

Request for Directions Report - 2200 to 2206 Eglinton Avenue East, 1020 to 1030 Birchmount Road and 75 Thermos Road – Official Plan Amendment Application

Date: February 8, 2021

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 21 - Scarborough Centre

Planning Application Number: 18 206702 ESC 37 OZ

SUMMARY

This application proposes to amend the Official Plan to add a Site and Area-Specific Policy ("SASP") for the property at 2200 to 2206 Eglinton Avenue East, 1020 to 1030 Birchmount Road and 75 Thermos Road (see Attachment 1: Location Map) to permit mixed-use site redevelopment including new public streets and parkland.

The subject lands (see Attachment 1: Location Map) are located within the new Golden Mile Secondary Plan ("GMSP") area approved through Official Plan Amendment No. 499 ("OPA 499"), and are also subject to new Golden Mile Urban Design Guidelines, as adopted by City Council on October 20, 2020. The Official Plan Amendment application was submitted on August 9, 2018 and has been appealed to the Local Planning Appeal Tribunal ("LPAT") citing City Council's failure to make a decision within the prescribed time frames set out in the Planning Act. The appeal was filed on April 23, 2020, during the COVID-19 state of emergency.

The purpose of this report is to seek City Council's direction for the City Solicitor, together with appropriate City staff and/or external consultants, to attend the LPAT hearing to oppose the subject application. City staff have concerns with the proposed Official Plan Amendment and are of the opinion that the proposed amendment, in its current form is not consistent with the Provincial Policy Statement (2020) ("PPS"), does not conform with the A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) ("Growth Plan (2020)"), and is not consistent with the general intent of and fails to conform with the Official Plan. Further the proposed amendment is not supportable, in its current form, in the context of OPA 499 and not consistent with the general intent or conform to OPA 499.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council direct the City Solicitor, together with appropriate staff and/or external consultants as may be appropriate, to attend the Local Planning Appeal Tribunal ("LPAT") hearing to oppose the applicant's appeal respecting the Official Plan Amendment application (Application No. 18 206702 ESC 37 OZ) for the lands at 2200 to 2206 Eglinton Avenue East, 1020 to 1030 Birchmount Road and 75 Thermos Road, for the reasons contained in the report dated February 8, 2021 from the Director, Community Planning, Scarborough District.
2. City Council authorize the City Solicitor and appropriate City staff to continue discussions with the applicant to resolve the outstanding issues detailed in the report dated February 8, 2021, from the Director, Community Planning, Scarborough District, and to support a revised proposal that is generally consistent with Official Plan Amendment No. 499 ("OPA 499") for the lands at 2200 to 2206 Eglinton Avenue East, 1020 to 1030 Birchmount Road and 75 Thermos Road, and report back to City Council on the outcome of discussions, if necessary.
3. City Council direct the City Solicitor to request the owner of the subject lands address the preliminary issues related to infrastructure required to support the anticipated growth in the overall context of the Golden Mile Secondary Plan ("GMSP") area, including streets, density, servicing, parks, and community service facilities which are to be assessed comprehensively, including coordination with other GMSP landowners.
4. In the event the Local Planning Appeal Tribunal ("LPAT") allows the subject appeal in whole or in part, that City Council direct the City Solicitor to request the LPAT to withhold the issuance of any Order on the Official Plan Amendment appeal for the subject lands until such time as the LPAT has been advised by the City Solicitor that the proposed Official Plan Amendment is in a form and with content satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor.

FINANCIAL IMPACT

The 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.

DECISION HISTORY

Eglinton Connects Planning Study

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

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

Golden Mile Market Analysis and Economic Study

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

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

Golden Mile Secondary Plan Study

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

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

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

The Study focussed on encouraging appropriate residential and non-residential growth on lands currently designated *Mixed Use Areas*, and employment uses, including office development/investment on lands currently designated *Employment Areas*. The Study also identified infrastructure required to support the anticipated growth in the Golden Mile, including streets, servicing, parks, and community service facilities. Each of the three GMSP Study phases included multiple public engagement/consultation meetings for City staff, external stakeholders, a Local Advisory Committee ("LAC"), and members of the general public.

Further details on the Golden Mile Secondary Plan Study can be found at:

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

Official Plan Amendment No. 499 (Golden Mile Secondary Plan)

The new Golden Mile Secondary Plan as set out in OPA 499 can be reviewed in its entirety at:

<https://www.toronto.ca/legdocs/bylaws/2020/law0911.pdf>

OPA 499 was approved by City Council through By-law No. 911-2020 enacted on October 30, 2020. The full Council decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.SC18.1>

OPA 499 has now been appealed by multiple landowners and stakeholders within the Golden Mile Secondary Plan area, including by the owner of the subject lands at 2200-2206 Eglinton Avenue East, 1020-1030 Birchmount Road and 75 Thermos Road on November 30, 2020.

City Council also approved the area-specific Golden Mile Urban Design Guidelines on October 30, 2020, concurrent with approval of OPA 499. The Golden Mile Urban Design Guidelines can be found at:

https://www.toronto.ca/wp-content/uploads/2021/01/8d99-CityPlanning_Golden_Mile_Urban_Design_Guidelines_Final_Reduced.pdf

Official Plan Amendment Application (18 206702 ESC 37 OZ) - Preliminary Report

The subject Official Plan Amendment application was submitted on August 9, 2018 and deemed complete as of that date. The application proposed to add a SASP for the subject lands to permit mixed-use site redevelopment with new public streets and parkland. On January 15, 2019, Scarborough Community Council adopted the Preliminary Report dated December 19, 2018 from the Director, Community Planning, Scarborough District regarding the application. The Preliminary Report and Scarborough Community Council decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.SC2.6>

City staff were authorized to process the application concurrently with, and within the context of, the Golden Mile Secondary Plan Study. The application was only to be considered by City Council concurrently with or following Council's consideration of the Golden Mile Secondary Plan. Council also determined that an Avenue Segment Study was not required given the Secondary Plan Study underway. Planning staff were also authorized to schedule a community consultation meeting for the subject lands either as a separate meeting (with no expanded notice required beyond 120 metres of the site) or in conjunction with community consultation meetings for the Golden Mile Secondary Plan Study.

Appeal to the LPAT

On April 23, 2020, the applicant filed an appeal to LPAT citing the City's failure to make a decision on the requested Official Plan Amendment within the statutory timeframe set out in the *Planning Act*.

On October 26, 2020, LPAT conducted a Case Management Conference on the appeal, having regard to the GMSP Study and OPA 499 still before Council. Cosmetica Investments Inc. was added as a party to the proceedings, with Marsan Foods Ltd. also granted participant status.

A second Case Management Conference is also now scheduled for February 24, 2021.

Related Applications

On June 10, 2020 the owner submitted rezoning application 20 154599 ESC 21 OZ with respect to 2206 Eglinton Avenue East at the southeast corner of the subject lands (referred to as Block 2), as well as Draft Plan of Subdivision application 20 154640 ESC 21 SB applying to the entire subject lands. (See Attachment 5: Simplified Draft Plan of Subdivision and Attachment 8: Proposed Block 2 Site Plan - Rezoning Application 20 154599 ESC 21 OZ).

The rezoning application proposes development of the 0.75 hectare Block 2 lands with two residential towers of 39- and 46-storeys, connected by a consolidated podium element of 3- to 4-storeys (see Attachment 8: Proposed Block 2 Site Plan - Rezoning Application 20 154599 ESC 21 OZ). The total gross floor area proposed for this portion of the larger site is 65,699 square metres, including 64,861 square metres of residential uses, 612 square metres of ground floor retail space, and 226 square metres of childcare space. The resulting combined density of the proposed development represents an FSI of approximately 1 times the overall site area and 8.7 times the area of proposed Block 2 specifically. The proposed development includes 976 residential units (60%: 1-bedroom; 30%: 2-bedrooms; 10%: 3-bedrooms).

The draft plan of subdivision for the overall site is discussed further below.

On October 16, 2020, Scarborough Community Council adopted the Preliminary Report dated September 17, 2020 from the Director, Community Planning, Scarborough District regarding these applications. Planning staff were directed to proceed with public consultation and process the applications concurrently with, and within the context of, Official Plan Amendment No. 499. The Preliminary Report and Scarborough Community Council decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.SC18.3>

City review of the above applications is continuing. Unlike the subject Official Plan Amendment Application 18 206702 ESC 37 OZ, however, the above two applications are not currently subject to any owner appeals to LPAT.

ISSUE BACKGROUND

Proposal

The subject application proposes a variety of residential uses, as well as the retention of the existing office building at 2206 Eglinton Avenue East and the east parking structure (indicated as "Block 1" on Attachment 5: Simplified Draft Plan of Subdivision). The proposed development would include eight tall buildings ranging in height from 30 to 46 storeys comprising approximately 287,000 square metres of development overall. This includes retention of the 14,190 square metre, 7-storey existing office building at 2206 Eglinton Avenue East, or its replacement elsewhere on the site should this block otherwise be redeveloped.

A new east/west mid-block public street having a right-of-way width of 27 metres (consistent with OPA 499), as well as new mid-block north/south private street

segments having a width of 18.5 metres (inconsistent with the 20 metre public right-of-way width identified in OPA 499) are proposed.

The proposed Official Plan Amendment also provides for a total of 5,694 square metres of public parkland to be created through one mid-block public park block fronting Eglinton Avenue East and a second mid-block park block on the north side of the new east/west street. Both blocks are now designated *Parks* on Map 20 of the Official Plan through OPA 499).

The above proposals, generally illustrated on Attachment 6: Overall Concept Plan, represent a gross Floor Space Index ("FSI") of 4.5 times the 6.36 hectare lot area.

Refer to Attachment 7: Conceptual 3D Massing for a three dimensional representation of the project in context. Further detailed project information is found on the City's Application Information Centre at:

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

Site and Surrounding Area

The subject lands have a site area of 6.36 hectares, with a frontage of approximately 256 metres along Eglinton Avenue East, 292 metres along Birchmount Road, 87 metres along Ashtonbee Road and 204 metres along Thermos Road. Present uses on the subject lands include a seven-storey, 14,190 square metre office building (proposed to be retained) located mid-block between Thermos Road and Birchmount Road at 2206 Eglinton Avenue East. To the west is a vacant three-storey commercial building located at 2200-2202 Eglinton Avenue East (proposed Block 5) at the northeast corner of Eglinton Avenue East and Thermos Road, which is not proposed for replacement. Overall, the site previously accommodated in excess of approximately 32,300 square metres of office space.

The northern portion of the site includes two industrial buildings at 1020 Birchmount Road (North and South buildings) together with an un-used power house facility on Thermos Road. Developed during the 1950s to mid-1960s, these buildings previously produced aircraft equipment and later pharmaceutical products. Large portions of these buildings, comprising approximately 27,800 square metres, are currently vacant, including the entire North building.

The site contains two above-grade parking structures including a stand-alone three-level facility facing Thermos Road, with a four-level parking garage (also proposed to be retained on Block 1), midway along the Birchmount Road frontage east of the seven-storey office building.

Surrounding land uses include:

North: The immediately adjacent lands at 101 Thermos Road and 200 Ashtonbee Road contain an industrial facility operated by Canadian Kawasaki Motors Inc., which includes offices, warehousing and shipping facilities. North of Ashtonbee Road and northerly

along the west side of Birchmount Road are industrial facilities, with access to Massey Creek on the north side of Ashtonbee Road at Birchmount Road, and the Gatineau Hydro Corridor (and new "Meadoway") further north.

South: Directly south of the subject site at 2201 Eglinton Avenue East is a two-storey industrial/commercial complex set back from the street through combined surface parking and landscaped areas. Southwest of the subject site along Eglinton Avenue East are smaller-format retail uses with surface parking. To the southeast are low to mid-rise apartment buildings within Ionview Community. Further south and southwest, the pattern of large-scale commercial and industrial sites.

East: Immediately east of the subject site across Birchmount Road at Ashtonbee Road, is the entrance to Maidavale Park. To the south is an 11-storey apartment building at 1021 Birchmount Road, with the Toronto Police Services 41 Division at the northeast corner of Birchmount and Eglinton Avenue East. Strip retail plazas and low to mid-rise apartment buildings characterize the area further east along Eglinton Avenue East.

West: On the west side of Thermos Road is a large-format retail site operated by Rio-Can, including Costco and other retail outlets. This large-format retail pattern continues westerly along Eglinton Avenue East approximately two kilometres to Victoria Park Avenue.

POLICY CONSIDERATIONS

Section 2 of the Planning Act

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

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

- iii. Provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

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

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

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

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient 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 inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

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

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 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."

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 (2020)") came into effect on August 28, 2020. This new plan amends and 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 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 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 Council shall also conform with the Growth Plan (2020).

Planning for (Protected) 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 (2020) requires that, at the time of the next municipal comprehensive review ("MCR"), the City will update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs will achieve appropriate densities and

built form at that time, and the recommendation to oppose this application in its current form does not impact this matter that will require an MCR.

Delineated Protected Major Transit Station Areas ("PMTSAs") will be a subset of all 180+ MTSAs that the City can delineate before the MCR is concluded. In order to delineate PMTSAs before the MCR is concluded, the City must put in place a detailed planning framework that includes the authorized permitted uses of land and minimum densities with respect to buildings and structures within the delineated area. The PMTSA requirement for minimum densities for buildings and structures requires a level of specificity that is akin to provisions contained within an area zoning by-law.

Key considerations for the determination of PMTSA candidacy are: enabling Transit Oriented Development ("TOD"); facilitating large scale revitalization; implementing inclusionary zoning; and building upon recently completed planning studies where significant work was conducted to put in a place the required level of specificity described above.

Staff has reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of the report.

Toronto Official Plan

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

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Section 2.2 Structuring Growth in the City

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

The lands on the north side of Eglinton Avenue East and the lands immediately south of Eglinton Avenue East, between Victoria Park Avenue and Pharmacy Avenue, are identified as an *Avenue* on Map 2. Eglinton Avenue East within the Plan Area is identified as a Higher Order Transit Corridor, as described by Map 4 in the Official Plan. The City has invested significant public dollars into transit along Eglinton Avenue East which has resulted in the construction, and near completion, of the Eglinton Crosstown

LRT ("ECLRT") stops within the Plan Area and in proximity to the subject site, specifically the Birchmount transit station.

Policy 2.2.2 of the Official Plan directs growth to areas, such as the *Avenues* as shown on Map 2, to use land, infrastructure and services efficiently; concentrate jobs and people in areas well served by surface transit and higher order transit stations; promote mixed use development to increase opportunities for living close to work and to encourage walking and cycling for local trips; offer opportunities for people of all means to be affordably housed; facilitate social interaction, public safety and cultural and economic activity; improve air quality, energy efficiency and reduce greenhouse gas emissions; improve surface and groundwater quality and restore the hydrological function and habitat of streams, rivers and wetlands; and protect neighbourhoods, green spaces and natural heritage features and functions from the effects of nearby development.

Policy 2.2.4 (renumbered 2.2.3 in OPA 456) requires new development on lands adjacent to existing or planned transportation corridors and facilities to be compatible with, and supportive of, the long-term purposes of the corridors and facilities and be designed to avoid, mitigate or minimize negative impacts on and from the transportation corridors and facilities. In consideration of appropriate forms of development around transit stations the Official Plan directs that there be established minimum and maximum density requirements, minimum and maximum parking requirements, and limitations on surface parking. These measures are, in part, supported by appropriate transportation demand management strategies and multi-modal studies that demonstrate overall, as well as phased limits, in consideration of the site specific and broader transportation network context.

The Official Plan protects the integrity of the City's transportation network and provides for its planned expansion through the designation of public rights-of-way and transit corridors as described in the maps and schedules and the policy on laneways. Furthermore, the Plan indicates sections of streets that are candidates for bus and streetcar priority measures. In consideration of the development of new and existing city blocks and development lands within them, they are to be designated to expand and enhance the public realm network, have appropriately sized parcels of land for the scale and form and development, including open space, enhance active transportation including walking and cycling, promoting street oriented development to have access and address from public streets, and consider such matters in an appropriate incremental and phased form of development on larger sites.

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

Furthermore, Policy 3.1.1.9 identifies that new streets will be public streets unless otherwise deemed appropriate by the City.

Avenues and Golden Mile Secondary Plan

Policy 2.2.3.4 of the Official Plan directs that development in *Mixed Use Areas* on *Avenues* prior to an Avenue Study has the potential to set a precedent for the form and scale of reurbanization along the *Avenue*. As the City has conducted both an Avenue Study (EglintonConnects Planning Study) and completed the Secondary Plan (in accordance with section 5.2.1 of the Official Plan), the Golden Mile Secondary Plan now informs proposals on lands within the Secondary Plan to ensure Policy 2.2.3.4 continues to be met in addressing the larger context and examining implications of the proposed development along the *Avenue* and its impacts on development capacity and development potential of the broader area. Where development proposals are significantly out of step with the Secondary Plan, conformity issues may arise in the context of Section 2.2.3 as such developments may have negative implications on the larger context and may be premature in the absence of satisfying the criteria in Policy 2.2.3.2, 2.2.3.4 and 2.2.3.6 of the Official Plan.

Section 2.2.4 Employment Areas

The subject lands are located adjacent to and near *Employment Areas* and are within the influence area of major facilities, including some of the low-rise employment uses south of Eglinton Avenue East (east of 1891 Eglinton Avenue East) and along the north side of Ashtonbee Road. The Secondary Plan maintains the *Employment Areas* policies in Section 2.2.4 of the Official Plan.

Section 2.2.4 of the Official Plan includes land use compatibility/mitigation policies that require appropriate design, buffering and/or separation between sensitive lands uses that are adjacent to or near *Employment Areas* or within the influence area of major facilities, which includes the proposal for the subject lands. A land use Compatibility/Mitigation Study and Noise Impact and Air Quality Study will be required in support of the subject proposal to address appropriate measures between sensitive land uses and employment uses.

In addition to Policies 2.2.4.7, 2.2.4.8 and 2.2.4.9 of the Official Plan, the Secondary Plan requires development to be sequenced to ensure appropriate infrastructure is available and a Holding ("H") provision may be placed on lands, where appropriate, for additional matters beyond those in the Official Plan, including lands with potential land use compatibility issues.

Policy 3.4.21 of the Official Plan also provides direction on land use compatibility between residential uses and employment uses.

Any future Zoning By-law Amendment for the subject lands will be required to address the matters identified in Section 2.2.4 of the Official Plan and Policy 4.9 of the Secondary Plan as it relates to the Employment Areas north and south of the subject lands.

Section 3.1.1 The Public Realm

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

Policy 3.1.1.6 acknowledges that city streets are significant public open spaces, which connect people and places and support the development of sustainable, economically vibrant and complete communities. It directs that new and existing City streets incorporate a Complete Streets approach and be designed to perform their diverse roles, including by:

- a) Balancing the needs and priorities of the various users and uses within the right-of-way, including provision for:
 - i) the safe and efficient movement of pedestrians of all ages and abilities, cyclists, transit vehicles and users, goods and services vehicles, emergency vehicles, and motorists across the network;
 - ii) space for trees, landscaping and green infrastructure;
 - iii) space for other street elements, such as utilities and services, snow and stormwater management, wayfinding, boulevard cafes, marketing and vending, and street furniture; and
 - iv) ensuring the safety of users of all ages and abilities;
- b) Improving the quality and convenience of active transportation options within all communities by giving full consideration to the needs of pedestrians, cyclists and public transit users;
- c) Reflecting differences in local context and character;
- d) Providing building access and address, as well as amenities such as view corridors, sky view and sunlight; and
- e) Serving as community destinations and public gathering places.

Policy 3.1.1.8 provides for development for new streets, including that new streets be designed to provide connections with adjacent neighbourhoods, promote a connected grid of streets that offers safe and convenient travel options, extends sight lines and view corridors, divide larger sites into smaller development blocks; provide access and addresses for new development; allow the public to freely enter without obstruction; implement the Complete Streets approach to develop a street network that balances the needs and priorities of the various users and uses within the right-of-way; improve the visibility, access and prominence of unique natural and human-made features; and provide access for emergency vehicles.

Policy 3.1.1.9 states that new streets will be public streets unless otherwise deemed appropriate by the City. Private streets, where they are deemed to be appropriate, will be designed to connect to and integrate into the broader public street network and meet the design objectives for new public streets. Policy 3.1.1.15 also provides further guidance on the development of new and existing city blocks.

Section 3.1.2 Built Form

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

Policy 3.1.2.5 directs that new development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm by:

- a) Providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context; and
- b) Stepping back building mass and reducing building footprints above the streetwall height.

Policies 3.1.2.6 - 3.1.2.8 direct that development will provide good transition in scale between areas of different building heights and/or intensity of use, a transition in scale within the development site(s) and measured from shared and adjacent property line(s), and where development includes, or is adjacent to, a park or open space, the building(s) should be designed to provide good transition in scale to the parks or open spaces to provide access to direct sunlight and daylight.

Policy 3.1.2.9 requires the design of new building façades visible from the public realm to consider the scale, proportion, materiality and rhythm of the façade to:

- a) Ensure fit with adjacent building facades;
- b) Contribute to a pedestrian scale by providing a high quality of design on building floors adjacent to and visible from the public realm;
- c) Break up long facades in a manner that respects and reinforces the existing and planned context; and

- d) Ensure grade relationships that provide direct access and views into and from the public realm.

Policy. 3.1.2.10 directs development to promote civic life and provide amenity for pedestrians in the public realm to make areas adjacent to streets, parks and open spaces attractive, interesting, comfortable and functional by providing:

- a) improvements to adjacent boulevards and sidewalks including sustainable design elements, which prioritize street trees and may include one or more of the following: shrubs, hedges, plantings or other ground cover, permeable paving materials, bio-retention swales, street furniture including seating in various forms, curb ramps, waste and recycling containers, energy efficient lighting and bicycle parking facilities;
- b) Co-ordinated landscape improvements in setbacks to enhance local character, fit with public streetscapes, and provide attractive, safe transitions between the private and public realms;
- c) Weather protection such as canopies and awnings;
- d) Landscaped open space within the development site;
- e) Landscaped edges of surface parking lots along streets, parks and open spaces to define the edge and visually screen parking lots from the public realm;
- f) Safe, direct pedestrian routes and tree plantings throughout the site and within surface parking lots, where possible; and
- g) Public art, where the developer agrees to provide this.

Policy 3.1.2.11 requires that new multi-unit residential developments provide indoor and outdoor amenity space for residents of the new development that is high quality, well designed, and consider the needs of residents of all ages and abilities over time and throughout the year.

Section 3.1.3 Built Form - Building Types

Section 3.1.3 includes Built Form policies for all three scales of building types. Policy 3.1.3.1 encourages a mix of building types on sites that can accommodate more than one building. Where a development includes more than one building, the site will be designed to ensure appropriate site organization and building locations that:

- a) Provide parcels of appropriate size and shape for the mix of building types;
- b) Define and support existing and proposed streets, lanes, parks and open spaces at appropriate scales;
- c) Ensure appropriate spacing of buildings; and

d) Ensure appropriate transition in scale between buildings of different scales and types and other lower-scaled uses.

Policy 3.1.3.4 requires mid-rise buildings to be designed to:

a) Have heights generally no greater than the width of the right-of-way that it fronts onto;

b) Maintain street proportion and open views of the sky from the public realm by stepping back building massing generally at a height equivalent to 80% of the adjacent right-of-way width; and

c) Allow for daylight and privacy on occupied ground floor units by providing appropriate facing distances, building heights, angular planes and step-backs.

Policies 3.1.3.8 - 3.1.3.12 provide direction on the development of tall buildings design considerations, including:

- Tall buildings should typically be designed to consist of three parts – a base, a tower and a top – carefully integrated into a single whole;
- The base portion of tall buildings should respect and reinforce good street proportion and pedestrian scale, and be lined with active, grade-related uses;
- The tower (middle) portion of a tall building should be designed to reduce the physical and visual impacts of the tower onto the public realm, limit shadow impacts on the public realm and surrounding properties; maximize access to sunlight and open views of the sky from the public realm, limit and mitigate pedestrian level wind impacts, and provide access to daylight and protect privacy in interior spaces within the tower;
- The tower portion of a tall building should achieve the above-noted objectives by stepping back the tower from the base building, generally aligning the tower with, and parallel to, the street, limiting and shaping the size of tower floorplates above base buildings, providing appropriate separation distances from side and rear lot lines as well as other towers, and locating and shaping balconies to limit shadow impacts;
- The top portion of a tall building should be designed to integrate roof top mechanical systems into the building design, contribute to the surrounding skyline identity and character, and avoid up-lighting and excessive lighting.

Section 3.1.4 Public Art

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

Section 3.2.1 Housing

The Housing policies in Section 3.2.1 of the Official Plan require a full range of housing in terms of form, tenure and affordability, across the City and within neighbourhoods to be provided and maintained to meet the current and future needs of residents. New housing supply will be encouraged through intensification and infill that is consistent with the policies of the Official Plan.

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

Section 3.2.2 Community Services and Facilities

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

Section 3.2.3 Parks and Open Spaces

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

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

Section 3.3 Building New Neighbourhoods

Section 3.3 of the Official Plan discusses the building of new neighbourhoods. New neighbourhoods are to have a comprehensive planning framework to reflect the Official Plan's city-wide goals, as well as the local context. The framework should include:

- The pattern of streets, development blocks, open spaces and other infrastructure;
- The mix and location of land uses;
- A strategy to provide parkland and to protect, enhance or restore natural heritage;
- A strategy to provide community services and local institutions; and
- A strategy to provide affordable housing.

The Official Plan directs that new neighbourhoods must be viable as communities, and should have a community focal point within easy walking distance of the neighbourhood's residents and workers, a fine grain of interconnected streets and pedestrian routes that define development blocks; a mix of uses and a range of building

types; high quality parks, community recreation centres, open space and public building and services and facilities that meet the needs of residents, works and visitors (Policy 3.3.2).

Chapter 4 – Land Use Designations

Prior to OPA 499, the subject lands were wholly designated *Mixed Use Areas* on Map 20 of the Official Plan, as indicated on Attachment 2: Official Plan Land Use Map (Pre-OPA 499). The *Mixed Use Areas* designation provides for a broad range of commercial, residential and institutional uses, in single-use or mixed-use buildings, as well as parks, open spaces and utilities. Section 4.5.2 includes development criteria in *Mixed Use Areas*, which direct that new development:

- a) Create a balance of high quality commercial, residential, institutional and open space uses that reduce automobile dependency and meet the needs of the local community;
- b) Provide for new jobs and homes for Toronto's growing population, creating and sustaining well-paid, stable, safe and fulfilling employment opportunities;
- c) Locate and mass new buildings to provide a transition between areas of different development intensity and scale by providing appropriate setbacks and/or stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- d) Locate and mass new buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*;
- e) Locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- f) Provide an attractive, comfortable and safe pedestrian environment;
- g) Take advantage of nearby transit services;
- h) Provide good site access and circulation and an adequate supply of parking for residents and visitors;
- i) Locate and screen service areas, ramps and garbage areas to minimize the impact on adjacent streets and residences; and
- j) Provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

As indicated on Attachment 3: Official Plan Land Use Map (OPA 499), OPA 499 retains the *Mixed Use Areas* designation on the majority of the subject lands with two new *Parks* designations introduced, one mid-block on the Eglinton Avenue East frontage and the second on the interior of the site north of a proposed new east/west public street

traversing the middle of the site. *Parks* are to be used primarily to provide public parks and recreational opportunities.

Chapter 5 – Implementation

Section 5.1.1 of the Official Plan provides for the use of Section 37 of the *Planning Act* to secure community benefits in exchange for increased height and density for new development, provided the development constitutes good planning, is consistent with the policies and objectives of the Plan and complies with the built form policies and all applicable neighbourhood protection policies. As the current application is for an Official Plan Amendment, the determination of Section 37 will not be explored in detail at this time. However, in accordance with the Official Plan, the timing and general provision of community service facilities on the lands will need to be explored to ensure that such public service facilities are available to meet the needs of future residents as the lands develop.

The applicant however has submitted a zoning by-law amendment for part of the lands and therefore community benefits will be secured for those lands at that time. However, the distribution of community services facilities must be considered on the broader site to determine the appropriate time and type of community service facility(ies) required on the site subject to the zoning by-law amendment. The community benefits to be secured must bear a reasonable relationship to the increased height and/or density of the proposed development and have a geographic relationship with the proposed development. Section 37 may be used for developments with more than 10,000 square metres of gross floor area where the zoning by-law amendment increases the permitted density by at least 1,500 square metres and/or increases the permitted height. The proposal is in excess of 10,000 square metres, exceeds the permitted density by more than 1,500 square metres and is seeking an increase in the permitted height. As such, should this application be approved in some form, Section 37 policies would apply.

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

Section 5.2.1 of the Official Plan identifies that Secondary Plans establish local development policies to guide growth and change in a defined area of the City. Secondary Plans will be prepared to guide the creation of new neighbourhood and employment areas while ensuring adequate public infrastructure and environmental protection. Further, Secondary Plan policies adapt and implement the objectives, policies, land use designations and overall planning approach of the Official Plan to fit local context and are adopted as amendments to the Official Plan. (Again, Council has established new Secondary Plan policies for the Golden Mile through OPA 499 adopted on October 30, 2020.)

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

communities and plan for an appropriate transition in scale and activity between neighboring districts.

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

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

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

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

Section 5.3.3 of the Official Plan discusses the constant need for investment in infrastructure and services to maintain and improve our quality of life. Policy 5.3.3.2 refers to the need for new municipal investment to replace, enhance or build new infrastructure to implement this Plan will be identified through a multitude of implementation plans and strategies, including Secondary Plans, community service and facility strategies and other similar city-building initiatives.

Site and Area Specific Policy No. 129

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

OPA 499 deleted the Plan Area from SASP No. 129.

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 OPA No. 231 ("OPA 231"), which provides new and revised economic policies and designations for employment lands in the city. OPA 231 was approved by the Province with minor modifications in July 2014 and portions of OPA 231 are under appeal at the LPAT. The LPAT (and previously the Ontario Municipal Board) has issued several Orders partially approving OPA 231. OPA 231 also added new policies to Section 3.5.1 of the Official Plan respecting the promotion of office development within *Mixed Use Areas* and on lands within 500 metres of a subway/LRT/GO Station. While currently under appeal, these policies represent City Council's contemplated planned vision for this priority transit corridor, providing direction on the minimum standards for commercial development and increased non-residential gross floor area within mixed use buildings, with a particular focus on office development.

Consistent with PPS (2020) Policy 1.6.7, 1.6.8 and 1.8.1, there is a direction of the PPS (2020) to promote and focus major employment, commercial and other travel intensive land uses on sites which are well served by transit where it exists or is to be developed. Further, the PPS (2020) recognizes that new development proposed on adjacent lands to existing or planned corridors should be compatible with and supportive of the long-term purposes of the corridor and designed to avoid negative impacts on such corridors. Planned corridors is defined as required to meet projected needs and are identified through provincial plans, such as the Growth Plan (2020). Further, that planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose it is identified.

As stated earlier, the Growth Plan (2020) recognizes this is a priority transit corridor in Schedule 5 and as such prioritizes their implementation, including density targets, yet to be established, for persons and jobs combined. Policy 2.2.5.2 contemplates that major office and appropriate major institutional development will be directed to major transit station areas. OPA 231 similarly provides direction for these planned corridors to provide for the direction that transit stations provide for office adjacent to existing and approved/funded rapid transit stations.

More information about OPA 231 can be found here:

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

Official Plan Amendment 456: Transportation Policies

On February 26, 2020, City Council adopted OPA No. 456 ("OPA 456"), which amended the Official Plan's transportation policy and text changes as part of the Five Year Review of the Official Plan pursuant to Section 26 of the *Planning Act*. The

recommended changes affect transportation policies in the areas of transit, cycling, automated vehicles, shared mobility and other emerging mobility technologies; and the transportation of water, wastewater and stormwater. Updates to the street related map and schedules were also adopted. OPA 456 also included a new Section into the Official Plan regarding "Public Realm - Higher-Order Transit", as well as the revisions the other sections in the Official Plan.

Official Plan Amendments 479 and 480 - Public Realm and Built Form Policies

On December 17, 2019, City Council adopted OPA No. 479 regarding public realm ("OPA 479") and OPA No. 480 regarding built form ("OPA 480") to amend Section 3.1.1, Public Realm, Section 3.1.2, Built Form and Section 3.1.3, Built Form - Tall Buildings, of the Official Plan in their entirety as part of the Five Year Review of the Official Plan pursuant to Section 26 of the *Planning Act*. On September 11, 2020, the Minister of Municipal Affairs and Housing approved OPA 479 and OPA 480, bringing them into full force and effect and updating the Official Plan consistent with the Planning Act, the PPS and in conformity with the Growth Plan (2020).

OPA 479 and OPA 480 strengthen the existing public realm and built form policies and provide greater clarity through new policies that describe the public realm, built form and built form types. The policies reflect the continuous evolution of the application of urban design principles to achieve critical city-building objectives, defining the roles and relationships of the public realm and new development to ensure that buildings and their surrounding public spaces work together to achieve a high standard of design and help create a high quality of life for people of all ages and abilities.

Similarly, both the Secondary Plan and the Official Plan continue to recognize the importance of the public realm and how development fits within its existing and planned context. Principles such as site organization, fit into the existing and planned context, building massing, transition and scale, good street proportion and encouraging a mix of building types continue to be reflected and emphasized through the Official Plan.

OPA 499 - Golden Mile Secondary Plan

Key Official Plan changes implemented through OPA 499 that particularly relate to the subject lands include:

- The pre-existing *Mixed Use Areas* land use designation on the subject lands is largely retained, with two new *Parks* designations introduced, one mid-block on the Eglinton Avenue East frontage and the second on the interior of the site north of the proposed new public street (discussed below);
- Map 3, Right-of-Way Widths Associated with Existing Major Streets is amended by increasing the Planned Right-of-Way Width for Eglinton Avenue East, adjacent to the subject lands, from 36 metres to 43 metres;
- Schedule 1, Existing Minor Streets With Right-of-Way Widths Greater than 20 Metres, is amended by adding Thermos Road from Ashtonbee Road to Eglinton

Avenue East at a planned right-of-way width of 23 metres (current width is 20 metres);

- Schedule 2, The Designation of Planned but Unbuilt Roads, is amended to introduce planned new public streets across the subject lands including a planned north/south mid-block street of 20 metre width and an east/west mid-block street at 27 metres;
- The subject lands are located within the East District and are subdivided into two Character Areas, including Mixed Use Transit Nodes and Ashtonbee Transition Area;
- Potential locations for Privately-Owned Publicly-Accessible Space ("POPS") and public art are identified;
- A gross overall site density permission of 3.2 times the site area;
- A mix of tall buildings and mid-rise are provided for to a maximum of 30 storeys on the south portion of the subject lands and 25 storeys north of the planned new east/west mid-block street;
- The built form policies of the Secondary Plan identify key built form parameters that help define and support the vision for the character areas and public realm elements on the subject site; and
- Policy 4.5 of the Secondary Plan states that "To support the economic function of the Plan Area, each Site within the Golden Mile Commercial Gateway, the Mixed Use Transit Nodes, and the East Park Mid- Rise and Tall Building Community will provide a minimum of 10 per cent of the gross floor area of the development as non-residential uses in one or multiple buildings". As this site is within two Character Areas, the 10 per cent requirement only applies to the portion of the lands south of Golden Mile Boulevard.

Zoning

The site is not subject to City-wide Zoning By-law 569-2013, as amended. The site is zoned Industrial (M) and Office Uses (OU) under former City of Scarborough Employment Districts Zoning By-law No. 24982 (Golden Mile Employment District), as amended. The M Zone permits industrial, including marijuana production facilities, and office uses (excluding medical and dental offices). The OU Zone permits a range of non-residential uses including financial institutions, restaurants and retail uses. Both the M and OU Zones permit day nurseries, educational and training facility uses, places of worship, and recreational uses. The site is also subject to Exception 202, which prohibits non-accessory ground and wall signs (excluding marketplace signs).

See Attachment 4: Zoning Map for the zoning designations on the subject site and surrounding properties.

Golden Mile Urban Design Guidelines

The Golden Mile Urban Design Guidelines were adopted by City Council on October 30, 2020, concurrently with OPA 499. The area-specific Golden Mile Urban Design Guidelines are an implementation tool for the Secondary Plan and provide more detailed guidance to assist in the development and review of public and private initiatives in the Plan Area.

The Golden Mile Urban Design Guidelines are intended to provide guidance on creating high-quality and appropriately-scaled development, coupled with a cohesive, green and vibrant public realm, to support the Vision for the Plan Area. Developed as a direct outcome of the Council-directed GMSP Study, these Guidelines are an accompanying document to implement the Official Plan and the Secondary Plan as contemplated by Policies 5.3.2.1 and 5.2.1.4 e) of the Official Plan.

The Urban Design Guidelines illustrate the essential public realm elements and important built form relationships that will shape the emerging community, and that reflect the intent of the policies of the Secondary Plan. Together with the built form, public realm and mobility policies, the Urban Design Guidelines support ongoing implementation through incremental change and provide detailed guidance to assist the planning and design, as well as the review of development proposals.

The Urban Design Guidelines build upon the existing City-wide standards, to ensure consistency, and also provide additional guidelines to respond to local conditions and create unique characters for the Plan Area that help build its sense of place. Supplementary guidelines are recommended for larger sites to address site specific issues, promote design excellence at a more detailed level, and ensure coordination through various phases of development. Development applications in the Golden Mile will also continue to be evaluated on the basis of other City-wide guidelines as applicable.

The Golden Mile Urban Design Guidelines can be found at:

https://www.toronto.ca/wp-content/uploads/2021/01/8d99-CityPlanning_Golden_Mile_Urban_Design_Guidelines_Final_Reduced.pdf

City-Wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The city-wide guidelines are available at: <http://www.toronto.ca/planning/tallbuildingdesign.htm>

Mid-Rise Building Guidelines

In July 2010, Toronto City Council, adopted the recommendations contained in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study", with modifications and directed staff to use the Performance Standards for Mid-Rise Buildings in reviewing all new and current mid-rise development proposals on the

Avenues for a two year monitoring period. In November 2013 City Council extended the monitoring period to the end of 2014.

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

The Study can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2010.PG39.9>

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

Refer to the Council Decision:

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

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

Townhouse and Low-Rise Apartment Guidelines

On March 26, 2018, City Council adopted city-wide Townhouse and Low-Rise Apartment Guidelines and directed City Planning staff to use these Guidelines in the evaluation of townhouse and low-rise apartment development applications. These new Townhouse and Low-Rise Apartment Guidelines replace the Infill Townhouse Guidelines (2003) and are intended to be used in the review of an application when the proposed built form meets the City's Official Plan policies. The new Guidelines identify strategies to enhance the quality of these developments, provide examples of best practices, and improve clarity on various development scenarios. The Guidelines can be found at the following link:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/townhouse-and-low-rise-apartments/>.

Growing Up: Planning for Children in New Vertical Communities Guidelines

City Council on July 28, 2020, adopted updated Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines. The objectives of the guidelines are rooted in the Official Plan vision to create an attractive, safe and healthy city where

children are valued and residents have access to housing, support services and recreational activities. The guidelines implement Official Plan policies that highlight the importance of integrated community facilities and amenities, the need for a comfortable and safe public realm and the creation of a range of housing options in communities.

The Report from the Chief Planner on the Growing Up Guidelines can be found here: <https://www.toronto.ca/legdocs/mmis/2020/ph/bqrd/backgroundfile-148361.pdf>

The Growing Up Guidelines (2020) are available at: <https://www.toronto.ca/legdocs/mmis/2020/ph/bqrd/backgroundfile-148362.pdf>

Site Plan Control

The lands are subject to Site Plan control. To date, no site plan applications have been submitted.

Draft Plan of Subdivision

The proposed draft plan of subdivision submitted in conjunction with proposed zoning by-law amendment for the southeast corner of the larger site (see Attachment 5: Simplified Draft Plan of Subdivision) proposes:

- Block 1 containing the existing 7-storey office building and 4-storey above-ground parking structure to be retained;
- Block 2 subject to the above rezoning application discussed as the first phase of site redevelopment;
- Blocks 3 and 9 proposed as public parks/open spaces;
- Blocks 4 and 8 proposed as private north-south streets (segments A and B);
- Block 6 proposed as an east-west public street indicated as 'Golden Mile Boulevard' (as per the recent Golden Mile Transportation Master Plan but otherwise referred to as 'New East-West Link 2' in draft Official Plan Amendment No. 499 - Golden Mile Secondary Plan);
- Blocks 5, 7 and 10 for future development; and
- Block 11, being a 1.89 metre-wide road widening conveyance along Birchmount Road.

The Chief Planner has delegated approval authority for Plans of Subdivision under By-law 229-2000, as amended.

Reasons for Application

The applicant proposes application of a new Site and Area Specific Policy ("SASP") for the subject lands to permit a range of residential and non-residential uses, new streets and parkland. The SASP would include built form and public realm parameters to guide future development on site. The applicant's Supplementary Planning Rationale of June 11, 2020 also acknowledges that the City has prepared the Golden Mile Secondary Plan. The Rationale states that "this submission has been prepared with the emerging Secondary Plan in mind. If approved, the proposed instruments are designed to work in concert with the Golden Mile Secondary Plan to ensure a coordinated rejuvenation of this transit corridor." Therefore, in the opinion of City staff, it is appropriate to ensure

that both matters are considered jointly to ensure that the appropriate policy direction is in place to guide development for the site and the broader Golden Mile area.

Application Submission

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

- Planning Rationale
- Community Services and Facilities Study
- Transportation Impact Study
- Energy Strategy Report
- Sun/Shadow Study
- Archaeological Assessment
- Heritage Impact Statement
- Environmental Site Assessment
- Electromagnetic Interference Report

A Notice of Complete Application was issued on August 28, 2018.

Agency Circulation

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application to date and will inform further consideration of new Zoning By-law standards and draft plan approval conditions associated with the more recent planning applications in that regard.

Community Consultation

A community consultation meeting specific to the subject application has not been held to date in view of continued public consultations associated with the GMSP Study.

COMMENTS

Planning Act, Provincial Policy Statement and Provincial Plans

Staff are of the opinion that the proposed application does not have adequate regard for relevant matters of provincial interest set out in Section 2 of the *Planning Act*, is not consistent with the Provincial Policy Statement (2020), and does not conform to the Growth Plan (2020) for the reasons outlined below. Staff are of the opinion that the proposed Official Plan Amendment application has not demonstrated consistency with the general intent of the Official Plan. Further the proposed Official Plan Amendment is not supportable within the context of OPA 499 and fails to be consistent with and conform to OPA 499.

Planning Act

In the opinion of staff, the proposed Official Plan Amendment fails to have regard to the relevant matters of provincial interest under section 2 of the *Planning Act*. In particular, the proposed Official Plan Amendment fails to consider adequate provision and efficient use of communication, transportation, sewage and water services, and waste management systems; orderly development of safe and healthy communities; adequate provision and distribution of educational, health, social, cultural and recreational facilities; adequate provision of a full range of housing, including affordable housing; adequate provision of employment opportunities; and fails to resolve planning conflicts involving public and private interests.

While the proposed amendment does provide for a method of implementation being through a draft plan of subdivision for the entire site, which staff view as a positive implementation tool, the proposed development density on the lands requires further justification as the proposed transportation and servicing network does not support the requested density. Staff note that the applicant is proposing to retain a minimum of 14,190 square metres of office space on the lands. However, given further information provided, it is unclear how the proposed maximum gross floor area provided for is addressed on the lands for a mix of uses as it excludes the proposed retained office uses. In the opinion of staff, there is insufficient direction on land use, the mix of uses is stated in a general sense with no direction as to where and how it may be planned with no commitment to any minimums of non-residential uses with exception of replacement of less than the existing amount of office uses. While there is a mix of building types, staff are concerned regarding the orderly development and safety of certain areas, in particular the townhouse block on Block 10 as the interior townhouse block does not front onto any public street and would, depending on when it is developed, face the rear of an existing commercial building.

While the proposed development is in an appropriate location of growth and development, the scale, form and density of the proposed development impacts adjacent development sites from achieving the appropriate scale and form of development, which demonstrates a lack of regard for the location of growth and development of this site in the broader context. Among the Golden Mile Area more broadly, significant cooperation and coordination between landowners is required to achieve certain elements, in particular the equitable sharing of transportation and servicing infrastructure capacities. Without such coordination or comprehensive planning, the requested density is inappropriate, the site is not appropriately situated for the amount of growth and development being contemplated, and the proposal fails to have regard to the provision of orderly development of safe and healthy communities.

Further, while the proposed Official Plan Amendment provides general directions on built form being up to 46 storeys in height, well in excess of tall building heights provided for under OPA 499, it is evident from the applicant's submitted supporting plans and drawings that the proposed public/private street and public realm network does not promote development that is designed to be sustainable, supportive of public transit, oriented to pedestrians, or achieving a built form that is well-designed with public spaces that are of high quality, safe, accessible, attractive and vibrant. For example, the proposed policies in the draft amendment provide for transition north within the site and northeast, away from the subject site. Transition of building heights should be

achieved within the site and the transition should be both north and west along the site, with the highest heights at the higher order transit station at Birchmount.

Provincial Policy Statement (2020)

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

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

Under Section 1.1 - "Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns", Policy 1.1.1 states that "Healthy, liveable and safe communities are sustained by (in part):

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

Under Section 1.2 - "Coordination", Policy 1.2.1 directs that a coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities including:

- a) Managing and/or promoting growth and development that is integrated with infrastructure planning;
- b) Economic development strategies;
- c) Managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
- d) Infrastructure, multimodal transportation systems, public service facilities and waste management systems;

- g) Population, housing and employment projections, based on regional market areas; and
- h) addressing housing needs in accordance with provincial policy statements such as the Policy Statement: Service Manager Housing and Homelessness Plans.

Under Section 1.1.3 - "Settlement Areas", Policy 1.1.3.2 states that "Land use patterns within settlement areas shall be based on densities and a mix of land uses which (in part):

- a) Efficiently use land and resources; and
- b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion."

Policy 1.1.3.3 states that "Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs."

Policy 1.1.3.6 states that "New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities."

Policy 1.1.3.7 states that "Planning authorities should establish and implement phasing policies to ensure:

- a) That specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas; and
- b) The orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs."

Under Section 1.2 - "Coordination", Policy 1.2.1 directs that a coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities including:

- a) Managing and/or promoting growth and development that is integrated with infrastructure planning;
- b) Economic development strategies;

- c) Managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
- d) Infrastructure, multimodal transportation systems, public service facilities and waste management systems;
- g) Population, housing and employment projections, based on regional market areas; and
- h) Addressing housing needs in accordance with provincial policy statements such as the Policy Statement: Service Manager Housing and Homelessness Plans.

Under Section 1.3 - "Employment", Policy 1.3.1 states that "Planning authorities shall promote economic development and competitiveness by:

- a) Providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;
- b) Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c) Facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;
- d) Encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and
- e) Ensuring the necessary infrastructure is provided to support current and projected needs."

Section 1.3.2, "Employment Areas", Policy 1.3.2.1 states that "Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs".

Under Section 1.4 - "Housing", Policy 1.4.1 states that "To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:

- a) Maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and

- b) Maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans."

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans".

Policy 1.4.3 states that "Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by (in part):

- a) Establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans;
- b) Permitting and facilitating:
 - 1. All housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
 - 2. All types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;
- c) Directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- d) Promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;
- e) Requiring transit-supportive development and prioritizing intensification in proximity to transit, including corridors and stations; and
- f) Establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety."

Section 1.5 contemplates that health and active communities are promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity; and planning and providing for a full range and equitable distribution of publicly-accessible

built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages.

Section 1.6.1 of the PPS requires that infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs. When planning for infrastructure and public service facilities they shall be coordinated and integrated with land use planning and growth management so that they are financially viable over their life cycle and available to meet current and projected needs.

Section 1.6.5 of the PPS directs that public service facilities should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and active transportation.

Section 1.6.6 of the PPS directs planning for sewage and water services shall be done in a manner to accommodate forecasted growth promoting efficient use and optimizing existing services, and that such systems are can be sustained over time, integrating servicing and land use considerations at all stages of the planning process.

Section 1.6.7 of the PPS directs that transportation should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs. That efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible. The PPS further directs that as part of a multimodal transportation system, connectivity within and among transportation systems and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries. As it relates to land use and mix of uses, the PPS directs that a land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

Section 1.7 of the PPS directs that long-term economic prosperity should be supported by:

- a) Promoting opportunities for economic development and community investment-readiness;
- b) Encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;
- c) Optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;
- d) Maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;
- e) Encouraging a sense of place, by promoting well-designed built form and by conserving features that help define character;

- g) Providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;
- j) Promoting energy conservation and providing opportunities for increased energy supply;
- k) Minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and
- l) Encouraging efficient and coordinated communications and telecommunications infrastructure.

Section 1.8 directs that the planning authorities support energy conservation and efficiency through land use and development patterns which, promote compact form and a structure of nodes and corridors; promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas; focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future; encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion; and promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure.

Further, Policy 4.6 directs that the Official Plan is the most important vehicle for its implementation and that comprehensive, integrated and long-term planning is best achieved through official plans. The City has also kept its official plan up to date through recent city-wide amendments to the Official Plan as approved by the Minister as well as OPA 499 the result of a multi-year, multidisciplinary study providing for new long term, comprehensive planning directions for the broader Golden Mile Area.

As stated in the Applicant's Planning Rationale of June 11, 2020, it is acknowledged that the City has prepared the Golden Mile Secondary Plan. Based on that planning rationale, it states that "this submission has been prepared with the emerging Secondary Plan in mind. If approved, the proposed instruments are designed to work in concert with the Golden Mile Secondary Plan to ensure a coordinated rejuvenation of this transit corridor." Therefore, in the opinion of City staff, it is appropriate to ensure that both matters are coordinated jointly to ensure that the appropriate policy direction is in place to guide development for the site and the broader Golden Mile area.

The further analysis of the PPS (2020) is explained below in concert with related issues on the Growth Plan (2020). In the opinion of Planning staff, the proposed official plan amendments are not consistent with the PPS (2020).

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

The Growth Plan (2020) provides a strategic framework for managing growth in the Greater Golden Horseshoe in a way that supports economic prosperity, protects the environment, and helps communities achieve a high quality of life. The Guiding Principles in Section 1.2.1 support the achievement of complete communities, as defined in the Growth Plan (2020), recognizing that communities can take different shapes and forms appropriate to their context. The Guiding Principles also support a range and mix of housing options and the integration of land use planning with planning and investment in infrastructure and public service facilities.

Growth Plan (2020) policies for the management of growth (Policy 2.2.1.4) states "Applying the policies of this Plan will support the achievement of complete communities that (in part):

- a) Feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;
- c) Provide a diverse range and mix of housing options, including second units and affordable housing to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- d) Expand convenient access to: a range of transportation options; public service facilities; and an appropriate supply of safe, publicly-accessible open spaces, parks, and other recreational facilities; and
- e) Ensure the development of high quality compact built form, and an attractive and vibrant public realm, including public open spaces, through site design and urban design standards."

Policy 2.2.2.3 states that "All municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas which will (in part):

- a) Identify strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development;
- b) Identify the appropriate type and scale of development and transition of built form to adjacent areas;
- d) Ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;
- e) Prioritize planning and investment in infrastructure and public service facilities that will support intensification; and
- f) Be implemented through official plan policies and designations, updated zoning and other supporting documents."

The policies in Section 2.2.6 of the Growth Plan (2020) support housing choice through the achievement of the minimum intensification and density targets in the Growth Plan (2020) by identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet the projected needs of current and future residents, as well as to support the achievement of complete communities through the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes. While the proposed Official Plan Amendment specifies that the housing being proposed would be rental in a variety of housing types, including 10% 3-bedroom and 25% 2-bedroom units overall at full site build-out, there is currently no clear overall breakdown by unit types, nor clear commitments to provision of affordable housing provided under the proposed Official Plan Amendment.

In Section 3, Infrastructure to Support Growth, well planned infrastructure is essential to the viability of communities and critical to economic competitiveness, quality of life, and the delivery of public services. The policies in this section of the Growth Plan (2020) provide a framework to guide and prioritize infrastructure planning and investment. Policies 3.2.1.1 and 3.2.1.2 state that "Infrastructure planning, land use planning, and infrastructure investment" must be coordinated and that "Planning for new or expanded infrastructure will occur in an integrated manner, including evaluation of long-range scenario-based land use planning and financial planning, supported by relevant studies".

Section 3.2.3 provides for direction on how decisions that affect transit investment and land use planning are to be reconciled to ensure that objectives for the different areas are achieved.

Section 3.2.5 provides clear direction that in planning for development and expanding existing and planned corridors, municipalities are to encourage the co-location of linear infrastructure; ensure that existing and planned corridors are protected to meet current and projected needs in accordance with the transportation and infrastructure corridor protection policies in the PPS; and that the planning, location, and design of planned corridors and the land use designations along these corridors will support the policies of this Plan, in particular that development is directed to settlement areas. Section 3.2.6 and 3.2.7 provide for greater direction on stormwater management and infrastructure management. In particular, Policy 3.2.7.2 provides directions for proposals for large scale development ensure that it is informed by subwatershed plans, incorporated approaches to minimize stormwater flows, incorporates low-impact development and green infrastructure and aligns with stormwater master plan.

Further, Section 3.2.8 directs planning for public service facilities, land use planning and investment in public service facilities be coordinated and such facilities to be co-located to promote cost-effectiveness. Further, Policy 3.2.8.6 directs that the new public service facilities, including schools, should be located in settlement areas and preference should be given to sites that are easily accessible by active transportation and transit.

Further, Section 4.2.5 directs that the municipality is encouraged to develop a system of publicly-accessible parkland, open space and trails that clearly demarcates where public access is and is not permitted, based on a co-ordinated approach to trail planning and

development and based on good land stewardship for public and private lands. Also that the establishment of the open space system should include opportunities for public parks.

Section 5.2.4. of the Growth Plan (2020) requires the type and scale of development to be contextually appropriate with integrated planning required for infrastructure and public service facilities and for the achievement of complete communities. At present, neither a transportation master plan or a servicing plan have been provided by the applicant that adequately demonstrates the proposed level of intensification being proposed can be supported, nor has the provision of adequate community service facilities warranted by a proposal of this magnitude been demonstrated. The proposed massing is not in keeping with the existing and planned context, and does not, in the opinion of staff, fit within the directions of the Official Plan, including OPA 499.

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

The analysis of the Growth Plan (2020) is generally set out below in concert with related issues on the PPS. In the opinion of Planning staff, the proposed Official Plan Amendment does not conform to the Growth Plan (2020).

Summary Analysis of PPS (2020) and Growth Plan (2020)

Consistent with the provincial policy framework, the GMSP Study thoroughly examined strategies to direct and manage anticipated growth and development within the Golden Mile area. This included establishing various gross density limits throughout the secondary plan area which, as adopted by City Council through OPA 499, is capped at 3.2 times the site area of the subject lands. The current application, however, proposes gross densities (FSI) of 4.5 to 4.9 times the 6.36 hectare lot area (depending on the method of calculation).

The Official Plan, including OPA 499, provides further detailed direction for the Plan Area on a comprehensive basis and collectively establish the intensification strategy for the broader Golden Mile area. City staff are of the opinion that the proposed Official Plan Amendment does not conform with the above noted Growth Plan (2020) Policy 2.2.2.3 in particular, in that it does not represent an intensified scale of development that is appropriate for the surrounding area and does not appropriately transition to adjacent lower scale properties, is not designed in a manner to achieve a complete community, and has not demonstrated the availability of infrastructure and community service facilities to support the greater level of intensification being proposed.

Furthermore, the PPS is not intended to mandate any form of intensification in all situations, but rather relies on local official plans to set out a suitable policy framework to guide development and intensification in a manner consistent with provincial interests. The Official Plan, as now amended through OPA 499, appropriately establishes the form of intensification, how it is to be accommodated and how complete communities

will be achieved through its policy framework. OPA 499 also provides more detailed direction to further implement the Official Plan, PPS and Growth Plan (2020).

The proposed Official Plan Amendment has not adequately demonstrated how such increased density, above that thoroughly assessed and determined by the GMSP Study for appropriate balanced new redevelopment opportunities throughout the Golden Mile study area can be adequately accommodated without negatively impinging on other fundamental density, servicing and infrastructure aspects of the new secondary plan.

The current Official Plan Amendment application also proposes retention (or potential replacement) of the existing 14,190 square metres of office space currently on 2206 Eglinton Avenue, together with 4,180 square metres of new retail space only. This amount of non-residential gross floor area represents approximately 6.5% non-residential uses overall on the site. Achieving a complete, liveable community includes the adequate provision of employment opportunities for the new residents, and which support investments already being made to improve transit infrastructure.

The proposed Official Plan Amendment has not demonstrated an appropriate level of infrastructure and public service facilities are or will be available to support the level of intensification proposed above that established through OPA 499. On the basis of transit planning and land use planning, the PPS and Growth Plan (2020) direct coordination between both. The PPS and Growth Plan specifically contemplate a mix of uses on the lands and provision of public street networks to ensure achievement of the various policy objectives.

Specifically for transit planning, municipalities are to ensure that where such transit is expanded to areas, areas are to achieve or planned to achieve, transit-supportive densities and provide a mix of residential, office, institutional and commercial development where possible, focus on increasing the modal share of transit and ensure continuous linkages between transit stations and major street networks.

Further, the planning rationale also draws a link between the City's Golden Mile Secondary Plan and the servicing and infrastructure network which are linked together through both the public street network and servicing network for the area. Therefore a proposed amendment which significantly deviates from the Secondary Plan, absent a comprehensive analysis and approach that appropriately implements the PPS and Growth Plan (2020) directions on comprehensive, integrated and long term planning, is not consistent with the PPS and fails to conform with the Growth Plan (2020).

Intensification and Development

Key policies of the PPS and the Growth Plan (2020) direct growth and development at appropriate locations. The information and consultant studies that led to the Secondary Plan inform the appropriate density, scale and form of development within the Plan Area. Therefore, a proposed amendment that significantly deviates from the Secondary Plan, absent a comprehensive analysis and approach, that appropriately implements the PPS and Growth Plan (2020) directions on comprehensive, integrated and long term planning is not consistent with the PPS and fails to conform to the Growth Plan (2020).

In the opinion of City Staff, the proposed Official Plan Amendment, cannot be evaluated absent being viewed alongside the Secondary Plan.

From a hierarchy and growth management perspective, the Official Plan, consistent with the PPS and Growth Plan (2020), establishes a hierarchy of settlement areas and growth areas. The areas with the greatest growth are the Urban Growth Centres, the nearest being the Scarborough Urban Growth Centre ("Scarborough Centre"). While there is significant development potential within the Golden Mile area more generally, the culmination of development within the Plan Area should not exceed the planned growth for the Scarborough Centre. This hierarchy is also clearly established in the Growth Plan (2020) where such Urban Growth Centres are planned to achieve their targets by 2031, where other areas are set to the horizon of the plan with half of the anticipated growth of Urban Growth Centres.

While the Growth Plan (2020) establishes minimum planning targets for LRT stations, such as the new ECLRT stops within this area, of 160 persons and jobs within the yet to be delineated area, the Growth Plan (2020) also provides policy direction in exceeding those minimums. As described in this report specifically as it relates to the density requested, it has not been adequately demonstrated that the proposed amendment considers integrated planning for infrastructure and public service facilities required for development that ensure the development does not exceed the existing or planned capacity and the appropriateness of the type and scale of built form being contextually appropriate, combined with the lack of diverse mix of land uses and lack of sufficient public open space.

Transportation and Servicing Infrastructure

On matters of transit planning and land use planning, the PPS and Growth Plan (2020) direct coordination between both. The PPS and Growth Plan (2020) specifically contemplate a mix of uses on the lands and provision of public street networks to ensure achievement of the various policy objectives.

Specifically for transit planning, municipalities are to ensure that where such transit is expanded to areas, areas are to achieve or planned to achieve, transit-supportive densities and provide a mix of residential, office, institutional and commercial development where possible, focus on increasing the modal share of transit and ensure continuous linkages between transit stations and major street networks.

From a servicing and transportation perspective, in the opinion of City Staff, the proposed Official Plan Amendment, cannot be evaluated absent being viewed alongside the Secondary Plan. Private streets are not intended to be the focus or focal point of the public street network, and most certainly not at the length or magnitude proposed. It is not appropriate that the proposed private north/south mid-block street identified in the proposed Official Plan Amendment be utilized to provide public access and service to individual buildings and this also creates concerns with regards to the ability of such buildings to be independently serviced from public streets. Nor should such private streets be identified as separate blocks within the proposed subdivision.

Adjacency to Transit Stations and Lack of Appropriate Land Use Mix

While the site is in proximity to transit, that is one factor associated with the intensity of use, density, scale, form, and massing of development that may be permitted.

The PPS is also directive in various policies for a mix of uses, densities and housing types. The lack of variation of the proposed building typology, mix of uses and housing types for the site does not support the achievement of complete communities. Further, while the conceptual plans and drawings identify that 16,143 square metres of non-residential uses will be provided, the proposed Official Plan Amendment is inadequate in providing any direction on appropriate minimum requirements for the overall redevelopment of the lands, other than a permitted maximum density for a variety of uses, which exclude office uses.

However, the City through the GMSP Study and OPA 499 has appropriately planned for all of these matters to ensure the achievement of complete communities.

The proposed Official Plan Amendment has not adequately demonstrated how such increased density, above that thoroughly assessed and determined by the GMSP Study for appropriate balanced new development opportunities throughout the Plan Area can be adequately accommodated without having a negative impact on other fundamental density, servicing and infrastructure aspects of the new Secondary Plan.

The proposed Official Plan Amendment has not demonstrated an appropriate level of infrastructure and public service facilities that are or will be available to support the level of intensification proposed above that established through OPA 499.

Phasing of Development

It appears from the proposed draft amendment that phasing is intended to be aligned with the growth coordination for the build-out of the Golden Mile Area, presumably that under the Secondary Plan. However, no phasing plan has been provided at this time. Notwithstanding this, the Golden Mile Secondary Plan has a general direction on phasing and development of the plan area over time as certain infrastructure components are in place or secured to the satisfaction of the City.

Therefore, in the opinion of City Staff, the proposed Official Plan Amendment, cannot be evaluated absent being viewed alongside the Secondary Plan to ensure that anticipated development aligns with the public street, transportation improvements and servicing improvements of the Secondary Plan.

Public Open Space

The public open space system and public realm system requires significant expansion and revision. This is explained in greater detail in the Public Parkland section of this report. The PPS and Growth Plan (2020) direct the provision of sufficient open space and speak to the provision of a vibrant and high quality public realm network. This requires appropriate linkages that are clearly visible and that promote active transportation.

Housing and Community Service Facilities

The current application proposes that a minimum of 10 per cent of the total units will have at least three bedrooms, with 25 per cent of the proposed units being two bedroom units, at full site build-out. The application does not provide further details on an appropriate range and mix for all housing types to be achieved during each phase of site development. The proposed mix should be equitably distributed throughout the site. It is difficult to apply a commitment to a minimum amount across an entire site upon final build-out as it may result in some buildings in particular phases having a less appropriate housing mix than others. If buildings are to be phased by block, it may be more appropriate to consider an overall mix and a minimum direction for each block to ensure the appropriate mix can be achieved on the lands as a whole and as development proceeds.

Similarly, the proposed Official Plan Amendment as submitted does not provide sufficient guidance as to how 'affordable housing' and 'day care' facilities will be provided in the development. Other than a commitment to provide affordable housing in the first phase of site development, it provides no further detail, associated blocks or commitment to these matters beyond suggesting such would be further detailed and secured as community benefits through the rezoning process.

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

On the basis of the foregoing, in the opinion of Planning staff, the proposed Official Plan Amendment is therefore not consistent with the PPS and fails to conform to the Growth Plan (2020).

Official Plan

Policy 4.6 of the PPS states that a municipality's official plan is the most important vehicle for implementation of the PPS and that "comprehensive, integrated and long-term planning is best achieved through official plans." Furthermore, the PPS directs municipalities to provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

This application has been reviewed against the Official Plan policies and the Secondary Plan policies and/or planning studies described in the Issue Background Section of the report, as well as the policies of the Toronto Official Plan as a whole.

The subject lands are located within the Secondary Plan Area. OPA 499 and the Secondary Plan establish a comprehensive planning framework for the Golden Mile area that includes Secondary Plan policies that direct:

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

Section 5.2.1 of the Official Plan identifies that Secondary Plans establish local development policies to guide growth and change in a defined area of the City, while ensuring adequate public infrastructure and environmental protection. Policy 5.2.1.3 states that Secondary Plans identify the type and form of physical development and plan for an appropriate transition in scale and activity between neighbouring districts.

Policy 5.2.1.4 notes that Secondary Plan will recognize city-building objectives and indicate matters including: affordable housing objectives; land use policies; urban design objectives/guidelines/parameters; necessary infrastructure investment; and ensuring the stability of established neighbourhoods.

In this regard, the proposed Official Plan Amendment has not demonstrated the impact of the proposed development on infrastructure and public service facilities and whether or not the density of development set out in the proposed Official Plan Amendment would support the achievement of complete communities, including a diverse mix of land uses, adequate employment opportunities, sufficient open space and adequate community services.

Public Realm

From a public realm perspective, City Planning staff are of the opinion that the proposed Official Plan Amendment application is inconsistent with the policy direction of the Official Plan or Secondary Plan, including the following:

- Eglinton Avenue East widening;
- New N/S public street;
- Mid-block pedestrian connections and widths;
- POPS;
- Public art; and
- Public realm connectivity, including to surrounding areas and broader Golden Mile Area.

Built Form, Height and Density

The gross FSI being proposed varies from 4.5 to 4.9 times the site area (depending on the method of calculation). OPA 499 establishes a gross density (FSI) of 3.2 times for the subject site. Such density caps were established by OPA 499 to ensure that intensification throughout the Golden Mile does not exceed the capacity of the physical infrastructure and development provides for a contextually appropriate built form. Although intensification is anticipated in the Golden Mile, the scale of development needs to be consistent with OPA 499.

From a public realm perspective, City Planning staff are of the opinion that the proposed Official Plan Amendment application is inconsistent with the policy direction of the Official Plan or Secondary Plan, including the following:

- Contextually appropriate built form;
- Angular plane from existing park;
- Mix of building types, including provision for a minimum one mid-rise building per block in Ashtonbee Transition Area;
- Setbacks;
- At-grade uses;
- Parking/parking structure location and design;
- Base building heights;
- Mid-rise building heights and massing;
- Separation distances between buildings or building components around courtyards;
- Number of tall buildings;
- Number of tall buildings per block;
- Tall building tower setbacks;
- Tall building tower separation distances;
- Tall building tower floor plate size;
- Tall building heights; and
- Sunlight on streets, parks, and open spaces.

Transportation and Mobility

The application proposes new streets that are generally consistent locationally with the new streets identified for this site in the Secondary Plan. The level of intensification planned for by the Secondary Plan, in addition to the other matters described in this report, is also premised on a public street, pedestrian and active transportation network being established to support the growth provided for by the Secondary Plan. The Secondary Plan expands the existing transportation network to support the planned growth, including new public streets to create a connected network, which provides direct and clearly understood travel routes for all transportation modes and users.

The application does not include a detailed phasing plan to confirm when the proposed transportation infrastructure would be delivered and fails to identify any additional transportation improvements required as a result of the proposed increase in density for the subject site.

In particular, the private north/south mid-block 18.5 metre street segments are inconsistent with the Official Plan, as amended through OPA 499, with regard to required 20 metre right-of-way width, and that the streets are to be public streets. Such "private streets" should also not be identified as separate blocks on a plan of subdivision but rather associated with a development block. Each block is required to be independently serviced. As currently proposed these private street segments (illustrated as Blocks 4 and 8 on Attachment 5: Simplified Draft Plan of Subdivision) are essentially being created as remnant parcels of land without ownership and without servicing contrary to the *Planning Act*. If these two street segments were provided as public streets having 20 metre right-of-way widths, this issue would be resolved

Servicing

The Secondary Plan requires water, sewer and stormwater management improvements to be secured through Plan of Subdivision, and where appropriate, Core Servicing Agreement with various landowners. The application does not include details on the phasing and delivery of municipal servicing infrastructure, which is required to be provided below existing or future public streets. Staff continue to have uncertainty as to how the site servicing will be undertaken in accordance with any development phasing proposals not otherwise identified through the proposed Official Plan Amendment. It is essential that the applicant provide a detailed phasing plan of the interim and final conditions of the development.

Housing

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

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

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

The development site is larger than 5 hectares and, as a result, Policy 3.2.1.9 of the Official Plan applies. Official Plan Policy 3.3.1 requires that new neighbourhoods will

have a comprehensive planning framework reflecting the Plan's city-wide goals as well as the local context.

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

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

Through the Growing Up Guidelines, the City seeks to secure a minimum of 10% of the proposed units having three or more bedrooms and a critical mass of both two and three-bedroom units. The application proposes 10 per cent of all residential units would be three or more bedrooms, with a further 25 per cent being two-bedroom units, across the entire site at full build-out. The application does not, however, indicate ranges for minimum unit sizes by type, or the proposed phasing for which units of varying types or size would be provided. This does not adequately support the objectives of the Growing Up guidelines, the City's Official Plan housing policies, or the Growth Plan's growth management and housing policies to accommodate within new development a broad range of households, including families with children.

Similarly, while the proposed Official Plan Amendment speaks to provision of affordable housing being secured in the first phase of site redevelopment as a community benefit under Section 37 of the Planning Act, no affordable housing strategy has been presented to better understand the nature of the affordability arrangements being suggested, proposed number of affordable units within the development, or how housing affordability might be achieved in all phases of site redevelopment beyond the first.

In terms of achieving sustainable housing development, the current application is lacking in information on enhanced measures to achieve sustainability and resiliency, as well as commitments to specific target/objectives or specific features (such as near-zero emissions, green infrastructure, etc.).

Employment

The current applicant proposes insufficient replacement of existing (largely industrial) employment floor space, with only 4,180 square metres of new retail employment space proposed in the Official Plan Amendment application. The retained and new non-residential spaces represent approximately 6.5 per cent of the overall gross floor area being proposed, a proportion which does not adequately support achievement of a complete community or investments in transit infrastructure as intended through the 10

per cent non-residential gross floor area targets established in the Official Plan through OPA 499.

Community Service Facilities

The Secondary Plan identifies priority community service facility needs based on the existing and future needs of the Plan Area. The existing network of public service facilities serving the broader Golden Mile area was assessed to determine what additional community service facilities, expansions or improvements may be required to serve the density strategy for the Secondary Plan. Conceptual community service facility locations are identified throughout the Plan Area, including on the subject lands.

The GMSP Study included a consultant study that assessed the existing community infrastructure in the broader Golden Mile area. There is very little to no existing community infrastructure within the Golden Mile area, with the exception of the Victoria Park Hub, which already provides program service delivery and is already fully utilized by the existing residents. There are no schools, child care centres, community spaces or recreational spaces within the Golden Mile area. This a requirement to ensure that the provision of community service facilities is in line with the planned growth of the area to meet the needs of residents.

Golden Mile The Community Services and Facilities Study submitted with the subject application does not suggest the need for any particular community service facilities to be provided on subject site, other than a proposed day care, to be secured as a community benefit, during the first phase of development. The Study generally concludes that with enhanced public transit on the horizon, existing or planned community services and facilities located elsewhere within proximity of the area can otherwise be utilized by future residents and employees. As such, the proposal fails to fully or adequately consider the achievement of sufficient and convenient community service facilities within this development for the benefit of its future residents.

Public Parkland

Land Use Map 20 of the Official Plan, as amended by OPA 499, identifies two new mid-block Parks designations on the subject lands as shown on Attachment 3: Official Plan Land Use Map (OPA 499).

The proposed Official Plan Amendment currently proposes one mid-block open space fronting Eglinton Avenue East, with a second park block on the north side of the new mid-block east/west public street, totalling 5,694 square metres overall. Based on the applicant's current proposals, an on-site parkland dedication of 6,400 square metres would be required under current City standards. The two public park blocks proposed would therefore represent a 706 square metre deficiency in new public parkland required for the proposed development.

As previously noted, the applicant's submitted planning rationale has confirmed the proposed development is "designed to work in concert with the Golden Mile Secondary Plan", the full amount of parkland dedication as required by this development should be realized through revision to the application, in line with OPA 499 and the City's Official

Plan. A detailed phasing plan is also required in order to confirm the feasibility and appropriateness of the proposed development and anticipated timing for the delivery of the public parkland. The proposed amendment in its current form is premature absent revisions to include the required parkland dedication.

Issues to be Resolved

As a preliminary issue, the owner of the subject lands should be required to demonstrate how an appropriate level of infrastructure, including streets, servicing, parks and community service facilities, are or will be available to support an increase in density beyond the density set out in the Secondary Plan, which thoroughly examined strategies to direct and manage anticipated growth and development within the Golden Mile area, and established a density of 3.2 times the site area for the subject lands.

The required infrastructure should be assessed, in a comprehensive manner, to ensure that there is no negative impact on other fundamental density, servicing and infrastructure aspects of the Secondary Plan. These matters are threshold issues as they have impacts on the future development, functionality and liveability within the Plan Area. Coordination with regard to these matters is, in the opinion of staff, important to ensure that the different dimensions of planning allows planning authorities to identify the appropriate approach to long-term planning, and also allows municipalities to identify the most cost-effective options to sustainability accommodating forecasted growth to the horizon of the Growth Plan (2020) as set out in the City's Official Plan to support the achievement of complete communities.

The proposal for the lands at 2200-2206 Eglinton Avenue East, 1020-1030 Birchmount Road and 75 Thermos Road, in its current form, does not provide for a development that achieves the objectives of the Official Plan and the Secondary Plan. City Planning staff are of the opinion that the proposed Official Plan Amendment application could be revised to be consistent with the policy direction of the Official Plan and/or Secondary Plan as follows:

- Provide a detailed phasing plan for the interim and final build-out of the site;
- Provide additional non-residential uses (other than retail uses);
- Provide all new streets as public streets at the recommended right-of-way widths;
- Provide the required pedestrian and cycling connections;
- Provide the required public parkland dedication;
- Revise the built form and massing;
- Reduce the gross FSI of the site; and
- Provide the required affordable housing in accordance with Policy 3.2.1.9 of the Official Plan regarding sites greater than five (5) hectares.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan, including OPA 499 and the Golden Mile Secondary Plan. Staff are of the opinion that the proposal is not consistent with the PPS and does not conform to and conflicts with the Growth Plan (2020). Further, the proposal is not in keeping with the intent of the Toronto Official Plan and OPA 499,

particularly as it relates to Public Realm, Built Form, Housing, Community Services and Facilities, Parks and Open Spaces, Neighbourhoods and Implementation policies. In addition, the following staff and community concerns remain outstanding: density, built form and massing, range of building types, transition in scale, unit mix (including affordable housing), infrastructure and community services and facilities, and lack of office uses or other non-residential uses.

Staff are of the opinion that the application should be revised to provide an appropriate public realm plan, an acceptable open space/parks strategy, reallocation of density across the site, increased provision for office uses or other non-residential uses, and further details about the affordable housing strategy. The proposed Official Plan Amendment has not demonstrated how it would support the achievement of adequate infrastructure and community service facilities to meet current and/or projected needs. Resolving the concerns outlined in this report could result in an OPA of an acceptable form and content to properly manage change and plan for the future of this site without a negative impact on the broader Golden Mile area or the Secondary Plan.

However, City Planning staff note that the current application should not be considered in isolation, due consideration should also be given to all development proposals currently being advanced within the larger Golden Mile area. Many of these applications also seek greater building heights and densities than are currently provided for through OPA 499. To that end, many of these landowners, in addition to the owner of the subject lands, have now appealed both OPA 499 and their own Official Plan Amendment applications currently before the City to LPAT. These proposals collectively seek increased shares of otherwise finite development potential (in terms of residential units and density permissions) within the Golden Mile as envisioned by OPA 499. Many proposals also seek greater building heights and modified associated policies relating to built form (among other policy issues).

City Planning staff conclude that it would not be an efficient or appropriate use of City, applicant or LPAT resources to proceed with hearing this individual site-specific development application appeal without first addressing in a comprehensive manner and as a preliminary issue, the issues associated with the new overall density and height permissions, built form policies, required transportation and servicing infrastructure, community service facility needs, and requirements to achieve a complete community within the entire Plan Area.

Staff recommend that City Council direct staff to oppose the application in its current form. Staff also recommend that City Council direct City staff to continue to negotiate with the applicant to try to resolve the outstanding issues detailed in this report in the context of the Council-approved OPA 499 regarding the Golden Mile.

Staff also recommend that City Council direct the City Solicitor to request the owner of the subject lands address as preliminary issues related to infrastructure required to support the anticipated growth in the overall context of the Plan Area, including streets, servicing, parks, and community service facilities are assessed comprehensively, including coordination with other Golden Mile landowners.

CONTACT

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SIGNATURE

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

ATTACHMENTS

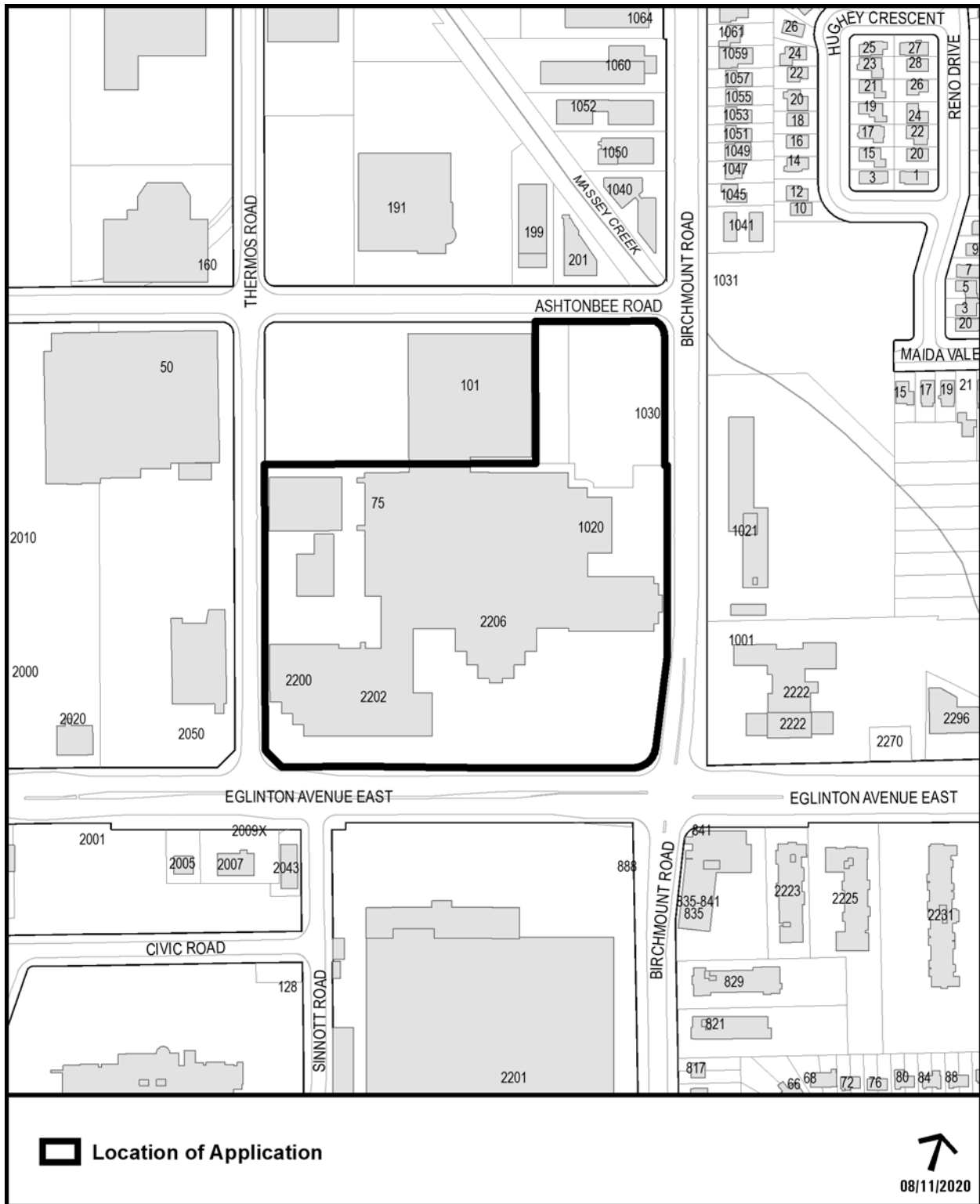
City of Toronto Drawings

- Attachment 1: Location Map
- Attachment 2: Official Plan Land Use Map (Pre-OPA 499)
- Attachment 3: Official Plan Land Use Map (OPA 499)
- Attachment 4: Zoning Map
- Attachment 5: Simplified Draft Plan of Subdivision

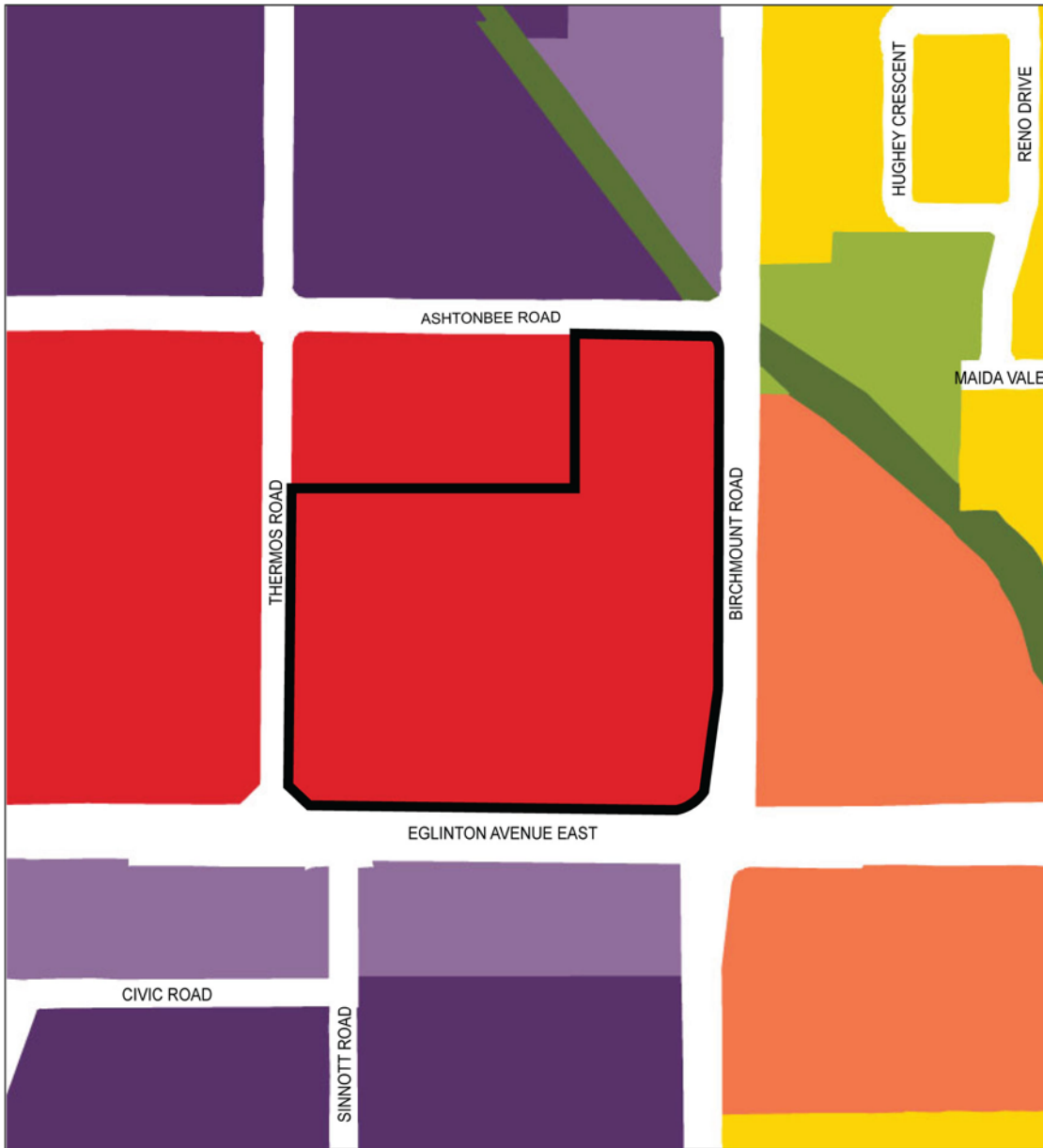
Applicant Submitted Drawings

- Attachment 6: Overall Concept Plan
- Attachment 7: Conceptual 3D Massing
- Attachment 8: Proposed Block 2 Site Plan - Rezoning Application 20 154599 ESC 21 OZ

Attachment 1: Location Map












Attachment 2: Official Plan Land Use Map (Pre-OPA 499)



2206 Eglinton Avenue East

Official Plan Land Use Map #20

File # 20 154599 ESC 21 0Z

- | | | |
|--|--|--|
|  Location of Application |  Parks & Open Space Areas |  General Employment Areas |
|  Neighbourhoods |  Natural Areas |  Core Employment Areas |
|  Apartment Neighbourhoods |  Parks | |
|  Mixed Use Areas | | |


Not to Scale
08/11/2020

Attachment 3: Official Plan Land Use Map (OPA 499)



Toronto Golden Mile Secondary Plan

Official Plan Amendment # 499

Revisions to Land Use Map 20 to Redesignate lands from Apartment Neighbourhoods and Mixed Use Areas to Parks

File # 17 134997 EPS 00 TM

Lands to be Designated from Mixed Use Areas and Apartment Neighbourhoods to Parks

- Lands to be Designated from Mixed Use Areas and Apartment Neighbourhoods to Parks
- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas

Parks & Open Space Areas

- Natural Areas
- Parks

Utility Corridors

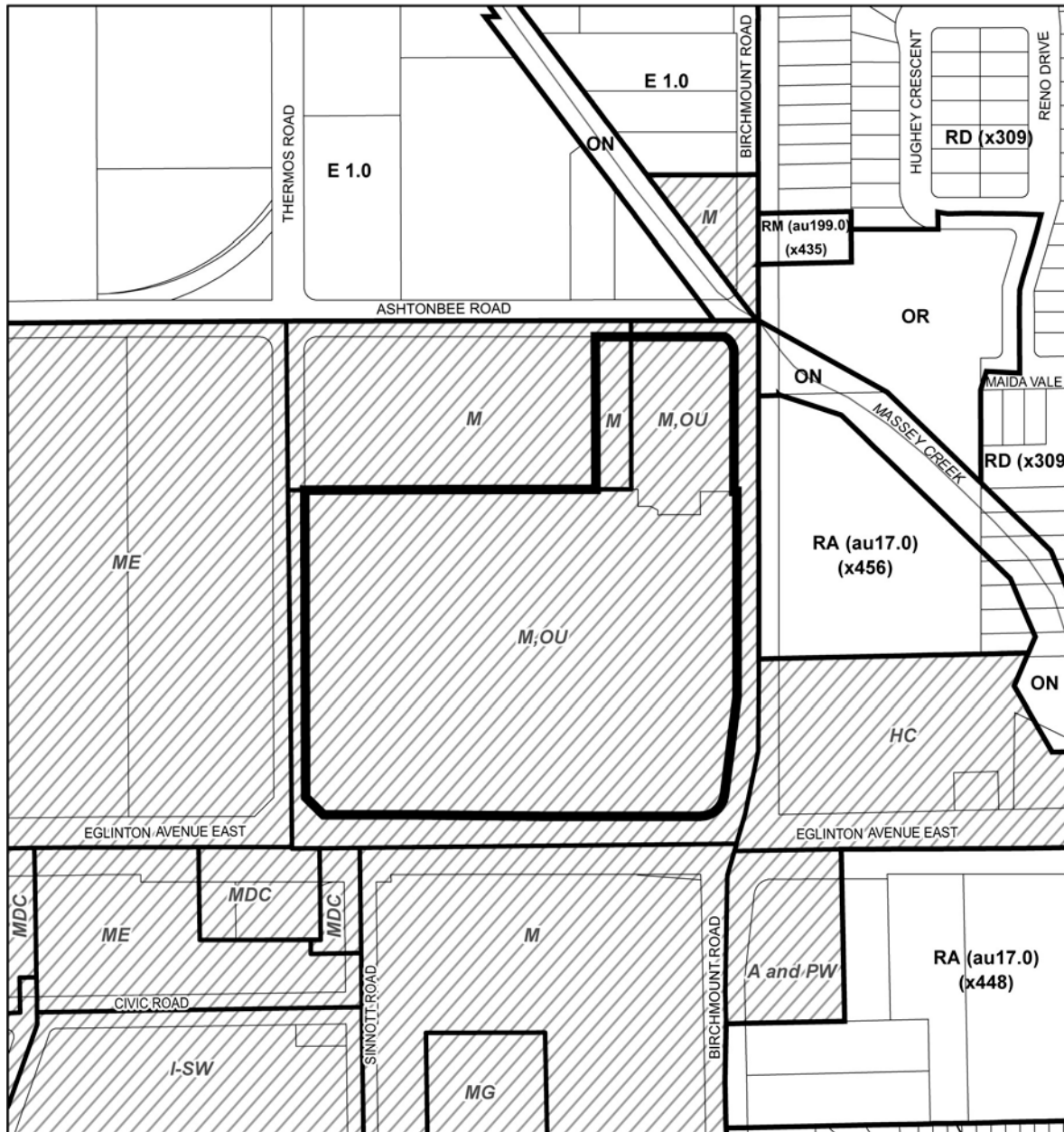
- Utility Corridors

General Employment Areas

- General Employment Areas
- Core Employment Areas

Not to Scale
08/28/2020

Attachment 4: Zoning Map



Zoning By-law 569-2013

2206 Eglinton Avenue East

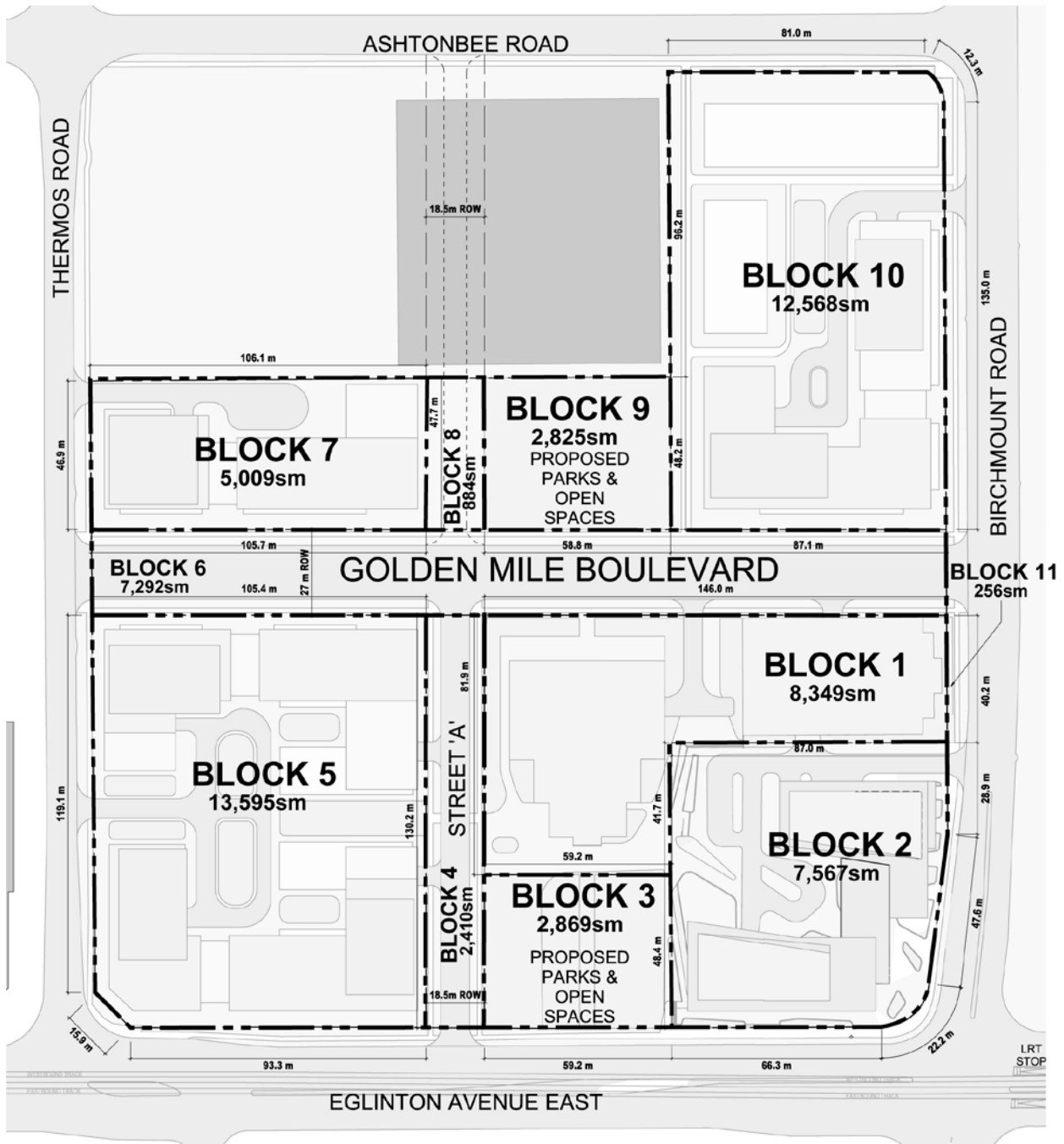
File # 20 154599 ESC 21 0Z

- Location of Application
- RD** Residential Detached
- RM** Residential Multiple
- RA** Residential Apartment
- E** Employment Industrial
- ON** Open Space Natural
- OR** Open Space Recreation

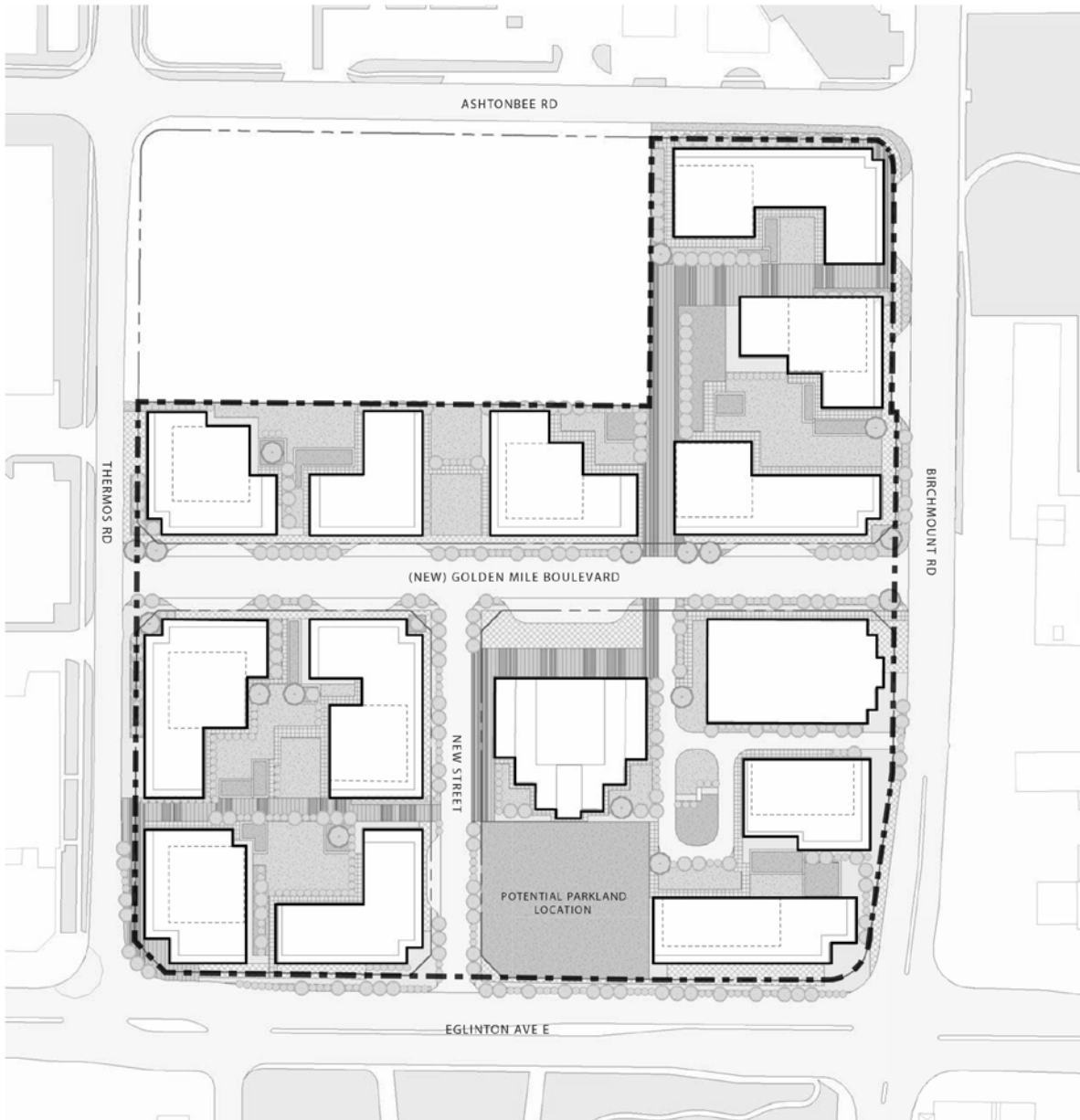
- See Former City of Scarborough Employment District By-law No. 24982 (Golden Mile)
- M** Industrial Zone
- MG** General Industrial Zone
- ME** Mixed Employment Zone
- MDC** Industrial District Commercial Zone
- I-SW** Institutional - Social Welfare Zone
- OU** Office Uses Zone
- See Former City of Scarborough Inview Community By-law No. 9089
- HC** Highway Commercial
- A and PW** Apartment Residential, Place(s) of Worship

Not to Scale
 Extracted: 08/12/2020

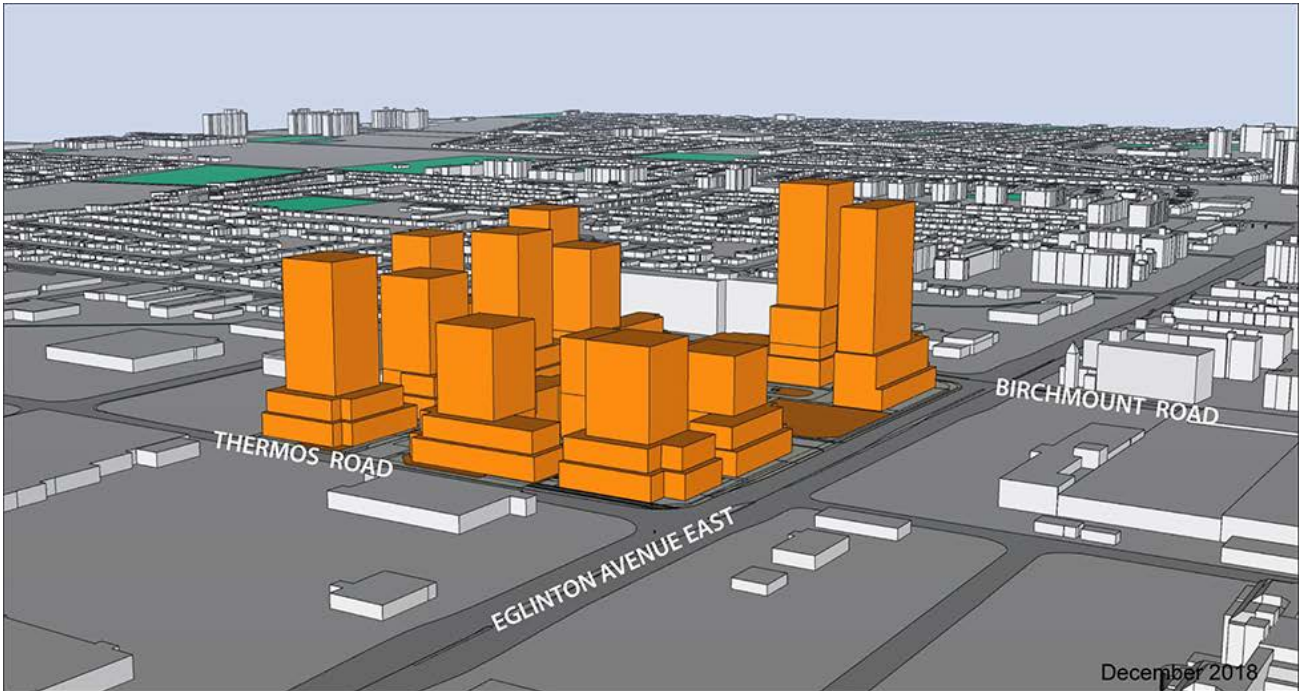
Attachment 5: Simplified Draft Plan of Subdivision




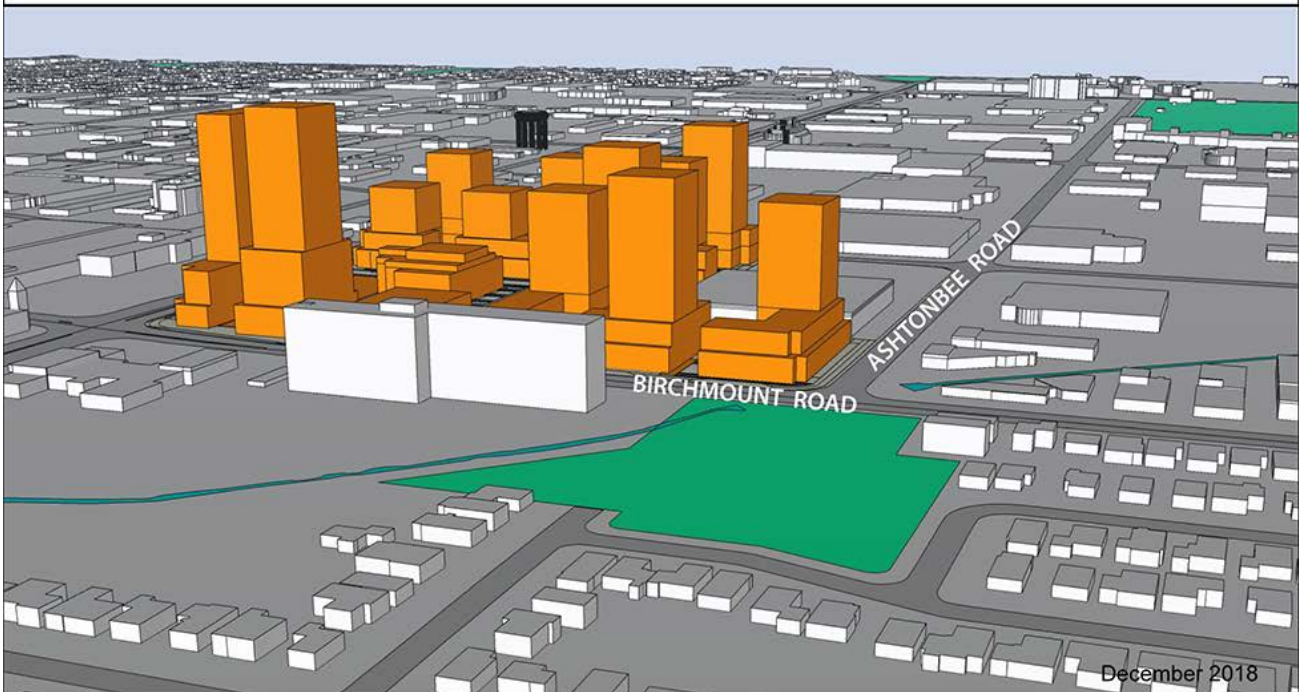
Attachment 6: Overall Concept Plan




Attachment 7: Conceptual 3D Massing



 Applicants Proposal. View looking north-east



 Applicants Proposal. View looking south-west



Attachment 8: Proposed Block 2 Site Plan - Rezoning Application 20 154599 ESC 21 OZ



Site Plan

