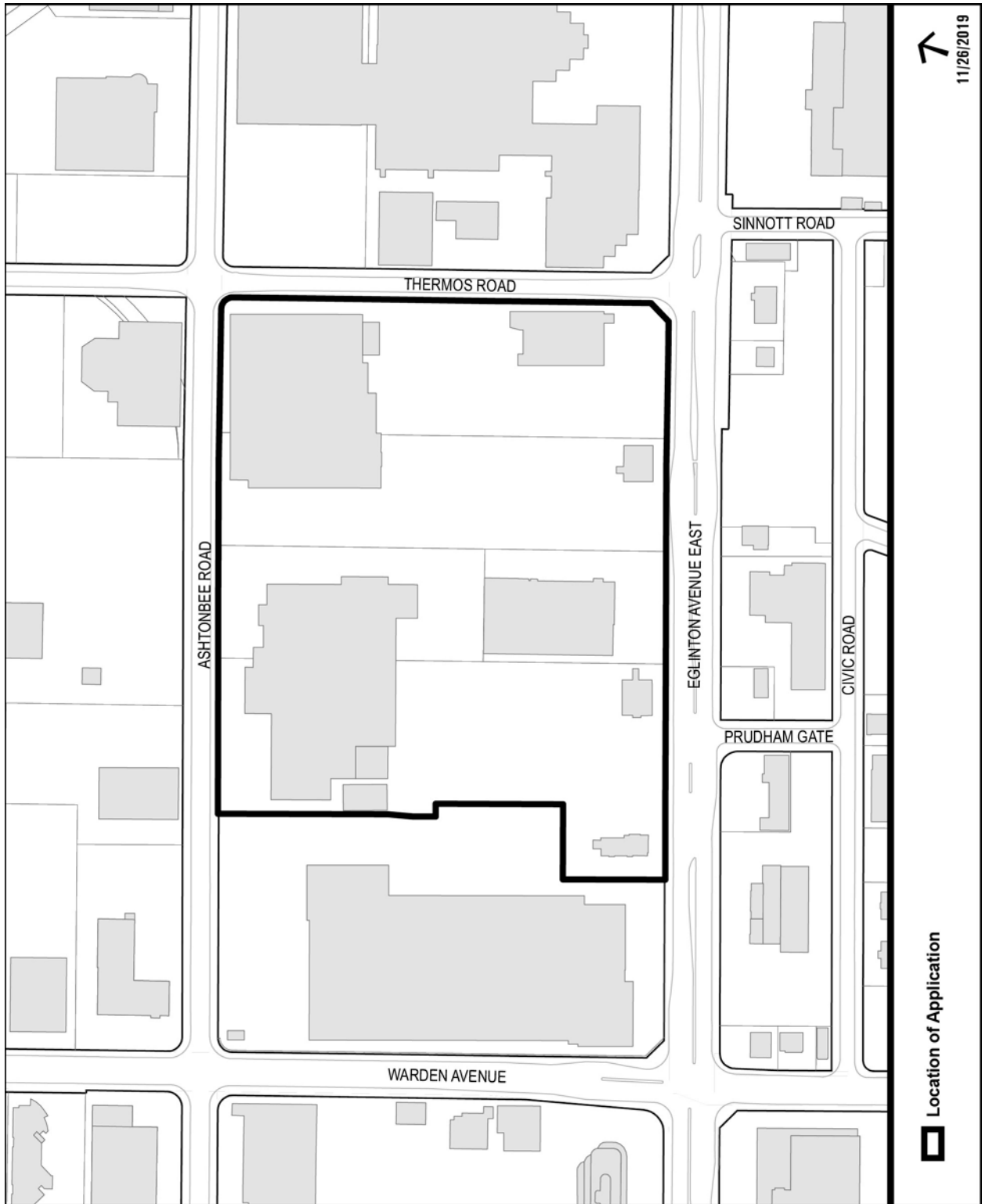
Tenure Type:	
Rooms:	0
Bachelor:	0
1 Bedroom:	1,950
2 Bedroom:	750
3 + Bedroom:	300
Total Units:	3,000

FLOOR AREA BREAKDOWN (upon project completion)

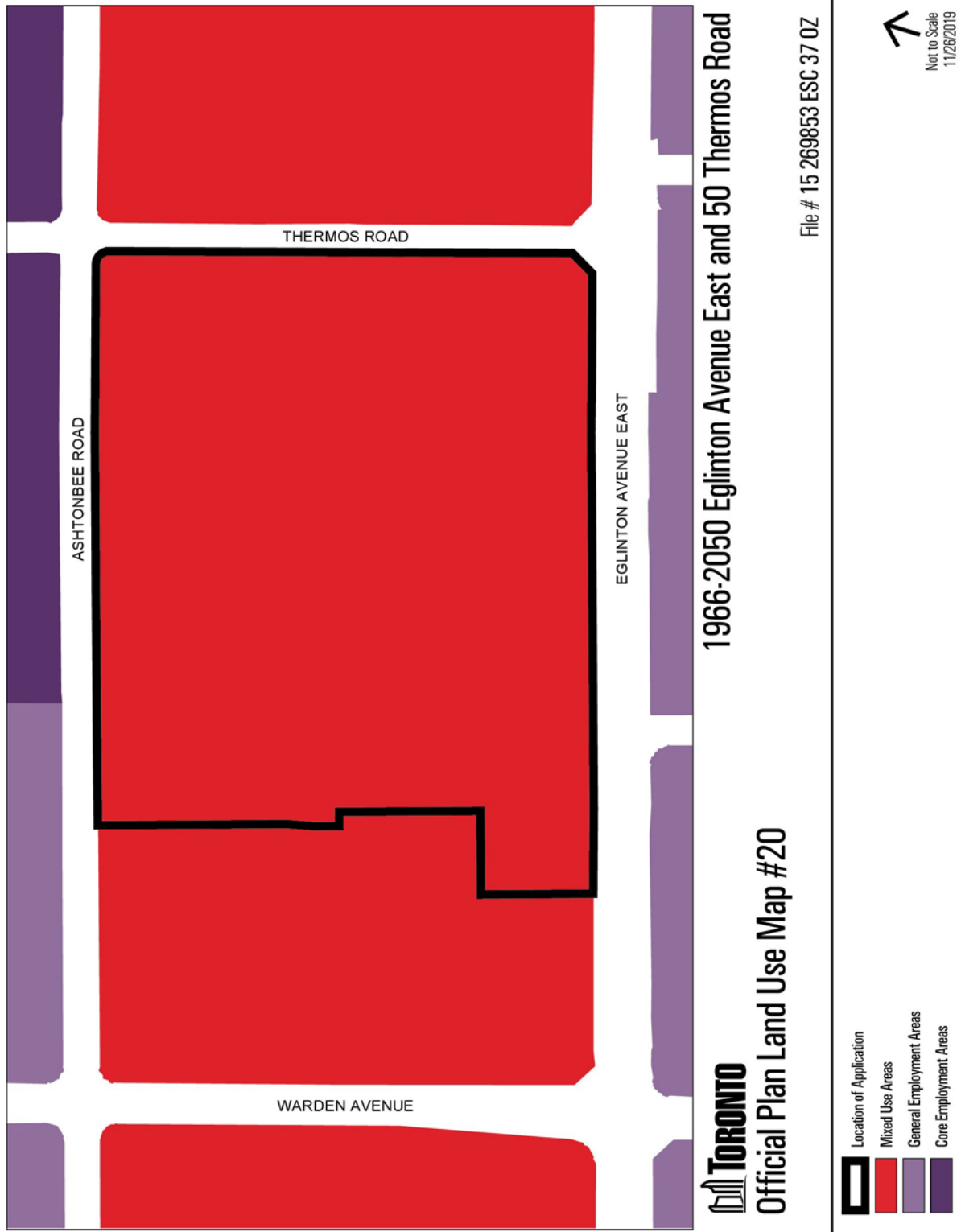
	Above Grade	Below Grade
Residential GFA (sq. m):	24,2000	0
Retail GFA (sq. m):	58,000	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT: **PLANNER NAME:** Emily Caldwell, (Acting) Senior Planner
TELEPHONE: (416) 396-7040

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

1966-2050 Eglinton Avenue East and 50 Thermos Road

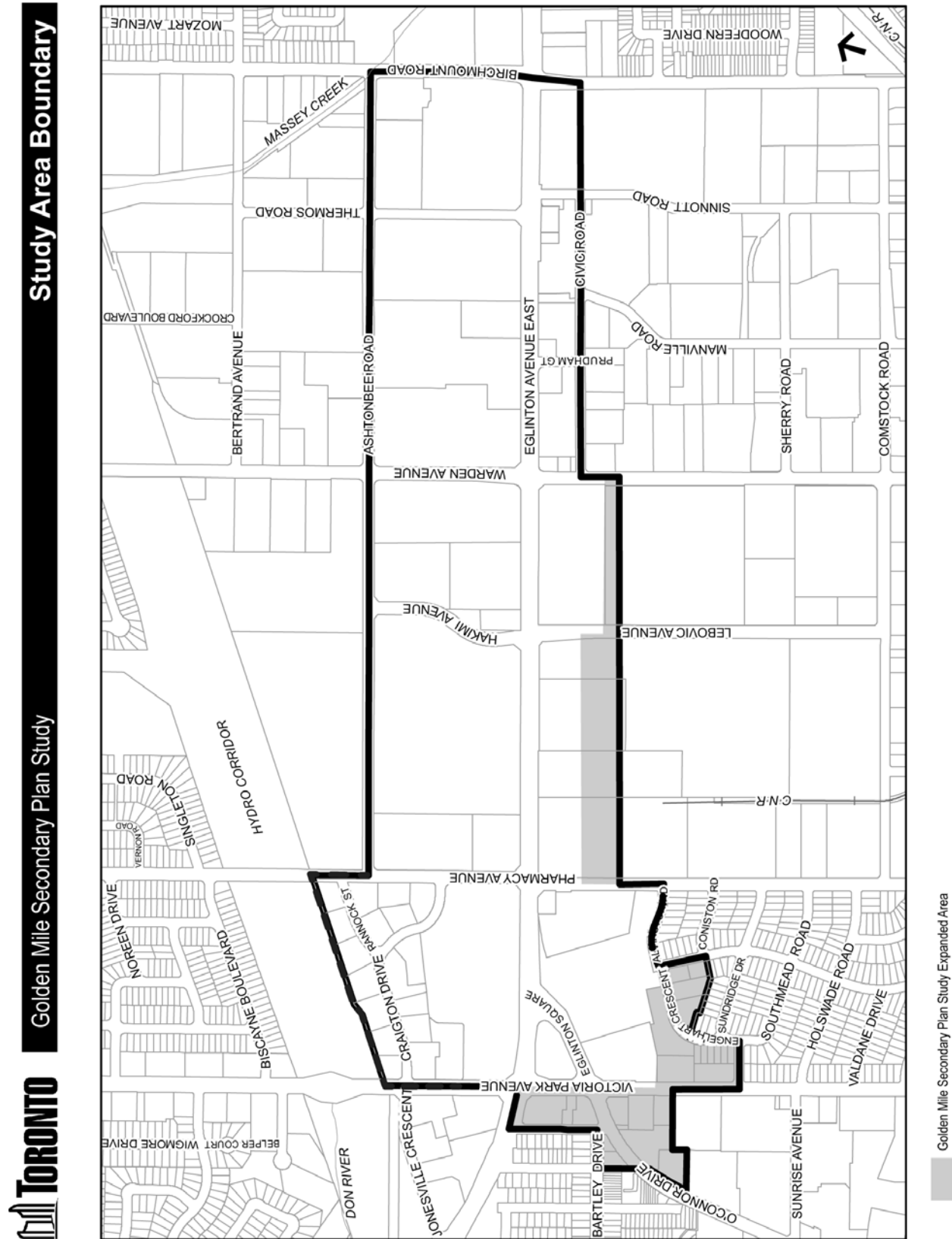
File # 15 269853 ESC 37 0Z

- | | |
|--|---|
| | Location of Application |
| | Employment Industrial |
| | Open Space Natural |
| | See Former City of Scarborough Employment District By-law No. 24982 (Golden Mile) |
| | Industrial Zone |
| | General Industrial Zone |
| | Mixed Employment Zone |
| | Office Uses Zone |
| | Industrial District Commercial Zone |
| | I-PS Institutional - Public Services Zone |
| | I-SW Institutional - Social Welfare Zone |
| | I-E Institutional - Educational Zone |
| | VS Vehicle Service Zone |



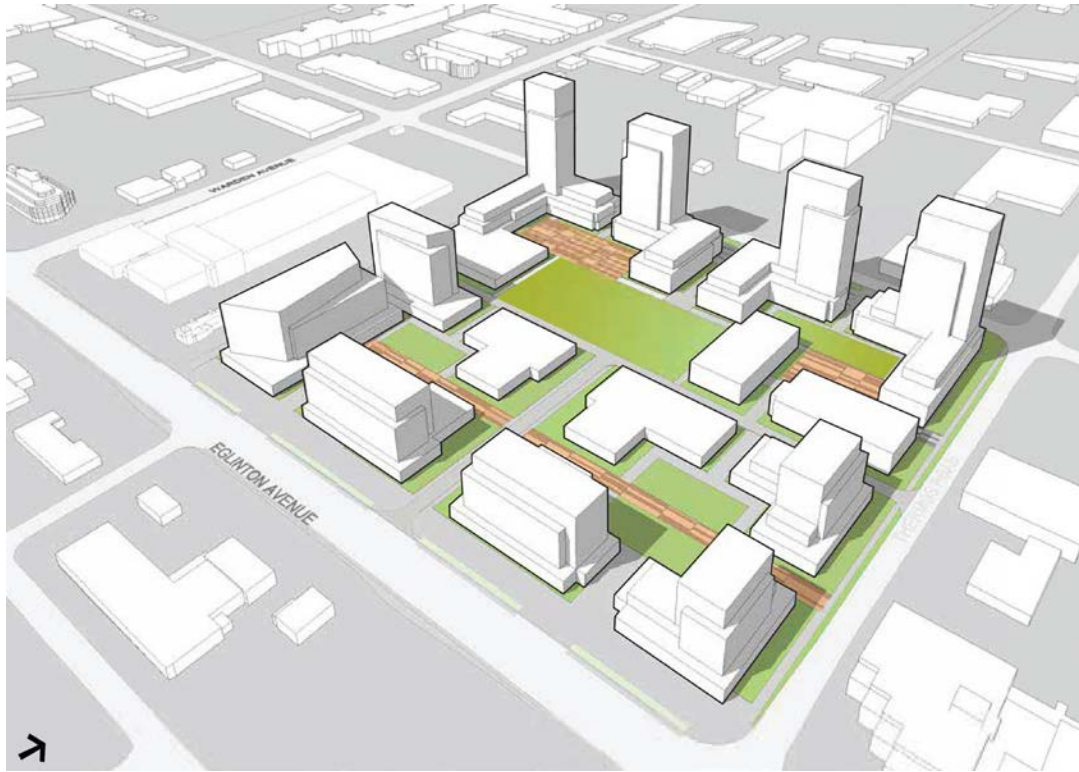
Not to Scale
Extracted: 11/26/2019

Attachment 5: Golden Mile Secondary Plan Study Area Boundary



Attachment 6: Conceptual 3D Massing - Options 1 and 2

Option 1



Option 2



Attachment 7: Conceptual 3D Massing - Options 3 and 4

Option 3



Option 4

