

# REPORT FOR ACTION

# 1910 Eglinton Avenue East – Zoning Amendment Application – Preliminary Report

Date: September 17, 2020

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 21 - Scarborough Centre

Planning Application Number: 20 161237 ESC 21 OZ

Related Applications: Site Plan Control Application 20 161239 ESC 21 SA

Notice of Complete Application Issued: August 4, 2020

**Current Uses on Site:** The subject property contains an existing one-storey building and surface parking lot currently occupied by the Scarborough Mitsubishi car dealership.

#### **SUMMARY**

This report provides information and identifies a preliminary set of issues regarding the zoning by-law amendment application located at 1910 Eglinton Avenue East. The application proposes mixed use redevelopment of the approximately 0.35 hectare site to accommodate a 35-storey residential tower and associated 6-storey podium, comprising of 371 rental apartment dwelling units (62%: 1-bedroom; 32.6%: 2-bedrooms; 5.4%: 3-bedrooms).

The total gross floor area proposed is 28,833 square metres, including 27,912 square metres of residential uses and 921 square metres of ground floor retail space. The resulting combined density of the proposed development on a gross basis is an FSI of 8.14 times the lot area, with a proposed building coverage of 0.53 times the lot area.

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

#### RECOMMENDATIONS

The City Planning Division recommends that:

- 1. Staff schedule a community consultation meeting for the lands subject to the rezoning application at 1910 Eglinton Avenue East, together with the Ward Councillor.
- 2. Staff will provide notice for a community consultation meeting to landowners and residents within 120 metres of the 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.
- 3. Staff process these applications concurrently with, and within the context of, Official Plan Amendment No. 499 as may be further revised prior to final approval.

#### 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 Connects**

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, including the Golden Mile. Further information regarding the Eglinton Connects Planning Study can be found at:

http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2014.PG32.4

#### Golden Mile Market Analysis and Economic Strategy Study

The Golden Mile Market Analysis and Economic Strategy Study was completed in December 2016, which analyzed the existing economic and employment conditions in the Golden Mile.

The Golden Mile Market Analysis and Economic Strategy Study can be found here: http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2017.SC21.12

## Golden Mile Secondary Plan Study - Background Report

On February 21, 2018, Scarborough Community Council received a Report for Information regarding the completion of Phase One of the Golden Mile Secondary Plan ("GMSP") Study, which included the GMSP Study: Consultant's Background Report.

The Information Report and Background Report can be found here: http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2018.SC28.4

## Golden Mile Secondary Plan Study - Alternatives Report and Boundary Expansion

On April 16, 2019, City Council considered a Status Report on completion of Phase Two of the Study, which included the GMSP Study: Consultant's Alternatives Report. At this meeting, City Council approved the expansion of the GMSP Study boundary from 97 to 113 hectares to include additional lands within Scarborough District and approximately 4.3 hectares of land on the west side of Victoria Park Avenue within North York District (Ward 16 - Don Valley East). 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 Study, including the statutory meeting required under the Planning Act, be directed to Scarborough Community Council.

The City Council decision regarding the Alternatives Report and Boundary Expansion can be found here:

http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2019.PH4.3

## Golden Mile Secondary Plan Study - Proposals Report

On January 29, 2020, City Council considered a Proposals Report regarding the completion of Phase Three of the Study, which included the GMSP Study: Final Consultant's Report and draft Secondary Plan policies for the Golden Mile. City Council directed City Planning staff to undertake stakeholder consultation on the Draft GMSP.

The City Council decision regarding the Proposals Report can be found here: <a href="http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2020.SC12.10">http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2020.SC12.10</a>

## Golden Mile Secondary Plan Study - Status Report

On June 19, 2020, Scarborough Community Council adopted the Status Report for the proposed policies for the Golden Mile Secondary Plan Areas. The purpose of the status report was to introduce the proposed policies for the Secondary Plan and to provide the public with additional time to review the Secondary Plan prior to the Statutory Public Meeting, considering the current health emergency and proposed virtual meeting format.

The Scarborough Community Council decision regarding the Status Report can be found here:

http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2020.SC15.1

## Golden Mile Secondary Plan - Final Report

At a statutory public meeting on July 17, 2020, Scarborough Community Council considered the Final Report of the Director, Community Planning, Scarborough District dated June 25, 2020 which recommended City Council adoption of Official Plan Amendment No. 499 to implement the proposed Golden Mile Secondary Plan. Scarborough Community Council adjourned the public meeting until October 16, 2020.

The Final Report and Scarborough Community Council decision in this regard can be found here:

http://app.toronto.ca/tmmis/viewAgendaltemHistory.do?item=2020.SC16.3

#### **ISSUE BACKGROUND**

## **Application Description**

This zoning by-law amendment application proposes to amend former City of Scarborough Employment Districts Zoning By-law No. 24982 (Golden Mile Employment District), as amended, to permit mixed use redevelopment of the subject property with a 35-storey residential tower and associated 6-storey podium, comprising 371 rental apartment dwelling units as follows: 182 1-bedroom (49.1%), 48 1-bedroom+den (12.9%), 113 2-bedroom (30.5%), 8 2-bedroom+den (2.2%), 8 3-bedroom (2.2%), and 12 3-bedroom+den units (3.2%).

The total gross floor area proposed is 28,833 square metres, including 27,912 square metres of residential uses and 921 square metres of ground floor retail space. The resulting combined density of the proposed development on a gross basis is an FSI of 8.14 times the lot area with a proposed building coverage of 0.53 times the lot area. This compares to a density of approximately 7 times the subject lot area contemplated under Official Plan Amendment No. 499 policies if the proposed development were limited to 30 storeys (i.e. 5 fewer stories than currently proposed).

Pedestrian resident entrances to the proposed building and 5 proposed ground floor retail units are proposed from both Hakimi Avenue and Eglinton Avenue East. Proposed building setbacks are a minimum of 1 metre from the streetline of Hakimi Avenue and, after required road widening dedication, 1.5 metres from Eglinton Avenue East (indicated in the subject applications as 5 metres from the current streetline).

Vehicle access to the development would be provided solely from Hakimi Avenue via a driveway located on the north side of the building proposed to be shared with future development to the north. A total of 205 underground parking spaces are proposed on two levels. This includes 160 resident parking spaces and 37 visitor parking spaces at an overall rate of 0.55 parking spaces per unit, plus 8 parking spaces serving the proposed retail uses. A total of 259 bicycle parking spaces (144 spaces on the first floor and 115 spaces within the underground parking structure) are proposed. One Residential Type 'G' loading space is proposed on the east side of the building.

Detailed project information is found on the City's Application Information Centre at: <a href="http://app.toronto.ca/AIC/index.do?folderRsn=kHI3iPLpKn%2Br0FC5arXUUg%3D%3D">http://app.toronto.ca/AIC/index.do?folderRsn=kHI3iPLpKn%2Br0FC5arXUUg%3D%3D</a>

See also Attachments 1 and 2: 3D Models of Proposal in Context, and Attachment 4: Site Plan of this report for additional information.

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

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

## The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") provides policy direction provincewide 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 use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

The provincial policy-led planning system recognizes and addresses the complex interrelationships 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 recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

#### **Provincial Plans**

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

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All

comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

## A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan") came into effect on August 28, 2020. This new plan amends the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan 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 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, 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 an MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe 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.

## **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: <a href="https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/">https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/</a>

The current application is located on lands identified as an *Avenue* on Map 2 of the Official Plan and designated *Mixed Use Areas* on Map 20.

See Attachment 5: Official Plan for the Official Plan designation of the subject site and surrounding properties.

The application is also located within the Golden Mile Secondary Plan Study area.

## 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, which provides new and revised economic policies and designations for employment lands in the city. OPA No. 231 was approved by the Province with minor modifications in July 2014 and portions of OPA No. 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 No. 231.

OPA No. 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 are intended to provide for minimum standards for commercial development and increased non-residential gross floor area within mixed use buildings.

## **Zoning By-laws**

The site is not subject to City-wide Zoning By-law 569-2013, as amended. The site is zoned Industrial (M) under former City of Scarborough Employment Districts Zoning By-law No. 24982 (Golden Mile Employment District), as amended. The M Zone permits industrial and office uses (excluding medical and dental offices), marihuana production facilities, day nurseries, educational and training facility uses, places of worship as the sole use, and recreational uses. The site is also subject to Exception 329 which permits vehicle sales operations with an ancillary vehicle repair garage. A draft zoning by-law amendment to both the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Golden Mile Employment District), as amended, and the City-wide Zoning By-law 569-2013, as amended, were submitted to the City.

See Attachment 6: Zoning Map for the zoning designations on the subject site and surrounding properties.

## **Design Guidelines**

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

- City-Wide Tall Building Design Guidelines;
- Growing Up: Planning for Children in New Vertical Communities Guidelines; and
- Pet-Friendly Guidelines.

The City's Design Guidelines may be found here: <a href="https://www.toronto.ca/citygovernment/planning-development/official-planguidelines/design-guidelines/">https://www.toronto.ca/citygovernment/planning-development/official-planguidelines/</a>

Urban Design Guidelines for the Golden Mile have also been developed through the GMSP Study and will be used in the evaluation of these applications.

#### Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application has been submitted under file number 20 161239 ESC 21 SA and is currently under review by City staff and partner commenting agencies.

#### COMMENTS

## **Reasons for the Application**

The rezoning application has been submitted to amend the current Industrial (M) zoning to enable the mixed use, predominantly residential, redevelopment of the subject lands and provide for new development standards.

#### 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**

This application will be evaluated for consistency with the PPS and conformity with the Growth Plan (2019). With regard to the PPS, staff will evaluate the proposed development against the policies that promote complete communities including opportunities for local employment, a mix of housing, recreation, parks and open space, and transportation choices. These policies are relevant for the subject site, which includes 371 proposed residential units in close proximity to the future Golden Mile Eglinton Crosstown LRT stop (under construction) at Hakimi Avenue (the 'Hakimi Lebovic' stop).

With regard to the Growth Plan (2019), staff will evaluate the application against the density targets adjacent to rapid transit stations (LRT stops). The five Eglinton Crosstown LRT stops in the Golden Mile have not been identified as Major Transit Station Areas ("MTSA") in the Official Plan at this point. As such, staff will evaluate whether the proposed density is appropriate, despite the area not formally being identified as an MTSA. Staff will also review the application against the Growth Plan (2019) with respect to employment strategies to attract and retain jobs, and the requirement to provide a range of housing options, public service facilities, recreation and green space.

## Official Plan Conformity

Staff are reviewing the rezoning application to determine its conformity with the Official Plan Policies pertaining to *Mixed Use Areas*, Healthy Neighbourhoods, Housing, Parkland, and Public Art, amongst others. Staff will also review the subject zoning bylaw amendment application within the context of the recently completed Golden Mile Secondary Plan Study and against Official Plan Amendment No. 499.

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

Staff are assessing the suitability of the proposed heights and massing under the rezoning application. Staff will also be evaluating whether the rezoning application is contextually appropriate with the planned context and currently proposed GMSP policies, which are informed in part by the city-wide Tall Building Design Guidelines and Growing Up: Planning for Children in New Vertical Communities Guidelines.

Staff will examine opportunities for a variety of public realm improvements including improvements to enhance the streetscape along Eglinton Avenue East and Hakimi Avenue, as well as the potential for creation of privately-owned publicly accessible open space (POPS). Staff are also evaluating the Pedestrian Level Wind and Sun/Shadow Studies submitted with the subject applications.

The subject applications propose overall resident amenity space consistent with usual City standards at 4 square metres per unit, however three-quarters of this would be provided indoors. Staff will be pursuing the proposed 1.1 square metre per unit shortfall on outdoor amenity space further with the applicant in order to fully achieve the City's usual 2 square metres per unit requirement for such space.

#### **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/Tree Preservation Plan that identifies 90 trees on or within 6 metres of the subject lands, of which 31 are proposed for removal due to poor condition or to accommodate the development, with the remainder to be provided necessary tree protection measures during construction. These submissions are also currently under review by City staff.

#### Housing

A Housing Issues Report is not required as there is no existing rental housing development on the property proposed for any demolition or conversion, and the site is less than 5 hectares in size. The applicant's submitted Planning Rationale Report, however, concludes the proposed development may positively impact on housing affordability by increasing the available supply of rental housing units in the market.

## **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 be evaluating the impact of the proposed development and local development activity on community services and facilities, including assessment of existing capacity to support proposed future population, as determined through the CS&F strategy developed through the GMSP Study and proposed secondary plan policies providing direction on long-term CS&F priorities for this area.

## **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. Further discussions on possible Section 37 contributions by the applicant will be undertaken with the applicant, having regard particularly to community needs identified through the CS&F Report, the proposed new GMSP, and further consultation to be undertaken with the community, the City's usual commenting partners and agencies, as well as the Ward Councillor.

## Infrastructure/Servicing Capacity

City staff are reviewing the subject applications to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development.

This includes consideration of the potential cumulative impact of all proposed development applications in the GMSP Study area, together with review of the submitted servicing and stormwater management reports and related technical submissions, to evaluate the effects of the proposed development on the City's municipal servicing infrastructure and watercourses. Such review will assist in identifying any new infrastructure, or upgrades to existing infrastructure, necessary to provide for adequate servicing to the proposed development.

A Transportation Impact Study ("TIS") to evaluate the effects of the proposed development on the transportation system and to assist in determining necessary transportation improvements to accommodate the new travel demands and impacts generated by the development, has also been submitted and is currently under review by City staff. In particular, staff will be assessing the adequacy and appropriateness of the proposed parking supply rate of 0.53 parking spaces per dwelling unit.

Staff will also be pursuing a 3.5 metre wide road widening dedication along the entire Eglinton Avenue East frontage of the site to achieve the new 43 metre road allowance being established for this street on Official Plan Map 3, Right-of-Way Widths Associated with Existing Major Streets, through OPA 499. Implementing such a widening will impact on the proposed 5 metre building setback indicated in the current site plan application along the Eglinton Avenue East frontage of the property, which staff will be discussing further with the applicant.

## **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, 3 or 4 of the TGS for possible post-construction DC refund eligibility.

More information regarding the TGS can be found at:

https://www.toronto.ca/city-government/planning-development/official-planguidelines/toronto-green-standard/

#### **Additional Issues**

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**

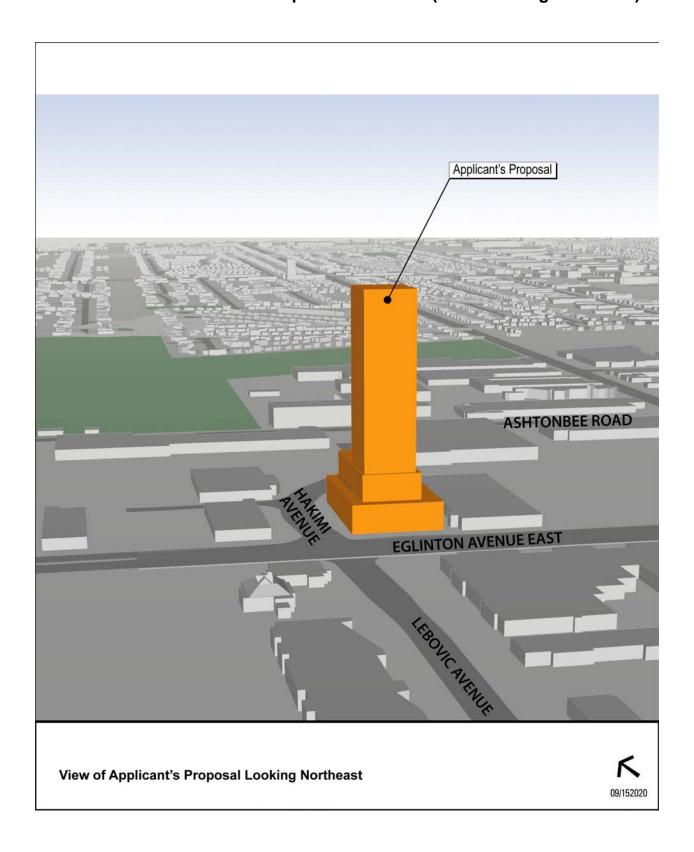
## **City of Toronto Drawings**

Attachment 1: 3D Model of Proposal in Context (View Looking Northeast) Attachment 2: 3D Model of Proposal in Context (View Looking Southeast)

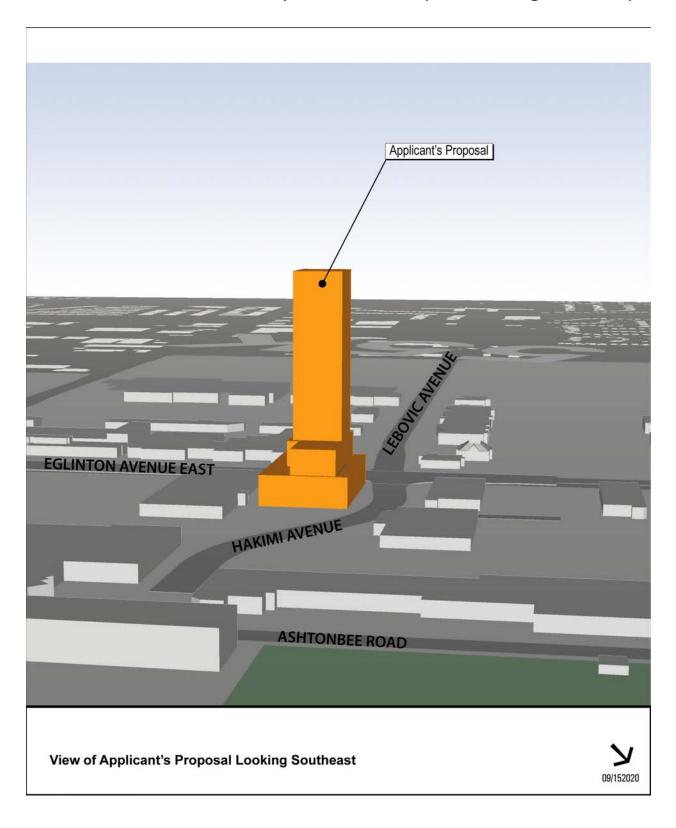
Attachment 3: Location Map Attachment 4: Site Plan

Attachment 5: Official Plan Map Attachment 6: Zoning Map

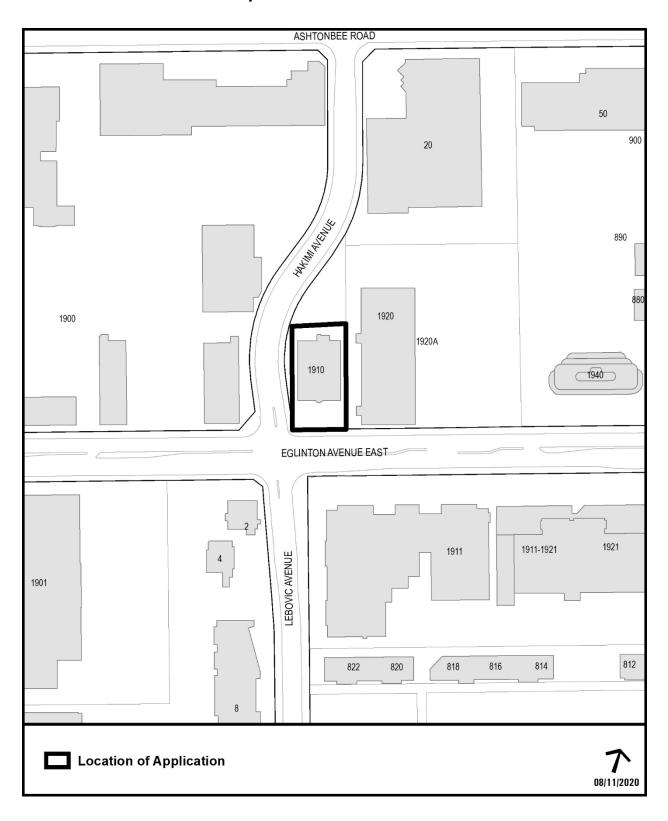
# **Attachment 1: 3D Model of Proposal in Context (View Looking Northeast)**



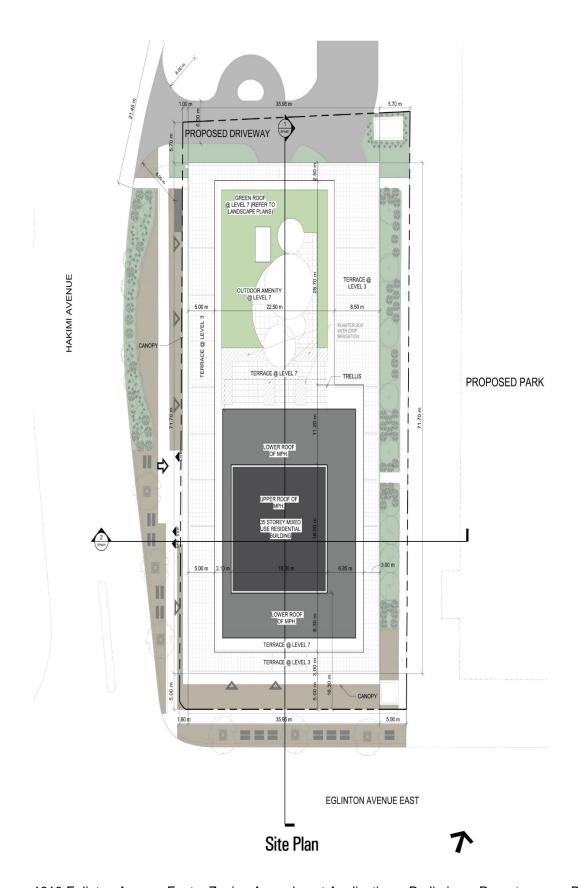
**Attachment 2: 3D Model of Proposal in Context (View Looking Southeast)** 



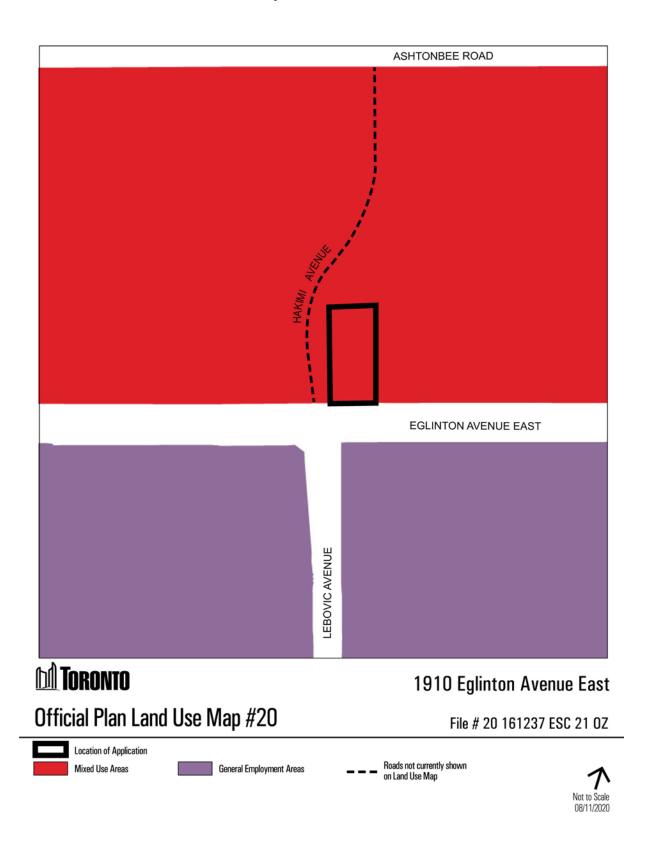
# **Attachment 3: Location Map**



## **Attachment 4: Site Plan**



# **Attachment 5: Official Plan Map**



# **Attachment 6: Zoning Map**

