

2567 Eglinton Avenue East – Zoning Amendment Application – Preliminary Report

Date: February 7, 2020

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: Ward 20 - Scarborough Southwest

Planning Application Number: 19 263883 ESC 20 OZ

Notice of Complete Application Issued: December 20, 2019

Current Use(s) on Site: 1-storey commercial building (KFC restaurant) with surface parking at the front and rear

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application to permit an 11-storey mixed-use building at 2567 Eglinton Avenue East. Staff are currently reviewing the application, which has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 2567 Eglinton Avenue East, together with the Ward Councillor.
2. Staff provide notice for the community consultation meeting to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

DECISION HISTORY

Eglinton East LRT

In March 2016, City Council endorsed the Eglinton East LRT (EELRT) as part of the Scarborough rapid transit network. In April 2019 Council supported an EELRT alignment to Malvern Town Centre. The subject property is located in the EELRT corridor. Additional information about the Eglinton East LRT can be found online in a report to Council at: <https://www.toronto.ca/legdocs/mmis/2019/ex/bgrd/backgroundfile-131528.pdf>.

ISSUE BACKGROUND

Application Description

The application proposes an 11-storey mixed-use building on the south-west corner of Eglinton Avenue East and Huntington Avenue. The proposed building would have a total gross floor area of 8,343 square metres, contain 101 dwelling units, 342 square metres of retail/commercial space on the ground floor and a Floor Space Index of approximately 3.25 (prior to land conveyance).

In addition to the proposed retail/commercial uses, the application proposes a gym, an indoor amenity area, a service/utility room and bicycle parking/storage spaces on the ground floor. An outdoor amenity area is proposed between the building and Huntington Avenue. The proposed residential uses are located on the upper floors.

The following building setbacks are proposed: 7.2 metres along Eglinton Avenue East; 3 metres along Huntington Avenue; 0.60 metres from the west property line; and 10 metres from the south property line.

The proposed building would have a height of 35 metres, with a mechanical penthouse located above having an additional height of 4.5 metres. A variety of stepbacks at the front and rear are provided to transition from Eglinton Avenue East and the *Neighbourhood* to the south. The front wall of the building is maintained up to the 8th floor, where it is stepped back by 0.5 metres and further stepped back by 4.5 metres and 6.5 metres on the 11th and 12th floors, respectively. At the rear, a series of stepbacks on each floor ranging from 2.5 to 4 metres are provided to transition the building from the adjacent *Neighbourhood*. See Attachment 1: 3D Model of Proposal in Context, of this report, for a three-dimensional representation of the project in context.

The application proposes 119 vehicular parking spaces of which, 4 spaces would be located above grade (surface) near the west property line, with the remaining located in 2 levels of an underground parking garage. A total of 82 bicycle parking spaces and 1 type "G" loading space would be provided to service the proposed development. Vehicular access to the proposed building would be provided from Huntington Avenue. See Attachment 2: Location Map and Attachment 3: Site Plan.

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

Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy-led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2014) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2019). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

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

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

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

- Achieving complete communities with access to a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- Provide for a more compact built form and a vibrant public realm, including public open spaces;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning, integrate green infrastructure and appropriate low impact development to improve resilience and reduce greenhouse gas emissions;
- Integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment; and
- In planning for employment, surface parking will be minimized and the development of active transportation networks and transit-supportive built form will be facilitated.

The Growth Plan (2019) builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan (2019) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

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

Toronto Official Plan Policies and Planning Studies

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

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

The subject property is located within an *Avenue* on the Urban Structure Map (Map 2) and is designated as *Mixed Use Areas* (Map 20) in the City of Toronto Official Plan. Refer to Attachment 4: Official Plan Land Use Map.

The subject property is also located on a Major Street, on a High Order Transit Corridor and a Surface Transit Priority Network on Maps 4 & 5 in the Official Plan.

Zoning By-laws

The property is subject to the City of Toronto Zoning By-law No. 569-2013, as amended and the Eglinton Community Zoning By-law No. 10048, as amended. See Attachment 5: Zoning By-law Map.

The City of Toronto Zoning By-law No. 569-2013, as amended zones the subject lands as Commercial Residential CR 0.4 (c0.4; r0.0) SS3 (x689). A variety of uses including Automobile Sales, Service and Maintenance Uses, Funeral Homes, Fraternal Organizations, Hotels and Motels, Place(s) of Worship and Professional and Business Offices are permitted, but it does not permit residential uses as shown by numerical value of zero density for residential uses, in the zoning standards noted above.

The Commercial Residential zoning permits a maximum building height of 11 metres, a maximum building coverage of 33%, and a floor space index of 0.4 times the lot area for non-residential uses. This By-law also establishes minimum building setbacks from Eglinton Avenue East and other local streets.

The Eglinton Community Zoning By-law No. 10048, as amended, zones the subject site Highway Commercial (HC 29-33-76-86), which permits day nurseries and “highway commercial uses”, but does not permit residential uses. Highway commercial uses are defined as commercial uses which necessitate a location adjacent to a major traffic arterial and do not require large areas for sustained off-street parking or those which are not suited to locations in shopping centres. Like By-law No. 569-2013, Eglinton

Community By-law No. 10048, as amended does not permit residential uses on the subject property.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

Design Guidelines

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

- Mid-Rise Design Guidelines;
- Mid-Rise Building Performance Standards Addendum;
- Draft Growing Up: Planning for Children in New Vertical Communities;
- Bird-Friendly Design Guidelines;
- Toronto Greet Standards (TGS) Version 3.0; and
- Complete Streets Guidelines.

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

Provincial Noise Guidelines

New provincial noise guidelines (NPC-300) were introduced in 2013, which replace and consolidate previous related guidelines. Among other matters, the guidelines provide advice, sound level limits and guidance that may be used when land-use planning decisions are made under the Planning Act. They are intended to minimize the potential conflict between noise-sensitive land uses and sources of noise emissions. Generally, the proponent of new noise-sensitive land use is responsible for ensuring compliance with applicable sound level limits.

Site Plan Control

The development is subject to Site Plan Control. A Site Plan Control application has not been submitted.

COMMENTS

Reasons for the Application

The proposal requires an amendment to the Zoning By-law to permit residential uses, establish among other matters, development standards including use, building height, massing, stepbacks, setbacks and density, number of vehicular and bicycle parking spaces.

Issues to be resolved

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

Provincial Policies and Plans Consistency/Conformity

Staff are evaluating this application for consistency with the PPS (2014) and conformity with the Growth Plan (2019) which came into effect on May 16, 2019. Given the explicit link between Provincial Policy and the Official Plan, consistency and conformity with the PPS (2014), and the Growth Plan (2019) will be largely determined by conformity with the Official Plan.

Official Plan Conformity

Staff are reviewing the application to determine its conformity with the Official Plan Policies pertaining to *Avenues*, *Mixed Use Areas*, Built Form, Public Realm, Healthy Neighbourhoods, among others.

Built Form, Planned and Built Context

Staff will assess the suitability of the proposed heights and massing within the existing and proposed context for the area. Staff will also evaluate the proposed transition to the adjacent low-rise residential uses on the south side of the subject property.

Staff will also evaluate the proposed development regarding its location and organization, how it defines the edges of adjacent streets, the location and organization of vehicular parking, vehicular access, service areas and utilities, to minimize their impacts on surrounding properties and to improve the safety and attractiveness of adjacent streets.

Housing

The proposal includes 101 dwelling units. The proposed unit mix comprises 72 one-bedrooms, 17 two-bedrooms, and 12 three-bedrooms. The Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines direct that new development should provide at least 15% two bedrooms and 10% three bedrooms to ensure housing options for families with children are available. The proposal currently proposes a proportion of 17% two bedrooms and 12% three bedrooms.

Staff will further evaluate unit sizes and additional building and site design features to support a broad range of households, including families with children.

Tree Preservation

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

The applicant has submitted an Arborist Report and a Tree Preservation Plan which are currently under review by City staff. Staff will be evaluating the application to ensure that it supports the Official Plan policies of increasing the amount of tree canopy coverage.

Community Services and Facilities

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

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth is a responsibility shared by the City, public agencies and the development community.

Staff will evaluate the impact of the proposed development and local development activity on community services and facilities, including assessment of existing capacity to support the proposed future population.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title. Details of a Section 37 Agreement between the applicant and the City will be considered, in consultation with the Ward Councillor, if a project is ultimately approved.

If it is determined that Section 37 benefits will be secured please refer to the Council approved Implementation Guidelines and Protocol for Negotiating Section 37 Community Benefits which are available here: [https://www.toronto.ca/wp-content/uploads/2017/08/8f45-Implementation-Guidelines-for-Section-37-of-the-Planning-Act-and-Protocol-for-Negotiating-Section-37-Community-Benefits.pdf./](https://www.toronto.ca/wp-content/uploads/2017/08/8f45-Implementation-Guidelines-for-Section-37-of-the-Planning-Act-and-Protocol-for-Negotiating-Section-37-Community-Benefits.pdf/)

Infrastructure/Servicing Capacity

Staff are reviewing the Servicing Report and Stormwater Management Plan provided by the applicant to evaluate the effects of the development on the City's municipal servicing infrastructure and watercourses and determine whether there is sufficient capacity to accommodate the proposed development. Staff will determine if new infrastructure or any improvements to the existing infrastructure are required.

Transportation

Staff are reviewing the Transportation Impact Study submitted by the applicant, the purpose of which is to evaluate the effects of the development on the transportation

system, but will also identify if any transportation improvements are necessary to accommodate the travel demands and impacts generated by the development.

Eglinton East LRT & Scarborough Subway Extension

Staff are required to protect for the implementation of Eglinton East LRT (EELRT) and the Scarborough Subway Extension which may require additional land conveyance from properties fronting on the *Avenue*, to facilitate the LRT and subway infrastructure. This supports the Toronto Official Plan (complete communities) and the identification of Eglinton Avenue East as a Transit Priority Segment on Maps 4 (High Order Transit Corridor) & 5 (Surface Transit Priority Network) in the Official Plan.

Toronto Green Standard

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

The application was submitted after May 1, 2018 and is subject to TGS Version 3.0. The application will be reviewed for compliance with Tier 1 performance measures. Staff will encourage the applicant to pursue a Tier 2 of the TGS or higher.

More information regarding the TGS can be found at:

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

Other Matters

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

CONTACT

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SIGNATURE

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

ATTACHMENTS

Attachment 1: 3D Model of Proposal in Context

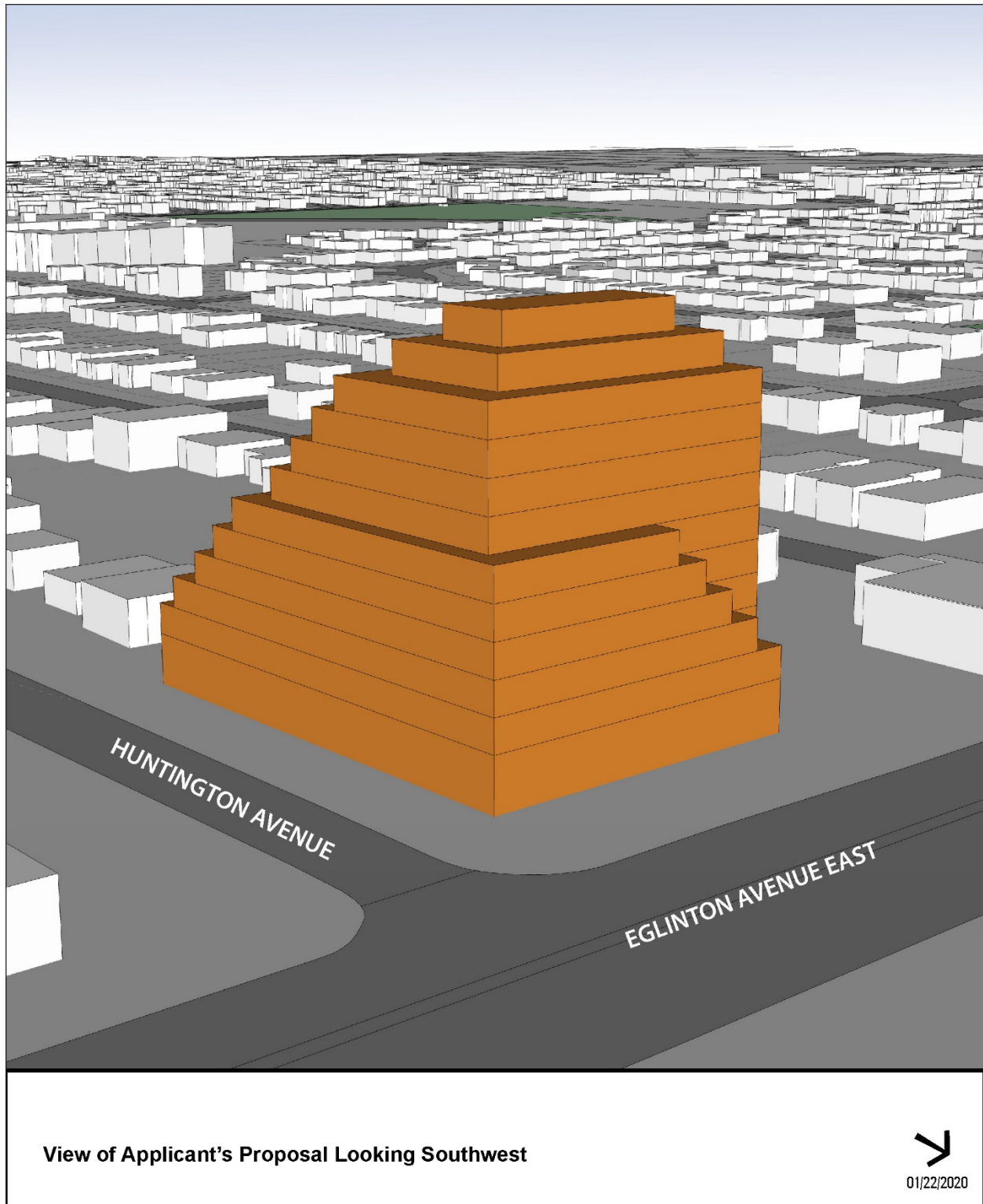
Attachment 2: Location Map

Attachment 3: Site Plan

Attachment 4: Official Plan Land Use Map

Attachment 5: Zoning By-law Map

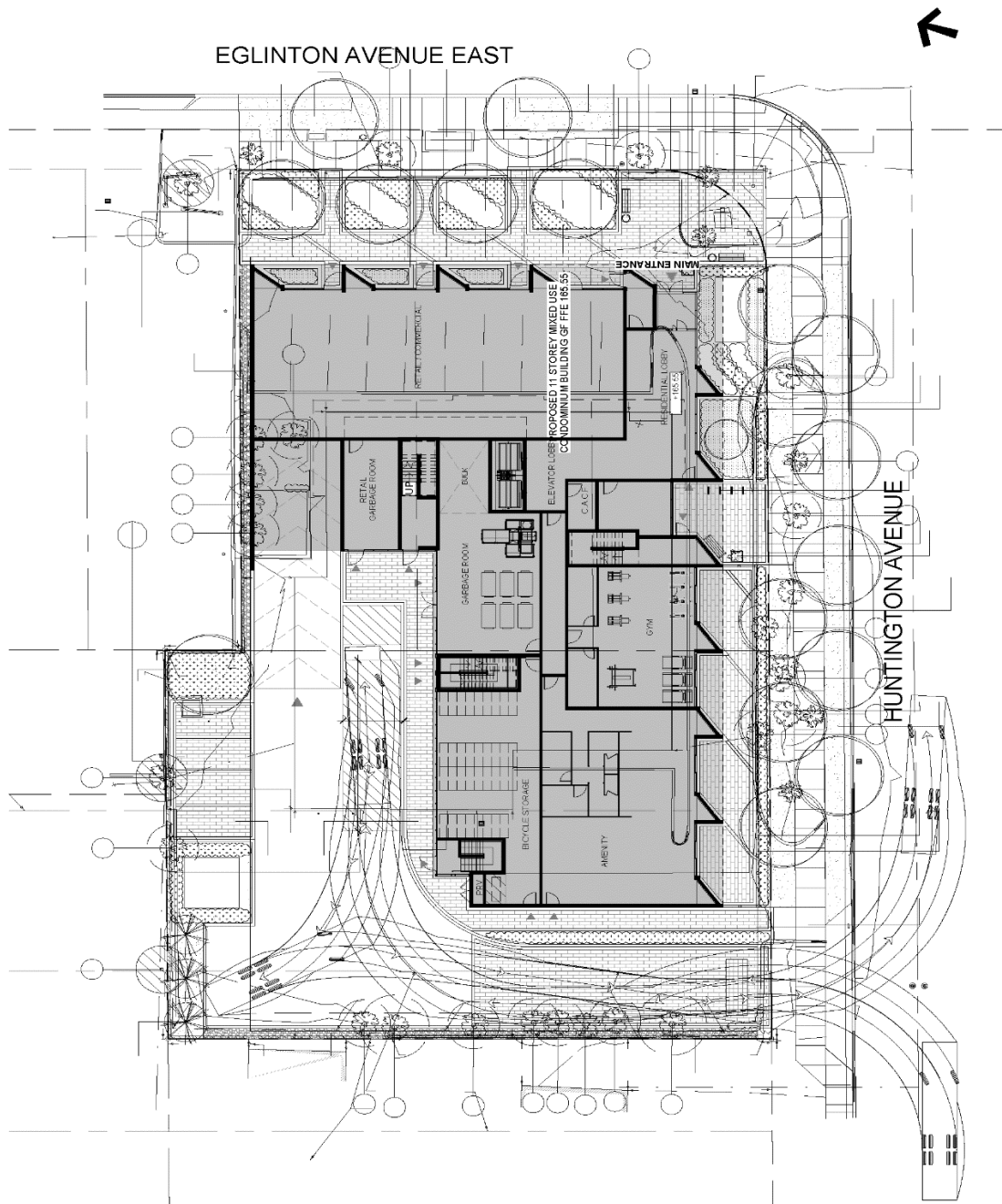
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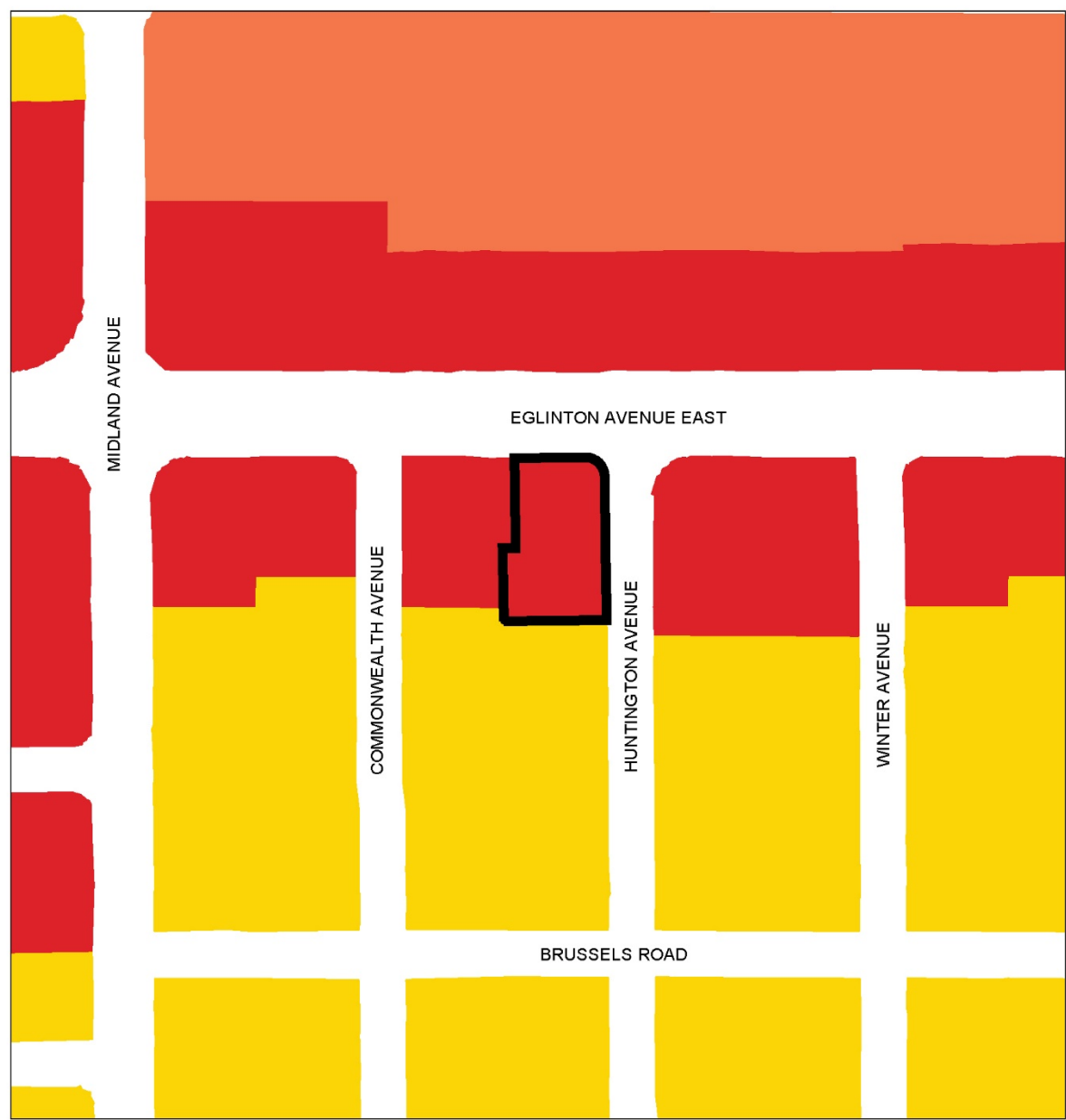
Attachment 2: Location Map



Attachment 3: Site Plan



Attachment 4: Official Plan Land Use Map



2567 Eglinton Avenue East

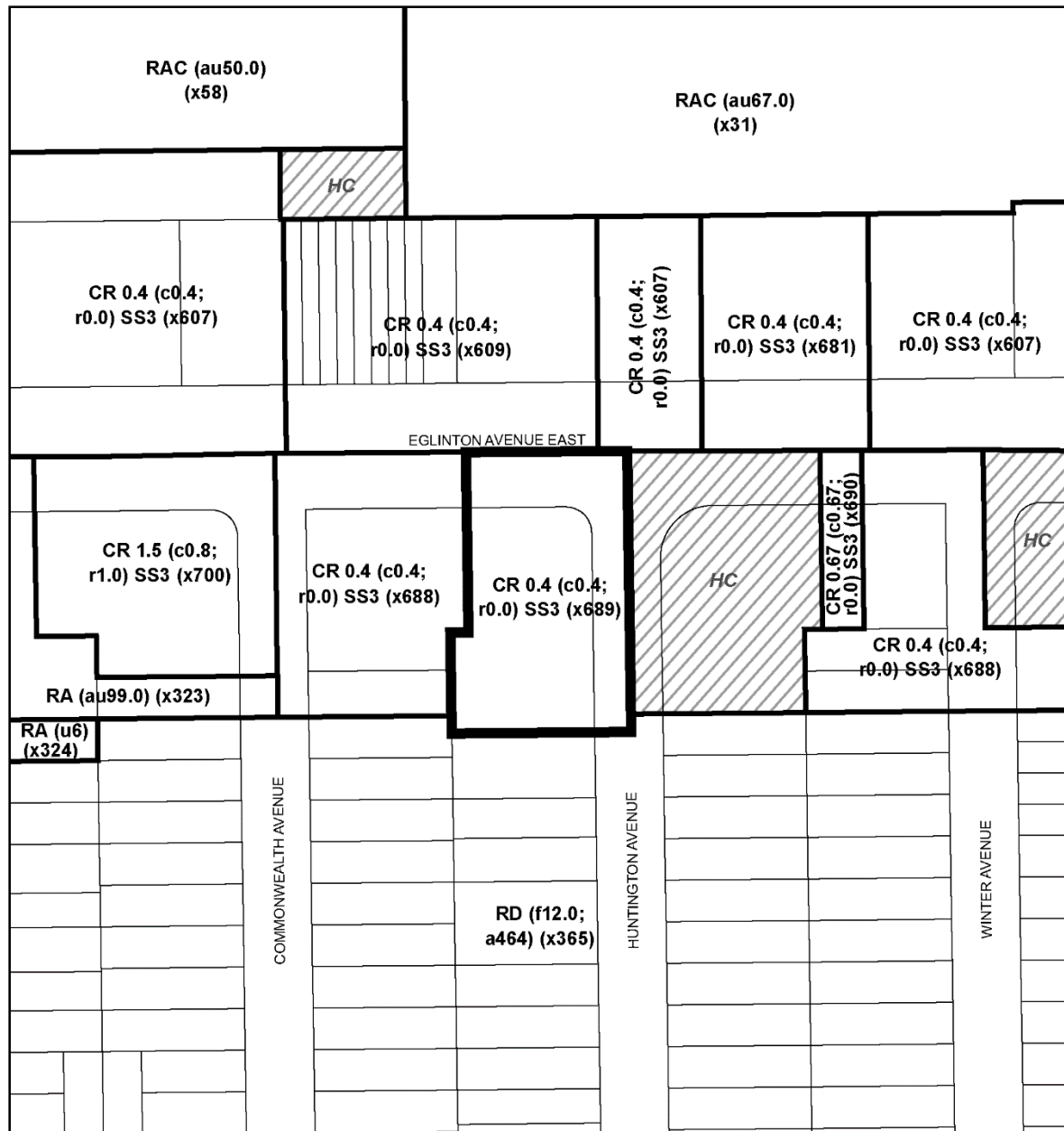
Official Plan Land Use Map #20

File # 19 263883 ESC 20 02

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas


Not to Scale
01/21/2020

Attachment 5: Zoning By-law Map



Zoning By-law 569-2013

2567 Eglinton Avenue East

File # 19 263883 ESC 20 02



Location of Application



See Former City of Scarborough Eglinton Community By-law No. 10048

RD
RA

Residential Detached
Residential Apartment

RAC
CR

Residential Apartment Commercial
Commercial Residential

HC

Highway Commercial



Not to Scale
Extracted: 01/21/2020