

Preliminary Report - 1966 to 1980 Eglinton Avenue East - Zoning By-law Amendment and Draft Plan of Subdivision Applications

Date: September 20, 2021

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: 21 - Scarborough Centre

Planning Application Numbers: 21 195478 ESC 21 OZ and 21 195467 ESC 21 SB

Related Applications: 15 258686 ESC 37 OZ

Notice of Complete Application Issued: September 7, 2021

Current Use(s) on Site: Four (4) one-storey commercial buildings of varying sizes and associated surface parking on the western portion of the RioCan lands at 1966 to 2050 Eglinton Avenue East and 50 Thermos Road. The remainder of the lands consists of four (4) one-storey retail buildings of varying sizes, including a Costco warehouse store, and associated surface parking.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the Zoning By-law Amendment and Draft Plan of Subdivision applications for the western (5.97-hectare) portion of the lands at 1966 to 2050 Eglinton Avenue East and 50 Thermos Road (RioCan lands). The eastern (4.75-hectare) portion of the lands are not included in these applications. The proposal consists of three (3) development blocks, including (one) 1 block for public parkland, and new streets. A total of six buildings are proposed (five residential towers and one mid-rise building) with heights that range from 12 to 48 storeys. The four (4) existing one-storey commercial buildings located on the western portion of the RioCan lands would be demolished. The applications are related to Official Plan Amendment Application No. 15 258686 ESC 37 OZ.

Staff are currently reviewing the applications, which have been circulated to all appropriate agencies and City divisions for comment.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the lands subject to the Zoning Amendment application for 1966 to 1980 Eglinton Avenue East, together with the Ward Councillor.
2. Staff provide notice for the community consultation meeting to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.
3. Staff process these applications within the context of the City Council-approved Official Plan Amendment No. 499 and the Golden Mile Secondary Plan.

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

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2014.PG32.4>

Golden Mile Market Analysis and Economic Study

The Golden Mile Market Analysis and Economic Strategy Study was completed in December 2016 and analyzed the existing economic and employment conditions in the Golden Mile. 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 Study ("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 GMSP 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)

Official Plan Amendment No. 499 ("OPA 499") was approved by City Council through By-law No. 911-2020 enacted on October 30, 2020. The City Council decision can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.SC18.1>

The new Golden Mile Secondary Plan ("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 has been appealed by multiple landowners and stakeholders within the GMSP area, including by the owner of the RioCan lands at 1966 to 2050 Eglinton Avenue East and 50 Thermos Road on November 30, 2020.

City Council also adopted the area-specific Golden Mile Urban Design Guidelines on October 30, 2020, concurrent with approval of OPA 499. The 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 (15 258686 ESC 37 OZ) - Preliminary Report

On April 5, 2016, Scarborough Community Council adopted the Preliminary Report dated March 15, 2016 from the Director, Community Planning, Scarborough District regarding the Official Plan Amendment application for the lands at 1966 to 2050 Eglinton Avenue East and 50 Thermos Road. The original application proposed to add a Site and Area-Specific Policy ("SASP") to permit a mixed-use development with new streets and parkland. The SASP would provide for a mixed-use community that would include a range of building heights, approximately 3,000 residential units (242,000

square metres of residential uses) and 58,000 square metres of non-residential uses, with a gross Floor Space Index ("FSI") of up to 2.8 times the area of the site, for a total of 300,000 square metres of gross floor area.

The Preliminary Report and Scarborough Community Council decision can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.SC13.18>

Appeal to the Ontario Land Tribunal (15 258686 ESC 37 OZ)

On November 24, 2017, the applicant filed an appeal to the Ontario Land Tribunal ("OLT") (formerly the Local Planning Appeal Tribunal ("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*.

Pre-hearing conferences were held on October 23, 2018, July 10, 2019, February 25, 2020, October 9, 2020, January 22, 2021, and May 28, 2021. A hearing has been scheduled on the Official Plan Amendment application for October 17 to November 4, 2022.

Official Plan Amendment Application (15 258686 ESC 37 OZ) - Request for Directions Reports

On January 29, 2020, City Council adopted a Request for Directions Report dated December 20, 2019, from the Director, Community Planning, Scarborough District regarding the Official Plan Amendment application. The report was based on the original application, which was submitted in November 30, 2015, at a proposed FSI of 2.8 times the area of the RioCan lands.

City Council directed the City Solicitor, together with appropriate staff and/or external consultants as may be appropriate, to attend the OLT hearing to support the applicant's appeal respecting the Official Plan Amendment application up to a maximum gross FSI of 3.0 times the area of the site, subject to the resolution of the matters contained in the report. City Council also advised the City Solicitor and appropriate City Staff to continue discussions with the applicant and resolve the above-noted outstanding issues, and report back to City Council on the outcome of discussions, if necessary.

The Request for Directions Report dated December 20, 2019, and the related City Council decision can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.SC12.5>

On November 25, 2020, the applicant submitted a revised proposal related to the Official Plan Amendment application. On April 28, 2021, the applicant submitted a revised draft Official Plan Amendment (SASP) in support of the November 2020 submission. The revised application proposes to permit a mixed-use development that would include multiple mid-rise and tall buildings with building heights that range from 11 to 48 storeys; a total gross floor area of 396,797 square metres, of which 390,168 square metres (98 per cent) are for residential uses, and 6,629 square metres (2 per cent) are for retail uses; 4,915 residential units; and a gross FSI of 3.7 times the site area. The existing buildings would be demolished.

The Request for Directions Report dated June 3, 2021, and the related City Council decision can be found at:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.SC25.3>

ISSUE BACKGROUND

Application Description

The Draft Plan of Subdivision application for the 5.97-hectare western portion of the RioCan lands proposes three public new streets, a road widening along Eglinton Avenue East and three (3) development blocks. The development blocks are summarized as follows:

- Block 1 would have an area of approximately 1.09 hectares, a frontage of approximately 84 metres along Eglinton Avenue East and would abut new public Streets B and C. Block 1 would also abut a new north-south public street to the west (the majority of this new north-south public street is proposed to be constructed as part of the development of the adjacent lands at 1960 Eglinton Avenue East (Cosmetica lands);
- Block 2 would have an area of approximately 1.35 hectares, a frontage of approximately 77 metres along Eglinton Avenue East and would abut new public Streets A, B and C; and
- Block 3 would have an area of approximately 1.94 hectares, a frontage of approximately 162 metres along Ashtonbee Road and would abut new Streets A and B.

See Attachment 8: Draft Plan of Subdivision.

The Zoning By-law Amendment application proposes to amend the former City of Scarborough Employment Districts Zoning By-law No. 24982 (Golden Mile Employment District), as amended, for the western (5.97-hectare) portion of the RioCan lands (consistent with the Draft Plan of Subdivision application). The application proposes a total gross floor area of 190,718 square metres, of which 186,414 square metres are residential uses (98 per cent) and 4,304 square metres for retail uses (2 per cent). The application proposes a floor space index ("FSI") of approximately 1.89 times the overall gross site area and 3.19 times the area of the western portion of the RioCan lands related to the subject applications.

The Zoning By-law Amendment application proposes a total of 2,434 residential units (58 per cent: 1-bedroom units; 32 per cent: 2-bedroom units; and 10 per cent: 3-bedroom units). The proposal would include a total of 9,963 square metres of residential amenity space (5,053 square metres of indoor amenity space (two square metres per dwelling unit) and 4,910 square metres of outdoor amenity space (two square metres per dwelling unit). The four existing one-storey commercial buildings on the western portion of the RioCan lands would be demolished to accommodate the proposal.

A total of 1,913 parking spaces are proposed for the four buildings and would be provided in underground parking garages. A total of 1,851 bicycle parking spaces, six Type 'G' loading spaces and Five Type 'C' loading spaces would also be provided.

The Zoning By-law Amendment application proposes three (3) development blocks and a total of six (6) buildings, as follows:

- **Building A1 on Block 1 (Draft Plan Block 2):** Building A1 would include two towers being 41 storeys (east) and 48 storeys (west) in height, with a six-storey base building. A total gross floor area of 74,127 square metres (71,943 square metres for residential uses and 2,184 square metres for retail uses) and 933 residential units are proposed. A total of 1,867 square metres of outdoor amenity space (on the 8th storey) and 906 square metres of indoor amenity space (on the 2nd and 7th storeys) are proposed;
- **Building A2 on Block 1 (Draft Plan Block 2):** Building A2 would consist of a 37-storey residential tall building with frontage onto new public Streets B and C, and a 7-storey podium with frontage onto new public Street B. A total (residential) gross floor area of 33,781 square metres and 450 residential units are proposed. A total of 905 square metres of outdoor amenity space (on the 2nd and 7th storeys) and 906 square metres of indoor amenity space (on the mezzanine level, 2nd and 8th storeys) are proposed;
- **Building B1 on Block 2 (Draft Plan Block 3):** Building B1 would include two towers being 36 storeys (east) and 40 storeys (west) in height, with a six-storey base building. A total gross floor area of 62,637 square metres (60,517 square metres for residential uses and 2,120 square metres for retail uses) and 783 residential units are proposed. A total of 1,572 square metres of outdoor amenity space (on the 2nd and 7th storeys) and 1,680 square metres of indoor amenity space (on the 2nd and 7th storeys) are proposed;
- **Building B2 on Block 2 (Draft Plan Block 3):** Building B2 would consist of a 12-storey residential building with frontage onto new public Streets A and C. A total (residential) gross floor area of 20,173 square metres and 268 residential units are proposed. A total of 566 square metres of outdoor amenity space (at grade and on the 7th storey) and 597 square metres of indoor amenity space (at grade and on the 7th storey) are proposed; and
- **Block 3 (Draft Plan Block 1):** would consist of 19,362 square metres of public parkland.

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

See Attachments 1 and 2: 3D Model of Proposal in Context for a three dimensional representation of the project in context.

See Attachment 3: Location Map for a two dimensional view of the subject site and surrounding context.

See Attachment 4: Site Plan for a conceptual site plan for the site.

See Attachment 8: Draft Plan of Subdivision for the proposed blocks and streets.

LEGISLATIVE AND POLICY CONSIDERATIONS

Planning Act

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.

Section 51(24) of the Planning Act

Section 51(24) of the *Planning Act* establishes criteria to evaluate a Draft Plan of Subdivision to ensure regard shall be had to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality, including:

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;
- (b) whether the proposed subdivision is premature or in the public interest;
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;
- (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;
- (e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;
- (f) the dimensions and shapes of the proposed lots;
- (g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;
- (i) the adequacy of utilities and municipal services;
- (j) the adequacy of school sites;
- (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;
- (l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and
- (m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land.

These relevant criteria under section 51(24) of the *Planning Act*, which all approval authorities shall have regard for in carrying out their responsibilities under the *Planning Act*, are particularly relevant to the proposed draft plan of subdivision. Section 51(25) of the *Planning Act* also authorizes that the City may impose conditions on such approval of any draft plan of subdivision.

Provincial Policy Statement and Provincial Plans

Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)"). The PPS and all Provincial Plans can be found on the Ministry of Municipal Affairs and Housing website.

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 update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSA's will achieve appropriate densities and built form at that time.

Delineated Protected Major Transit Station Areas ("PMTSAs") will be a subset of all 180+ MTSA's that the City can delineate before the MCR is concluded. In order to delineate PMTSA's 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 will review the proposed development for consistency with the PPS and for conformity with the Growth Plan (2020).

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 lands at 1966 to 1980 Eglinton Avenue East are identified as an *Avenue* on Map 2 of the Official Plan and are designated *Mixed Use Areas* on Map 20 (see Attachment 5: Official Plan Map (Pre-OPA 499)).

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

Site and Area Specific Policy No. 129

Lands south and north of Eglinton Avenue East between Pharmacy Avenue and Birchmount Road are subject to SASP No. 129, which permits retail and services uses, including stand-alone retail stores and/or power centers, subject to amendments to the zoning by-law. The implementation of this policy may require the provision of additional public streets 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 GMSP area from SASP No. 129.

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 OLT. The OLT (formerly the LPAT and the Ontario Municipal Board prior to that) 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, do direction on the minimum standards for commercial development and increased non-residential gross floor area within mixed use buildings.

Official Plan Amendment 456: Transportation Policies

On June 9, 2021, the Minister of Municipal Affairs and Housing approved city-wide amendments to the Official Plan's transportation policy and text changes ("OPA 456") 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 September 11, 2020, the Minister of Municipal Affairs and Housing approved city-wide amendments to the Official Plan regarding public realm ("OPA No. 479") and built form ("OPA No. 480") as part of the Five-Year Official Plan Review under Section 26 and Subsection 17(34) of the Planning Act. These OPAs replace Sections 3.1.1, 3.1.2 and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types to:

- Promote a walkable city;
- Clarify the role of the public realm and the need for new public streets;
- Introduce development criteria for low-rise, mid-rise and tall buildings; and
- Promote public squares and Privately Owned Publicly-Accessible Spaces ("POPS").

OPA 479 regarding public realm can be found at:

<https://www.toronto.ca/legdocs/bylaws/2020/law0083.pdf>

OPA 480 regarding built form can be found at:

<https://www.toronto.ca/legdocs/bylaws/2020/law0084.pdf>

Official Plan Amendment 499 - Golden Mile Secondary Plan

On October 30, 2020, City Council adopted OPA 499, including the Golden Mile Secondary Plan. The Plan Area is generally located along Eglinton Avenue East, between Victoria Park Avenue and Birchmount Road, and includes the subject property. The Golden Mile Secondary Plan provides a long-term planning framework for transit-supportive mixed-use development and provides policy direction to advance the vision for the Golden Mile as a complete, liveable, connected, responsive, prosperous, and resilient mixed-use community that includes a balance of uses, supported by community services.

As indicated on Attachment 6: Official Plan Land Use Map (OPA 499), OPA 499 retains the Mixed Use Areas designation for the majority of the property at 1966 to 1980 Eglinton Avenue East and introduces a new mid-block Parks designation, which would be bisected by a new east-west street, north of Eglinton Avenue East). The southern (smaller) Parks designation area would have frontage onto Eglinton Avenue East and is generally located east of the subject application.

The City of Toronto Official Plan, including the Golden Mile Secondary Plan, and the above-noted OPAs and SASPs can be found here:

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

Zoning

The site is not subject to City-wide Zoning By-law 569-2013, as amended. As such, the site is zoned Mixed Employment ("ME") under former City of Scarborough Employment Districts Zoning By-law No. 24982 (Golden Mile Employment District), as amended. The ME Zone permits a range of commercial and institutional uses. Industrial uses are permitted provided all uses are conducted within buildings.

See Attachment 7: Existing Zoning By-law Map.

Design Guidelines

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

- Golden Mile Urban Design Guidelines;
- City-Wide Tall Building Guidelines;
- Mid-Rise Building Guidelines;
- Growing Up: Planning for Children in New Vertical Communities Guidelines;
- Pet-Friendly Guidelines; and
- Retail Design Manual.

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

The Golden Mile Urban Design Guidelines can be found here:

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

Site Plan Control

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

COMMENTS

Reasons for the Application

The Zoning By-law Amendment application has been submitted to enable the mixed-use development of the western portion of the subject lands with predominantly residential uses and provide for new development standards. The Draft Plan of Subdivision application has been submitted in support of the related Official Plan Amendment application (15 258686 ESC 37 OZ) to create a framework for new blocks and streets to guide development on this portion of the subject lands.

Issue to be Resolved

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

Provincial Policies and Plans Consistency/Conformity

These applications will be evaluated for consistency with the PPS and conformity with the Growth Plan (2020).

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

With regard to the PPS, staff will evaluate the proposed development against the policies that promote complete communities including opportunities for local employment; a mix of housing, recreation, parks and open space, and transportation choices. These policies are relevant for the subject site, which proposes 2,434 residential units to be located between the future Eglinton Crosstown LRT ("ECLRT") stops (under construction) at Warden Avenue and Birchmount Road.

With regard to the Growth Plan (2020), staff will evaluate the application against the density targets adjacent to rapid transit stations (LRT stops). The five ECLRT stops in the Golden Mile have not been identified as MTSAs in the Official Plan at this point. Staff will review the application against the Growth Plan (2020) with respect to employment strategies to attract and retain jobs, and the requirement to provide a range of housing options, public service facilities, recreation and green space.

The applications will be evaluated against the policies and objectives of the *Planning Act*, PPS and the Growth Plan (2020). In particular, the proposal will be evaluated in regards to the promotion of well-designed built form, the range of housing options and mixture of uses, and whether it complies with the municipal direction for growth.

Official Plan Conformity

Staff are reviewing the Zoning By-law Amendment application to determine its conformity with the Official Plan Policies, pertaining to *Mixed Use Areas*, Healthy Neighbourhoods, Housing, Parkland, and Public Art, amongst others. Staff will also review the subject Zoning By-law Amendment application within the context of the City Council-approved OPA 499 and the Secondary Plan as they relate to the lands at 1966 to 1980 Eglinton Avenue East and broader the Secondary Plan area, and having regard to the overall public realm, built form and density provisions being proposed through the above-noted Official Plan Amendment application.

Public Realm, Built Form, Existing and Planned and Context

Staff will evaluate whether the Zoning By-law Amendment application is contextually appropriate with the existing and planned context for the entire site at 1966 to 2050 Eglinton Avenue East and 50 Thermos Road, OPA 499, including the Secondary Plan, and the related Golden Mile Urban Design Guidelines.

Staff will review public realm elements, including public parkland, streetscape along Eglinton Avenue East, new streets, pedestrian and cycling connections, privately-owned publicly accessible open space ("POPS"), public art, and any interim public realm improvements to the eastern portion of the RioCan lands (not subject to the current Zoning By-law Amendment and Draft Plan of Subdivision applications), with particular attention to pedestrian connections to the existing retail uses.

Staff will also evaluate the appropriateness of the proposed built form, including building type, height, massing, and scale, as well as the Pedestrian Level Wind and Sun/Shadow Studies submitted with the subject application. Additional built form issues may be identified through the review of the application.

The applicant submitted a Block Context Plan, which is being reviewed by staff. The purpose of the Block Context Plan is to demonstrate how the development of the western portion of the RioCan lands fits within the proposed master plan for the entire site, as well as the planned context established by the Secondary Plan.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). The subject property generally contains public (City-owned) trees along the Eglinton Avenue East. Urban Forestry and City Planning staff are currently reviewing the Tree Preservation Plan and Arborist Report submitted in support of the Zoning By-law Amendment application, which identifies the existing public and/or private trees that will be preserved.

Housing

A Housing Issues Report ("HIR") was submitted in support of the related Official Plan Amendment application (15 258686 ESC 37 OZ) in November 2015, followed by an HIR Addendum in March 2016. The applicant has submitted an updated HIR in support of the current Zoning By-law Amendment application. The application proposes a range of residential unit sizes, including 32 per cent two-bedroom units (779 units) and 10 per cent three-bedroom units (243 units). The applicant will be encouraged to provide the minimum 35 per cent of the units as larger units suitable for a broad range of households, including families with children, which is consistent with the housing policies in the Golden Mile Secondary Plan. Staff will also be pursuing opportunities to incorporate affordable housing units within the proposed development with the applicant.

Community Service Facilities

Community Services and Facilities ("CS&F") are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

As part of this Zoning By-law Amendment application, the applicant has submitted an update to the CS&F Study that was submitted with the original Planning Rationale in support of the related Official Plan Amendment application (15 258686 ESC 37 OZ).

Section 37 Community Benefits

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

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

Planning staff also note that Section 37 has been altered and replaced with the New Community Benefits Charge regime. The new regime, while in place in legislation, provides for a transition period. The continued use of the Section 37 density bonusing framework remains in place and will be utilized where applicable until the City passes a Community Benefit Charge by-law.

Infrastructure/Servicing Capacity

The applications are being reviewed in the context of the mobility and servicing policies in the Secondary Plan. In particular, staff will determine whether there is sufficient infrastructure (streets, transit, water, sewage, hydro, community services and facilities, etc.) capacity to accommodate the proposed development and the potential cumulative impact of all proposed application in the Golden Mile area. The applicant is required to provide servicing phasing plans for the entire lands at 1966 to 2050 Eglinton Avenue East and 50 Thermos Road to confirm how the buildings in each phase will be serviced. The phasing plans should clearly identify the upgrades required to municipal sewers and watermain in each phase, and clarify how the upgrades will be cost-shared between the landowners. The applicant is also required to provide a revised Functional Servicing Report outlining the municipal works necessary for this development, including water distribution analysis and sanitary sewer analysis to identify required improvements to the existing system.

The City is currently proceeding with Phases 3 and 4 of the Municipal Class Environmental Assessment ("MCEA") process for the Golden Mile area. The exact location, alignment and design of the identified transportation network improvements including the new east-west street, north of Eglinton Avenue East, will be determined as part of the MCEA process and may impact the proposed development application.

The applicant submitted a Transportation Impact Study ("TIS") in support of the Official Plan Amendment application (15 258686 ESC 37 OZ). A revised TIS has been submitted in support of this Zoning By-law Amendment application and is under review for the potential impact of the development on the existing and planned transportation network. Staff will review the proposal in the context of the planned transportation network included in the Golden Mile Transportation Master Plan ("TMP"), which identifies the transportation improvements required to support the proposed growth in the GMSP area and the associated timing for the completion of those improvements. The revised TIS needs to demonstrate how the proposed incremental growth would impact the Golden Mile area and how the transportation issues would be address. The applicant will be required to consider additional transportation network improvements beyond those secured in the GMSP, especially improvements to the cycling, pedestrian, and transit network, to support the suggested additional density.

Staff will also be pursuing a road widening dedication of approximately 3.0 metres along the entire Eglinton Avenue East frontage of the subject site to achieve the new 43-metre ROW width being proposed for this street on Official Plan Map 3, Right-of-Way Widths Associated with Existing Major Streets, through OPA 499. A portion of the widening will be required as part of the subject application, if approved.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard ("TGS"). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The TGS Checklist submitted by the applicant is currently under review by City staff for compliance with the Tier 1 performance measures.

On-site Parkland

The applicant is currently proposing 19,362 square metres of on-site parkland dedication on Block 3 (Draft Plan Block 1) on the northwestern portion of the RioCan lands. City Planning and Parks, Forestry and Recreation staff will review parkland dedication requirements in the context of OPA 499 and the public realm policy objectives in the Secondary Plan, as well as the proposed phasing and delivery of the public parkland in the context of the overall development.

Other Matters

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

CONTACT

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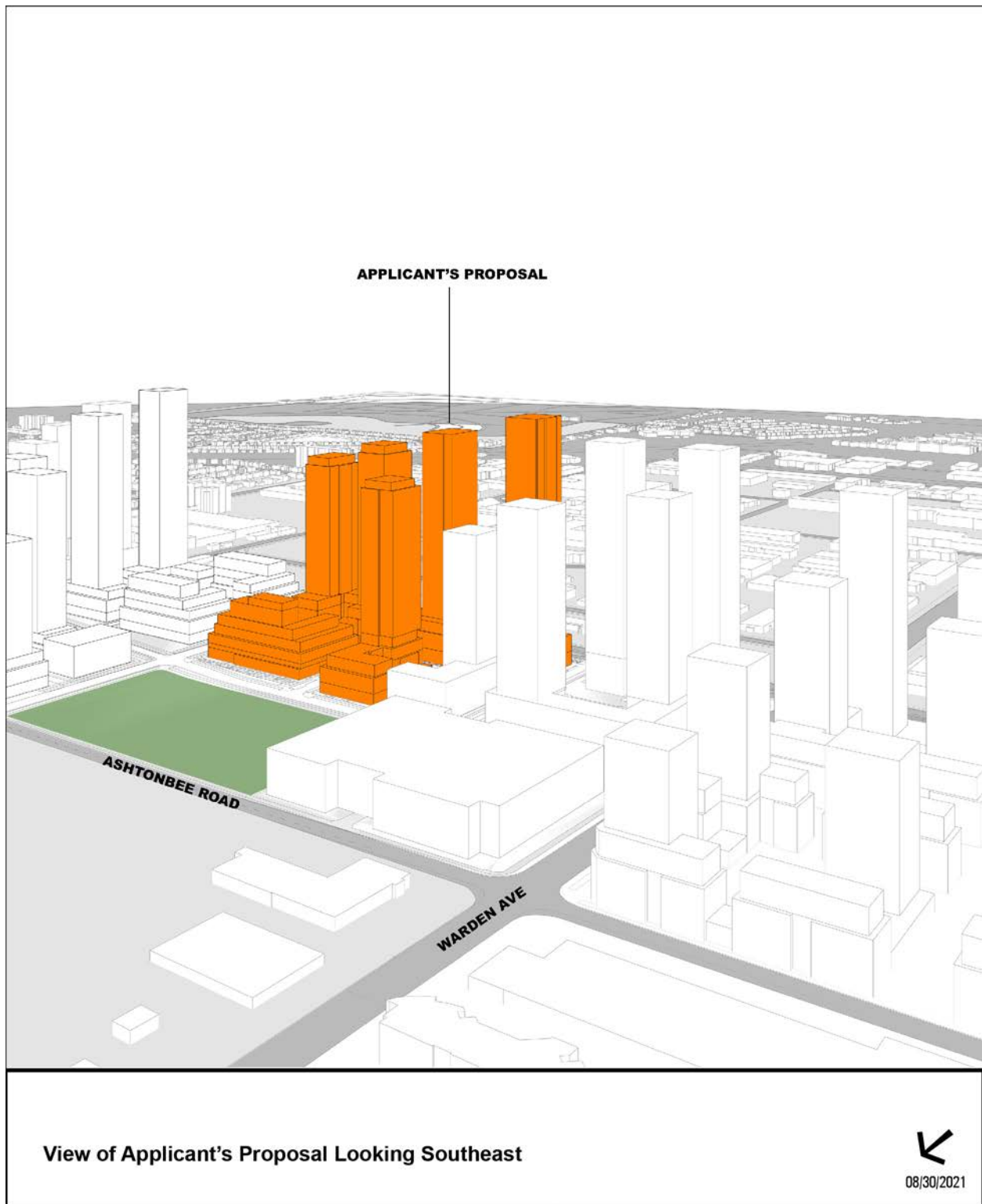
Paul Zuliani, MBA, RPP, Director,
Community Planning, Scarborough District

ATTACHMENTS

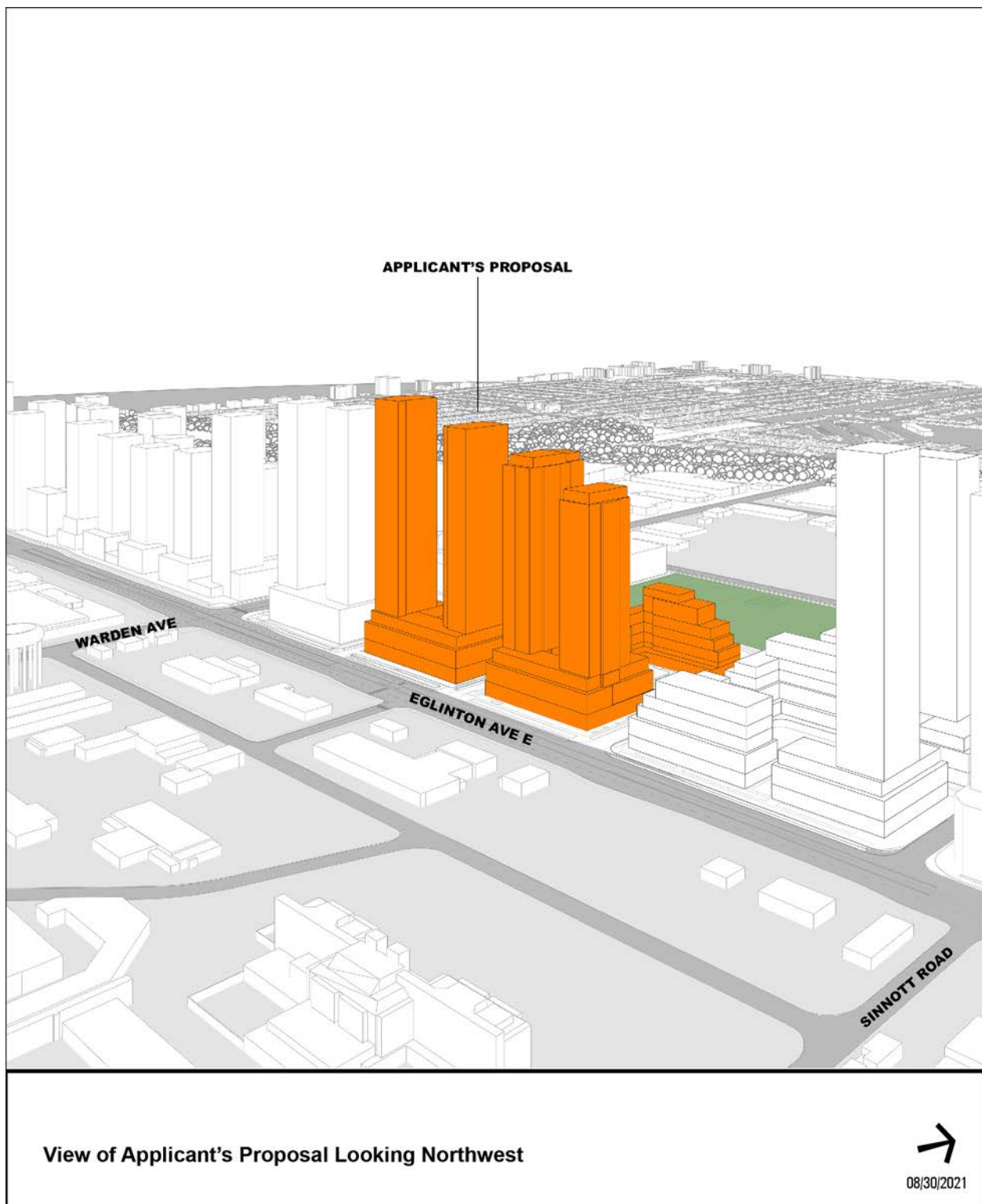
City of Toronto Drawings

- Attachment 1: 3D Model of Proposal in Context (view looking southeast)
- Attachment 2: 3D Model of Proposal in Context (view looking northwest)
- Attachment 3: Location Map
- Attachment 4: Site Plan
- Attachment 5: Official Plan Map (Pre-OPA 499)
- Attachment 6: Official Plan Map (OPA 499)
- Attachment 7: Existing Zoning Map
- Attachment 8: Draft Plan of Subdivision

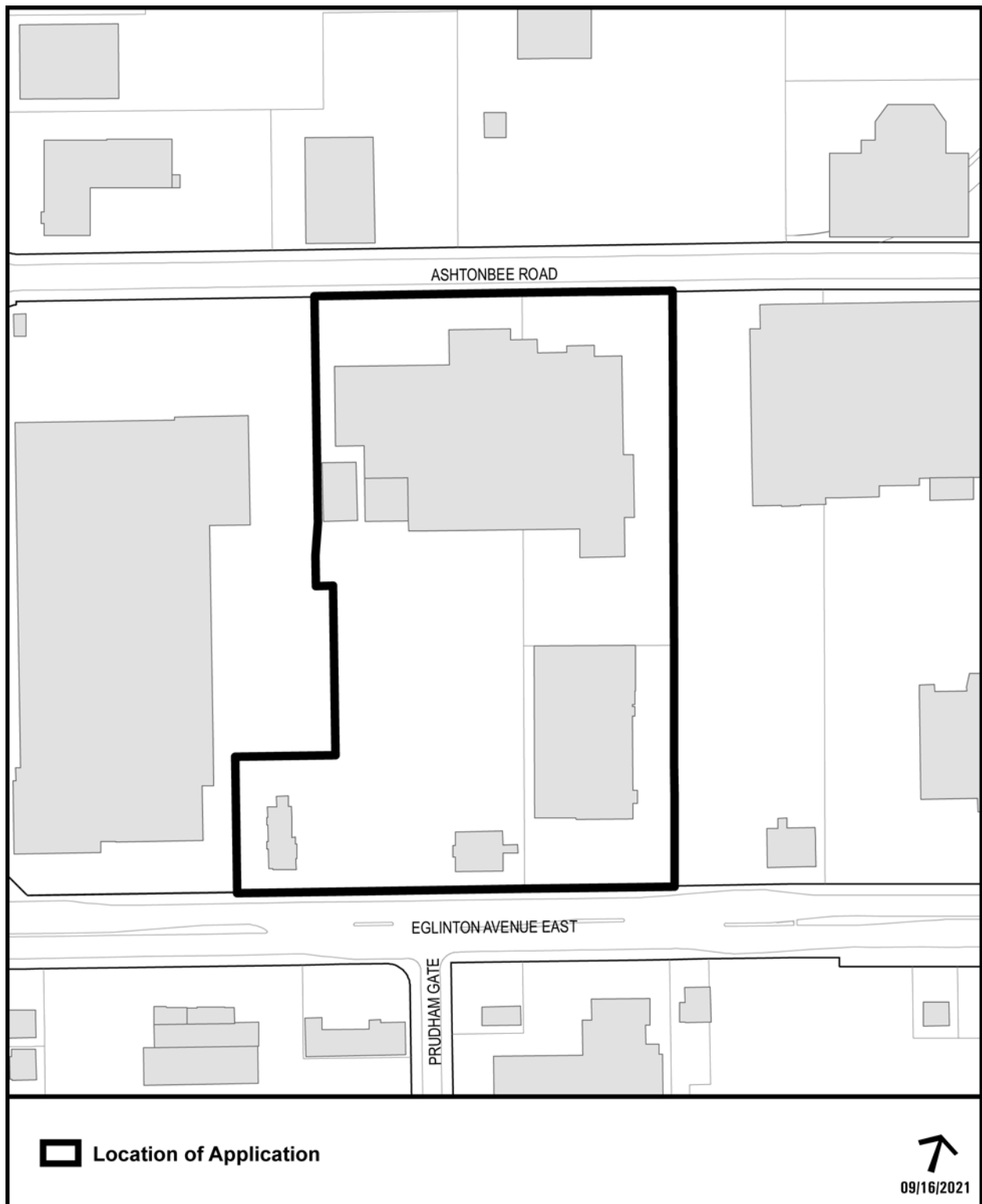
Attachment 1: 3D Model of Proposal in Context (view looking southeast)



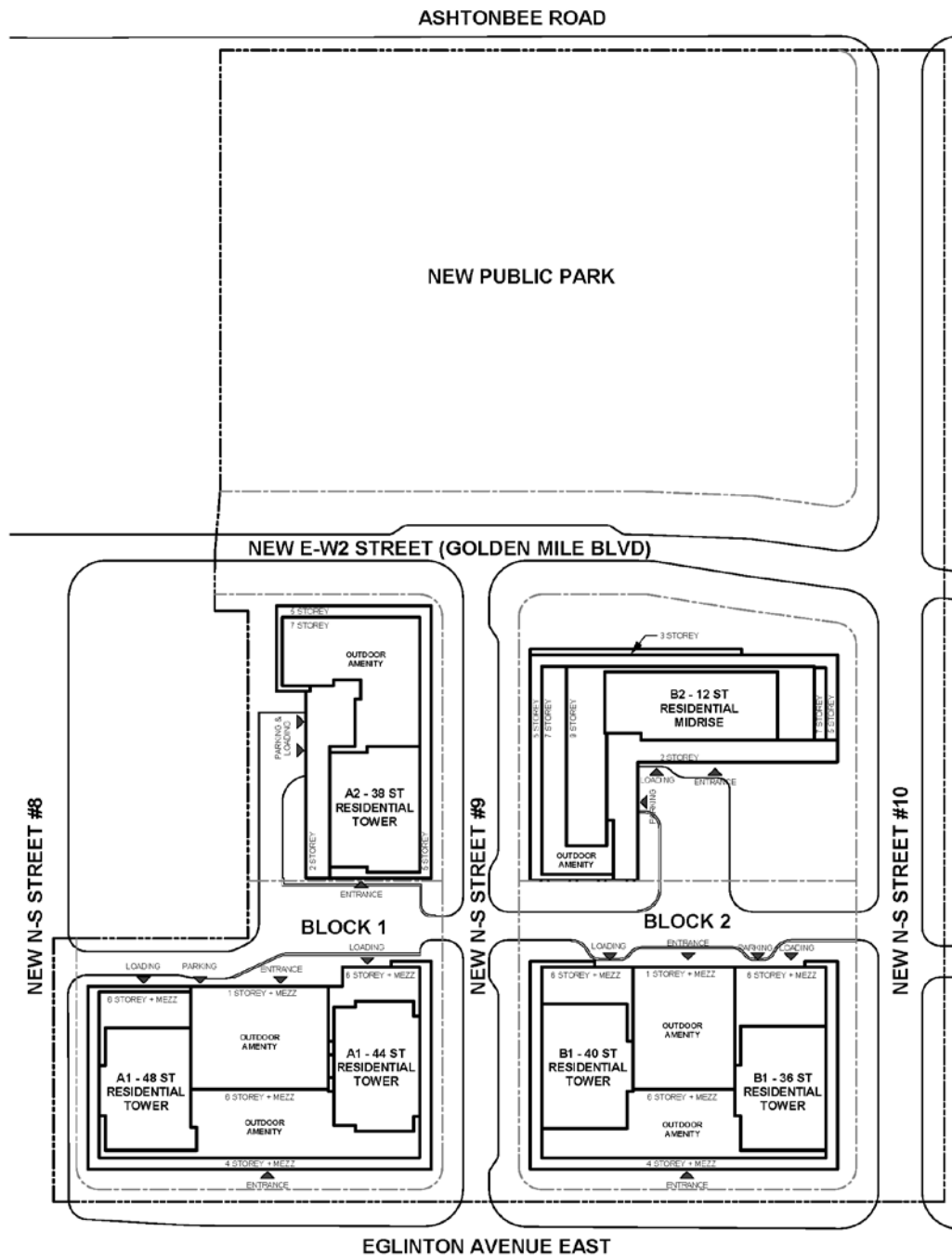
Attachment 2: 3D Model of Proposal in Context (view looking northwest)



Attachment 3: Location Map



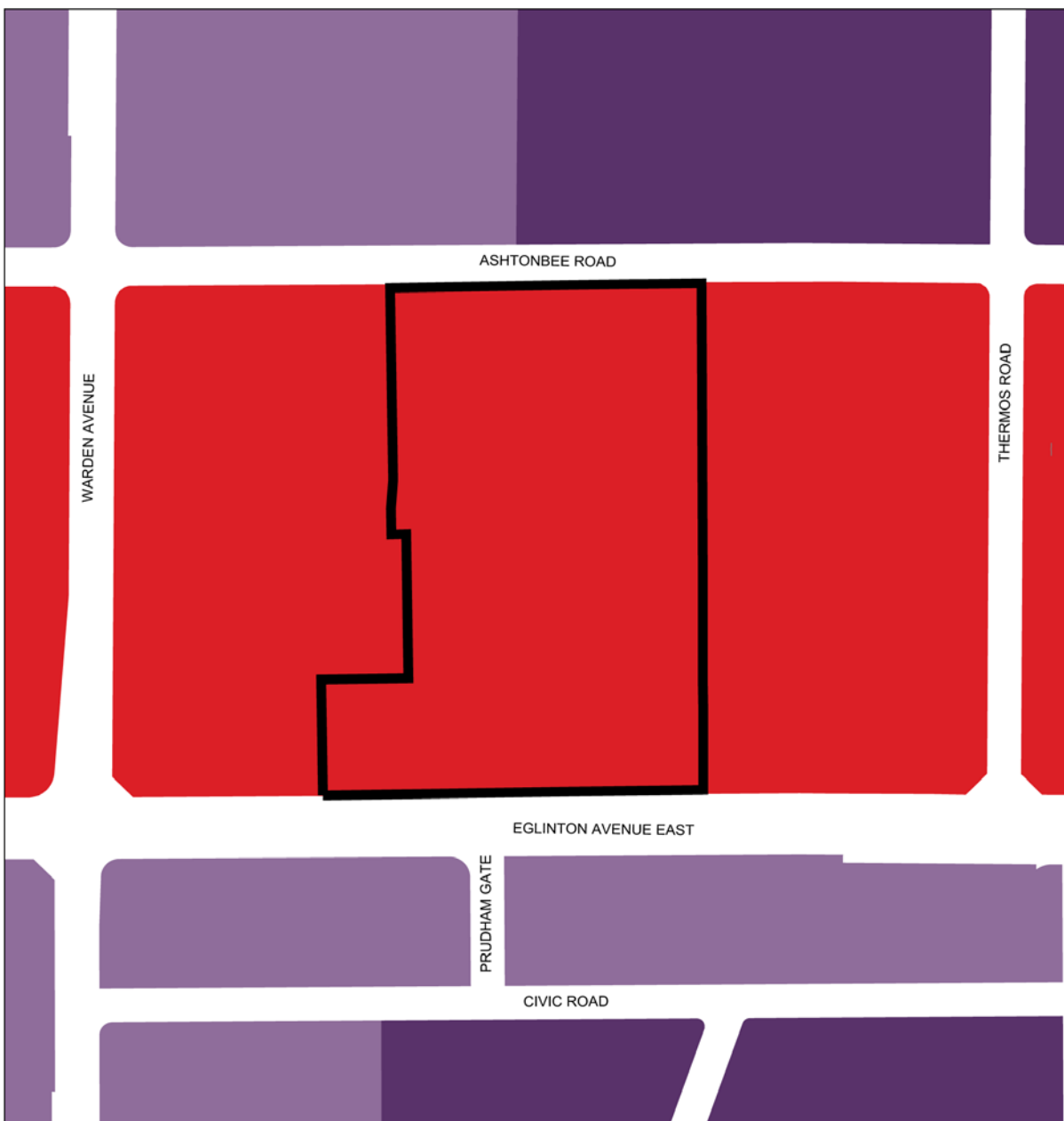
Attachment 4: Site Plan



Site Plan



Attachment 5: Official Plan Map (Pre-OPA 499)



Official Plan Land Use Map #20

1966-1980 Eglinton Avenue East

File # 21 195478 ESC 21 0Z



Location of Application

Mixed Use Areas



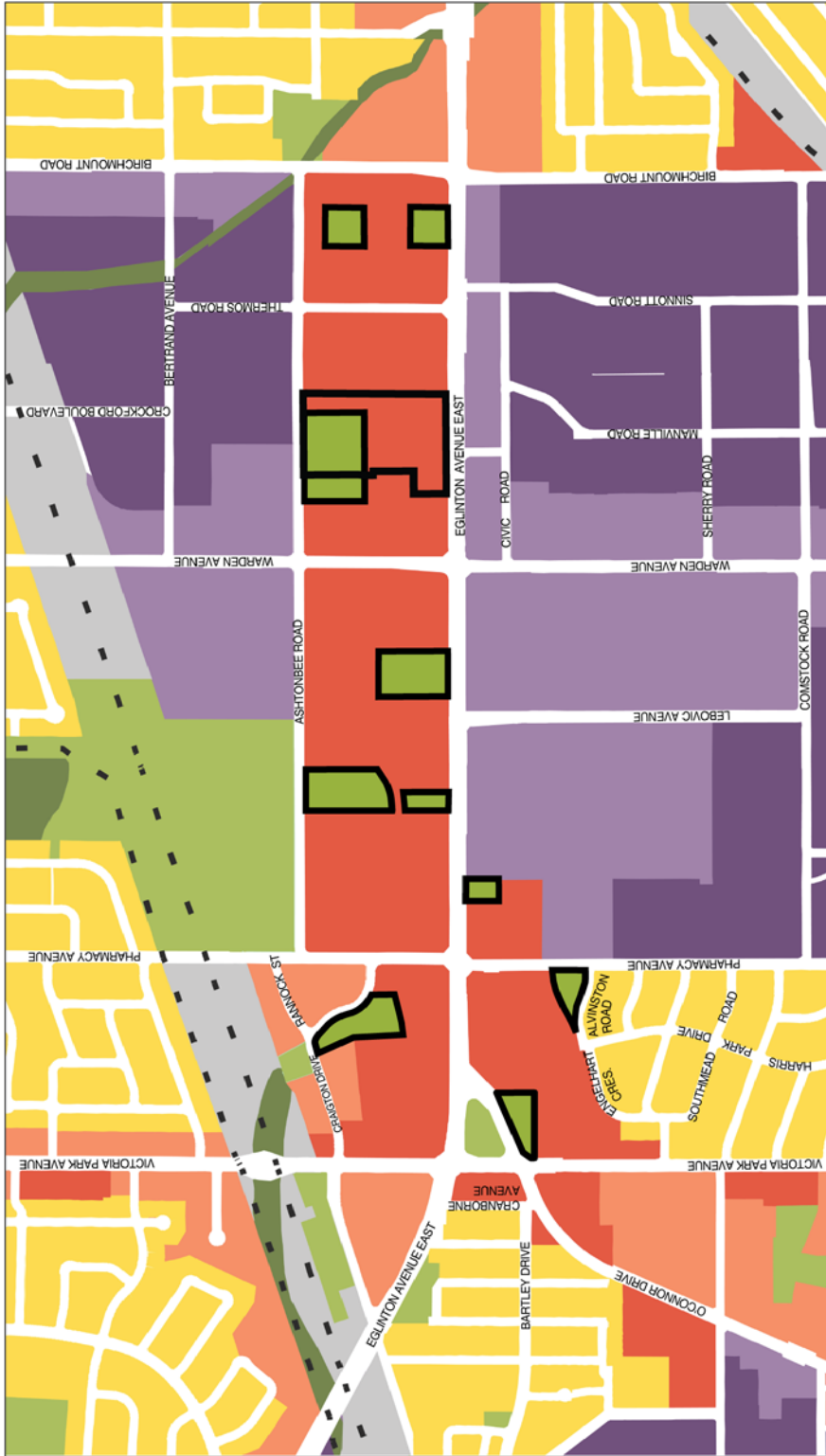
General Employment Areas

Core Employment Areas



Not to Scale
Extracted: 08/16/2021

Attachment 6: Official Plan Map (OPA 499)

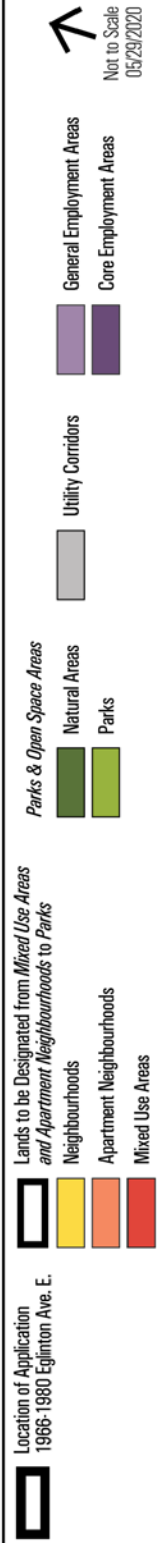


Golden Mile Secondary Plan

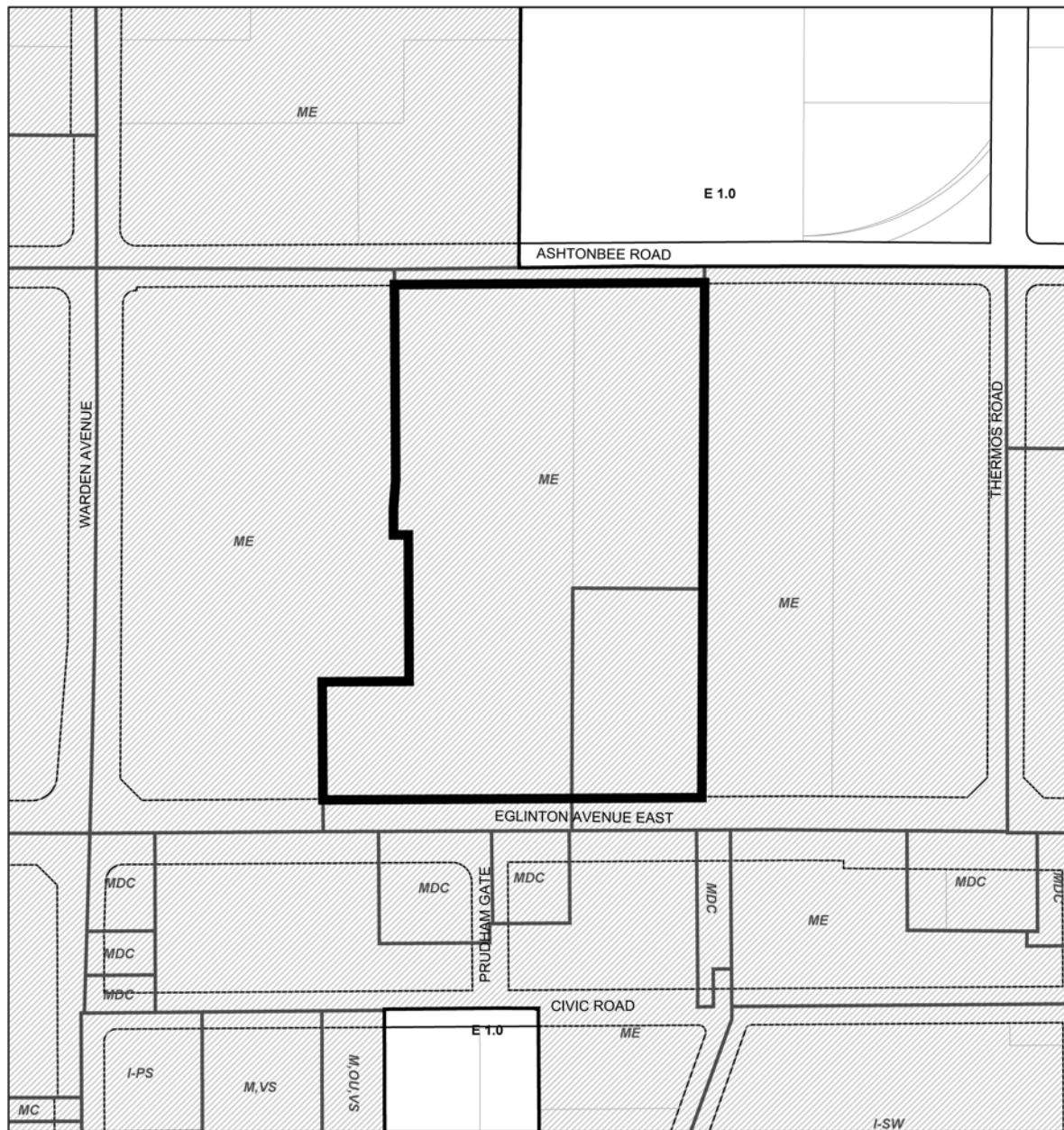
Official Plan Amendment # 499

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

File # 17 134997 EPS 00 TM



Attachment 7: Existing Zoning Map



Zoning By-law 569-2013

1966-1980 Eglinton Avenue East

File # 21 195478 ESC 21 02



Location of Application

E

Employment Industrial



See Former City of Scarborough Employment District By-Law No. 24982

M

ME

OU

MDC

I-PS

I-SW

I-E

Industrial Zone

Mixed Employment Zone

Office Uses Zone

Industrial District Commercial Zone

Institutional - Public Services Zone

Institutional - Social Welfare Zone

Institutional - Educational Zone

M,OU

M,VS

Industrial Zone, Office Uses Zone

Industrial Zone, Vehicle Service Zone



Not to Scale
Extracted: 08/16/2021

Attachment 8: Draft Plan of Subdivision

