

1801-1807 Eglinton Avenue West – Zoning By-law Amendment and Rental Housing Demolition Applications – Preliminary Report

Date: September 15, 2020

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 12 - Toronto-St. Paul's

Zoning By-law Amendment Application No.: 20 170662 STE 12 OZ

Rental Housing Demolition Application No.: 20 170679 STE 12 RH

Current Uses on Site: Two 3-storey mixed use buildings with retail at grade and 47 residential rental units.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the Zoning By-law Amendment and Rental Housing Demolition applications to demolish two 3-storey mixed-use buildings at 1801 and 1807 Eglinton Avenue West, which together contain 47 rental dwelling units, and to redevelop the lands with a 30-storey mixed-use building comprised of 284 dwelling units, of which 237 would be condominium units and 47 would be replacement rental units. Staff are currently reviewing the applications, which have been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting on the applications with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting on the Zoning By-law Amendment and Rental Housing Demolition applications for 1801-1807 Eglinton Avenue West together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

FINANCIAL IMPACT

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

CONSULTATION WITH THE APPLICANT

Pre-application meetings were held on March 2, 2020, and July 27, 2020. The focus of discussion at the meetings was the proposal's conformity with the Official Plan, proposed built form related to height, massing, scale, and public realm, and opportunities for new privately-owned publically-accessible open spaces (POPS).

Zoning Amendment and Rental Housing Demolition applications were submitted on July 21, 2020 and deemed complete on August 28, 2020.

ISSUE BACKGROUND

Site Description

The rectangular-shaped site is 1,971 square metres in size, has a frontage of 31 metres along Eglinton Avenue West and Vaughan Road (which terminates just west of the site) to the south, and a depth of approximately 60 metres. The site slopes downwards from north to south by approximately 1.8 metres and is adjacent to the planned Fairbank Eglinton Crosstown LRT station.

The site contains two 3-storey mixed-use buildings comprised of 47 rental dwelling units, all of which are currently occupied. The building at 1801 Eglinton Avenue West contains retail units fronting onto Eglinton Avenue West and 41 rental dwelling units located on the ground floor, at the rear, and on the second and third floors. The building at 1807 Eglinton Avenue West includes a vacant retail unit fronting on to Eglinton Avenue West, and 6 rental dwelling units located on the second and third floors.

The site is located within the neighbourhood known as Little Jamaica which extends generally from Marlee Avenue to Keele Street.

Application Description

The Zoning By-Law Amendment application proposes a 30-storey mixed-use building (106.5 metres including mechanical penthouse) with 284 residential units, including 47 replacement rental units, 176 square metres of retail space, 279 square metres of community space and 53 parking spaces located in a 3-level underground garage. The proposed total gross floor area is 22,630 square metres which represents a density of 11.48 times the lot area.

The proposed building consists of 284 dwelling units, with a unit breakdown of 168 one-bedroom units (59%), 88 two-bedroom units (31%), and 28 three-bedroom units (10%). Of the total number of units, 47 (17%) are rental replacement units. The proposal includes 568 square metres of indoor amenity space, and 568 square metres of outdoor

amenity space. Proposed are 285 bicycle parking spaces and 53 vehicle parking spaces within a 3-level underground garage. Access to the vehicular parking within the garage would be from Vaughan Road. One Type-G loading space is proposed and would be accessed from Vaughan Road. Also proposed are two separate privately-owned publicly-accessible open spaces (POPS) along Vaughan Road.

The Rental Housing Demolition application proposes to demolish the existing 47 occupied rental dwelling units on the site.

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

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

See Attachment Nos. 1 - 4 of this report, for the Application data sheet, Location Map, a three dimensional representation of the project in context, and Site Plan.

Application Submission Requirements

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

- Survey Plan;
- Architectural Plans, Elevations and Sections;
- Landscape Plans;
- Tree Preservation Report and Plan;
- Civil Plans;
- Sun/Shadow Study;
- Planning Rationale Report;
- Public Consultation Strategy Report;
- Community Facilities & Services Study;
- Housing Issues Report;
- Pedestrian Wind Study;
- Transportation Impact Study;
- Functional Servicing and Stormwater Management Report;
- Hydrogeological Review Summary and Report;
- Energy Modelling Report;
- Draft Zoning By-law Amendments;
- Toronto Green Standards Checklist; and
- Digital copy of the Building Massing Model.

All submission materials can be found at the following link:

<http://app.toronto.ca/AIC/index.do?folderRsn=vc2yijT9QU31P%2BXYy6xqGQ%3D%3D>

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 (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater

Golden Horseshoe (2020) and, where applicable, the Greenbelt Plan (2017). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Major Transit Station Areas

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan requires that, at the time of the next municipal comprehensive review (MCR), the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs achieve appropriate densities.

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. 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 site is located on lands designated as *Avenues* on Map 2 of the Official Plan and *Mixed-Use Area* on Map 17 and is subject to Site and Area Specific Policy 477 "Certain Lands in the Vicinity of Eglinton Avenue West and Dufferin Street".

See Attachment No. 5: Official Plan Map

Eglinton Connects Planning Study

Eglinton Connects Planning study comprehensively examined the land use planning framework, built form, public realm and road configuration on Eglinton Avenue, and a vision for the intensification of Eglinton Avenue was developed. The Eglinton Connects Planning Study ('Volume 1: Background and Analysis' and 'Volume 2: The Plan – Recommendations and Implementation Strategies') were approved by City Council on May 6, 2014. The Eglinton Connects Phase 1 (Part 1 and 2) Implementation Reports were adopted by Council on July 8, 2014 and August 25, 2014, respectively, resulting in amendments to the Official Plan (OPA 253) and resolutions to implement the Streetscape Plan and to adopt the Eglinton Avenue Urban Design Guidelines.

The site is located within the Dufferin Focus Area, one of six Focus Areas identified in the Study. Guiding principles and planning objectives for each Focus Area were

developed as part of the Study, along with demonstration plans to illustrate possible planning approaches to accommodate growth.

Rental Housing Demolition and Conversion By-law

Section 111 of the *City of Toronto Act, 2006* authorizes Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law, implements Section 111. The By-law prohibits the demolition or conversion of rental housing in buildings containing six or more residential units, of which at least one unit is a rental unit, without obtaining a permit from the City and requires a decision by either City Council or, where delegated, the Chief Planner and Executive Director, City Planning Division.

Council may refuse an application or approve an application with conditions that must be satisfied before a demolition permit is issued. These conditions implement the City's rental housing protection policies in the Official Plan. Decisions made by City Council under Chapter 667 are not appealable to the Local Planning Appeal Tribunal (LPAT).

Section 33 of the *Planning Act* also authorizes Council to regulate the demolition of residential properties. Section 33 is implemented through Chapter 363 of the Toronto Municipal Code, the Building Construction and Demolition By-law.

Where an application for a rezoning triggers an application under Chapter 667 for rental housing demolition, City Council typically considers both applications at the same time.

The proposal for 1801 and 1807 Eglinton Avenue West requires Council approval under both Chapters 363 and 667 of the Toronto Municipal Code because it involves the demolition of at least six dwelling units and at least one rental unit. On July 21, 2020, an application for a Section 111 permit was submitted pursuant to Chapter 667 of the City of Toronto Municipal Code to demolish the existing 47 rental dwelling units. As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

Zoning By-laws

The site is zoned MCR (Main Street Commercial Residential) under the former City of York Zoning By-law 1-83, as amended, and (Commercial Residential) CR 2.5 (c2.5; r2.5) SS2 under Toronto Zoning By-law 569-2013. These zones permit a range of commercial and residential uses, including office and retail uses among other commercial uses, dwelling units within an apartment building and mixed use buildings. The site has a maximum permitted height of 24 metres or 8-storeys and a maximum permitted density of 2.5 times the area of the lot for commercial and/or residential uses.

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/>

See Attachment No. 6: Zoning Map.

Design Guidelines

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

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

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

Site Plan Control

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

Other Studies and Reports

The neighbourhood along the Eglinton Avenue West corridor, from Marlee Avenue to Keele Street, known as "Little Jamaica" has been the subject of two recent planning and culture studies conducted by local consultants and urbanist groups.

Black Futures on Eglinton

City Planning, a private planning consultancy, in partnership with Black Urbanism Toronto (BUTO) received funding for a project, from the Government of Canada, to collaborate with the local community in identifying, celebrating, and supporting the cultural strength within the Black residents of the Eglinton Avenue West and Little Jamaica neighbourhoods (between Allen Road and Keele Street). Lessons from community will be summarized in a final report and mini-documentary. A link to the project website may be found here: <https://cpplanning.ca/bfoe>

A Black Business Conversation – On planning for the future of Black businesses and residents on Eglinton Avenue West

Black Urbanism Toronto (BUTO) in collaboration with Urban Rural & Suburban Architecture, (URSA), the Open Architecture Collaborative Canada (OACC), and allied community members and activists completed a study looking at various issues impacting black-owned businesses along Eglinton Avenue West in Little Jamaica. The resulting report issued in the summer of 2020 details the compounding issues that impact businesses in Little Jamaica such as the ongoing construction for the Eglinton LRT, displacement and gentrification from future development, and the current COVID-19 pandemic. The report also provides recommendations to address these impacts.

COMMENTS

Reasons for the Application

The application to amend the Zoning By-law is required to vary performance standards including: building height; density; and building setbacks. Through the review of the

application, staff may identify additional areas of non-compliance with the Zoning By-laws.

A Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the *City of Toronto Act, 2006* is required to demolish the 47 existing rental housing units.

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 will continue to evaluate this planning application for consistency with the PPS (2020) and conformity with the Growth Plan (2020).

Official Plan Conformity

Staff will continue to evaluate this planning application against the Official Plan to determine the application's conformity to the Official Plan.

Built Form, Planned and Built Context

Staff will continue to assess the suitability of the proposed height, massing, and other built form issues based on Provincial policies, the City's Official Plan, and Design Guidelines including the Eglinton Avenue, Tall Building, Growing Up, and Pet-Friendly Design Guidelines.

Staff will continue to assess:

- the proposed building's height, density, and massing, in relation to the area's existing and planned built form character and scale;
- transition to areas of lower scale
- the tower setbacks and separation distances;
- the potential impacts associated with the proposed massing, including but not limited to privacy, wind, and incremental shadowing of *Neighbourhoods*, parks and open spaces;
- the transition to adjacent buildings and *Neighbourhoods*;
- the proposed public realm including building setbacks, alignment with adjacent properties, and treatment of the public right-of-way;
- the mix and size of dwelling units;
- the location and amount of proposed indoor and outdoor amenity space; and,
- the provision of community space and POPS.

Infrastructure/Servicing Capacity

Staff and commenting agencies are reviewing the application to determine if there is sufficient infrastructure capacity (roads, transit, water, sewage, hydro, community services and facilities, etc.) to accommodate the proposed development.

The applicant has submitted the following studies and reports which are being reviewed by Engineering and Construction Services staff: a Functional Servicing and Stormwater Management Report; Hydrogeological Review Summary and Report; and Transportation Impact Study.

Staff will continue to assess:

- the Servicing Report provided by the applicant, to evaluate the effects of the development on the City's municipal servicing infrastructure and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to provide adequate servicing to the proposed development; and
- the Transportation Impact Study submitted by the applicant, to evaluate the effects of the development on the transportation system, and to identify any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development.

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 Inventory and Preservation Plan.

Staff will continue to assess:

- The proposed retention of two privately-owned boundary/neighbouring trees having trunk diameters of 30 cm or greater;
- The planting of seven new street trees and two new private trees.

Rental Housing

Section 3.2.1 of the Official Plan contains policies pertaining to the provision, maintenance, and replacement of rental housing.

Policy 3.2.1.6 states that new development that would have the effect of removing all or a part of a private building or related group of buildings and would result in the loss of six or more rental units will not be approved unless all of the units have rents that exceed mid-range rents at the time of application, or, where planning approvals other than site plan are sought, at least the same number, size and type of rental units are replaced and maintained with rents similar to those in effect at the time of application.

The policy also requires an acceptable tenant relocation and assistance plan, addressing the right to return to one of the replacement units at similar rents and other assistance to mitigate hardship.

The Housing Issues Report submitted with the Rental Housing Demolition application confirms that 30 of the 47 existing rental units on the lands have affordable rents, while the remaining 17 rental units have mid-range rents. Consequently, Policy 3.2.1.6 applies to this application and the applicant is proposing to replace all 47 existing rental units proposed to be demolished within the proposed development.

The applicant is proposing to replace 10 existing bachelor rental units as 1-bedroom rental units, while the remaining 25 1-bedroom units, nine 2-bedroom units, and three 3-bedroom units are proposed to be replaced with the same unit type. The applicant has confirmed that tenants will have the right to return to a replacement rental unit and that the replacement rental units will be provided and maintained at rents similar to those in effect at the time the application was made. The location of the 47 replacement rental units within the proposed development has yet to be determined.

Staff will continue to:

- Assess the Housing Issues Report submitted as part of the application;
- Assess the proposal against the requirements of the Planning Act, the City of Toronto Act, Official Plan policies relating to rental housing, and Chapter 667 of the Toronto Municipal Code.
- Work with the applicant and to develop a more detailed rental replacement proposal and an acceptable tenant relocation and assistance plan to mitigate hardship for tenants.

Affordable Housing

Affordable Housing and Smart Urban Growth are key Strategic Actions for the City of Toronto. Section 3.2.1 of the City's Official Plan states that a full range of housing, including affordable rental housing, will be provided and maintained to meet the needs of current and future residents. The Growth Plan (2019) also contains policies 2.2.1.4, 2.2.4.9 and 2.2.6.4 to support the development of affordable housing and the provision of a range of housing to accommodate the needs of all household sizes and incomes.

Staff will continue:

- Discussions with the applicant, the Ward Councillor and City staff to determine potential opportunities for the provision of affordable housing.

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 CS&F 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 CS&F supports healthy, safe, liveable, and accessible communities. Providing for a full range of CS&F in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

Staff will continue to assess:

- 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.

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. Through the Site Plan approval process, staff will work with the applicant to achieve Tier 2 or higher.

Staff will continue to assess:

- The TGS Checklist submitted by the applicant for compliance with the Tier 1 performance measures.

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. The proposal at its current height and density will be subject to Section 37 contributions under the Planning Act. Further discussion with the Ward Councillor, City staff, residents, and the applicant will be required to determine the extent and nature of the required Section 37 community benefits should the application be approved in some form.

Other Matters

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

CONTACT

Sipo Maphangoh, Senior Planner
Tel. No. 416-338-2478
E-mail: Sipo.Maphangoh@toronto.ca

Keir Matthews-Hunter, Housing Planner
Tel. No. 416-392-5092
E-mail: Keir.Matthews-Hunter@toronto.ca

SIGNATURE

Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA, Director
Community Planning, Toronto and East York District

ATTACHMENTS

City of Toronto Drawings

- Attachment 1: Application data sheet
- Attachment 2: 3D Model of Proposal in Context
- Attachment 3: Location Map
- Attachment 4: Site Plan
- Attachment 5: Official Plan Map
- Attachment 6: Zoning Map

Attachment 1: Application data sheet

Municipal Address: 1801-1807 Eglinton Ave W **Date Received:** July 21, 2020

Application Number: 20 170662 STE 12 OZ

Project Description: A 30-storey mixed-use building (106.53 metres to the top of the mechanical penthouse).

Applicant
KS 1801-1807
Eglinton Avenue
West Inc.

Architect
Quadrangle
Architects Ltd.

Owner
KS 1801-1807
Eglinton Avenue
West Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas **Site Specific Provision:** SASP 477
CR 2.5 (c2.5;
Zoning: r2.5) SS2 **Heritage Designation:** N
(x2572)
Height Limit (m): 24 **Site Plan Control Area:** Y

PROJECT INFORMATION

Site Area (sq m): 1,971 Frontage (m): 31 Depth (m): 60

| Building Data | Existing | Retained | Proposed | Total |
|-----------------------------|----------|----------|----------|--------|
| Ground Floor Area (sq m): | | | 1,460 | 1,460 |
| Residential GFA (sq m): | | | 22,005 | 22,005 |
| Non-Residential GFA (sq m): | | | 455 | 455 |
| Total GFA (sq m): | | | 22,460 | 22,460 |
| Height - Storeys: | | | 30 | 30 |
| Height - Metres: | | | 99 | 99 |

Lot Coverage Ratio (%): 74.06 **Floor Space Index:** 11.39

Floor Area Breakdown **Above Grade (sq m)** **Below Grade (sq m)**
Residential GFA: 22,005
Retail GFA: 176

Office GFA:
 Industrial GFA:
 Institutional/Other GFA: 279

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|------------------------------------|-----------------|-----------------|-----------------|--------------|
| Rental: | 47 | | 47 | 47 |
| Freehold: | | | | |
| Condominium: | | | 237 | 237 |
| Other: | | | | |
| Total Units: | 47 | | 284 | 284 |

Total Residential Units by Size

| | Bachelor | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|---------------------|-----------------|------------------|------------------|-------------------|
| Retained: | | 168 | 88 | 28 |
| Proposed: | | | | |
| Total Units: | | 168 | 88 | 28 |

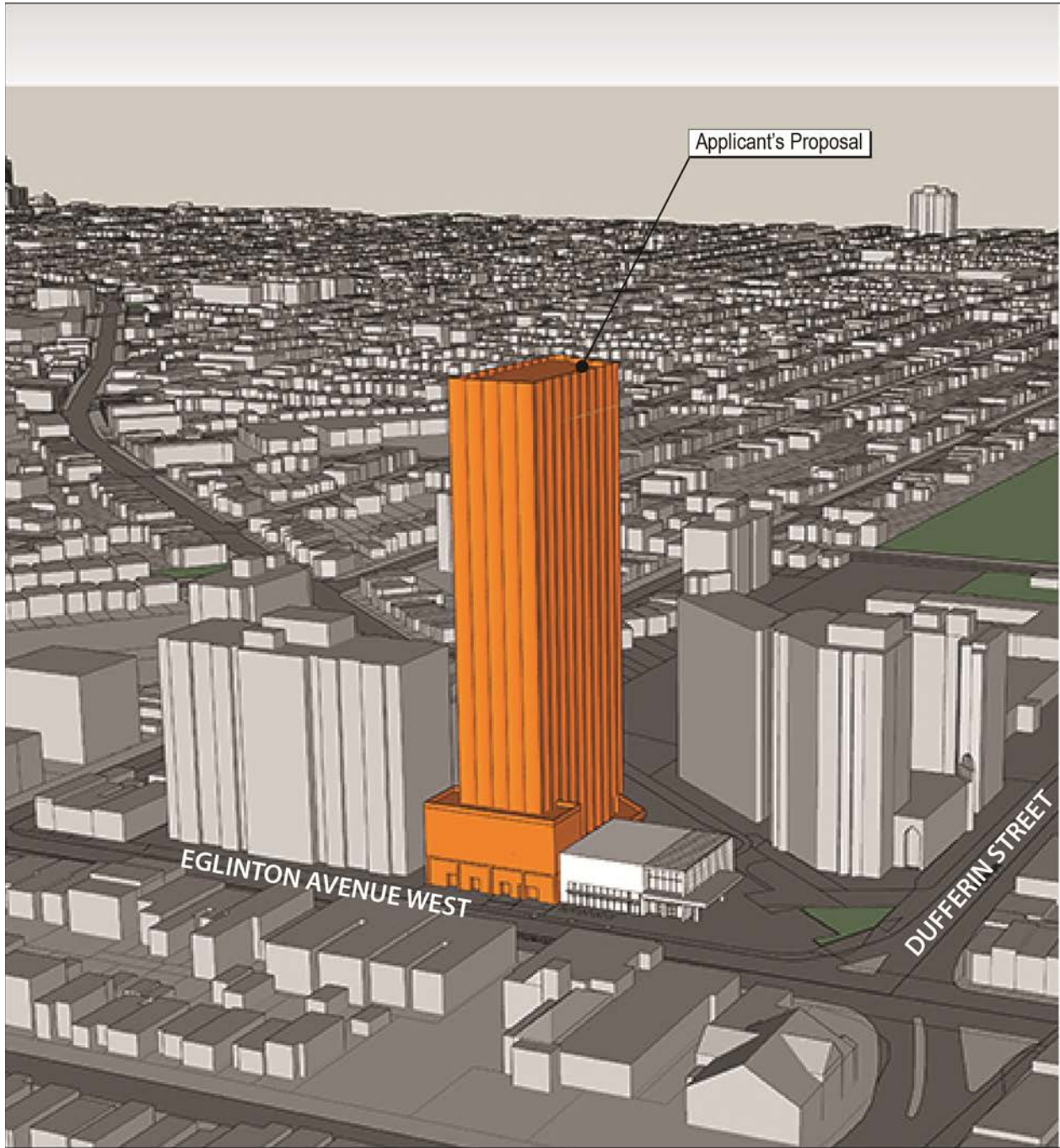
Parking and Loading

Parking Spaces: 52 Bicycle Parking Spaces: 285 Loading Docks: 1

CONTACT:

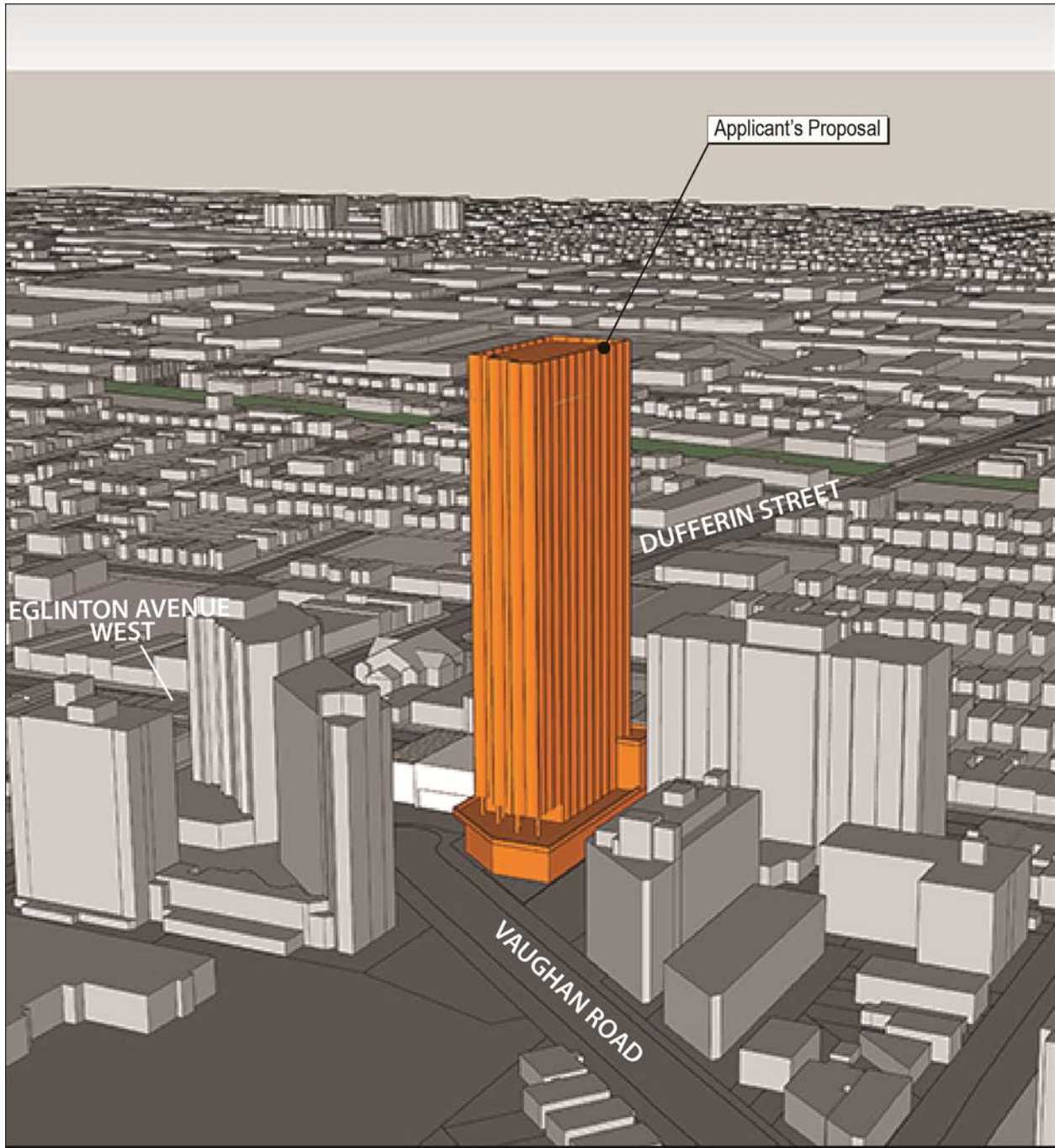
Sipo Maphangoh, Senior Planner
 Sipo.Maphangoh@toronto.ca

Attachment 2: 3D Model of Proposal in Context



View of Applicant's Proposal Looking Southeast



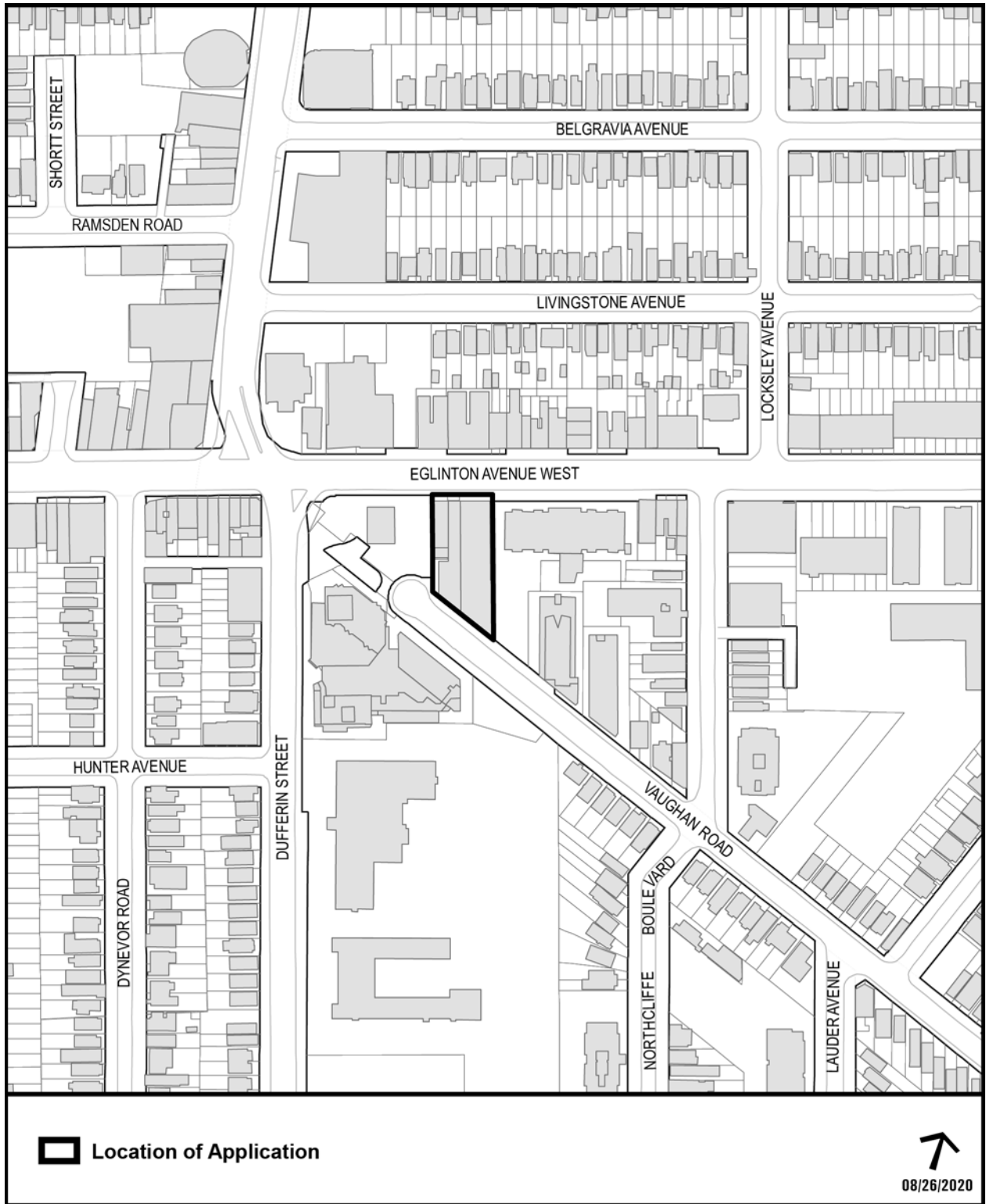


View of Applicant's Proposal Looking Northwest

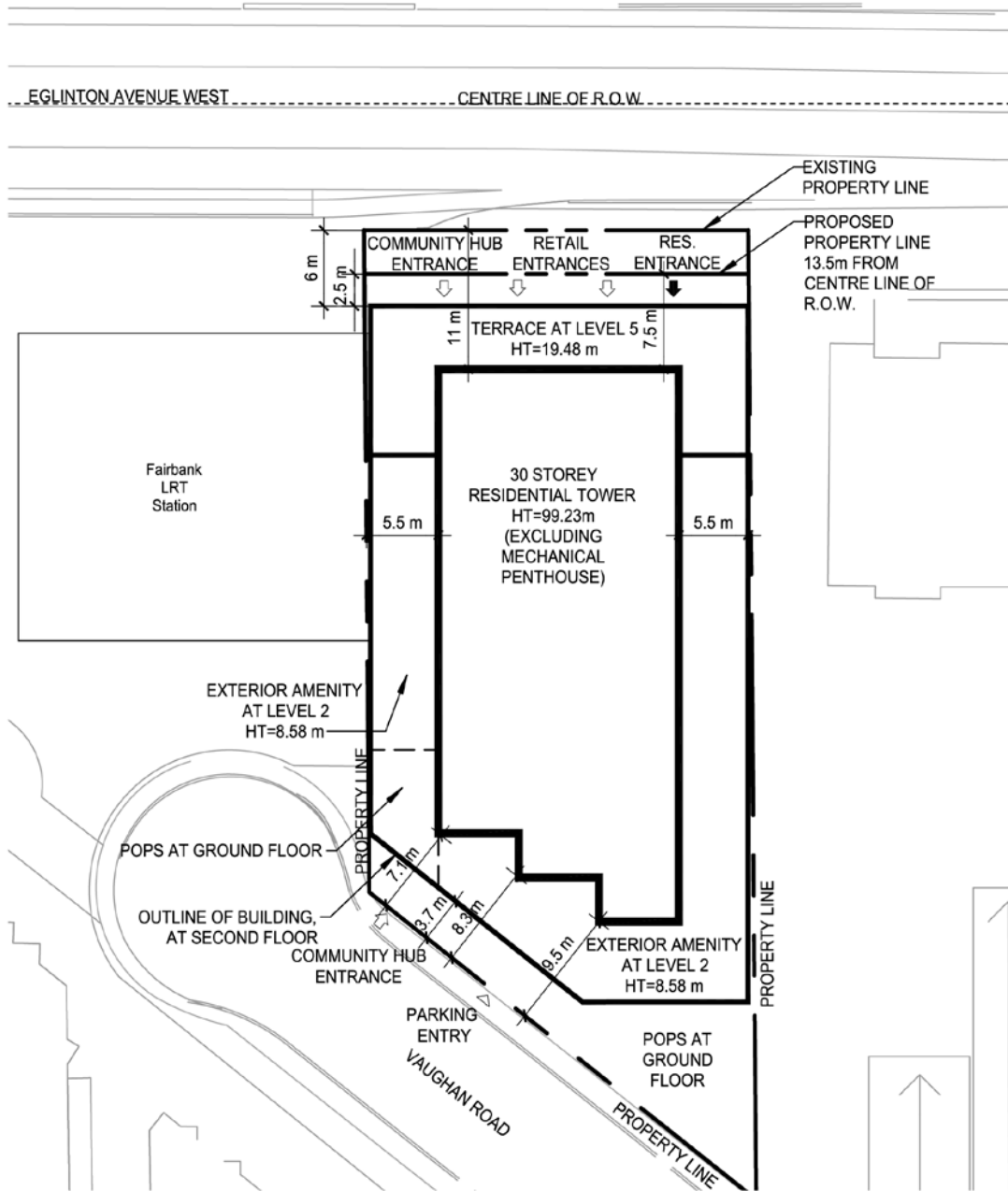


09/03/2020

Attachment 3: Location Map



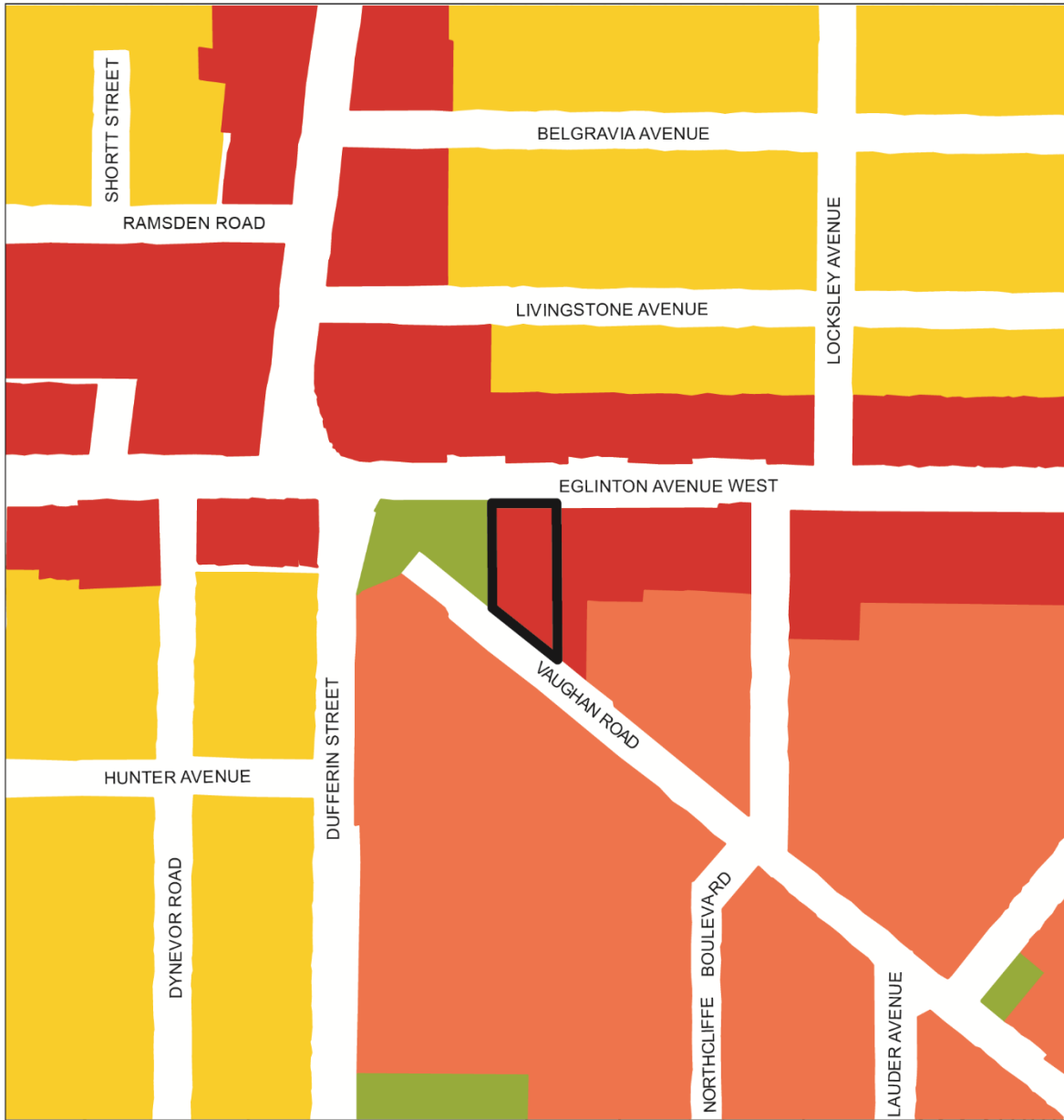
Attachment 4: Site Plan



Site Plan



Attachment 5: Official Plan Map



1801-1807 Eglinton Avenue West

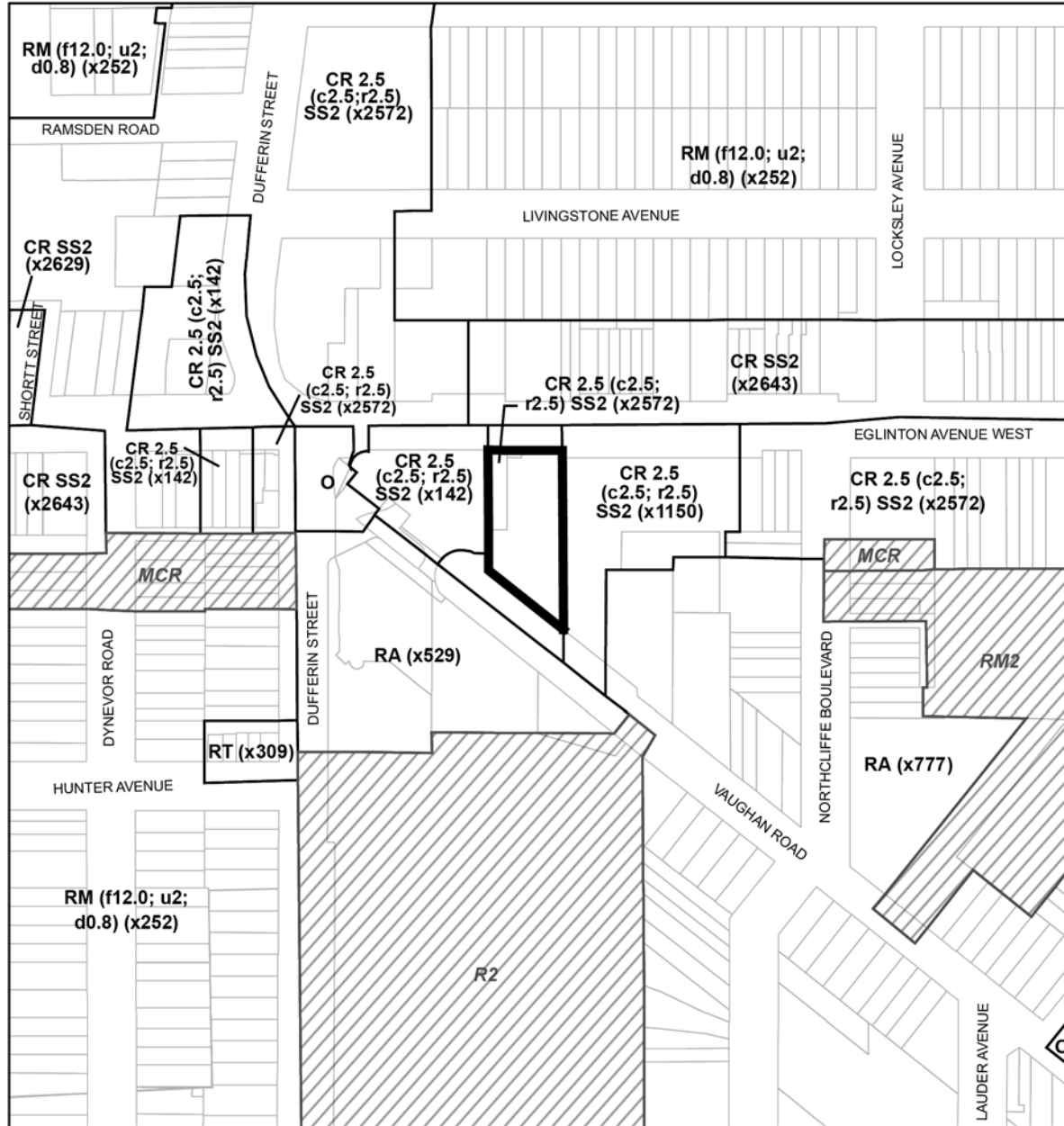
Official Plan Land Use

File # 20 170662 STE 12 0Z

- | | | | |
|---|--------------------------|---|--------------------------|
|  | Location of Application |  | Parks & Open Space Areas |
|  | Neighbourhoods |  | Parks |
|  | Apartment Neighbourhoods | | |
|  | Mixed Use Areas | | |

↑
Not to Scale
08/26/2020

Attachment 6: Zoning Map



Zoning By-law 569-2013

1801 - 1807 Eglinton Avenue West

File # 20 170662 STE 12 0Z

Location of Application

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

- RT** Residential Townhouse
- RM** Residential Multiple
- RA** Residential Apartment
- CR** Commercial Residential
- O** Open Space

- R2** Residential Zone
- RM2** Residential Multiple Zone
- MCR** Mixed Commercial Residential Zone



Not to Scale
Extracted: 08/26/2020