

Preliminary Report - 2200 to 2206 Eglinton Avenue East, 1020 to 1030 Birchmount Road and 75 Thermos Road - Zoning By-law Amendment Application

Date: September 20, 2021

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Wards: 21 - Scarborough Centre

Planning Application Number: 21 166739 ESC 21 OZ

Related Applications: 18 206702 ESC 37 OZ, 20 154640 ESC 21 SB and 20 154599 ESC 21 OZ

Notice of Complete Application Issued: July 19, 2021

Current Use(s) on Site: A seven-storey office building at 2206 Eglinton Avenue East, a vacant three-storey commercial building located at 2200 to 2202 Eglinton Avenue East, two industrial buildings at 1020 Birchmount Road, a power house building on Thermos Road, two above-grade parking structures, and surface parking.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the Zoning By-law Amendment application for Phase 2 of the development ("ZBA 2 lands") for the lands at 2200 to 2206 Eglinton Avenue East, 1020 to 1030 Birchmount Road and 75 Thermos Road (Dream lands). The application is related to Official Plan Amendment (18 206702 ESC 37 OZ) and Draft Plan of Subdivision (20 154640 ESC 21 SB) applications, both of which apply to the entire site ("OPA lands"). This application excludes the southeast portion of the OPA lands, which is subject to the Zoning By-law Amendment (20 154599 ESC 21 OZ) application for Phase 1 of the development ("ZBA 1 lands"). The ZBA 2 application proposes a mixed-use development on four (4) blocks, building heights that range from two (2) to 48 storeys and a total of 2,363 residential units.

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 Phase 2 of the development ("ZBA 2 lands") for 2200 to 2206 Eglinton Avenue East, 1020 to 1030 Birchmount Road and 75 Thermos Road, together with the Ward Councillor.
2. Staff provide notice for the community consultation meeting to landowners and residents within 120 metres of the Zoning By-law Amendment application for Phase 2 lands ("ZBA 2 lands"), 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 the Zoning By-law Amendment application for Phase 2 lands ("ZBA 2 lands") 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 OPA lands at 2200-2206 Eglinton Avenue East, 1020-1030 Birchmount Road and 75 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 (18 206702 ESC 37 OZ) - Preliminary Report

The applicant submitted an Official Plan Amendment application on August 9, 2018, which was deemed complete as of that date. The application proposed to add a Site and Area-Specific Policy ("SASP") for the OPA lands to permit a mixed-use development 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>

Appeal to the Ontario Land Tribunal (18 206702 ESC 37 OZ)

On April 23, 2020, the applicant filed an appeal to 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*.

Case Management Conferences were held on October 26, 2020 and February 24, 2021. A hearing on the Official Plan Amendment application has been scheduled for April 18 to May 6, 2022.

Zoning By-law Amendment Application (20 154599 ESC 21 OZ) and Draft Plan of Subdivision Application (20 154640 ESC 21 SB) - Preliminary Report

On June 10, 2020, the applicant submitted a Zoning By-law Amendment application for the 0.75-hectare ZBA 1 lands, as well as Draft Plan of Subdivision application for the OPA lands (consistent with Official Plan Amendment Application No. 18 206702 ESC 37 OZ).

The rezoning application proposes two mixed-use buildings with heights of 39- and 46-storeys, connected by a three (3) to four (4) storey podium component. A total gross floor area of 65,699 square metres (64,861 square metres for residential uses, 612 square metres for retail uses and 226 square metres for child care uses) and 976 residential units are proposed.

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. City 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>

Official Plan Amendment Application (18 206702 ESC 37 OZ) - Request for Directions Report

On March 10, 2021, City Council adopted a Request for Directions Report dated February 8, 2021, 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 August 2018.

City Council directed the City Solicitor, together with appropriate staff and/or external consultants as may be appropriate, to attend the OLT hearing to oppose the applicant's appeal respecting the Official Plan Amendment application, to continue discussions with the applicant to resolve the outstanding matters contained in the Request for Directions Report dated February 8, 2021, from the Director, Community Planning, Scarborough District, and report back to City Council on the outcome of discussions, if necessary.

The Request for Directions Report and City Council decision can be found at:
<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.SC22.8>

Revised Official Plan Amendment Application (18 206702 ESC 37 OZ) and Draft Plan of Subdivision Application (20 154640 ESC 21 SB)

In June 2021, the applicant submitted a revised proposal related to the Official Plan Amendment and Draft Plan of Subdivision applications. The revised proposal consists of a mixed-use development with multiple building types and heights that range from two (2) to 48 storeys, a total gross floor area of 284,483 square metres (265,785 square metres for residential uses, 2,582 square metres for retail uses and 16,012 square metres for office uses) and 3,391 residential units. The proposal would result in an overall gross floor space index ("FSI") of 4.5 times the area of the OPA lands.

ISSUE BACKGROUND

Application Description

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, to permit the development of four (4) blocks (1, 5, 7, and 10 as shown on Attachment 4: Site Plan). The application proposes a total gross floor area of 213,314 square metres, of which 195,558 square metres are for residential uses (91 per cent), 1,743 square metres are for retail uses (1 per cent) and 16,013 square metres are for office uses (8 per cent). The proposed office uses include the retention of 14,033 square metres of existing office gross floor area located at 2206 Eglinton Avenue East. The proposal would result in a floor space index ("FSI") of approximately 3.35 times the overall gross area of the OPA lands and 3.78 times the area of the ZBA 2 lands.

The ZBA 2 application proposes a total of 2,363 residential units, including 17 two-storey townhouse units on Block 10. The breakdown of the 2,346 residential units proposed within the tall buildings is: 57 per cent: 1-bedroom units; 33 per cent: 2-

bedroom units; and 10 per cent: 3-bedroom units. The proposal would include a total of 9,533 square metres of residential amenity space (4,805 square metres of indoor amenity space (two square metres per dwelling unit) and 4,728 square metres of outdoor amenity space (two square metres per dwelling unit).

A total of 1,834 parking spaces are proposed (1,444 parking spaces in underground parking garages for residential and retail uses, and 390 within the existing above-grade parking structure fronting onto Birchmount Road to serve for office uses). A total of 1,837 bicycle parking spaces and 14 loading spaces (three Type 'G' and five 'Type C' spaces for residential, and four Type 'B' and two Type 'C' loading spaces for retail) would also be provided.

The proposed architectural plans for the Zoning By-law Amendment application illustrate six (6) development blocks and a total of eight (8) buildings, as follows:

- **Block 1:** a seven (7) storey office building at 2206 Eglinton Avenue East with two-storey additions to the north and east. A total (office) gross floor area of 16,013 square metres, including the retention of 14,033 square metres of existing office gross floor area, is proposed;
- **Block 3 (south park):** a 2,679 square metre public park is proposed;
- **Block 5 (southwest portion of ZBA 2 lands):** a mixed-use tall building on the southern portion of the block with two towers being 40 storeys (east) and 46 storeys (west) in height, including a six-storey base building with 11 grade-related townhouse units. A total gross floor area of 74,442 square metres (72,698 square metres for residential uses and 1,744 square metres for retail uses) and 889 residential units are proposed. A total of 1,778 square metres of outdoor amenity space (on the 7th storey) and 1,821 square metres of indoor amenity space (on the 7th and 8th storeys) are proposed.

The northern portion of the block would consist of a tower being 37 storeys in height, including a six-storey base building with 31 grade-related townhouse units, and an eight (8) storey mid-rise (eastern) building. A total (residential) gross floor area of 39,704 square metres and 491 residential units are proposed. A total of 1,010 square metres of outdoor amenity space (on the 7th storey) and 1,027 square metres of indoor amenity space (on the 7th and 8th storeys) are proposed;

- **Block 7 (northwest portion of ZBA 2 lands):** a residential tall building with a height of 30 storeys, including a six-storey base building with 20 grade-related townhouse units. A total (residential) gross floor area of 30,115 square metres and 367 residential units are proposed. A total of 735 square metres of outdoor amenity space (on the 7th storey) and 751 square metres of indoor amenity space (on the 7th and 8th storeys) are proposed;
- **Block 9 (north park):** a 3,505 square metre public park is proposed; and
- **Block 10 (northeast portion of ZBA 2 lands):** 17 two-storey townhouses fronting onto Ashtonbee Road, as well as two towers being 20 storeys (north) and 30 storeys

(south) in height, including a six-storey base building with 39 grade-related townhouse units. A total (residential) gross floor area of 49,991 square metres and 599 residential units are proposed. A total of 1,205 square metres of outdoor amenity space (on the 7th storey) and 1,207 square metres of indoor amenity space (on the 7th storey) are proposed.

The current Zoning By-law Amendment application is being reviewed concurrently with the Zoning By-law Amendment for Block 2 (20 154599 ESC 21 OZ) and within the context of the related Official Plan Amendment for the entire site (21 166739 ESC 21 OZ).

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 ZBA 2 lands and surrounding context.

See Attachment 4: Site Plan for a conceptual site plan for the ZBA 2 lands.

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.

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 MTSAs will achieve appropriate densities and built form at that time.

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 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 southern portion of the ZBA 2 lands 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 subject property and introduces two new *Parks* designations, one mid-block on the Eglinton Avenue East frontage and the second on the interior of the ZBA 2 lands, north of the proposed new east-west public street.

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 ZBA 2 lands are not subject to City-wide Zoning By-law 569-2013, as amended. As such, the ZBA 2 lands are 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 marihuana 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 ZBA 2 lands are also subject to Exception 202, which prohibits non-accessory ground and wall signs (excluding marketplace signs).

See Attachment 7: Existing Zoning 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 ZBA 2 lands with predominantly residential uses and provide for new development standards.

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 ZBA 2 lands, which proposes 2,363 residential units to be located in close proximity to the future Eglinton Crosstown LRT ("ECLRT") stop (under construction) at 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 ZBA 1 and ZBA 2 applications within the context of the City Council-approved OPA 499 and the Secondary Plan as they relate to the OPA lands, and the broader Secondary Plan area, and having regard to the overall public realm, built form and density provisions being proposed through the related 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 OPA lands, the policies in 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, with particular attention to pedestrian connections to the existing office 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 ZBA 2 lands fits within the proposed master plan for the OPA lands, 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 as part of the Planning Rationale in support of the related Official Plan Amendment application (18 206702 ESC 37 OZ) in August 2018, followed by a Supplemental Planning Rationale in June 2020. The applicant has submitted an HIR Addendum in support of the ZBA 2 application. The proposed 2,363 residential units, including the 17 two-storey townhouses on the northeastern portion of the ZBA 2 lands, would provide a range of unit sizes, including 33 per cent two-bedroom units (788 units) and 10 per cent three-bedroom units (243 units). 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 addendum to the CS&F Study that was submitted with the original Planning Rationale in support of the related Official Plan Amendment application (18 206702 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 OPA lands 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 (18 206702 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 an approximate road widening of 3.0 metres along the entire Eglinton Avenue East frontage of the ZBA 2 lands 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 a total of 6,184 square metres of on-site parkland dedication, of which 2,679 square metres would be provided on Block 3 (south park) and 3,505 square metres would be provided on Block 9 (north park). 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.

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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SIGNATURE

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

ATTACHMENTS

City of Toronto Drawings

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

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

Attachment 3: Location Map

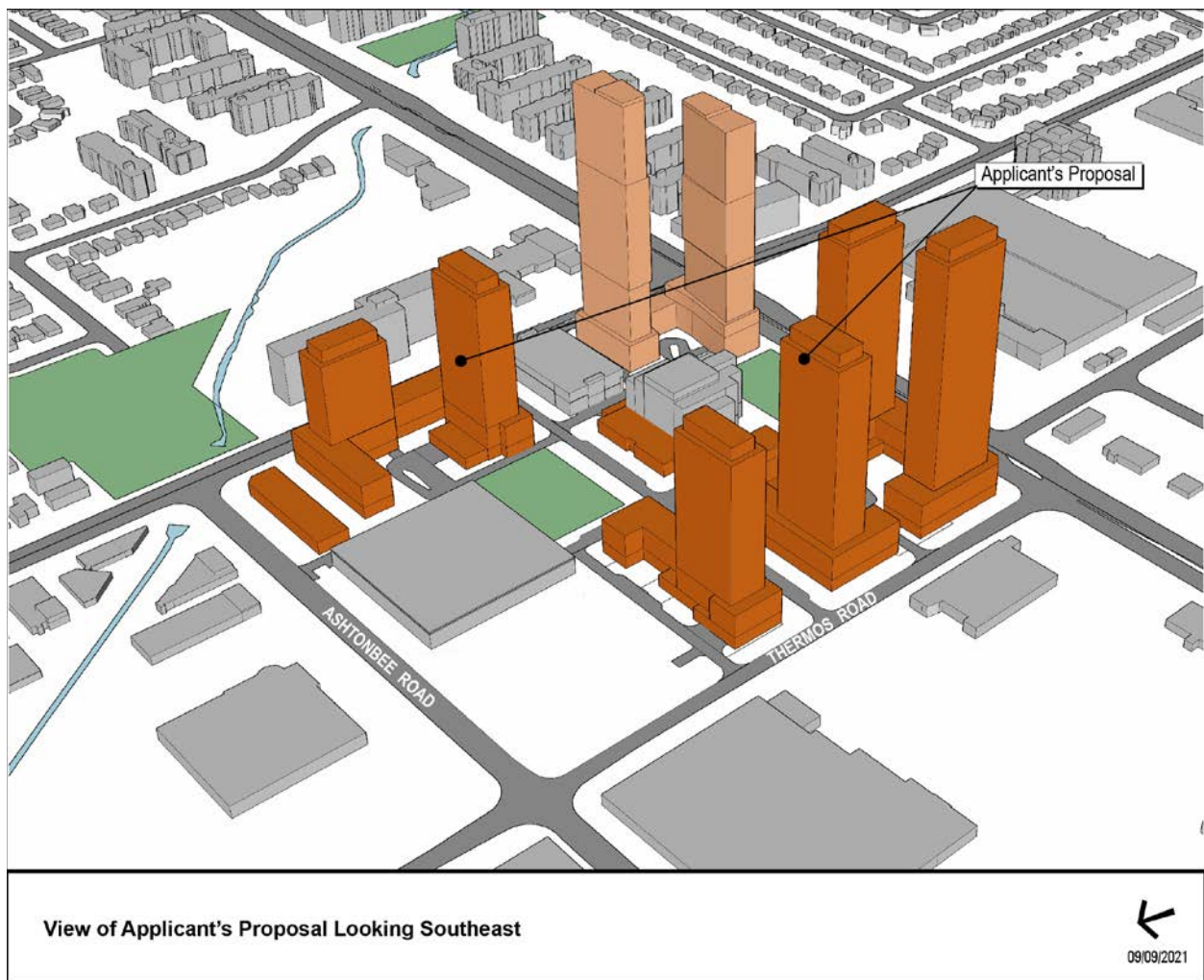
Attachment 4: Site Plan

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

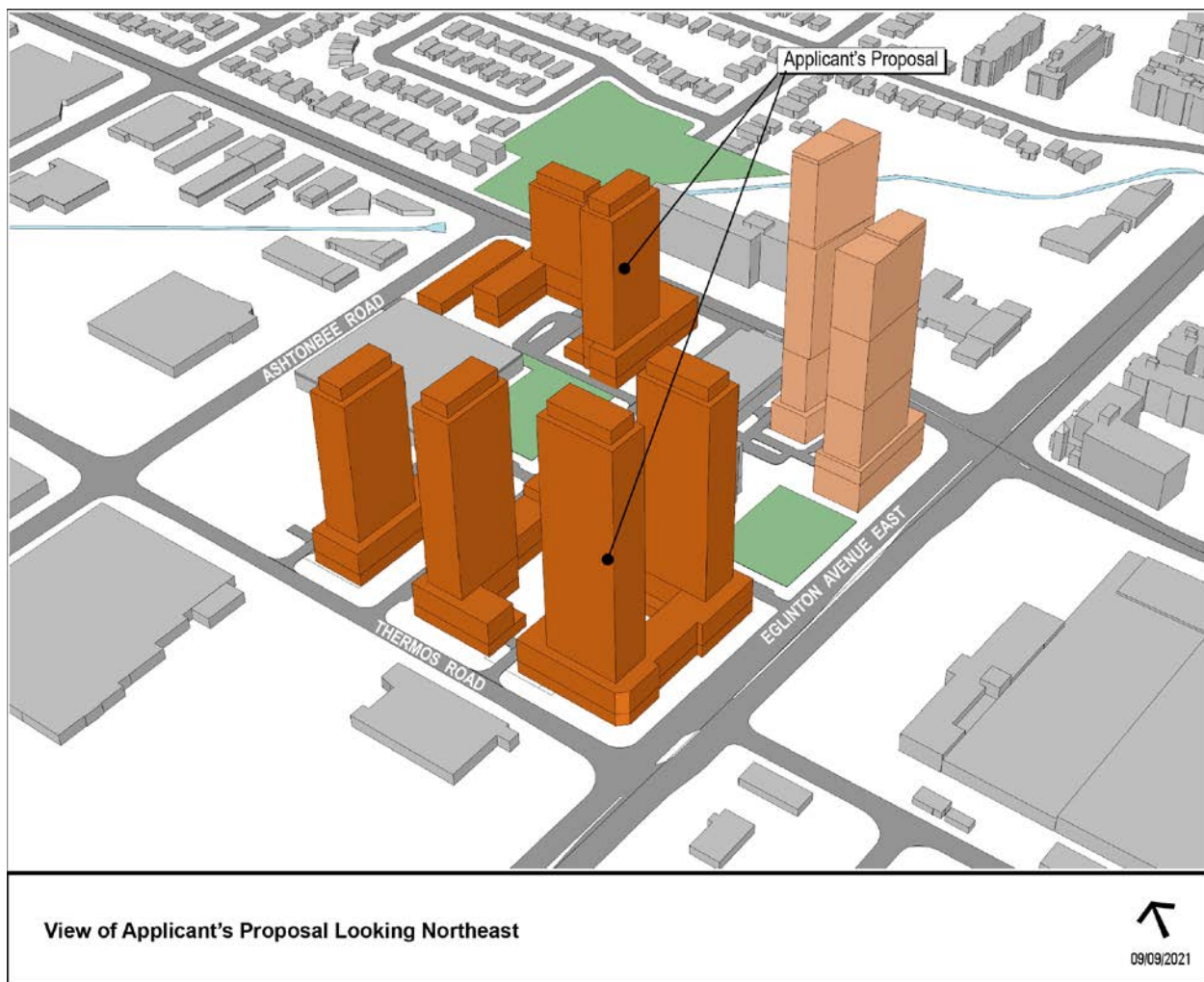
Attachment 6: Official Plan Map (OPA 499)

Attachment 7: Existing Zoning Map

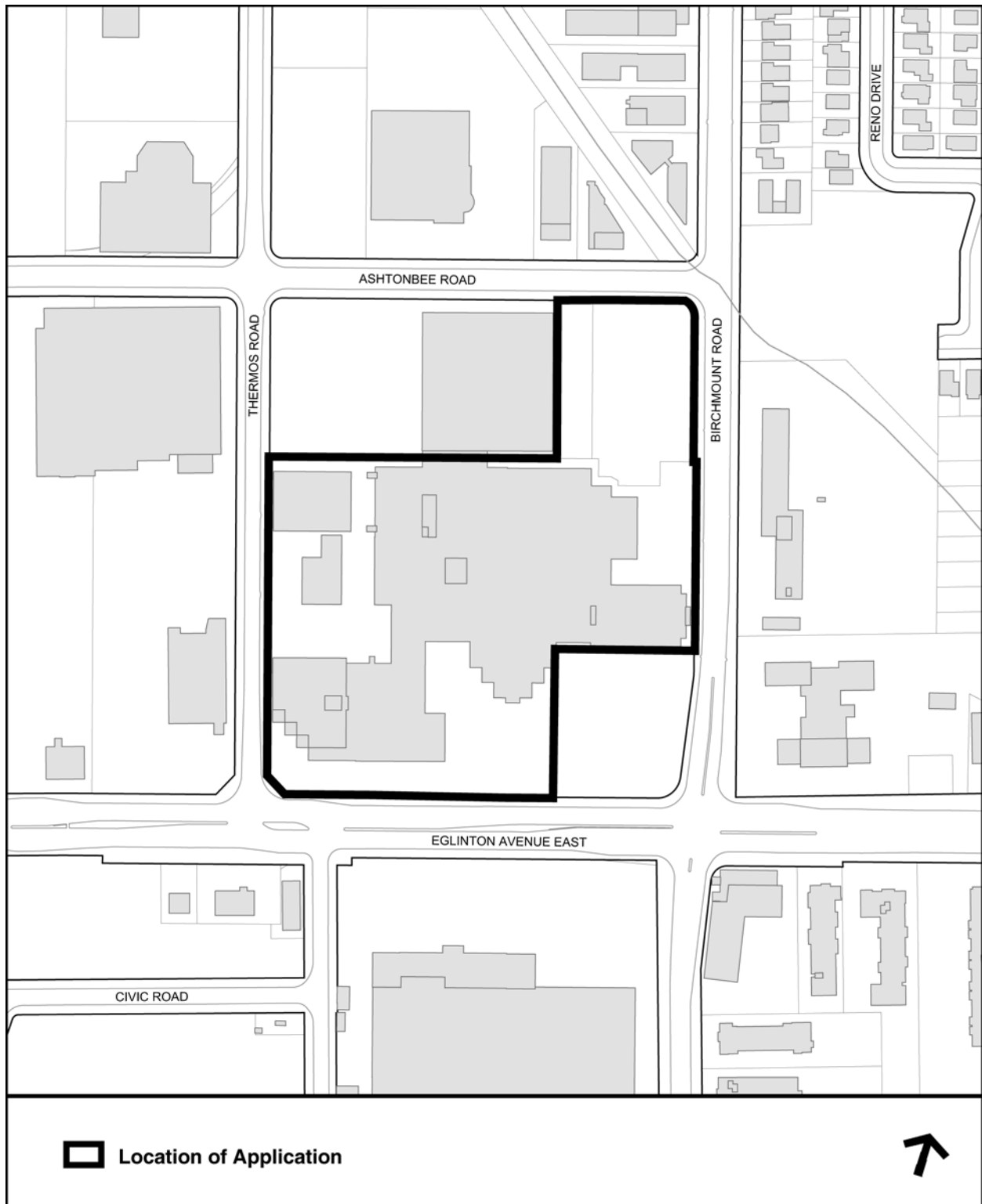
Attachment 1: 3D Model of Proposal in Context (view looking southeast)



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



Attachment 3: Location Map



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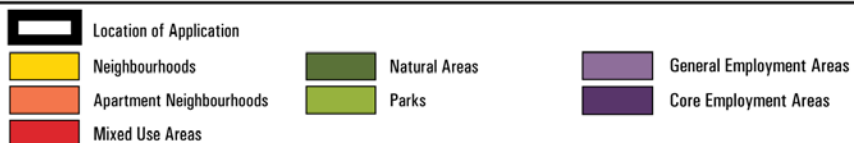
Attachment 5: Official Plan Map (Pre-OPA 499)



Official Plan Land Use Map #20

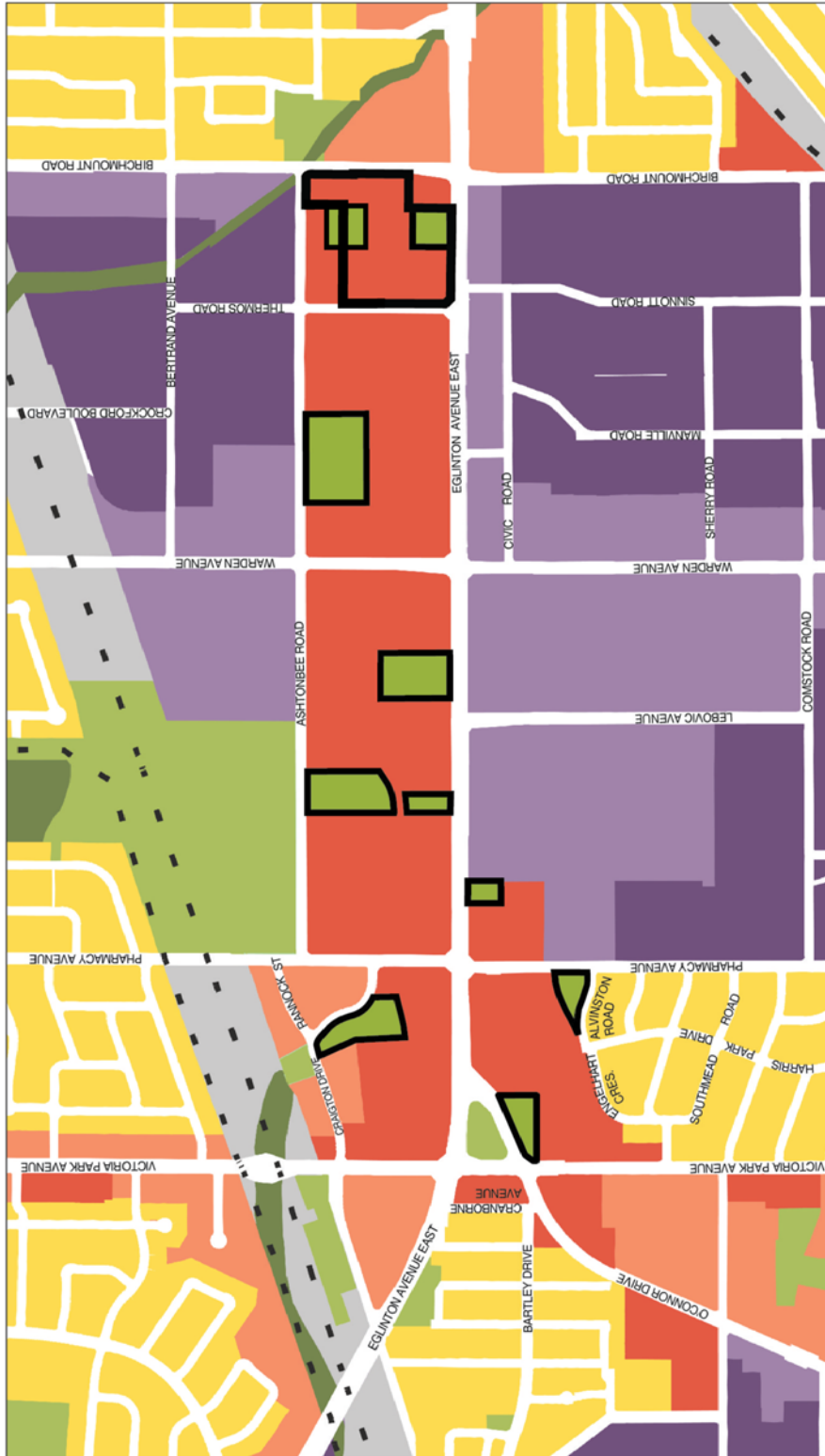
2200-2206 Eglinton Avenue East

File # 21 166739 ESC 21 0Z



Not to Scale
 Extracted: 06/14/2021

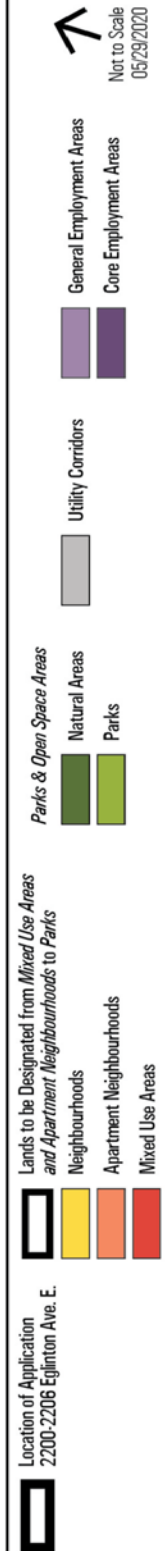
Attachment 6: Official Plan Map (OPA 499)



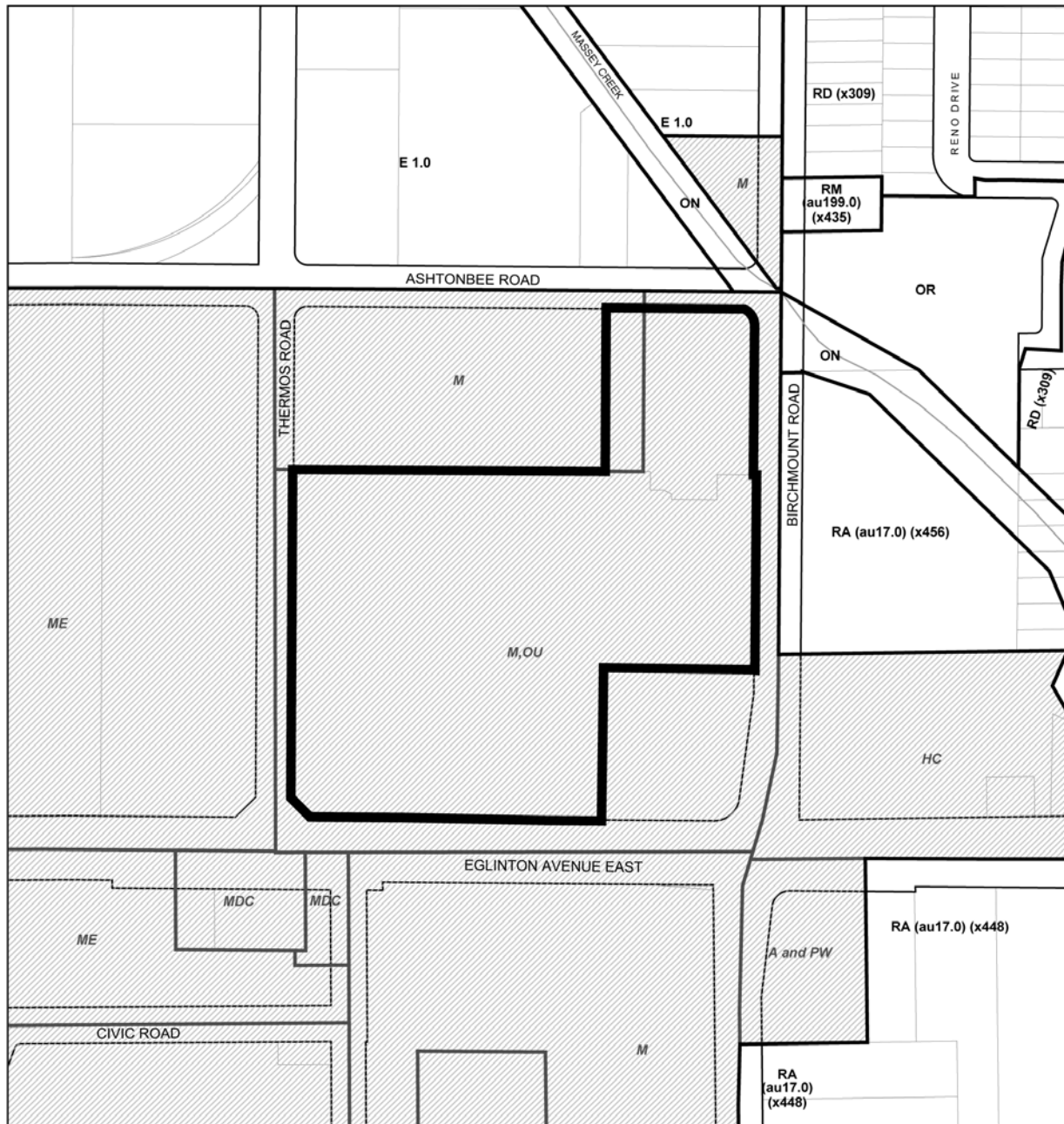
Official Plan Amendment # 499

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

2200-2206 Eglinton Avenue East

File # 21 166739 ESC 21 0Z



Location of Application

RD Residential Detached
RS Residential Semi-Detached
RM Residential Multiple
RA Residential Apartment
E Employment Industrial
ON Open Space Natural

OR Open Space Recreation



See Former City of Scarborough Community By-laws

HC Highway Commercial
A & PW Apartment Residential, Place(s) of Worship
M Industrial Zone
MG General Industrial Zone
ME Mixed Employment Zone
MDC Industrial District Commercial Zone
I-SW Institutional - Social Welfare Zone
M,OU Industrial Zone, Office Uses Zone



Not to Scale
 Extracted: 06/14/2021