

175 and 185 Eileen Avenue – Zoning By-law Amendment Application – Preliminary Report

Date: August 18, 2021

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Ward 5 - York South-Weston

Planning Application Number: 21 151073 WET 05 OZ

Notice of Complete Application Issued: June 29, 2021

Current Use(s) on Site: 175 Eileen Avenue contains an autobody repair shop and two cabinet and vanity woodshops. 185 Eileen Avenue contains a warehouse building occupied by two businesses.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application to amend the former City of York Zoning By-law 1-83 and City-wide Zoning By-law 569-2013 for the lands located at 175 and 185 Eileen Avenue. The application proposes to permit the development of 150 residential dwelling units in two 4-storey apartment buildings and two stacked townhouse blocks, resulting in a total gross floor area of 10,558 square metres. Vehicular parking is proposed below grade in a 2-level underground garage consisting of 176 spaces. The proposal would require the demolition of the existing buildings on the lands.

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 application located at 175 and 185 Eileen Avenue 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.

ISSUE BACKGROUND

Pre-Application consultation

Pre-application consultation meetings were held with the applicant in March 2019 and February 2020 to discuss complete application submission requirements and to identify issues with the proposed development. Staff raised concerns about height, density, massing, setbacks, separation distance between buildings, the proposed amenity space, vehicular access and circulation.

The concept proposed at these meetings was for three large blocks of 3-storey back-to-back townhouses with access from the north of the site. The current submission has two smaller blocks of townhouses and two 4-storey apartment buildings, with a cul-de-sac on Eileen Avenue providing access to a driveway running along the south side of the site.

Application Description

This application proposes to amend the former City of York Zoning By-law 1-83 and City-wide Zoning By-law 569-2013 for the properties at 175 and 185 Eileen Avenue to permit the development of 150 residential dwelling units in two 4-storey apartment buildings (15.5 metres in height) and two 3-storey stacked townhouse blocks (10 metres in height). The existing buildings would be demolished.

The new residential units would be comprised of: 88 one-bedroom units (59%); 60 two-bedroom units (40%); and 2 three-bedroom units (1%). The average unit sizes as proposed are: 60 square metres for one-bedroom units; 58 square metres for two-bedroom units; and 73 square metres for three-bedroom units.

The lot area of the site is 5,842 square metres and the proposed gross floor area would be 10,558 square metres, resulting in a density of 1.81 times the area of the lot.

The two 3-storey townhouse blocks (Buildings 1 and 2), each containing 6 units, would front onto Eileen Avenue, which is proposed to end in a cul-de-sac abutting the Athletic Knit warehouse and manufacturing plant to the south and east of the site. The two elongated rectangular 4-storey apartment buildings (Buildings 3 and 4) would be located to the east and parallel to the townhouse blocks. Vehicular access to the site and underground parking garage would be via a 6-metre wide driveway located along the southern end of the site connecting to the cul-de-sac.

The proposed parking is located below grade in a 2-level underground garage consisting of 176 spaces. The one proposed Type G loading space is located outside near the southeast corner of the site, adjacent to the entrance to one of the proposed apartment buildings. A total of 168 bicycle parking spaces are proposed, all of which would be located in the underground parking structure. 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 Attachments 1 and 2 of this report, for a three dimensional representation of the project in context. See Attachment 4 for the site layout.

Site and Surrounding Area

- North: Immediately north of the subject property is a commercial/industrial building which is occupied by a woodshop. North of the industrial building are low rise residential homes, generally comprised of 2-storey detached dwellings and semi-detached dwellings. Further north is the Ontario Hydro One Transmission Corridor, which separates this area from the Lambton Golf & Country Club golf course. Marie Baldwin Park is an public open space located within the hydro corridor.
- West: The west side of the subject property abuts Eileen Avenue. The area to the west is low rise residential, generally comprised of 2-storey detached and semi-detached dwellings. Further west is the continuation of the Hydro One Transmission Corridor, and Lambton Golf & Country Club.
- East: Immediately east of the subject property is the head office and manufacturing plant for a sportswear company on lands designated *Core Employment Areas*. To the northeast of the subject lands is a residential neighbourhood comprised of detached and semi-detached dwellings. Further to the east, along Scarlett Road are a mix of small-scale office, retail and institutional uses interspersed with low rise residential.
- South: Immediately south of the subject lands, the sportswear warehouse and manufacturing plant extends from Scarlett Road to the east and meets the rear yards of residential dwellings on Galimort Place and Eileen Avenue. The warehouse and manufacturing plant abuts the CN Railway Corridor. Abutting the CN Railway Corridor to the south is a retail plaza designated *General Employment Areas* and a neighbourhood comprised of a mix of stacked-townhomes, apartments, semi-detached dwellings, small scale commercial uses, an outdoor recreational playground, and the Lambton Arena.

Provincial Policy Statement and Provincial Plans

Any decision of City 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). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe (GGH) region, of which the City forms an integral part. The Growth Plan (2020) establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act*.

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 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, and better connected 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 (2020), 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 (2020) 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 City Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by City Council shall also conform with the Growth Plan (2020).

Toronto Official Plan Policies and Planning Studies

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

The current application is located on lands designated as *Employment Areas* on Map 2 of the Official Plan and *General Employment Areas* on Map 14.

Toronto Official Plan policies may be found here:

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

Site and Area Specific Policy No. 154

The lands are designated *Employment Areas* in the Official Plan and are subject to Site and Area Specific Policy 154 ("SASP 154"). SASP 154 permits residential uses on the site in addition to employment uses, subject to the satisfaction of certain criteria. SASP 154 reads as follows:

"A mix of employment and residential uses are permitted provided that:

- a) if the property is designated *Employment Areas*, the building will provide for a satisfactory living environment compatible with employment uses in the building and adjacent areas; or
- b) if the property is designated as any designation other than *Employment Areas*, the employment uses are restricted to those compatible with residential uses in terms of emissions, odour, noise and generation of traffic."

Official Plan Amendment No. 231 ("OPA 231") was adopted by City Council on December 18, 2013 and contains new policies and designations for *Employment Areas* as part of the Official Plan and Municipal Comprehensive Reviews. OPA 231 was forwarded to the then Minister of Municipal Affairs and Housing who issued a Notice of Decision approving OPA 231 with modifications. OPA 231 was appealed by various parties to the Ontario Land Tribunal (OLT). OPA 231 has amended the policy language of SASP 154, however the amended SASP 154 is not in effect. Pending the outcome of the appeal, SASP 154, as amended by OPA 231, reads as follows:

(a) "Employment, place of worship and residential uses are permitted within single use or mixed use buildings provided that:

- i) if the property is designated *Employment Areas*, any building containing a place of worship and/or residential units will provide for a satisfactory

environment compatible with any employment uses in the building and the adjacent area;

- ii) if the property is designated *Neighbourhoods*, the employment uses are restricted to those compatible with residential uses in terms of emissions, odour, noise, and generation of traffic;
- iii) the height, density and massing of new development respects and reinforces the existing and planned physical character of the adjacent area; and
- iv) residential and place of worship uses are located a minimum of 30 metres from the nearest rail corridor.

(b) Despite (a) above, hotels are not permitted."

As the amended SASP 154 is still under appeal, the site continues to be subject to the previous version of SASP 154 notwithstanding the adoption of OPA 231 by City Council.

Zoning By-laws

The site is zoned Prestige Employment (PE) under the former City of York Zoning By-law 1-83 (see Attachment 6: Zoning By-law Map). The PE zone permits a range of employment uses including industrial, office, retail, restaurant and recreational uses. Residential uses are not permitted, which results in an absence of regulations and performance standards related to the proposed residential development.

While the site is not subject to City-wide Zoning By-law 569-2013 as amended, a draft zoning by-law amendment with site-specific provisions has been submitted in order to bring the site into the City-wide By-law.

Design Guidelines

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

- Growing Up: Planning for Children in New Vertical Communities;
- Townhouse and Low-Rise Apartment Guidelines;
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings;
- Bird Friendly Development Guidelines;
- Toronto Green Standard
- Percentage for Public Art; and
- Bicycle Parking Facilities.

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.

COMMENTS

Reasons for the Application

The proposed development requires an amendment to the former City of York Zoning By-law 1-83 to permit the proposed residential use and establish appropriate regulations and performance 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

The application will be evaluated against the *Planning Act* and applicable Provincial Plans to establish the application's consistency with the PPS and conformity with the Growth Plan (2020).

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

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

While the PPS encourages intensification and efficient development, it recognizes that local context is important and that well-designed built form contributes to overall longterm economic prosperity. The PPS indicates that the Official Plan is the most important vehicle for implementing the PPS and planning authorities shall identify appropriate locations for intensification and redevelopment.

The Growth Plan (2020) emphasizes the importance of complete communities where a range of housing options are to be provided, and that new development should provide high quality compact built form and a vibrant public realm. The Growth Plan provides

municipalities with the authority to define the location and nature of growth that will occur in intensification areas in a flexible manner suitable to the local context, while still meeting the overriding objectives of the Growth Plan.

Official Plan Conformity

The lands are designated *General Employment Areas* and are subject to SASP 154 (see Attachment 5 – Official Plan Map). *General Employment Areas* are places of business and economic activities generally located on the peripheries of *Employment Areas*. Uses that support this function consist of: offices, manufacturing, warehousing, distribution, research and development facilities, utilities, media facilities, parks, hotels, restaurants, and all types of retail and service uses. Residential is considered a sensitive land use within *Employment Areas*, but is permitted on this site provided that the conditions of SASP 154 are satisfied. The SASP 154 requirement that the proposed development provide for a satisfactory living environment compatible with the employment uses in the adjacent area will be evaluated through the peer review of the Noise and Vibration Impact Study, the Air Quality Study, and the Compatibility/Mitigation study.

The Official Plan recognizes the requirement of adequate and affordable housing for everyone. Current and future residents must be able to access and maintain adequate, affordable and appropriate housing. The policies of the Official Plan provide guidance as to how and where this housing should be supplied and developed.

Key Official Plan policies that will be used to evaluate this application include, but are not limited to: Structuring Growth in the City and Employment Areas policies in Chapter 2; and the Public Realm, Built Form, Housing, Parks and Open Spaces and Building New Neighbourhood policies in Chapter 3.

Staff are reviewing the application to determine its conformity to the Official Plan.

Built Form, Planned and Built Context

The suitability of the proposed height, density, massing, transition and other built form issues will be assessed based on the *Planning Act*, the Provincial Policy Statement, the Growth Plan, the City's Official Plan and City Council adopted Urban Design Guidelines.

The following issues have been identified and will be evaluated through the review of the application:

- Appropriateness of the density, built form, height and massing especially in relation to the adjacent low-scale residential context;
- Appropriateness of the organization and configuration of the proposed buildings to each other and to the surrounding context;
- Appropriateness of the separation distances between the proposed buildings;
- Appropriateness of the proposed size and mix of dwelling units;
- Adequate provision, location and size of amenity space;
- Conformity with the Townhouse and Low Rise Apartment Guidelines;

- Appropriateness of the setbacks and other buffering measures between the proposed residential and existing employment uses;
- Provision of appropriate garbage pickup and loading;
- Compatibility with surrounding employment uses; and
- Appropriateness of the proposed access, vehicular and pedestrian site circulation, bike parking and the public realm.

Staff will continue to work with the applicant to address these issues

Tree Preservation

Official Plan policies have been adopted by City Council to increase tree canopy coverage. City Council has adopted the objective of increasing the existing 27 percent tree canopy coverage to 40 percent. Policy 3.4.1 (d) states that "to support strong communities, a competitive economy and a high quality of life, public and private city-building activities and changes to the built environment, including public works, will be environmentally friendly based on: d) preserving and enhancing the urban forest by: i) providing suitable growing environments for trees; ii) increasing tree canopy coverage and diversity, especially of longlived native and large shade trees; and iii) regulating the injury and destruction of trees".

The applicant has submitted an Arborist Report prepared by Landscape Planning Landscape Architects, dated April 16, 2021. The report indicated that there are 10 trees on the subject site. The Tree Inventory and Preservation Plan proposes the removal of all 10 trees to accommodate the proposal. The Tree Inventory and Preservation Plan are currently under review by City staff.

Housing

The application proposes a total of 150 residential units consisting of: 88 one-bedroom units (59%); 60 two-bedroom units (40%); and 2 three-bedroom units (1%). The average unit sizes as proposed are: 60 square metres for one-bedroom units; 58 square metres for two-bedroom units; and 73 square metres for three-bedroom units.

Staff will review the application in order to evaluate the application in the context of the application Official Plan housing policies, the Growth Plan's growth management and housing policies, and the Growing Up Guidelines on family suitable design in multi-unit residential development. These policies provide direction on how a broad range of households, including families with children, can be accommodated in new developments.

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.

The applicant submitted a Community Services and Facilities Report prepared by Weston Consulting, dated May 2021. The report is being reviewed by City staff to determine whether any capital improvements or expansion of existing facilities are required.

Noise and Vibration Impact Study

The applicant submitted a Noise and Vibration Impact Study prepared by Valcoustics Canada Ltd., dated May 2021. A peer review of the study will be commissioned by the City at the cost of the applicant.

Air Quality Study

The applicant submitted an Air Quality Study prepared by Theakston Environmental, dated March 2021. A peer review of the study will be commissioned by the City at the cost of the applicant.

Railway Vibration Study

Given that the subject site is in close proximity to the CN Rail Corridor, a Railway Vibration Study prepared by Valcoustics Canada Ltd., dated May 2021 was submitted in support of the proposed development. A peer review of the study will be commissioned by the City at the cost of the applicant. The report has also been circulated to CN Rail for review and comment.

Compatibility/Mitigation

Staff are reviewing whether the proposed expanded residential uses are compatible with the existing industrial use, and whether appropriate mitigation measures are being required, or even possible, as part of the design of the buildings. The applicant has provided insufficient material to address the Compatibility/Mitigation policies of the Official Plan. Once a complete Compatibility/Mitigation Analysis has been received, it will be peer reviewed at the cost of the applicant.

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*. Section 37 benefits have not yet been discussed. City staff may apply Section 37 provisions of the *Planning Act* should the proposal be approved in some form. In the event the applicant provides in-kind benefits pursuant to Section 37 of the *Planning Act*, the City's Fair Wage Policy and Labour Trades Contractual Obligations will apply to such work.

Infrastructure/Servicing Capacity

The applicant has submitted a Servicing Report, a Stormwater Management Report, and a Hydrological Investigation Report, all prepared by EXP Services Inc. and dated April 2021. Engineering and Construction Services staff are currently reviewing the report to evaluate the effects of the proposed development on the City's municipal servicing infrastructure and watercourses and to identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure, necessary to adequately service the proposed development.

Traffic, Vehicular Access and Parking

The applicant submitted a Traffic Operations Assessment, prepared by C.F. Crozier & Associates Inc. and dated April 2021. The purpose of the study is to evaluate the effects of the development on the transportation system, and also to identify transportation improvements that are necessary to accommodate the travel demands and impacts generated by the development. The study is currently under review by City staff.

Toronto Green Standard

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

City staff are currently reviewing the Checklist for conformity with Tier 1 performance measures and will be encouraging the applicant to meet the Tier 2 or higher level of performance.

Other Matters

Given the current increase in dog-owning populations, the applicant will be encouraged to provide dog amenities on-site with appropriate disposal facilities such as dog relief stations. To accommodate the extension of the public road, the proposed cul-de-sac,

and other infrastructure matters, a draft plan of subdivision application may be required. The applicant is also encouraged to increase the amount of open space on the site.

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

CONTACT

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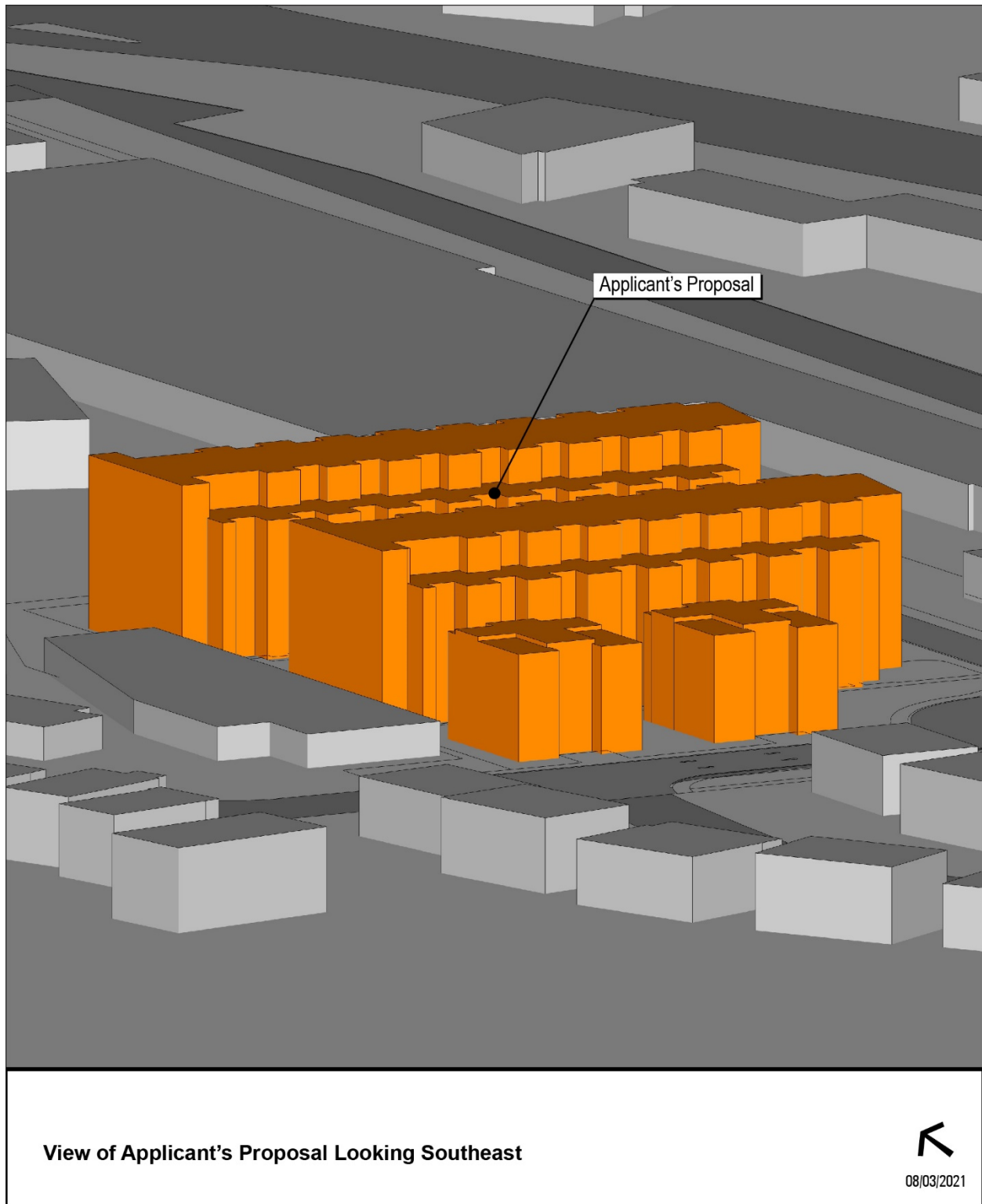
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Sarah Henstock, MCIP RPP
Acting Director Community Planning
Etobicoke York District

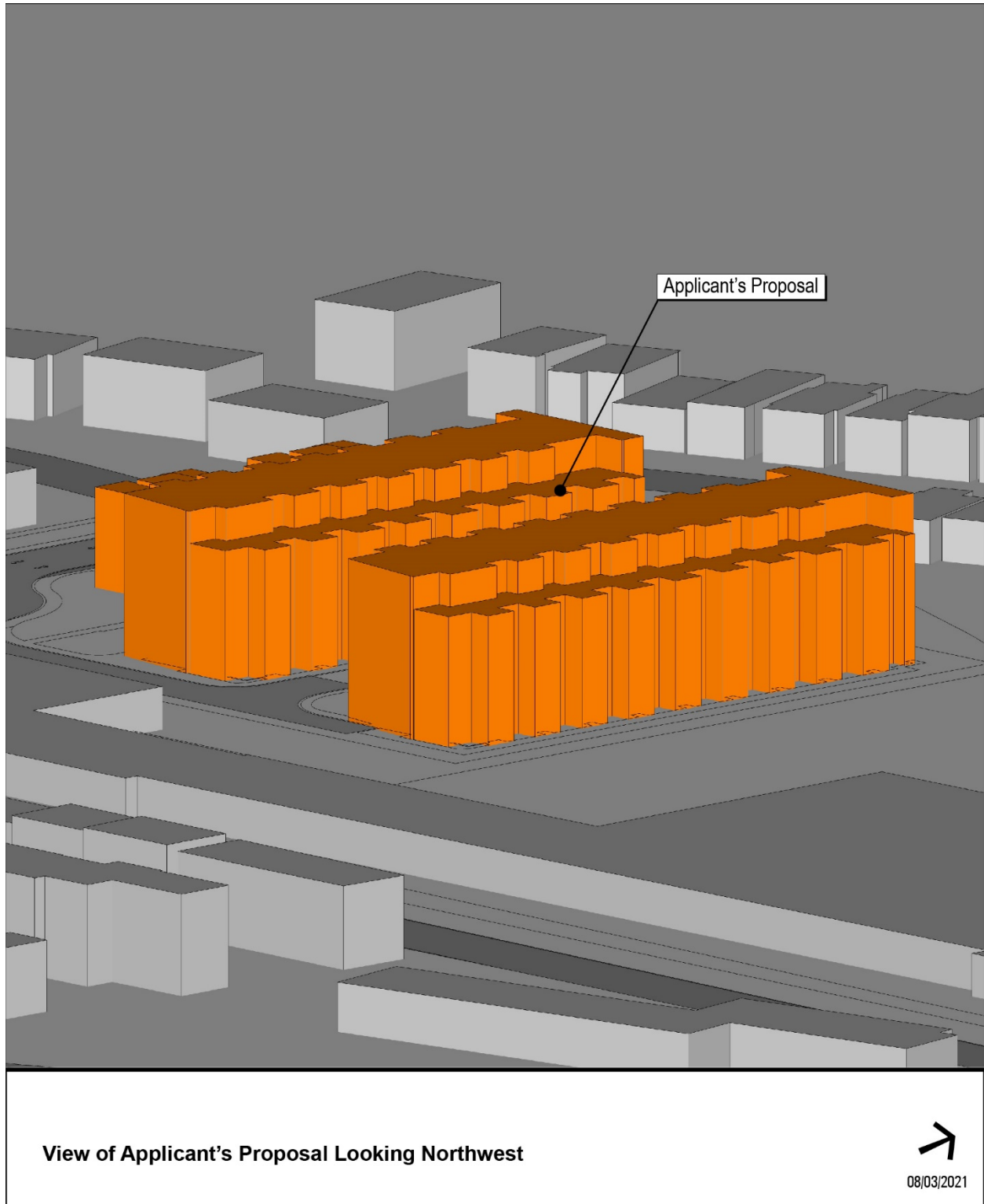
ATTACHMENTS

Attachment 1: 3D Model of Proposal in Context – Looking Southeast
Attachment 2: 3D Model of Proposal in Context – Looking Northwest
Attachment 3: Location Map
Attachment 4: Site Plan
Attachment 5: Official Plan Map
Attachment 6: Zoning By-law Map

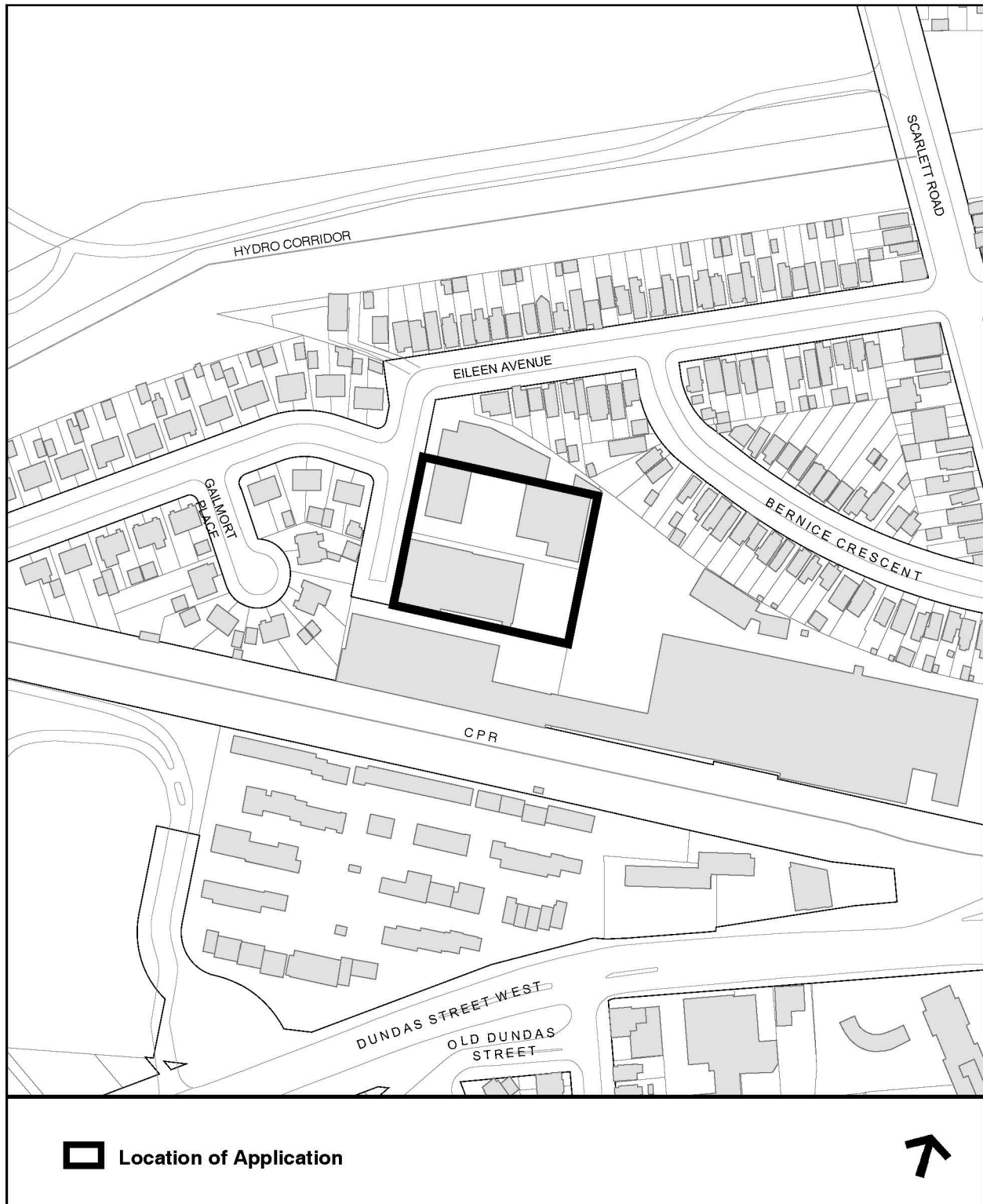
Attachment 1: 3D Model of Proposal in Context – Looking Southeast



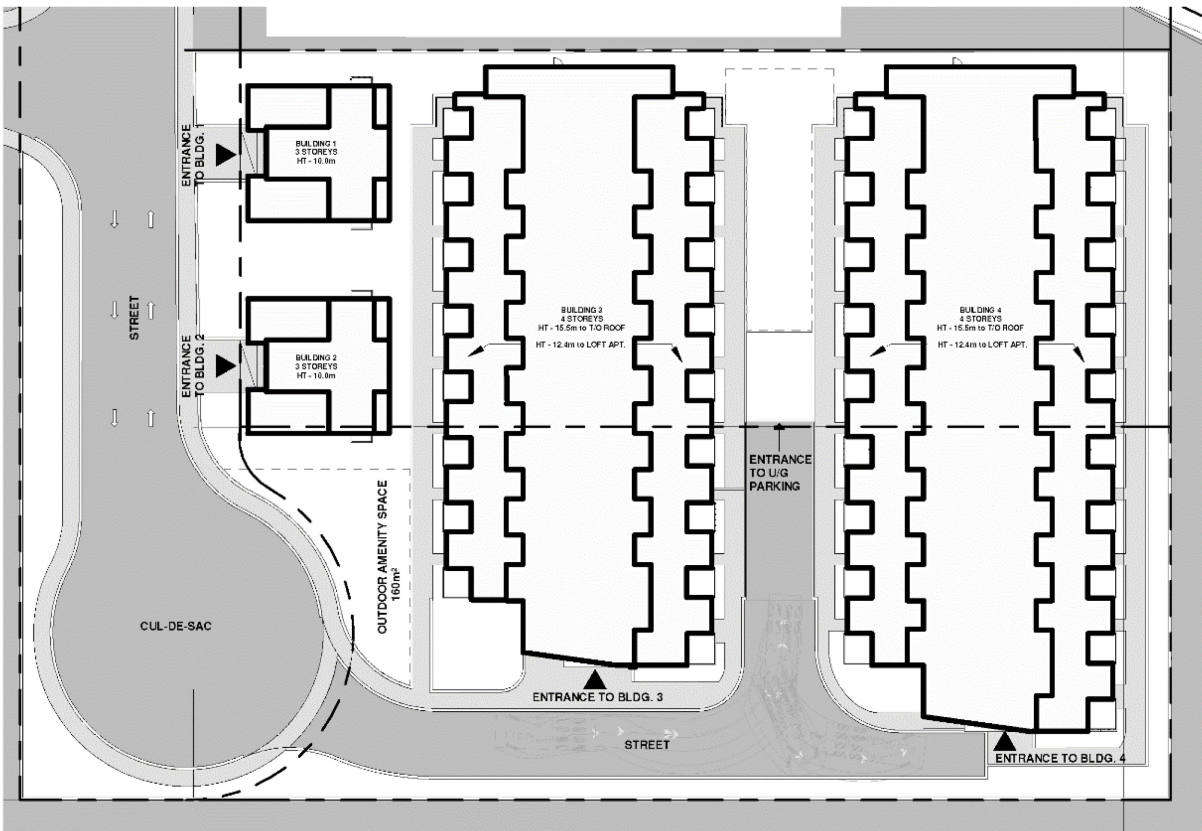
Attachment 2: 3D Model of Proposal in Context – Looking Northwest



Attachment 3: Location Map



Attachment 4: Site Plan



Site Plan



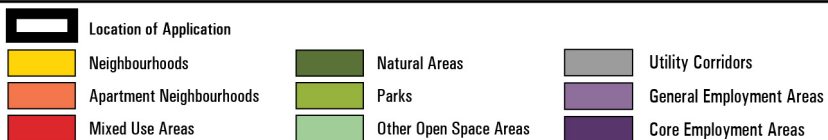
Attachment 5: Official Plan Map



Official Plan Land Use Map #14

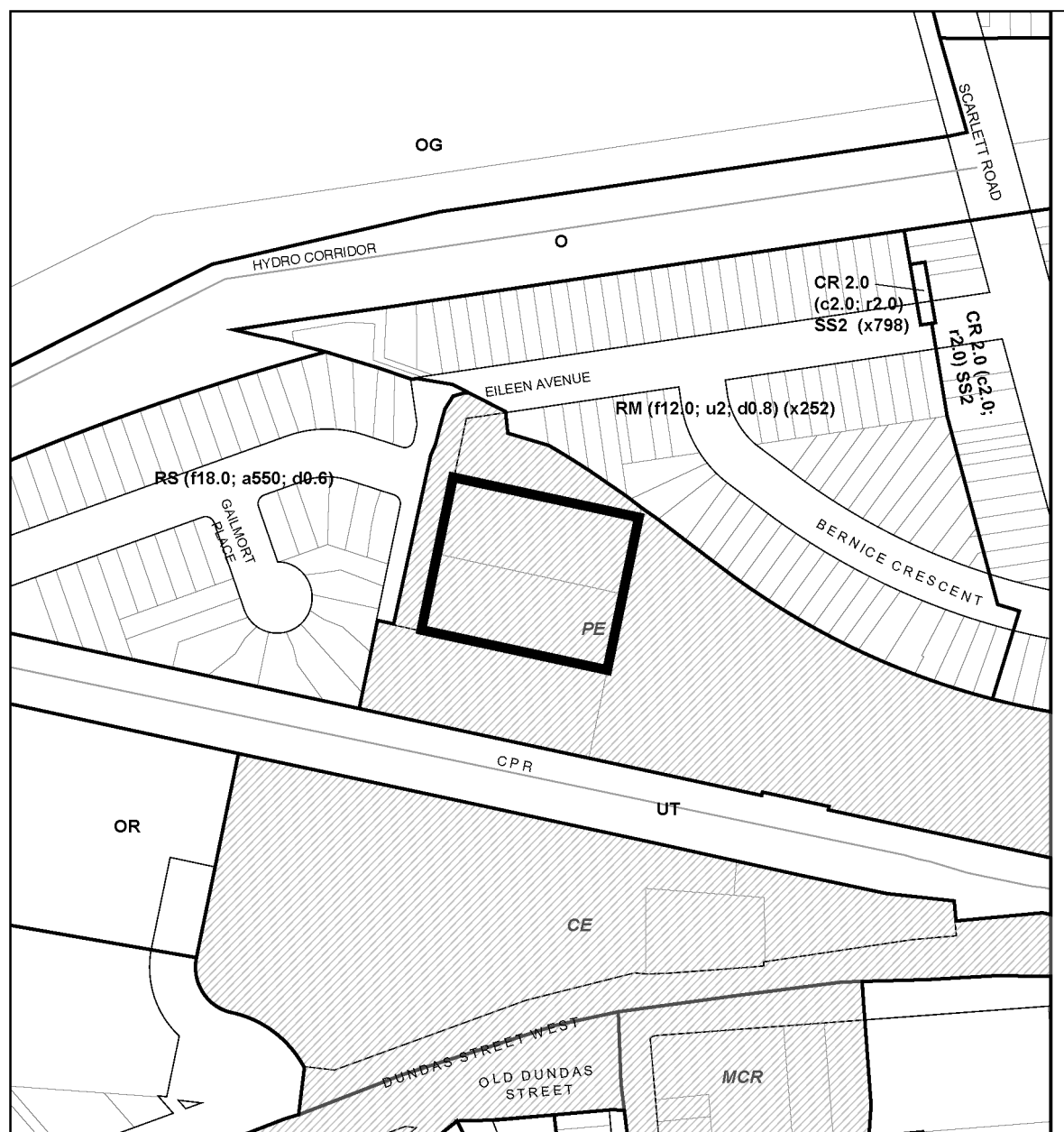
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Not to Scale
 Extracted: 05/13/2021

Attachment 6: Zoning By-law Map



Zoning By-law 569-2013

175 & 185 Eileen Avenue

File # 21 151073 WET 05 0Z



Location of Application

RS
RM
RA
RAC
CR
O

Residential Semi-Detached
Residential Multiple
Residential Apartment
Residential Apartment Commercial
Commercial Residential
Open Space

ON
OR
OG
UT

Open Space Natural
Open Space Recreation
Open Space Golf Course
Utility and Transportation



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

R2
MCR
PE
CE

Residential Districts
Mixed Commercial Residential
Prestige Employment Zone
Commercial Employment Zone



Not to Scale
Extracted: 05/13/2021