

25 Photography Drive – Official Plan Amendment and Zoning By-law Amendment Applications – Preliminary Report

Date: December 1, 2021

To: Etobicoke York Community Council

From: Director, Community Planning, Etobicoke York District

Wards: Ward 5 - York South-Weston

Planning Application Number: 21 186124 WET 05 OZ

Related Applications: 21 186137 WET 05 SB

Notice of Complete Application Issued: October 13, 2021

Current Uses on Site: A one-storey grocery store, a gas station and surface parking are currently located on the subject site.

SUMMARY

This report provides information and identifies a preliminary set of issues regarding the application to amend the Official Plan as well as city-wide Zoning By-law 569-2013 and the former City of York Zoning By-law 1-83 for the lands municipally known as 25 Photography Drive. The application is associated with Draft Plan of Subdivision application 21 186137 WET 05 SB.

The application proposes seven mixed-use buildings, with tower heights ranging from 20 to 49 storeys (74.8 metres to 165 metres high) connected by podiums with heights ranging from one to 10 storeys. The proposed development would have a total gross floor area of 191,348 square metres, comprised of 186,800 square metres of residential gross floor area and 4,548 square metres of at-grade retail space. The resulting floor space index would be equal to 6.38 times the area of the lot.

The application proposes a 4,034 square metre Privately-Owned Public Space (POPS) at the south end of the site, a public road connecting Photography Drive to Black Creek Drive and a private road connecting the proposed public road to Keelesdale Road at the north-west corner of the site.

The application proposes 1,837 parking spaces to be located within multiple below-grade parking structures, of which 1,791 spaces would be allocated to the residential use and 46 parking spaces would be allocated to the retail uses.

A total of 2,390 bicycle parking spaces and eight loading spaces are also proposed. Vehicle access to the parking structures is proposed via Keelesdale Road and Photography Drive, while access to the loading spaces is proposed via the new public road and Photography Drive.

Staff are currently reviewing the application. It has been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the application with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 25 Photography Drive together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.
3. The Final Report for the applications located at 25 Photography Drive be brought forward following the completion of the Mount Dennis Planning Framework Study.

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

City-Initiated Mount Dennis Planning Framework Study (Picture Mount Dennis Study)

On March 10, 2016, (EY12.30) City Council directed City Planning staff to undertake a review of the current planning framework for the Mount Dennis area including: built form; density; building heights; and public realm for the properties in Mount Dennis. City Council directed staff to consult with the community, landowners and stakeholder groups, and to report back on the findings of the review and to provide recommendations for changes, if necessary, to the planning framework for the study area. The motion can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EY12.30>

On July 23, 2018, City Council considered a Status Report from City Planning (EY32.21) and directed City Planning to undertake a review and update of the planning framework for the Mount Dennis area generally along Weston Road between Jane Street and Humber Boulevard/Black Creek Drive, including those lands between Weston Road and Black Creek Drive fronting Eglinton Avenue West, and including those lands subject to Official Plan Site and Area Specific Policy Nos. 39, 40, 41, 42, 43, 53 and 320. The motion can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EY32.21>

City Planning staff have retained and are currently working with a consultant team led by Perkins and Will in facilitating an inter-divisional comprehensive review of the existing planning policy framework for the Mount Dennis area. The study will include the creation of an area wide vision and the development of goals, objectives and priorities for the area pertaining to land use, transportation, servicing infrastructure, community facility and social service needs requirements. The purpose of the study is to develop a renewed planning policy framework, guidelines and other legislative tools that will assist in effectively managing growth and change in the area. The study area is generally bounded by the Humber River, Clouston Avenue, and the CN rail line, Trethewey Drive, Keesledale Park, Humber Boulevard, Rockcliffe Boulevard, Lambton Avenue, Jane Street and Eglinton Avenue West.

The study team, being led by Perkins and Will, was retained on December 18, 2019. The team consists of Nelson/Nygaard, GM Blue Plan, Canadian Urban Institute, Centre for Connected Communities, Sean Hertel, Common Bond Collective, LGL Limited, Timmins Martelle and NBLC. The study work, being led by City Planning, commenced on January 13, 2020 and is now in the final phase of the study process.

At the time of the writing of this report, the study team is preparing the final Planning Framework Study report and concluding the final stages of community consultation. Recommendations and directions for growth to help guide new development are anticipated to be available in December 2021. A Status Report from City Planning is anticipated to go to Etobicoke York Community Council in Q1 2022.

ISSUE BACKGROUND

Pre-Application Consultation

A pre-application consultation meeting was held on June 14, 2021 between City Planning staff and the applicant to discuss complete application submission requirements and to identify issues with the proposal. The applicant proposed a mixed-use development consisting of three blocks with seven towers ranging in heights from 20 to 49 storeys, connected by podiums ranging in heights from one to 15 storeys. A public road, a private road and a POPS were proposed on site. Staff expressed concern regarding the height and massing of the proposed podiums, ensuring adequate separation distances are provided on site and to adjacent City owned lands, ensuring adequate pedestrian and vehicular circulation, the provision of affordable housing, and encouraging the applicant to replace the existing No Frills with an equivalent grocery store.

On July 19, 2021, the applicant submitted the subject application for seven mixed-use towers, with heights ranging from 20 to 49 storeys connected by podiums with heights ranging from one to 10 storeys.

Application Description

This application proposes a mixed-use development consisting of seven new towers with approximately 186,800 square metres of residential gross floor area and 4,548 square metres of retail gross floor area. A total of 2,356 dwelling units are proposed, comprised of: 235 (10%) studios; 1,177 (50%) one-bedroom units; 706 (30%) two-bedroom units; and 238 (10%) three-bedroom units.

The application is proposing a new street and block configuration. A 22-metre wide public road is proposed to run east-west through the centre of the site, connecting Black Creek Drive to Photography Drive. A new 7-metre wide private road is proposed to run north-south, connecting the new public road to Keelesdale Road. The seven proposed towers, with heights ranging from 20 to 49 storeys (74.8 metres to 165 metres high), are proposed in three blocks, 'Block A', 'Block B', and 'Block C', divided by the new public and private roads

Block A would be located at the south west corner of Eglinton Avenue West and Black Creek Drive and on the north east side of the proposed private road. Block B would be located to the west of the proposed private road, and Block C would be located south of the proposed public road.

The application proposes a 4,034 square metre POPS space located adjacent to Black Creek Drive on Block C at the south end of the site.

A total of 4,548 square metres of retail gross floor area is proposed on Blocks A and B, including a new grocery store on Block A fronting the new private road.

The breakdown of the heights and floor areas for each of the three new development blocks are as follows:

Block A:

- Three towers connected by a 10-storey podium fronting Eglinton Avenue West and a eight-storey podium fronting Black Creek Drive, with heights of 49 storeys (165 m), 39 storeys (134.7 m) and 28 storeys (100.2 m);
- A total of 1,236 residential units;
- A residential gross floor area of 98,601.4 square metres; and
- A retail gross floor area of 4,379.6 square metres.

Block B:

- Two towers connected by a five-storey podium with heights of 38-storeys (131 m) and 25 storeys (91.7 m);
- A total of 616 residential units;
- A residential gross floor area of 47,714.2 square metres; and
- A retail gross floor area of 168.8 square metres.

Block C:

- Two towers connected by a five-storey podium with heights of 32 storeys (111.2 m) and 20 storeys (74.8 m);
- A total of 504 residential units; and
- A residential gross floor area of 40,484.8 square metres.

A total of 2,078 vehicular parking spaces are proposed within three underground parking structures under each of the three development blocks. The entrances to the parking structures would be located on the new public road, Keelesdale Road and Photography Drive. Eight loading spaces are also proposed on the site to be located at-grade, having access from the new public road and Photography Drive. A total of 2,390 bicycle parking spaces are proposed within the underground parking structures and at-grade

A total of 4,712 square metres of indoor and outdoor amenity space is proposed on site. This translates to an overall rate of 2 square metres of indoor amenity space and 2 square metres of outdoor amenity space per unit. The entirety of the outdoor amenity space would be rooftop amenity on the proposed podiums. The POPS is not included in the calculation for outdoor amenity space.

The application also proposes several public realm elements to be located throughout the site. A 3-metre wide pedestrian clearway would be located along Eglinton Avenue West and Black Creek Drive and a 2-metre wide pedestrian clearway would be located along Keelesdale Road and Photography Drive. Plantings are proposed along all sidewalks and a 4-metre wide patio animation zone is proposed along Eglinton Avenue West. The new private street is proposed to function as an entryway into the site being oriented towards the new Mount Dennis LRT Station to the north and the proposed POPS to the south. The POPS would be animated with a gathering area, seating, greenery and an off-leash dog area.

Detailed project information is found on the City's Application Information Centre at: <http://app.toronto.ca/AIC/index.do?folderRsn=bDYsFeR1JUZcdznVevuoag%3D%3D>

See Attachments 1 and 2 of this report, for a three dimensional representation of the project in context.

Site and Surrounding Area

The subject site is located at the southwest corner of Eglinton Avenue West and Black Creek Drive (see Attachment 3: Location Map). The site is bounded by Eglinton Avenue West to the north, Black Creek Drive to the east, Photography Drive to the southwest and Keelsdale Drive to the northwest. The site is comprised of a gas station with 15 surface parking spaces at the south end, and a grocery store with 334 surface parking spaces at the north end. The site has an overall area of approximately 30,015 square metres.

Surrounding land uses include:

North: Directly north of the site, abutting Keele Road is vacant city-owned land. On the north side of Eglinton Avenue West is the future Mount Dennis Transit hub including the interconnected GO, Light Rail Transit (LRT) and bus station, and the Maintenance and Storage Facility for the Toronto Transit Commission's Line 5 LRT route. The former Kodak heritage building (currently vacant) is located adjacent to the station and platform area. Keele North Park and Coronation Park also exist north of the site, although they are located east of Black Creek Drive.

East: Across Black Creek Drive to the east is Keele Park South, the York Recreation Centre, Chris Tonks Arena and the Black Creek River. Further east is a low-rise residential neighbourhood and a public school.

South: Across Photography Drive to the south west is a CP/Metrolinx rail corridor. Beyond the rail corridor is the southern end of the Mount Dennis neighbourhood, with Weston Road running parallel to the rail corridor further to the south west.

West: The CP/Metrolinx rail corridor runs at approximately a 45 degree angle from the Black Creek/Eglinton Avenue West road grid. Across Photography Drive and the rail corridor further west is the central area of the Mount Dennis neighbourhood characterized by a mix of low-rise residential neighbourhood, and the Weston Road commercial main street.

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 PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe 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).

The Growth Plan (2020) as amended 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 are planned for the prescribed densities.

The Mount Dennis Eglinton Crosstown LRT Station area is included in Phase 3 of the MTSAs implementation. The Minister has set July 1, 2022 as the deadline for the MCR to be completed. The Mount Dennis Station will also include access to TTC buses, the UP Express and Go Transit's Kitchener line.

Toronto Official Plan Policies and Planning Studies

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

The north end of the site fronting Eglinton Avenue West is identified as an *Avenue* on Map 2 - Urban Structure of the Toronto Official Plan. *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new

housing and job opportunities. Reurbanization of the Avenues is to be achieved through the preparation of an Avenue Study that sets out contextually appropriate as-of-right zoning and other regulations to achieve high quality development.

Map 17 – Land Use Plan identifies the site as *Mixed Use Areas* (see Attachment 5: Official Plan Land Use Map) which are made up of a broad range of residential, commercial and institutional uses, in single use or mixed use buildings, as well as parks and open spaces and utilities. The Official Plan directs new development to fit harmoniously into its existing and/or planned context by creating appropriate transitions in scale to existing and/or planned buildings. Further, development in *Mixed Use Areas* will locate and mass new buildings to provide appropriate transition towards areas of different intensity and scale.

The subject site is located within the Mount Dennis neighbourhood but is not subject to the Site and Areas Specific Policies (SASPs) or Mount Dennis Urban Design Guidelines associated with the Mount Dennis neighbourhood to the west of the rail corridor.

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

Mount Dennis Mobility Hub Study

In August 2013, Metrolinx in collaboration with the City of Toronto released the Mount Dennis Mobility Hub Study. The study "established a long-term vision for the Mount Dennis Station and surrounding lands of a higher-density, mixed use environment connected by an expanded pedestrian and cycling network."

The Mount Dennis Mobility Hub Study focuses on the lands within an 800-metre radius of the new station. The study presents options for how the new station can best serve the Mount Dennis community and provide seamless, easy connections between LRT, regional rail, local bus services and the surrounding area.

The site is located within the Mount Dennis Mobility Hub Study boundary. The study will be considered in evaluating the proposal. The final study can be found here: [Mount Dennis Mobility Hub Study](#)

Eglinton Connects Planning Study

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

The site is located within the Mount Dennis Mobility Hub focus Area, one of two Mobility Hub Areas identified in the Study. Guiding principles and planning objectives for each Mobility Hub Area were developed as part of the Study, along with demonstration plans to illustrate possible planning approaches to accommodate growth. The decision can be found here: [Eglinton Connects Study Council Decision](#).

Zoning By-laws

The site is zoned City Centre Mixed-Use District (CCM) under former City of York Zoning By-law 1-83 (see Attachment 6: Zoning Map).

The site is not subject to city-wide Zoning By-law 569-2013.

Plan of Subdivision

Section 51 of the *Planning Act* grants the City the authority to regulate the division of land through Plans of Subdivision. This authority is used to provide for the orderly servicing and development of large parcels of land in accordance with appropriate municipal regulations and standards. A Plan of Subdivision is used to divide larger parcels of land into a number of lots and/or blocks and to provide for public streets and parks. They are typically used to create public rights-of-way for municipal services.

An application for a Plan of Subdivision had been filed under 21 186137 WET 05 SB.

Design Guidelines

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

- City-wide Tall Buildings Design Guidelines;
- Avenues and Mid-Rise Buildings Study and Performance Standards;
- Growing Up: Planning for Children in New Vertical Communities;
- Streetscape Manual;
- Pet-Friendly Guidelines for High Density Communities;
- Percent for Public Art Program;
- Toronto Green Standard; and
- Bird Friendly Development Guidelines.

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

Site Plan Control

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

COMMENTS

Reasons for the Application

An amendment to the Official Plan has been submitted to establish a Site and Area Specific Policy to address the proposed scale of development. Amendments to city-wide Zoning By-law 569-2013 and the former City of York Zoning By-law 1-83 are required to establish zoning standards to facilitate the development of the proposal such as use, density, percentage of dwelling units, setbacks, height and parking rates, among other standards.

ISSUES TO BE RESOLVED

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

Provincial Policies and Plans Consistency/Conformity

The application will be evaluated against the *Planning Act* and applicable Provincial Plans to establish the application's consistency with the Provincial Policy Statement (PPS) and conformity with the Growth Plan (2019), especially with regard to ensuring that the development recognizes the local context in terms of appropriate intensification, the promotion of well-designed built form, housing options and whether the proposal complies with the municipal direction for growth.

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

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

While the PPS encourages intensification and efficient development, it recognizes that local context is important and that well-designed built form contributes to overall long-term economic prosperity. The PPS indicates that the Official Plan is the most important vehicle for implementing the PPS and planning authorities shall identify appropriate locations for intensification and redevelopment. Policy 4.8 states that zoning and development permit by-laws are important for implementation of the PPS and that planning authorities shall keep their zoning and development permit by-laws up-to-date with their Official Plan and the PPS.

The Growth Plan (2020) emphasizes the importance of complete communities where a range of housing options are to be provided, and that new development should provide high quality compact built form and an attractive and vibrant public realm. The Growth Plan (2020) provides municipalities the authority to define the location and nature of growth that will occur in intensification areas in a flexible manner suitable to the local context, while still meeting the overriding objectives of the Growth Plan.

Through its Official Plan, the City has identified appropriate locations and opportunities for intensification. Although growth is intended to occur on this particular site given its land use designation, the level of intensification of this site must reflect the existing and planned context as established by the implementing zoning by-laws and Official Plan policies.

Official Plan Conformity

The Official Plan states that *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. However, not all *Mixed Use Areas* will experience the same scale or intensity of development. Development along the *Avenues* will generally be at a much lower scale than in the Downtown and most often at a lower scale than in the Centres.

Avenues are identified as areas of growth and reurbanization in the Official Plan. However, each *Avenue* is different in terms of the level of anticipated growth with respect to lot sizes and configuration, street width, existing uses, neighbouring uses, transit service and streetscape potential. As such, the Official Plan requires a vision and implementation plan for *Avenues* to be established through an Avenue Study.

Development in *Mixed Use Areas* prior to an Avenue Study has the potential to set a precedent for the form and scale of reurbanization along the *Avenues*. Where development is proposed in these areas, applicants are required to examine the implications for the segment in which the proposed development is located.

City Council determined that an area based study is required in this area through their direction of March 10, 2016 (EY12.30). The Mount Dennis Planning Framework process was initiated in July 2018, the consultants retained and study work began in January 2020. The applicant was advised of the study process through the pre-application consultation process. The application for this site was submitted in July 2021, well after the study process was underway. With emerging direction from the Picture Mount Dennis study expected to be publically available in December 2021, staff will continue to work with the applicant to achieve a proposal that is in keeping with the recommended study direction for this location.

One of the key objectives of the Official Plan is for new development to provide built form transition and minimize shadow impacts from areas designated *Mixed Use Areas* to areas with different development intensity and scale. Other development criteria for *Mixed Use Areas* establish that new development should provide good site access, circulation and parking as well as provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

Chapter 3 - Building a Successful City contains principles to guide growth by integrating social, economic and environmental perspectives in decision making to create complete communities. The Official Plan contains policies which promote quality architecture, landscape and urban design and construction that ensure that new development enhances the quality of the public realm. The Official Plan states that architects and developers have a civic responsibility to create buildings that not only meet the needs of their clients, tenants and customers, but also the needs of the people who live and work in the area. The Official Plan states that current and future residents must be able to access and maintain adequate, affordable and appropriate housing as well as have adequate and equitable access to community services and local institutions and encourages the inclusion of community service facilities as part of private development. Further, Toronto's system of streets, parks and open spaces will continue to be a necessary element of city-building as the City grows and changes. The City's network of public streets preserve access, provide mobility options for residents, and connect to essential public services. Private streets, where they are deemed to be appropriate, will be designed to integrate into the broader public streets network.

Chapter 4 - Land Use Designations contains development criteria for each of the land uses. The Official Plan designates the site as *Mixed Use Areas*. *Mixed Use Areas* are meant to absorb most of the anticipated increase in retail, office and service employment, and much of the new housing. Although growth is intended to occur on this particular site given its land use designation, the level of intensification of this site must reflect the existing and planned context as established by the Zoning By-law, Official Plan policies and coming recommendations of the Picture Mount Dennis Study. Staff will continue working with the applicant to achieve a redevelopment proposal that meets the intent of City policies of the Official Plan.

City-wide Tall Building Design Guidelines

In May 2013, Toronto City Council adopted the updated City-wide Tall Buildings Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of all new and current tall building development applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts.

Tall buildings are defined as buildings having a height that is greater than the width of the adjacent street right-of-way. Eglinton Avenue West and Black Creek Drive have planned right-of-way widths of 36 metres at this location, and the proposed heights of the three towers fronting these two streets are 134.7 metres, 165 metres and 100.2 metres, including the mechanical penthouses. The towers are connected by a podium measuring 30.8 metres along Black Creek Drive and a podium measuring 38.3 metres along Eglinton Avenue West.

The Tall Buildings Design Guidelines identify separation distances, setbacks and floor plate size as key factors affecting sky view, privacy, wind and the amount of sunlight and shadows that reach the public realm and neighbouring properties. Towers must be built to minimize impact on surrounding streets, parks, public and private open space, as well as existing or future buildings on adjacent sites.

The Guidelines direct tower floor plates to be limited to 750 square metres or less, and provides flexibility for non-residential or very tall buildings, where adequate tower separation, setbacks and stepbacks are achieved. The Guidelines direct towers to be setback a minimum of 12.5 metres from side and rear property lines. One of the goals of this requirement is to ensure that a minimum separation distance of 25 metres is established between tall buildings on different properties. This ensures that new development does not restrict adjacent sites from developing in a similar manner.

Staff note that the proposed tower floor plate sizes which range from of 773.6 square metres to 800 square metres do not meet the requirements of the Tall Buildings Design Guidelines. The Tall Buildings Design Guidelines indicate that sites that cannot provide the minimum tower setbacks and stepbacks may not be appropriate for tall buildings.

The City-wide Tall Buildings Design Guidelines are available at:
<http://www.toronto.ca/planning/tallbuildingdesign.htm>.

Avenues and Mid-Rise Buildings Study and Performance Standards

City Council adopted the Avenues and Mid-rise Buildings Study and an addendum containing performance standards for mid-rise buildings. They identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include maximum allowable building heights, setbacks and stepbacks, sunlight and skyview, pedestrian realm conditions, transition to Neighbourhoods and Parks and Open Space Areas and corner sites.

City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines.

The link to the performance standards can be found here: <https://www.toronto.ca/wp-content/uploads/2017/08/960c-Performance-Standards-for-Mid-Rise-Buildings.pdf>

The link to the addendum can be found here: <https://www.toronto.ca/wp-content/uploads/2017/08/96be-Mid-Rise-Building-Performance-Standards-Addendum.pdf>

Built Form, Planned and Built Context

The suitability of the proposed height and massing and other built form issues will be assessed based on Section 2 of the *Planning Act*, particularly Sections 2 (p), (q) and (r) and Section 2 of A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019). The built form will also be assessed based on the City's Official Plan policies, City-wide Tall Building Design Guidelines and other City Urban Design Guidelines. An evaluation will be made to confirm whether the proposal fits within its planned and built context. In particular, staff will be evaluating:

- Appropriateness of the proposed streets and block pattern, including the number of public and private streets, the location of the streets and the location of streets in relation to the surrounding context;
- Appropriateness of the proposed building heights, massing, siting and scale;
- Appropriateness of the proposed transition, setbacks, step-backs, angular plane and shadow impacts as well as the relationship to adjacent properties and potential future development;
- Appropriateness of the location, siting and design of sensitive uses in proximity to the rail corridor:
- Appropriateness of the location and quantity of indoor and outdoor amenity space;
- Appropriateness of the proposed location and size of the POPS;
- Appropriateness of the public realm components, including the location, size and configuration of these spaces and the use of these spaces;
- Appropriateness of the proposed vehicular, pedestrian and cycling connections to the surrounding neighbourhood;
- Appropriateness of the proposed driveway network, site circulation, loading and garbage; and
- Appropriateness of the landscaped open space, streetscaping and impact on the public realm, including pedestrian level comfort to ensure the quality of life for the future residents within the subject site.

The site is located directly adjacent to a rail corridor, and Mount Dennis Station, and close to *Neighbourhoods* areas. Staff will continue working with the applicant to achieve a development proposal that limits impact on the nearby sensitive uses and contributes to the quality of life of existing and new residents.

Growing Up: Planning for Children in New Vertical Communities

In July 2020, Toronto City Council adopted the updated Growing Up Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new multi-unit residential development proposals. The objective of the Growing Up Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children at the neighbourhood, building and unit scale.

Staff note that the proposed provision of 238 (10%) three-bedroom units adequately supports the unit mix objectives of the Growing Up Guidelines to accommodate a broad range of households, including families and children, within new development. However, the architectural plans submitted with the application do not include information on the proposed residential unit sizes. The applicant will be requested to provide additional information on the proposed unit mix, unit sizes and unit layouts, to further evaluate the application against the Growing Up Guidelines.

Mount Dennis Mobility Hub Study

In August 2013, Metrolinx in collaboration with the City of Toronto released the Mount Dennis Mobility Hub Study. The study "established a long-term vision for the Mount

Dennis Station and surrounding lands of a higher-density, mixed use environment connected by an expanded pedestrian and cycling network.”

The study specifically identifies the "Black Creek Triangle" as one of five focus areas within the Mount Dennis Mobility Hub Study area. The Black Creek Triangle is located at the southwest corner of Eglinton Avenue and Black Creek Drive. It contains 25 Photography Drive as well as the City owned lands adjacent to the subject site.

The study outlines seven principles to guide the evolution of the Black Creek Triangle, which are:

- Establish a street and block pattern that can support a mix of uses and encourage higher levels of walking;
- Support new development with a neighbourhood scaled open space or plaza;
- Ensure that all new uses actively front onto streets with transparent facades and entrances. For larger retail uses this may require incorporating a mix of uses within the building some of which can face outwards while others face into the site;
- Accommodate the majority of parking below grade or in parking structures with active uses at street level;
- Accommodate convenience parking on street where possible and ensure that smaller areas of convenience surface parking are designed so that they do not detract from adjacent streets or open spaces;
- Allow taller buildings on bases that can take advantage of views over the valley while providing spatial enclosure to streets and open spaces; and
- Preserve for a new GO entrance south of Eglinton that connects west to Barr Avenue in the west by setting back the building from the Photography Drive bridge.

The Mount Dennis Mobility Hub Study will be considered in evaluating the proposal. The final study can be found here: [Mount Dennis Mobility Hub Study](#)

The application was circulated to Metrolinx staff who provided comments dated October 7, 2021. Metrolinx staff have made comments in relation to construction, traffic, stormwater management and noise and vibration. The applicant will be asked to address these comments.

Eglinton Connects

The Eglinton Connects Plan is the result of a planning study conducted by the City of Toronto and Metrolinx between January 2012 and March 2014. The resulting plan delivered 21 findings and provides recommendations and implementation strategies to "guide the City's policies for the revitalization of Eglinton Avenue over time, in tandem with the development of Metrolinx's Crosstown LRT project." These recommendations will be considered in evaluating this proposal.

City Council adopted the recommendations from the report in May 2014. The decision can be found here: [Eglinton Connects Study Council Decision](#).

Parkland Dedication

The application proposes a 4,034 square metre POPS to be located at the south end of the site, while providing the parkland dedication requirement through cash-in-lieu. Parks, Forestry and Recreation staff advise that, given the future expected growth both on the development site itself and surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new park to serve the future population.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 31,413 square metres or 118% of the site area. However, for sites that are 1 to 5 hectares in size, a cap of 15% of the development site is applied to the residential use while the non-residential use is subject to a 2% parkland dedication. In total, the parkland dedication requirement is 4017.84 square metres.

The applicant is required to satisfy the parkland dedication requirement through an on-site dedication. The park is to be 4,017.84 square metres in area and comply with Policy 3.2.3.8 of the Toronto Official Plan. Staff will continue to work with the applicant to achieve an on-site parkland dedication.

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).

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

The applicant submitted an Arborist Report and Tree Preservation Plan by Cohen & Master, dated June 25, 2021. The report indicates there are 104 trees on the site, all of which are proposed to be removed. The report is currently under review by City staff. Staff will work with the applicant to address the provision of trees and the requirement to add to the City's tree canopy.

Community Services and Facilities

Community Services and Facilities (CS&F) are an essential part of vibrant, strong and complete communities. CS&F are the lands, buildings and structures used for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions. They include recreation, libraries, childcare, schools, public health, human services, cultural services and employment services, etc.

The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

The Mount Dennis Planning Framework Study (Picture Mount Dennis) includes a CS&F component which may be used to inform the review and evaluation of community facility needs and opportunities for this application. City staff will review the application in relation to the Community Services & Facilities Study resulting from the Picture Mount Dennis Study and determine whether there are opportunities for capital improvements or expansion of facilities.

Based on the work done to date as part of the Mount Dennis Planning Framework Study, the following recommendations are suggested for consideration should Section 37 community benefits be considered as part of the evaluation of the subject application:

- The provision of a non-profit licensed child care facility to support the City's Licensed Child Care Growth Strategy (2017) as per the City's Child Care Development Guideline (2021); and/or
- The provision of a minimum of 465 square metres (5,000 square feet) of visible and accessible community space for non-profit human service and/or community agencies eligible under the City's Community Space Tenancy Policy; and/or
- Financial contributions towards local library improvements and/or expansions; and/or
- Financial contributions towards potential repurposing or revitalization of local community recreation facilities and/or capital improvements to parks-based amenities.

Section 37 Community Benefits

The Official Plan provides for the use of Section 37 of the *Planning Act* to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision by the applicant of community benefits in the form of capital facilities. It is standard to secure community benefits in a Section 37 Agreement which is then registered on title.

The proposal at its current height and density will be subject to Section 37 contributions under the *Planning Act*. Should the application be considered for approval, Section 37 contributions could be secured towards specific benefits for the surrounding local community, including: affordable housing or the securing of purpose-built rental housing at mid-range or affordable rent level categories; funding for new and existing child care facilities; contributions towards community space for non-profit human services and/or community agencies; contributions towards local library improvements; and improvements to local parks and facilities. Further priorities for Section 37 contributions will be identified through the recommendations of the Picture Mount Dennis Study.

Given the site's location near an existing major transit investment, there is a significant public interest in including affordable rental housing units within the proposed development. Other facilities and/or service needs may arise during the review of the application and in consultation with the Ward Councillor.

Infrastructure/Servicing Capacity

City staff and commenting agencies are reviewing the application to determine if there is sufficient infrastructure capacity to accommodate the proposed development. The applicant submitted a Functional Servicing and Stormwater Management Report, a Hydrogeological Report, Geotechnical report and a Transportation Impact Study in support of the application.

Staff will be reviewing the servicing reports to evaluate the effects of the development on the City's municipal servicing infrastructure, and identify and provide the rationale for any new infrastructure and upgrades to existing infrastructure necessary to adequately service the proposal. Staff will also be reviewing the Transportation Impact Study and parking justification to evaluate the effects of the development on the local transportation system, and to identify any transportation improvements that are necessary to accommodate the travel demands and impacts generated by the proposed development.

Air Quality, Odour, Noise and Vibration

The applicant submitted an Air Quality, Dust, Odour, Noise and Vibration Compatibility and Mitigation Study prepared by SLR Consulting Ltd. dated June 29, 2021 to determine potential air quality, dust, odour, noise and vibration impacts resulting from the proposed development, and to ensure compliance with provincial regulations and guidelines. City staff will retain a third party consultant to undertake a peer review of these studies, at the cost of the applicant, upon receiving a revised resubmission that addresses staff's concerns related to built form.

Wind Assessment

The applicant submitted a Pedestrian Wind Study prepared by Novus Environmental, dated November 21, 2019. The study indicates that some uncomfortable wind conditions would occur as a result of the proposed development. Additionally, wind and weather impacts on the proposed seventh storey rooftop amenity space would result in uncomfortable and potentially unsafe conditions. The wind study identifies that wind mitigation measures for the rooftop amenity space would be required to ensure comfortable conditions are provided. City Planning staff are of the opinion that the building massing should respond to minimize the negative impact of wind on the public realm and outdoor amenity space.

Derailment Protection

The subject site is located adjacent to the Metrolinx/CP Rail Corridor to the south-west. Metrolinx and other rail companies have established a set of criteria for new development adjacent to rail corridors, including minimum setbacks and the requirement for safety barriers. The applicant submitted a Rail Safety and Development Viability

Assessment prepared by Hatch dated June 25, 2021 to demonstrate how the proposed development would provide protection to the residential component of the site. City staff will retain a third party consultant to undertake a peer review of this study, at the cost of the applicant, upon receiving a revised resubmission that addresses staff's concerns related to built form.

School Boards

The application was circulated to the both the Toronto Catholic District School Board (TCDSB) and the Toronto District School Board (TDSB). The TCDSB and TDSB will evaluate the impact of the proposed development within the context of local development activity on area schools, including assessment of existing school capacity to support the amount of potential students proposed by this application.

Archeological Assessment

An archaeological resource assessment identifies and evaluates the presence of archaeological resources also known as archaeological sites. Whether a property has archaeological resource potential can be confirmed at the searchable database TO maps. An archaeological assessment may also be required if a property is identified on the City of Toronto's Inventory of Heritage Properties as part of the Heritage Impact Assessment process.

The site is identified as having archaeological resource potential. The applicant has submitted a Stage 1 Archaeological Resource Assessment prepared by ASI Archaeological & Cultural Heritage Services dated July 16, 2019. Staff are reviewing the submitted report.

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 applicant submitted a TGS Checklist with this application. This information is currently being reviewed by staff. The Picture Mount Dennis study will include recommendations on green infrastructure and sustainable design. Through the study process staff have identified a community priority to identify Mount Dennis as an "eco-neighbourhood". Staff strongly encourage the applicant to achieve at least a Tier 2 or higher level of performance, especially given the scale and density of the proposal and the community's priority for sustainable initiatives.

Other Matters

Staff have identified the additional following issues:

- The tenure proposed in the current application is unclear. Staff will strongly encourage the applicant to provide purpose-built rental units at mid-range or affordable rent levels and/or affordable ownership units within this proposed development to support the City's and Growth Plan's housing policy objectives to provide for a full range of housing by tenure and affordability within new developments.
- Given the current increase in dog-owning populations, the applicant is strongly encouraged to provide dog amenities on-site with proper disposal facilities such as dog relief stations. This would alleviate pressure on neighbourhood parks.

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

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SIGNATURE

Michael Mizzi, MCIP, RPP
Director, Community Planning
Etobicoke York District

ATTACHMENTS

City of Toronto Drawings

Attachment 1: 3D Model of Proposal in Context – Southwest

Attachment 2: 3D Model of Proposal in Context – Northeast

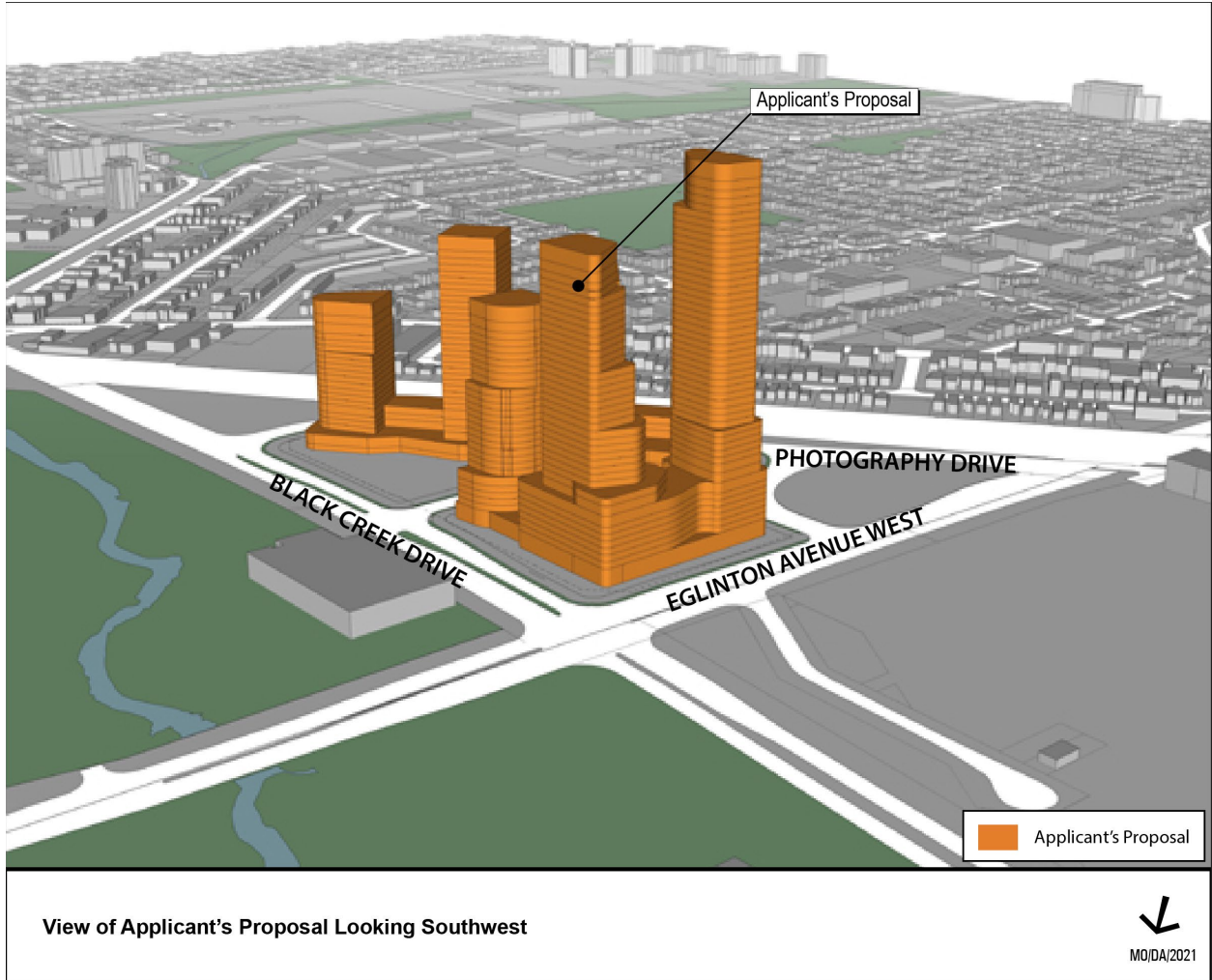
Attachment 3: Location Map

Attachment 4: Site Plan

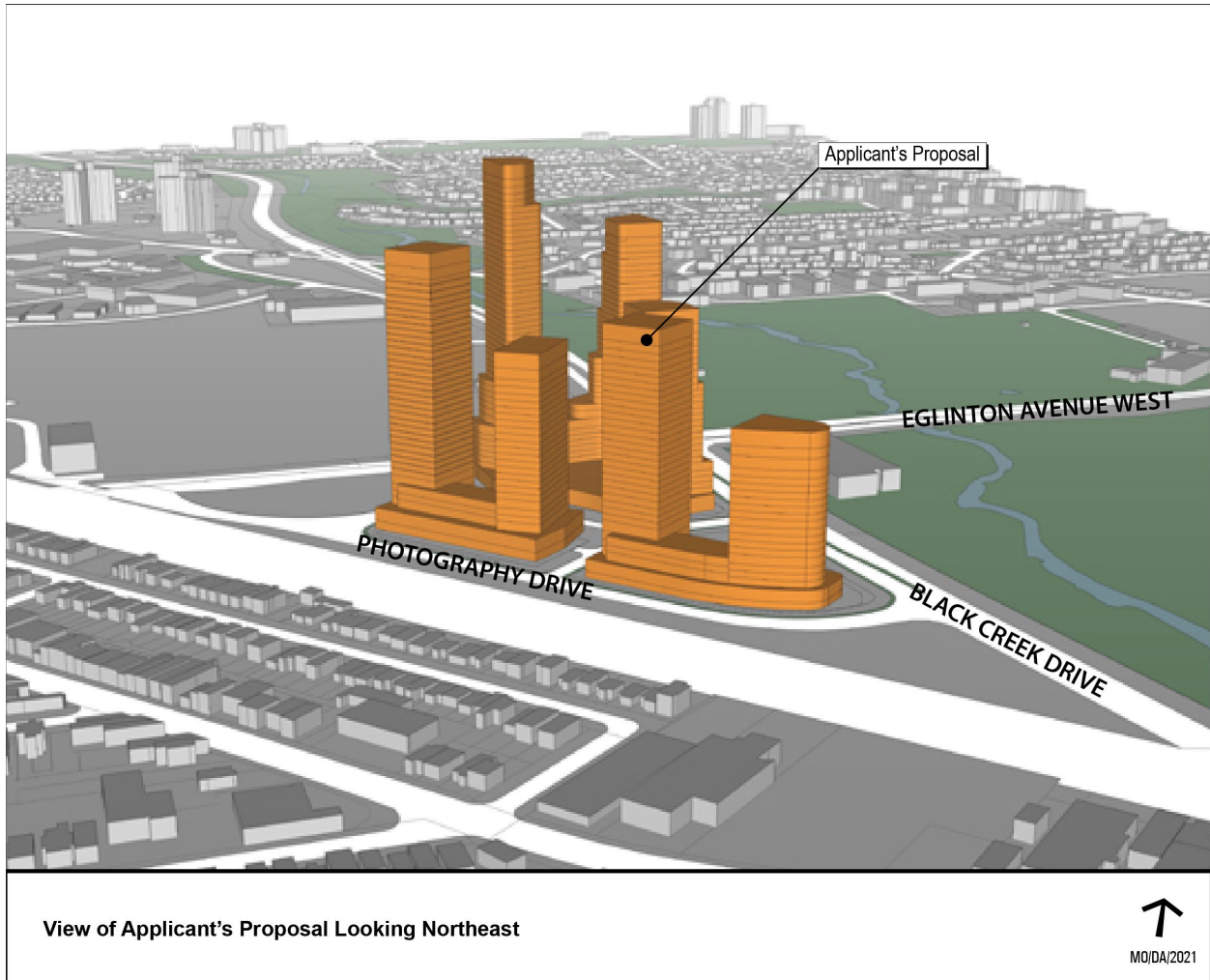
Attachment 5: Official Plan Map

Attachment 6: Zoning Map

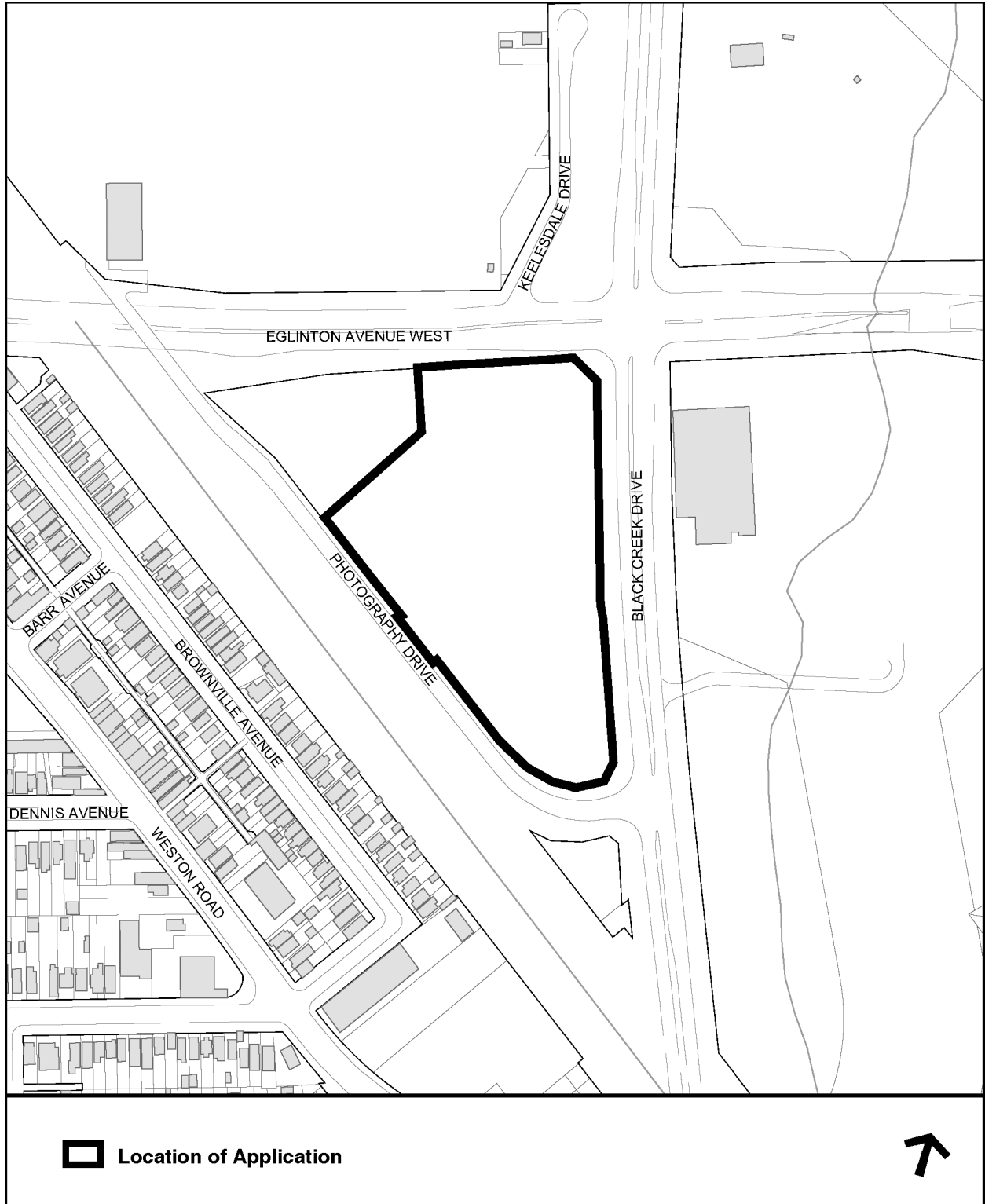
Attachment 1: 3D Model of Proposal in Context – Southwest



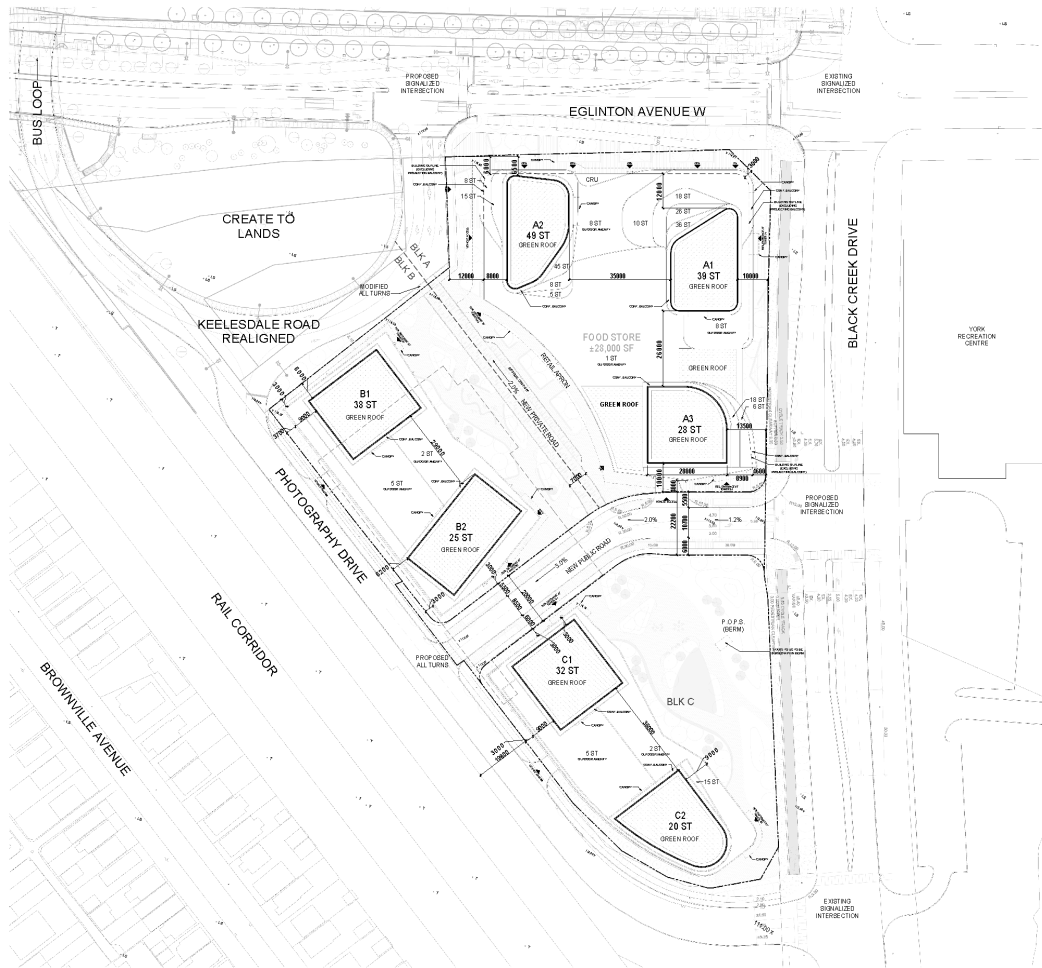
Attachment 2: 3D Model of Proposal in Context – Northeast



Attachment 3: Location Map



Attachment 4: Site Plan



Site Plan













Attachment 5: Official Plan Map




Official Plan Land Use Map #17

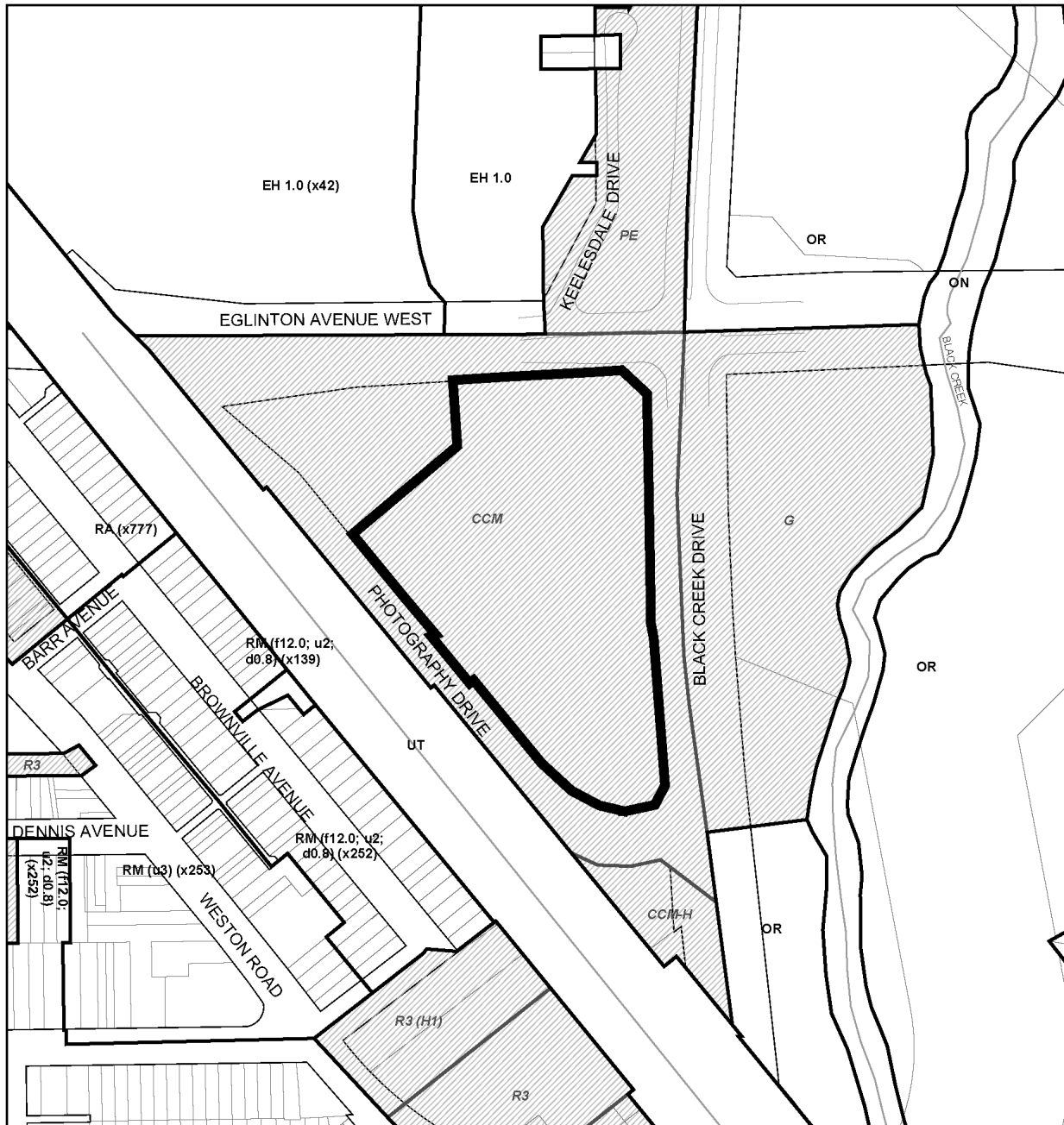
25 Photography Drive

File # 21 186124 WET 05 0Z

 Location of Application	 Natural Areas	 Utility Corridors
 Neighbourhoods	 Parks	 General Employment Areas
 Apartment Neighbourhoods	 Other Open Space Areas	 Core Employment Areas
 Mixed Use Areas		


 Not to Scale
 Extracted: 07/26/2021

Attachment 6: Zoning Map



Zoning By-law 569-2013

25 Photography Drive

File # 21 186124 WET 05 0Z

-  Location of Application
- RM** Residential Multiple
- RA** Residential Apartment
- EH** Employment Heavy Industrial
- ON** Open Space Natural
- OR** Open Space Recreation
- UT** Utility and Transportation

-  See Former City of York By-law No. 1-83
- R2** Residential Districts
- R3** Residential
- LCR** Local Commercial Residential
- CCM** City Centre Mixed Use District Zone
- PE** Prestige Employment Zone
- CE** Commercial Employment Zone
- G** Green Open Space



Not to Scale
Extracted: 07/26/2021