

## **2116 Eglinton Avenue West – Zoning By-law Amendment Application – Final Report**

Date: March 23, 2022

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 8 - Eglinton-Lawrence

**Planning Application Number:** 21 124036 NNY 08 OZ

**Related Applications:** 20 192945 NNY 08 SA

### **SUMMARY**

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This application proposes to permit an 8-storey building (25.5 metres with 5 metre tall mechanical penthouse) with 101 residential units and 400 square metres of retail on the ground floor at 2116 Eglinton Avenue West which will result in a total gross floor area (GFA) of 7,452 square metres and a density of 5.01 times the area of the lot.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) and the City of Toronto Official Plan.

This report reviews and recommends approval of the application to amend Zoning By-law 569-2013.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 2116 Eglinton Avenue West substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to this report.
2. City Council require the owner to voluntarily enter into an Agreement pursuant to Section 37 of the Planning Act as follows:
  - (a) Prior to the issuance of an above grade building permit, a voluntary Community Benefits monetary contribution of \$100,000.00 (One Hundred Thousand Dollars), towards additional Transportation Demand Management

Measures and area parks improvements be provided, to the satisfaction of the Chief Planner and Executive Director, City Planning;

(b) the cash contribution in paragraph 2(a) above shall be indexed upwardly in accordance Building Construction with the Statistics Canada Residential or Non-Residential, as the case may be, Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01 or its successor, calculated from the date of the Agreement to the date of payment;

(c) In the event the cash contribution referred to in Section 2 (a) has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands;

(d) The following Transportation Demand Management (TDM) matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

(i) The Owner shall provide and maintain a minimum of two (2) car-share spaces as defined in the Zoning By-law Amendments in locations within the Development to be determined at the Site Plan Approval stage all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Transportation Services;

(ii) The owner shall provide proof of purchase and distribution of carshare memberships, each at the value of a 1-year membership, to all first-time residential unit renters to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

(iii) Prior to the issuance of the first Above-Grade Building Permit for the Development on any portion of the Lands, the Owner shall pay to the City, by certified cheque, the sum of Fifty Thousand Dollars (\$50,000.00) in Canadian funds, indexed upwardly in accordance with the Statistics Canada Residential or Non-Residential, as the case may be, Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01 or its successor, calculated from the date of the Agreement to the date of payment; for the future implementation of bike-share facilities in the vicinity of the development site, at a location that may be determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor;

(iv) The Owner shall provide and maintain a minimum of one (1) bicycle repair station in a location within the development determined at the Site Plan Approval stage all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Transportation Services;

(v) The Owner shall provide and maintain twenty five (25) additional bicycle parking spaces on site to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Transportation Services;

(vi) The owner shall provide proof of purchase and distribution of PRESTO cards, each at the value of a monthly TTC pass, to all first-time residential unit renters to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and

(vii) The owner shall provide and maintain a real-time transportation screen in a location, through Site Plan Approval, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the General Manager.

(e) The following matter is also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

(i) No later than the earlier of registration of the condominium corporation of the building on the Site, the first residential occupancy of the building on the Site, or three years after the issuance of an above-grade building permit for the building on the Site, the owner shall at its sole expense provide minimum 2.1 metre wide sidewalks along the Eglinton Avenue West frontage and Little Boulevard frontage, to the satisfaction of the Director of Community Planning, North District.

3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

## **FINANCIAL IMPACT**

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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**

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The Zoning By-law Amendment application was submitted on March 22, 2021 and deemed complete on April 20, 2021. A Preliminary Report on the application was adopted by the North York Community Council on May 21, 2021 authorizing staff to

conduct a community consultation meeting. Community consultation is summarized in the Comments section of this Report.

The Preliminary Report is available at:  
[Agenda Item History - 2021.NY24.12 \(toronto.ca\)](#)

## **PROPOSAL**

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### **Location and Background**

The site is located at the northeast corner of Eglinton Avenue West and Little Boulevard. The current use on the property is a privately-owned parking lot with 30 parking spaces. The site has approximately 45.72 metres of frontage along Eglinton Avenue West and approximately 26.26 metres of frontage along Little Boulevard. The site is a rectangular shape with an existing area of approximately 1,488 square metres and is bound by an east-west public laneway to the north. There is small portion of land at the southeast corner of the Little Boulevard and the public lane which contains an Emergency Access Building for the Eglinton Crosstown LRT (owned by Metrolinx).

### **Site Organization**

Vehicular access to the loading and underground garage is proposed through the existing 4.2 metre wide public laneway abutting the site to the north, which will be widened through this proposal. The Metrolinx Emergency Access Building is located at the northwest corner of the site, having frontage onto Little Boulevard.

The entrance to the residential portion of the development will be located on Little Boulevard. Along the frontage of Eglinton Avenue West, there is proposed eight retail units of which six will be approximately 37 square metres. The other two units are proposed to be approximately 53 square metres and 121 square metres. The largest retail unit will be located at the intersection of Little Boulevard and Eglinton Avenue West.

A new 2.1 metre wide public pedestrian walkway is proposed in front of the site, along both the Eglinton Avenue West and Little Boulevard frontages, within the City's ultimate right-of-ways. Beyond the 2.1 metre public pedestrian walkway, landscaping is proposed along Eglinton Avenue West and Little Boulevard. The development is required to landscape the Eglinton Avenue West frontage as per the Eglinton Crosstown - Eglinton Avenue Streetscape Design. Adhering to this design standard, the proposed development will provide a cycle track, waste receptacles, trees and benches. New tree plantings are proposed along the Little Boulevard frontage.

### **Site and Surrounding Area**

North: Immediately north of the site is a public laneway. Further north is a low-rise residential area that extends to Schell Avenue which is approximately 360 metres away. Past Schell Avenue, the properties begin to transition into industrial warehouses. Heading north along Little Boulevard, the east and west sides of the street are lined with

1- and 2-storey detached dwellings. Located at the northwest corner of the subject property is the 1-storey Metrolinx Emergency Exit Building for the Crosstown LRT. This Emergency Exit building is not an entrance to the LRT but rather utilized as an emergency exit in times when the Crosstown LRT needs to be evacuated.

East: Immediately east of the site are two 2-storey mixed use commercial buildings with residential units above and two 2-storey detached dwellings. East of Ronald Avenue is a 4-storey walk-up apartment building. As you go east along Eglinton Avenue West, the built form is typically 1- to 3-storey mixed-use buildings.

South: Immediately south of the site is Eglinton Avenue West. Further south is Prospect Cemetery which extends approximately 2 kilometres to St. Clair Avenue West. To the east and west of the cemetery are low-rise residential dwellings.

West: Immediately west of the site is a 2-storey commercial retail building, containing various uses such as an auto parts dealer, a furniture and appliance store, and a dental clinic. Further west past Montcalm Avenue are 1- and 2-storey detached dwellings that front on Eglinton Avenue West. Past Snider Avenue are 2 storey commercial and mixed-use buildings.

### **Built Form and Height**

The proposal is for a mid-rise development that is 8-storey (25.5 metres high with a 5 metre mechanical penthouse) in height. On the north side of the building, the development stepbacks approximately 3 metres on the 5th and 6th floor, approximately 2 metres on the 7th floor and approximately 8 metres on the 8th floor. This stepback on the north side allows the development to meet the angular plane from the adjacent 2-storey detached dwellings. There are green roofs proposed to be located on the 8th floor and on top of the mechanical penthouse. The proposed ground floor height is 4.2 metres.

At the west and south side of the proposal along Little Boulevard and Eglinton Avenue West, the applicant proposes to have design and landscape features such as light fixtures, terraces, and planters encroach into the building setbacks. As the building is at a 0 metre setback along both of these frontages, an encroachment agreement with the City's Transportation Right-of-Way Management Division will be required.

Table below includes details of the proposed buildings and a comparison between the original and current proposals.

| Category                        | Original Submission of March 2021 | Current Resubmission of January 27, 2022 |
|---------------------------------|-----------------------------------|--|
| Site Area in Square Metres (m2) | 1,488 m2                          | 1,488 m2                                 |

| Category  | Original Submission of March 2021   | Current Resubmission of January 27, 2022  |
|---|---|---|
| Gross Floor Area (GFA) in Square Metres (m2)<br>Residential<br>Non-residential<br>Total | 7,070 m2<br>426 m2<br>7,496 m2  | 7,050 m2<br>402 m2<br>7,452 m2  |
| Floor Space Index (FSI)   | 5.03 times the lot area   | 5.01 times the lot area   |
| Storeys & Height in Metres (m) including Mechanical Penthouse (MPH)                     | 8 Storeys: 30.5 m including MPH   | 8 Storeys: 30.5 m including MPH   |
| Setbacks from Property Line in Metres (m)   | North (rear) - 7.5 m from the laneway<br>East (side yard) - 0 m<br>South (front yard) - 0.4 m<br>West (side yard) - 0 m | North (rear) - 7.5 m from the laneway<br>East (side yard) - 0 m<br>South (front yard) - 0.4 m<br>West (side yard) - 0 m |
| Building Type   | Mid-rise  | Mid-rise  |
| Residential Units<br>Studio<br>1 Bedroom<br>2 Bedroom<br>3 Bedroom<br>Total             | 4 (4%)<br>63 (62%)<br>19 (19%)<br>15 (15%)<br>101   | 4 (4%)<br>64 (63%)<br>18 (18%)<br>15 (15%)<br>101   |
| Unit Size in Square metres (m2)<br>Studio<br>1 Bedroom<br>2 Bedroom<br>3 Bedroom        | 42<br>52 - 60<br>68 - 73<br>87  | 42<br>52 - 60<br>72 - 74<br>87  |
| Amenity Area<br>Indoor<br>Outdoor<br>Total  | 77 square metres<br>195 square metres<br>272 square metres  | 77 square metres<br>195 square metres<br>272 square metres  |
| Vehicle Parking (residential:visitor)   | 23 (23:0)   | 50 (42:8)   |

| Category  | Original Submission of March 2021    | Current Resubmission of January 27, 2022 |
|---|--------------------------------------|--|
| Bicycle Parking (long-term residential: short term) | 107 spaces (92:15)                   | 163 spaces (147:16)                      |
| Loading spaces                                      | 1 Type 'G'                           | 1 Type 'G'                               |
| Road Widening (m)                                   | Laneway - 1.37 m<br>Eglinton - 0.4 m | Laneway - 1.37 m<br>Eglinton - 0.4 m     |

### Reasons for Application

The application to amend the Zoning By-law is required to establish site specific provisions including those related to height, density and setbacks to permit the proposed building.

The subject site is zoned Mixed Commercial Zone (MCR) Zone under the former City of York Zoning By-law No. 1-83. The subject site is not subject to City-wide Zoning By-law No. 569-2013. However through this rezoning process, the subject site will be brought into City-wide Zoning By-law 569-2013, where applicable.

## APPLICATION BACKGROUND

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### Application Submission Requirements

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

- Arborist Report
- Architectural Plans
- Civil and Utilities Plans
- Community Services and Facilities Study
- Energy Strategy report
- Environmental Impact Study
- Functional Servicing and Stormwater Management Report
- Geotechnical Investigation
- Hydrogeological Report
- Landscape and Lighting Plans
- Planning Rationale
- Sun/Shadow Study
- Toronto Green Standard Checklist

- Traffic Operations Assessment
- Tree Inventory and Preservation Plan
- Vibration Study

The reports and studies submitted by the applicant are available on the City's Application Information Centre (AIC) at the following link:

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

### **Agency Circulation Outcomes**

The application together with the applicable reports noted above, have been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

### **Statutory Public Meeting Comments**

In making their decision with regard to this application, Council members have been given an opportunity to view the oral submissions made at the statutory public meeting held by the North York Community Council this application, as these submissions are broadcast live over the internet.

## **POLICY CONSIDERATIONS**

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

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

### **The Provincial Policy Statement (2020)**

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

- the efficient use and management of land and infrastructure;
- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.



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

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

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

## **Provincial Plans**

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect to the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the 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).

### **Toronto Official Plan**

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

#### *Chapter 2 - Shaping the City*

The growth management policies in this section of the Official Plan highlight the importance of steering growth in areas of the City that are well served by transit. Section 2.2 states that areas that can better accommodate growth are the Waterfront, the Centres, the Avenues, and the Employment Areas. The policy further states that mixed use Avenues will emphasize residential growth.

Section 2.2.3 speaks to growth and development along Avenues. Eglinton Avenue has been identified within the Official Plan as a major arterial corridor fit for intensification. The preamble in this section further states that growth and redevelopment of the Avenues should be supported by high quality transit services which should be combined with urban design and traffic engineering practices that promote streets that are safe, comfortable and attractive for pedestrians and cyclists.

Section 2.3.1 identifies the importance of building balanced and healthy neighbourhoods. The preamble in this section states "established neighbourhoods will benefit from directing growth to the Downtown, the Centres and the Avenues by enjoying better transit service, greater housing choices, increased shopping

opportunities, and improved pedestrian environment and other advantages that these growth areas provide."

### *Chapter 3 - Building a Successful City*

The Built Form policies in this Section of the Official Plan address the importance of the location and organization of development, and its massing and appropriate amenity within the existing and planned context to inform the built form. The policies ensure that each new building will promote and achieve the overall objectives of the Official Plan. Section 3.1.1 of the Official Plan identifies the importance of public realm in the City and its neighbourhoods. Public realm plays a role in supporting growth, health, liveability, social equity, and overall quality of life.

#### Site Organization and Location

The policies in 3.1.2 (1) focus on site organization and location which includes requirements for development to be located and organized to fit with its existing and planned context. Such development will frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and will improve the safety, pedestrian comfort, interest and experience, and casual views to these spaces from the development by:

- Generally locate buildings parallel to street or along the edge of a park or open space with consistent front yard setbacks;
- Providing additional setbacks or open spaces in locations such as street intersections, transit stop and natural areas;
- Locating main building entrances on the prominent building facades so that they front onto a public street, park or open spaces, are clearly visible and directly accessible from a public street;
- providing ground floor uses, clear windows and entrances that allow views from and where possible, access to adjacent streets, parks and open spaces;
- Preserving existing mature trees wherever possible and incorporating them into the development site; and,
- Providing comfortable wind conditions and air circulation at the street and adjacent open spaces to preserve the utility and intended uses of the public realm, including sitting and standing.

Policy 3.1.2.4 states that development will locate and organize vehicle parking, vehicular access and ramps, loading, servicing, storage areas, and utilities to minimize their impact and improve the safety and attractiveness of the public realm, the site and the surrounding by:

- Using shared service areas where possible within development blocks, including public lanes, shared private driveways, and service courts;
- Consolidating and minimizing the width of driveways and curb cuts across the public sidewalk;

- Integrating services, utility functions within buildings;
- Providing underground parking;
- Limiting new, and removing existing, surface parking and vehicular access between the front face of a building and the public street or sidewalk; and,
- Limiting above-ground parking structures, integrating them within buildings, and providing active uses and attractive building facades along adjacent street, parks and open spaces.

### *Building Shape, Scale and Massing*

The proposal was considered under Policies 3.1.2. 5 to 3.1.2.8 that address the building shape, scale, and massing. The policies include requirements that development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm.

### *Improving the Public Realm through Building Design*

The proposal was considered under Policies 3.1.2.9 to 3.1.2.10 that address improvements to the public realm through building design. The design of new building façades visible from the public realm will consider the scale, proportion, materiality and rhythm of the façade to:

- Ensure fit with the adjacent building façades;
- Contribute to a pedestrian scale by providing a high quality of design on building floors adjacent to and visible from the public realm; and,
- Ensure grade relationships that provide direct access and views into and from the public realm.

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

- Improvements to adjacent boulevards and sidewalks including sustainable design elements, which prioritize street trees and may include one or more of the following: shrubs, hedges, plantings or other ground cover, permeable paving materials, bio-retention swales, street furniture including seating in various forms, curb ramps, waste and recycling containers, energy efficient lighting and bicycle parking facilities;
- Co-ordinated landscape improvements in setbacks to enhance local character, fit with the public streetscapes, and provide attractive, safe transitions between the private and public realms;
- weather protection such as canopies and awnings;
- landscaped open space within the development site;
- landscaped edges of surface parking lots along streets, parks and open spaces to define the edge and visually screen the parking lots from the public realm; and,

- Safe, direct pedestrian routes and tree plantings throughout the site and within surface parking lots, where possible.

#### *Private and Shared Amenity Spaces*

Policies 3.1.2.11 to 3.1.2.13 that address private and shared amenity spaces will also be used to access the proposed development. They provide for outdoor amenity spaces to be located at or above grade; have access to daylight; have access to direct sunlight, where possible; provide comfortable wind, shadow and noise conditions; be located away from and physically separated from loading and servicing areas; and promote use in all seasons.

#### *Built Form - Building Types*

The development will be accessed under Policy 3.1.3.1 that encourages a mix of building types on sites that can accommodate more than one building. The site will be designed to define and support existing and proposed streets, lanes, parks and open spaces at appropriate scales.

#### *Chapter 4- Land Use Designations*

The subject lands are designated *Mixed Use Areas* on Map 17 of the Official Plan. The *Mixed Use Areas* designation permits a broad range of commercial, residential and institutional uses. The introductory text in Section 4.5 states that the intent of the designation is to achieve a multitude of planning objectives by combining a broad array of residential uses, offices, retail and services, institutions, entertainment, recreation and cultural activities, and parks and open spaces.

Policy 4.5(2) sets out a number of criteria for development within the *Mixed Use Areas* designation, including:

- creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- locating and massing new buildings to provide a transition between areas of different development intensity and scale as necessary to achieve the objectives of the Plan, through means such as providing setbacks and/or a stepping down of heights, particularly towards lower scale Neighbourhoods;
- locating and massing new buildings to adequately limit shadows on adjacent Neighbourhoods, particularly during the spring and fall equinoxes;
- locating and massing new buildings to frame the edges of streets and parks with good proportion and to maintain sunlight and comfortable wind conditions for pedestrians;
- providing an attractive, comfortable and safe pedestrian environment;
- having access to schools, parks, community centres, libraries and childcare;
- taking advantage of nearby transit services;

- providing good site access and circulation and an adequate supply of parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and,
- providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

In addition, Policy 2.3.1(3) requires that developments in *Mixed Use Areas* that are adjacent or close to Neighbourhoods will:

- be compatible with those Neighbourhoods;
- provide a gradual transition of scale and density, as necessary to achieve the objectives of the Official Plan through the stepping down of buildings towards and setbacks from those Neighbourhoods;
- maintain adequate light and privacy for residents in those Neighbourhoods;
- orient and screen lighting and amenity areas so as to minimize impacts upon adjacent land in those Neighbourhoods;
- locate and screen service areas, any surface parking and access to underground and structured parking so as to minimize impacts on adjacent lands in those Neighbourhoods, and enclose service and access areas where distancing and screening do not sufficiently mitigate visual, noise and odour impacts upon adjacent land in those Neighbourhoods; and,
- attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those Neighbourhoods.

Policy 2.3.1(4) sets out that intensification of lands adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. Where significant intensification of lands adjacent to a *Neighbourhood* or *Apartment Neighbourhood* is proposed, Council will determine, at the earliest point in the process, whether or not a Secondary Plan, area specific zoning by-law or area specific policy will be created in consultation with the local community following an Avenue Study, or area based study.

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

### **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') were approved by City Council on May 6, 2014. The Eglinton Connects Phase 1 (Parts 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.

Through the development of this Planning Study, City Staff identified lands fronting onto this section of Eglinton Avenue West as appropriate for mid-rise buildings. It was intended that the subject site would also permit a mid-rise development keeping in line with the surrounding context. However, a development application was anticipated to be submitted to the City while the Planning Study was being undertaken. For this purpose only, City Staff did not rezone the subject property. No development application was received by City Planning for this site, and it was not included in the City Council approved Eglinton Connects Zoning By-law. Therefore the former City of York Zoning By-law No 1-83 continues to apply to the subject site.

## **Zoning**

The subject site is zoned Mixed Commercial Zone (MCR) Zone under the former City of York Zoning By-law No. 1-83. Permitted uses include street townhouses, retirement lodge, apartment house, nursing home, home occupation, retail store, office, restaurant, recreational uses, theatre, funeral parlour, institutional, commercial, public garage and hotel uses.

The maximum building height is 8 storeys or 25.5 metres. The maximum height of any portion of a building shall not be greater than 70% of the horizontal distance of that portion from the adjacent residential zone. The maximum floor space index is 2.5 times the area of the lot.

The subject site is not subject to City-wide Zoning By-law No. 569-2013. However, the Eglinton Connects Planning Study has indicated this site is suitable for a mid-rise development with a proposed height of 26 m. The proposal provides for a mid-rise development with a proposed height of 25.5 metres and is consistent with the findings of the Eglinton Connects Planning Study.

## **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 step backs, sunlight and skyview, pedestrian realm conditions, transition to *Neighbourhoods* and *Parks and Open Space Areas* and corner sites. The link to the guidelines is here:

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

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. Council's decision is here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

### **Site Plan Control**

The proposed development is subject to Site Plan Control. The applicant has submitted a site plan control application (20 192945 NNY 08 OZ) that is being processed concurrently with the Zoning By-law Amendment application.

### **COMMENTS**

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#### **Provincial Policy Statement and Provincial Plans**

The proposal has been reviewed and evaluated against the PPS (2020) and the Growth Plan (2020).

Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan (2020).

The PPS identifies that the long-term prosperity and social well-being of the province depends on planning for strong and sustainable communities, a clean and healthy environment and a strong and sustainable economy. The PPS contains policies that promote the use of active transportation and transit before other modes of travel. Policy 1.1.3.3 promotes transit-supportive development and accommodating a significant supply and range of housing options through intensification and redevelopment taking into account the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The Growth Plan contains similar policies to the PPS, and supports the achievement of complete communities that are designed to support health and active living and meet people's needs for daily living throughout an entire lifetime. Policy 1.2.1 prioritizes intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability. It supports a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households.

The proposed development meets the policy objectives of the PPS and Growth Plan by providing intensification through mid-rise development on the site while contributing to a



mix of unit sizes, parking and amenity space necessary to meet projected requirements of current and future residents.

Policy 4.6 of the PPS recognizes that the Official Plan is the most important vehicle for implementation of the PPS and assists in implementing the Growth Plan by setting out appropriate land use designations and policies.

This application has been reviewed against the Official Plan policies described in the Policy Consideration Section of the Report as well as the policies of the Toronto Official Plan as a whole.

## **Land Use**

A summary of the application's conformity with the land use policies in Section 4.5 of the Official Plan is discussed below.

Section 4.5.1 of the Official plans identifies *Mixed Use Areas* as areas that contain development that is of a broad range of commercial and residential uses in mixed use buildings. The areas are identified as anticipated growth areas with increase commercial and residential development.

A key focus of intensification on Eglinton Avenue is the development of the Eglinton Crosstown LRT. Section 4.5.2 (h) states that development in *Mixed Use Areas* will take advantage of the nearby transit services. The Eglinton Connects Plan identified the subject site as appropriate for mid-rise development and intensification. Intensification on the subject site would support transit ridership and allow residents to take advantage of the amenities and services in the area.

The proposed development respects and reinforces the prevailing heights, massing, and density of nearby properties by proposing an 8-storey mid-rise development with a FSI of 5.01 times the area of the lot. This is in line with the enforced Eglinton Connects zoning which has been applied to all Mixed Use properties along the Eglinton corridor. Further, the existing use on the subject site is well below the as-of-right height and density of 24 metres (8 storeys) and 2.5 FSI permitted by the in-force Zoning By-law No. 1-83. The proposal represents a modest and appropriate level of intensification beyond the as-of-right permissions that aligns with the planning policy context in the area.

Section 4.5.2 identifies pedestrian environment, site access and circulation, the provision of outdoor and indoor amenity spaces as important features of Mixed Use developments. The proposal will be providing a 2.1 metre pedestrian walkway around the Little Boulevard and Eglinton Avenue West frontages. Further, the proposal will also develop the Eglinton Avenue West frontage to the approved Eglinton Connects Streetscape plan which will result in the improvement of sidewalks, the installation of bike infrastructure and improved tree planting. Lastly, the proposal will also be providing 272 square metres of total amenity space for the residents of the development.

## **Height, Massing and Density**

With respect to height, the proposal has been designed to meet the limit of 25.5 metres plus mechanical penthouse, that was introduced for this section of Eglinton Avenue through the Eglinton Connects Plan. The proposed height of 25.5 metres is in line with the planned right-of-way width of Eglinton Avenue West, which is in keeping with the 1:1 guideline typically applied to mid-rise buildings across the City. The proposed height of 25.5 metres represents a modest increase from the in-force zoning by-law permissions of 24.0 metres. The proposed ground floor height is 4.2 metres which is acceptable.

With respect to the proposed massing, the building has been designed to incorporate a 4-storey streetwall to create a pedestrian condition supportive of at-grade retail and public realm improvements. The proposed streetwall height of 13.5 metres matches the zoning that was introduced for this section of Eglinton Avenue West through the Eglinton Connects Plan. Above the streetwall, the proposal includes stepbacks to appropriately frame the public streets, in keeping with the Mid-Rise Building Guideline performance standards.

The proposed density of 5.01 times the lot area is in keeping with other developments in the area.

## **Shadow Impacts**

The policies specific to *Mixed Use Areas* provide that new buildings will adequately limit shadow impacts on adjacent Neighbourhoods and Parks, particularly during the spring and fall equinoxes. In order to assess impacts, a shadow study was undertaken by Studio JCI for the proposed development on March 21st and September 21st for each hour between 9:18 a.m. and 6:18 p.m. The neighbourhoods to the north are expected to have minimal impact from shadowing, with approximately 1-hour of shadow on properties between March and September.

## **Indoor/Outdoor Amenity Space**

The development proposal includes both indoor and outdoor amenity space. With a total of 101 units proposed at 2 square metres per unit of indoor amenity space and 2 square metres per unit of outdoor amenity space, the proposal is expected to provide 202 square metres of indoor amenity space and 202 square metres of outdoor amenity space.

The site statistics indicate that a total of 77 square metres of indoor amenity space would be provided. In terms of outdoor amenity space, 195 square metres is proposed. Staff are satisfied with the amount of indoor and outdoor amenity area.

## **Unit Mix**

The Council-adopted Growing Up: Planning for Children in New Vertical Communities urban design [guidelines](#) provide guidance on the proportion and size of larger units in new multi-unit residential developments.

Staff have reviewed the applicant's proposal and have indicated that the provision of 18 (18%) two-bedroom units and 15 (15%) three bedroom units support the unit mix objectives of the Growing Up Guidelines, Official Plan housing policies, and the Growth Plan's growth management and housing policies to accommodate within new development a broad range of households, including families with children. However, the size range of the two and three bedroom units needs to be improved in accordance with the Growing Up Guidelines. Staff will continue to work with the applicant to address issue related to the size range of the two and three bedroom units during the site plan control process.

## **Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings**

The City of Toronto has completed the Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. The purpose of this document is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities. These Guidelines are to be used by the development industry in the preparation of development applications, by architects to inform the size, location and layout of pet friendly facilities, and by city staff in the various stages of development application review to identify best practices and help inform decisions that will support pet friendly environments.

The Guidelines are to be used in conjunction with other policies and guidelines. They are not intended to be prescriptive, but rather are intended to provide an additional degree of information. All residents, both pet-owners and non-pet-owners, will benefit from the Guidelines as they encourage design that demonstrate considerations for pets and reduces the impact that they have on our parks, open spaces and the environment.

The applicant is proposing a pet relief area as part of the 195 square metre outdoor amenity space.

## **Streetscape**

The owner has provided a Landscape and Lighting Plan and a Tree Preservation Plan. Staff will work with the applicant to secure any necessary improvements to the streetscaping in accordance with the Eglinton Connects Streetscape Plan, at no cost to the City during the site plan control process.

## **Traffic Impact, Access, Parking and Loading**

The proposed development would have direct pedestrian access via pedestrian walkway on Little Boulevard. Vehicular access is proposed via the public laneway on the north side of the property. The development proposes 50 vehicle parking spaces and 163 bicycle parking spaces. Staff will continue to work with the applicant to address any outstanding issues identified in the Recommendations Section of this report during the site plan control process and prior to finalizing the bill for the zoning by-law amendment application.

The proposed development will provide 1 type "G" loading space as per the by-law requirements. The specification of the loading are 13 m in length, 4 metres in width and 6.1 metre vertical clearance.

## **Traffic Demand Management (TDM)**

TDM measures are aimed at encouraging people to take fewer and shorter single occupancy vehicle trips to reduce congestion, energy consumption and pollution. In the past, transportation planning has often focused on supply-side solutions by identifying where additional transportation capacity is needed to satisfy forecasted travel demands. TDM in contrast, puts the emphasis on changing travel behaviour to modify and reduce our demand for vehicular travel in cities. TDM measures are most effective when supported by complementary actions in the key areas of land use planning and public transit improvements.

Typical TDM policies and programs include, but are not limited to: parking supply management strategies (such as reduced parking provisions) in combination with car sharing/bike sharing; school/trip planning; development-related transit initiatives; and cycling programs and expansion of the citywide cycling networks.

The following TDM measures are proposed:

- Car-share vehicles and parking spaces - Two-carshare spaces will be located at-grade and the owner has committed to covering the initial 1-year membership cost for all 101 units.
- Bike Share - The development will provide a funding contribution for one bike share station.
- Bike Repair Station - A bike repair station will be located within the underground parking garage adjacent to the long-term bike parking.
- Pre-loaded Transit Passes - The owner will provide pre-loaded Presto cards, each at the value of an equivalent of a one month TTC pass (cost \$156) for all tenants. Pre-loaded Presto cards will be provided to all 101 residential units.
- Real-time Transportation Screen - A real-time transit service display board will be installed within the residential lobby.

- **Additional Bicycle Parking Spaces** - The proposed development will include 116 long-term bike parking spaces, exceeding the by-law minimum requirement of 91 spaces.

## **Road Widening**

The right-of-way width of this section of Eglinton Avenue West is 27 metres. The proposed development will provide a road widening of 0.4 metres along the Eglinton Avenue West frontage. The public lane is 4.2 metres in width. The proposed development will widen the public lane by 1.37 metres to achieve 5.57 metres in total width.

In addition to the preceding, there is four lay-by parking spaces proposed on the east side of Little Boulevard along the frontage of the subject site. The location and layout of the proposed spaces will be subject to a Functional Pavement Marking and Signage Plan to the satisfaction of the City. All costs associated with same will be the responsibility of the applicant and such matters will be secured through the Site Plan approval process.

## **Servicing**

The owner has provided site servicing plans and Functional Servicing, Stormwater Management, and Hydrogeological reports. Staff will work with the applicant to secure any necessary agreements and permits during the site plan control process.

## **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 applicant submitted an Arborist Report identifying 4 trees, all of which are located in with the City's right-of-way. Staff will work with the applicant on permits to remove trees in order to allow for the proposed development, and plant new ones. Replacement trees will be secured during the site plan control process.

## **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. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

The applicant is required to meet Tier 1 of the TGS. Performance measures for the Tier 1 development features will be secured through explain where they will be secured the Site Plan Approval process.

## Section 37

The applicant has proposed a voluntary Community Benefits monetary contribution of \$100,000.00 (One Hundred Thousand Dollars) towards additional Transportation Demand Management Measures and area parks improvements, and will voluntarily enter into an Agreement pursuant to Section 37 of the Planning Act to secure same, as indicated in the Recommendations section of this Report.

The following Transportation Demand Management (TDM) matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

1. The Owner shall provide and maintain a minimum of two (2) car-share spaces as defined in the Zoning By-law Amendments in locations within the Development to be determined at the Site Plan Approval stage all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Transportation Services.
2. The owner shall provide proof of purchase and distribution of carshare memberships, each at the value of a 1-year membership, to all first-time residential unit renters to the satisfaction of the Chief Planner and Executive Director, City Planning Division.
3. Prior to the issuance of the first Above-Grade Building Permit for the Development on any portion of the Lands, the Owner shall pay to the City, by certified cheque, the sum of Fifty Thousand Dollars (\$50,000.00) in Canadian funds, indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan area, calculated from the date of the execution of this Agreement to the date of payment, for the future implementation of bike-share facilities in Ward 8, at a location that may be determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor
4. The Owner shall provide and maintain a minimum of one (1) bicycle repair station in a location within the development determined at the Site Plan Approval stage all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Transportation Services.
5. The Owner shall provide and maintain twenty five (25) additional bicycle parking spaces on site to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Transportation Services.
6. The owner shall provide proof of purchase and distribution of PRESTO cards, each at the value of a monthly TTC pass, to all first-time residential unit renters to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

7. The owner shall provide and maintain a real-time transportation screen in a location, through Site Plan Approval, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the General Manager,

### **Community Consultation**

A community consultation meeting (CCM) was held for this proposal on June 15, 2021. Approximately 20 community members attended the CCM, providing feedback on various aspects of the development. Majority of the residents present at the meeting attended to seek information on the proposal and to express their concerns. Major concerns included parking, traffic and shadowing. These concerns have been taken into consideration while evaluating the merit of the proposal, and City staff have concluded that the proposal will have minimal impact in terms of parking, traffic and shadowing on the adjacent neighbourhood. Staff will continue to work with the applicant with regards to the proposed parking rate and have included a recommendation for same.

### **Conclusion**

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020). Furthermore, the proposal is in keeping with the intent of the Toronto Official Plan and would provide much needed intensification compatible with the surrounding context. The proposal would contribute to an overall improvement to the quality of life of its residents and surrounding community. Staff recommend that Council support approval of the application.

### **CONTACT**

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E-mail: [Hiba.hussain@toronto.ca](mailto:Hiba.hussain@toronto.ca)

### **SIGNATURE**

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David Sit, MCIP, RPP, Director  
Community Planning, North York District

### **ATTACHMENTS**

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**City of Toronto Data/Drawings**

Attachment 1: Application Data Sheet

Attachment 2: Location Map

Attachment 3: Official Plan Land Use Map

Attachment 4: Existing Zoning By-law Map 1-83

Attachment 5: Draft Zoning By-law Amendment

Attachment 6: Site Plan

Attachment 7: Elevations



## Attachment 1: Application Data Sheet

Municipal Address: 2116 EGLINTON AVENUE WEST Date Received: March 7, 2021

Application Number: 21 124036 NNY 08 OZ

Application Type: Rezoning

Project Description: This is a Zoning Bylaw Amendment application to permit a 8 storey building with 101 residential units including and 402 m2 retail on the ground floor and 7,050 m2 of residential GFA. The proposal includes 50 resident parking spaces and 163 bicycle parking spaces. The loading and the parking would be accessed from the existing laneway at the rear.

| Applicant   | Architect  | Owner   |
|---|--|---|
| BOUSFIELDS INC -<br>3 Church Street Suite<br>200, Toronto ON M5E<br>1M2 | STUDIO JCI - 20 De Boers<br>Drive Suite 525, Toronto ON<br>M3J 0H1 | 2116 EGLINTON<br>HOLDINGS LIMITED -<br>1133 Yonge Street,<br>Toronto ON M4T 1W1 |

### EXISTING PLANNING CONTROLS

|                            |                 |                          |   |
|----------------------------|-----------------|--------------------------|---|
| Official Plan Designation: | Mixed Use Areas | Site Specific Provision: | N |
| Zoning:                    | MCR             | Heritage Designation:    | N |
| Height Limit (m):          | 24 m            | Site Plan Control Area:  | Y |

### PROJECT INFORMATION

Site Area (sq m): 1,488 Frontage (m): 45 Depth (m): 35

| Building Data               | Existing | Retained | Proposed | Total |
|-----------------------------|----------|----------|----------|-------|
| Ground Floor Area (sq m):   |          |          | 1,110    | 1,110 |
| Residential GFA (sq m):     |          |          | 7,050    | 7,050 |
| Non-Residential GFA (sq m): |          |          | 402      | 402   |
| Total GFA (sq m):           |          |          | 7,452    | 7,452 |
| Height - Storeys:           |          |          | 8        | 8     |
| Height - Metres:            |          |          | 26       | 26    |

Lot Coverage Ratio (%): 74.57 Floor Space Index: 5.01

| Floor Area Breakdown     | Above Grade (sq m) | Below Grade (sq m) |
|--------------------------|--------------------|--------------------|
| Residential GFA:         | 7,012              | 37                 |
| Retail GFA:              | 402                |                    |
| Office GFA:              |                    |                    |
| Industrial GFA:          |                    |                    |
| Institutional/Other GFA: |                    |                    |

| Residential Units by Tenure | Existing | Retained | Proposed | Total |
|-----------------------------|----------|----------|----------|-------|
| Rental:                     |          |          |          |       |
| Freehold:                   |          |          |          |       |
| Condominium:                |          |          |          |       |
| Other: TBD                  |          |          | 101      | 101   |
| Total Units:                |          |          | 101      | 101   |

Total Residential Units by Size

|              | Rooms | Studio | 1 Bedroom | 2 Bedroom | 3+ Bedroom |
|--------------|-------|--------|-----------|-----------|------------|
| Retained:    |       |        |           |           |            |
| Proposed:    |       | 4      | 64        | 18        | 15         |
| Total Units: |       | 4      | 64        | 18        | 15         |

Parking and Loading

|                 |    |                         |     |                |   |
|-----------------|----|-------------------------|-----|----------------|---|
| Parking Spaces: | 50 | Bicycle Parking Spaces: | 163 | Loading Docks: | 1 |
|-----------------|----|-------------------------|-----|----------------|---|

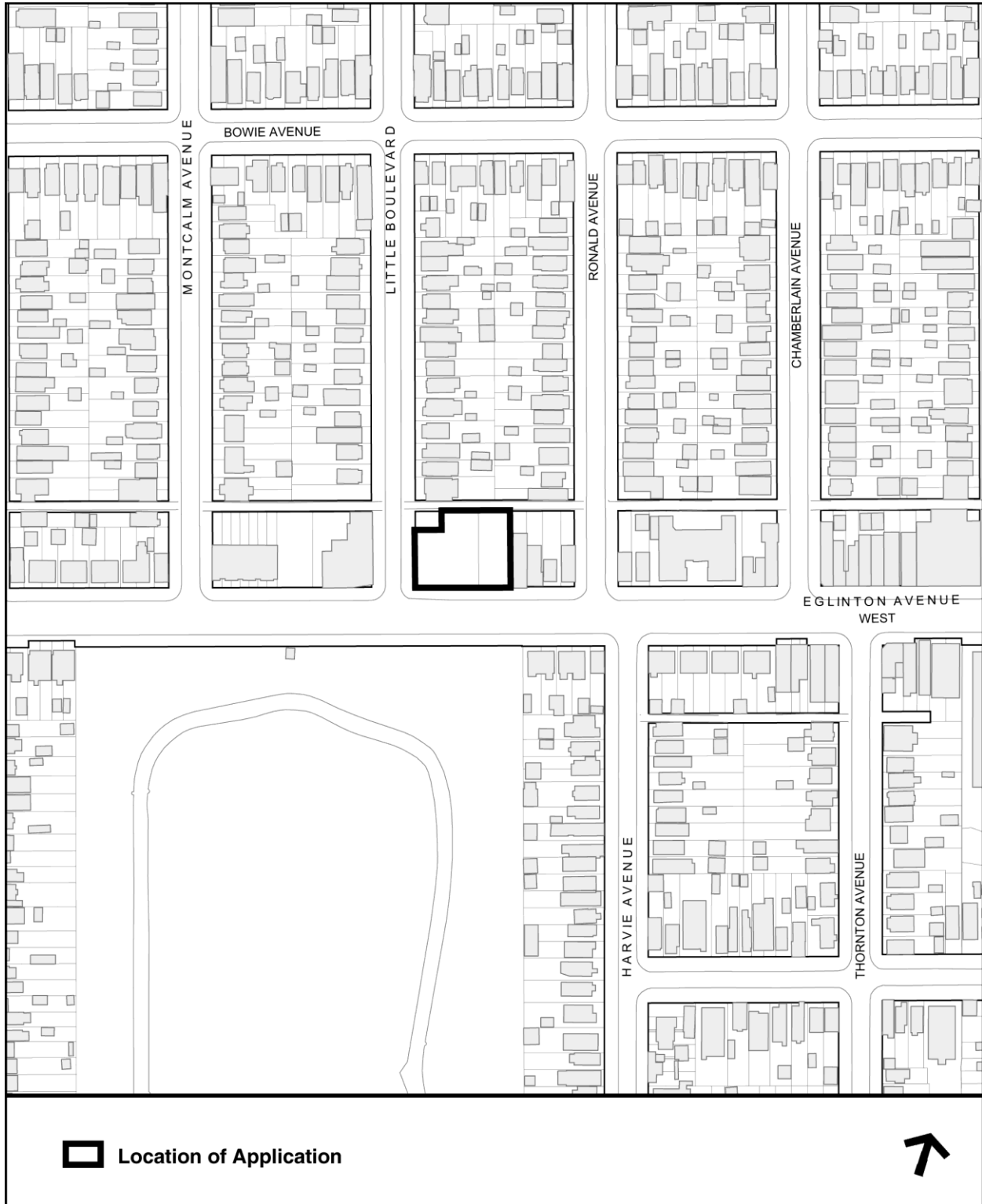
CONTACT:

Hiba Hussain, Planner, Community Planning

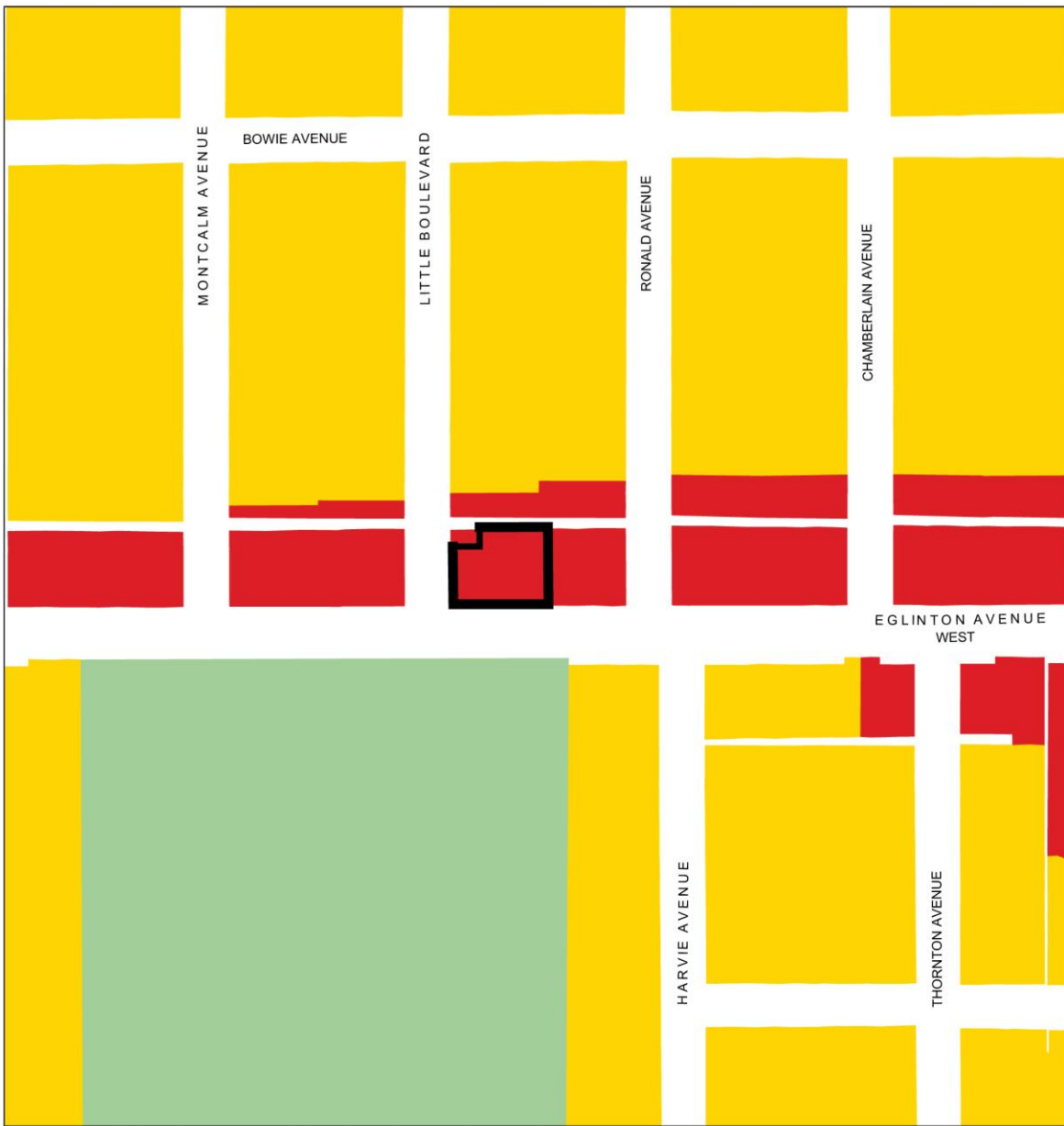
(416) 396-5575

[Hiba.Hussain@toronto.ca](mailto:Hiba.Hussain@toronto.ca)

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map #17

2116 Eglinton Avenue West

File # 21 124036 NNY 08 0Z

-  Location of Application
-  Neighbourhoods
-  Mixed Use Areas
-  Other Open Space Areas

  
Not to Scale  
Extracted: 04/01/2021

Attachment 4: Existing Zoning By-law Map 1-83



Zoning By-law 1-83

2116 Eglinton Avenue West

File # 21 124036 NNY 08 0Z

 Location of Application

MCR - Mixed Commercial Zone

R2 - Residential Zone

G - Green Open Space



Not to Scale  
Extracted: 04/20/2021

## Attachment 5: Draft Zoning By-law Amendment

Draft Zoning By-law Amendment – December XX, 2022

Authority: North York Community Council Item TEY~~, as adopted by City of Toronto Council on ~~, 2022

CITY OF TORONTO

BY-LAW No. ~~-2022

To amend Zoning By-law 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 2116 Eglinton Avenue West.

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P. 13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The lands subject to this By-law are outlined by heavy black lines on Diagram 1 attached to this By-law.
2. The words highlighted in bold type in this By-law have the meaning provided in Zoning By-law 569-2013, Chapter 800 Definitions.
3. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Zoning By-law Map in Section 990.110 and applying the following zone labels: CR SS2 (x494) as shown on Diagram 2 of this By-law.
4. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Policy Overlay Map in Section 995.10, and applying the following label to these lands: PA3, as shown on Diagram 3 attached to and forming part of this By-law.
5. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Lot Coverage Overlay Map in Section 995.30, with no label.
6. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Height Overlay Map in Section 995.20, and applying the following height label to these lands: HT 24.0, ST 8, as shown on Diagram 4 attached to and forming part of this By-law.
7. Zoning By-law 569-2013, as amended, is further amended by adding the lands subject to this By-law to the Rooming House Overlay Map in Section 995.40, with no label.

8. Zoning By-law 569-2013, as amended, is further amended by adding to Article 900.11.10 Exception Number (x494):

Exception CR 494

The lands, or a portion thereof as noted below, are subject to the following Site Specific Provisions, Prevailing By-laws and Prevailing Sections.

Site Specific Provisions:

- (A) On 2116 Eglinton Avenue West a building, structure, addition or enlargement may be constructed in compliance with (B) to (O) below.
- (B) Despite Regulation 40.10.40.40(1), the permitted maximum total gross floor area is 7,600 square metres, of which:
  - (i) the permitted maximum residential gross floor area is 7,150 square metres;
  - (ii) the permitted maximum non-residential gross floor area is 450 square metres.
- (C) Regulations 40.10.20.100(1) and (17) with respect to the permitted maximum interior floor area of all eating establishments, take-out eating establishments and retail services on a lot does not apply;
- (D) Despite Regulation 40.5.40.10(1) and (2), the height of a building or structure is the distance between the Canadian Geodetic Datum elevation of 160.87 metres and the highest point of the building or structure;
- (E) Despite Regulation 40.10.40.10(2), the permitted maximum height of a building or structure is the numerical value, in metres, following the letters HT as shown on Diagram 5 of By-law [Clerks to insert By-law Number];
- (F) Despite Clause 40.5.40.10 and (E) above, the following elements of a building or structure may project above the permitted maximum building height:
  - (i) Structures related to outdoor flooring to a maximum of 0.5 metre;
  - (ii) Mechanical penthouse, mechanical elements, covered stairs or stair enclosures and indoor amenity space to a maximum of 5.5 metres;
  - (iii) Elevator overruns and waste chute vents to a maximum 6.0 metres;
  - (iv) Safety railings, architectural features, parapets, window washing equipment, privacy screens, chimneys, vents, stacks, terraces, platforms, roof access hatches, lightning rods, planters, and public art features, and elements or structures on the roof of the building used for outside or open air recreation, and safety purposes to a maximum of 1.8 metres;

- (v) Landscape features, privacy screens, wind mitigation features, to a maximum 2.75 metres; and,
  - (vi) Green roof elements to a maximum 2.0 metres;
- (G) Despite Regulation 40.10.40.10(5), the required minimum height of the first storey is 4.2 metres;
- (H) Regulation 40.5.40.10(5), with respect to the limits on elements for functional operation of a building, does not apply;
- (I) Despite Regulations 40.5.40.70(1) and 40.10.40.70(2), the required minimum building setbacks in metres are as shown on Diagram 5 of By-law [Clerks to supply By-law Number];
- (J) Despite Regulation 40.10.40.50(1), a building with 20 or more dwelling units must provide amenity space at the following rate:
- (i) At least 2.6 square metres for each dwelling unit must be outdoor amenity space; and
  - (ii) At least 0.76 square metre for each dwelling unit must be indoor amenity space;
- (K) Despite Regulation 200.5.10.1(1) and Table 200.5.10.1, parking spaces must be provided in accordance with the following:
- (i) A minimum of 0.38 residential occupant parking spaces for each dwelling unit;
  - (ii) A minimum of 0.07 residential visitor parking spaces for each dwelling unit; and
  - (iii) 0 parking spaces for non-residential gross floor area;
- (L) Despite Regulation 200.5.11.1(1), "car share-parking spaces" may replace parking spaces otherwise required for residential occupants, subject to the following:
- (i) a maximum reduction of 3 parking spaces will be permitted for each 'car-share parking space';
  - (ii) for the purpose of this exception, "car-share" means the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and to use a car-share vehicle, a person must meet the membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable. Cars are reserved in advance and fees for use are normally based on time and/or kilometres driven and do include use of cars on an hourly basis; and
  - (iii) for the purpose of this exception, "car-share parking space" means a parking space exclusively reserved and signed for a vehicle used only for "car-share" purposes and such car-share is for the use of at least the occupants of the building;



- (M) Despite regulations 200.5.1.10(2)(A)(iv), Electric Vehicle Infrastructure, including electrical vehicle supply equipment, does not constitute an obstruction to a parking space;
- (N) Despite Regulation 230.5.1.10(4) short-term bicycle parking spaces may have a minimum width of 0.24 metre; and,
- (O) Despite Regulation 40.10.20.40(1) dwelling units are permitted in a mixed-use building.

Prevailing By-laws and Prevailing Sections: (None apply).

9. Despite any future severance, partition or division of the lands as shown on Diagram 1, save and except for the portion of the lands denoted as 0.4 metres along the frontage of Eglinton Avenue West and 1.37 metres along the frontage of the public lane, the provisions of this By-law shall apply as if no severance, partition or division occurred.

10. For the purposes of By-law [Clerks to provide By-law ##], car-share means the practice where a number of people share the use of one or more cars that are owned by a for-profit or non-profit car-sharing organization and where such organization may require that use of cars to be reserved in advance, charge fees based on time and / or kilometres driven, and set membership requirements of the car-sharing organization, including the payment of a membership fee that may or may not be refundable.

11. For the purposes of By-law [Clerks to provide By-law ##], car-share parking space means a parking space that is reserved and actively used for car-sharing.

12. Section 37 Provisions

(a) Pursuant to Section 37 of the Planning Act, and subject to compliance with this By-law, the Community Benefits monetary contribution of \$100,000.00 (One Hundred Thousand Dollars) towards additional area bike share facilities and area parks improvements which are secured by one or more agreements agreement pursuant to Section 37(3) of the Planning Act, shall be in a form and registered on title to the lands, to the satisfaction of the City Solicitor.

(b) Where Schedule A of this By law requires the owner to provide certain facilities, services or matters and to enter into an agreement prior to the issuance of a building permit, the issuance of such permit shall be dependent on satisfaction of same.

(c) The owner shall enter into an agreement to the satisfaction of the City Solicitor pursuant to Section 37(3) and (4) of the Planning Act as it read on the

day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits above.

(d) The following Transportation Demand Management (TDM) matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

(i) The Owner shall provide and maintain a minimum of two (2) car-share spaces as defined in the Zoning By-law Amendments in locations within the Development to be determined at the Site Plan Approval stage all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Transportation Services;

(ii) The owner shall provide proof of purchase and distribution of carshare memberships, each at the value of a 1-year membership, to all first-time residential unit renters to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

(iii) Prior to the issuance of the first Above-Grade Building Permit for the Development on any portion of the Lands, the Owner shall pay to the City, by certified cheque, the sum of Fifty Thousand Dollars (\$50,000.00) in Canadian funds, indexed upwardly in accordance with the Statistics Canada Residential or Non-Residential, as the case may be, Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01 or its successor, calculated from the date of the Agreement to the date of payment; for the future implementation of bike-share facilities in the vicinity of the development site, at a location that may be determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor;

(iv) The Owner shall provide and maintain a minimum of one (1) bicycle repair station in a location within the development determined at the Site Plan Approval stage all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Transportation Services;

(v) The Owner shall provide and maintain twenty five (25) additional bicycle parking spaces on site to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Transportation Services;

(vi) The owner shall provide proof of purchase and distribution of PRESTO cards, each at the value of a monthly TTC pass, to all first-time residential unit renters to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and

(vii) The owner shall provide and maintain a real-time transportation screen in a location, through Site Plan Approval, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the General Manager.

(e) The following matter is also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

- (i) No later than the earlier of registration of the condominium corporation of the building on the Site, the first residential occupancy of the building on the Site, or three years after the issuance of an above-grade building permit for the building on the Site, the owner shall at its sole expense provide minimum 2.1 metre wide sidewalks along the Eglinton Avenue West frontage and Little Boulevard frontage, to the satisfaction of the Director of Community Planning, North District.

ENACTED AND PASSED this\_\_ day of\_\_\_\_\_, 2022.

JOHN TORY,  
Mayor

ULLI S. WATKISS  
City Clerk

(Corporate Seal)

## **SCHEDULE A**

### Section 37 Provisions

The owner shall enter into a voluntary agreement to the satisfaction of the City Solicitor pursuant to Section 37(3) and (4) of the Planning Act as it read on the day before section 1 of Schedule 17 to the COVID-19 Economic Recovery Act, 2020 came into force to secure the community benefits above.

The facilities, services and matters set out below are required to be provided to the City at the owner's expense and secured in an agreement or agreements under Section 37(3) of the Planning Act whereby the owner agrees as follows:

(1) The Community Benefits recommended to be secured in the Section 37 Agreement are as follows:

(a) Prior to the issuance of an above grade building permit, a Community Benefits monetary contribution of \$100,000.00 (One Hundred Thousand Dollars) towards additional area bike share facilities and area parks improvements be provided, with such amount to be indexed upwardly in accordance with the Statistics Canada Construction Price Index for Toronto, calculated from the date of the Section 37 Agreement to the date the payment is made, to the satisfaction of the Chief Planner and Executive Director, City Planning; and,

(b) In the event the cash contribution referred to in Section (1a) has not been used for the intended purpose within three (3) years of this By-law coming into full force and effect, the cash contribution may be redirected for another purpose, at the discretion of the Chief Planner and Executive Director of City Planning, in consultation with the local Councillor, provided that the purpose(s) is identified in the Toronto Official Plan and will benefit the community in the vicinity of the lands.

(c) The following Transportation Demand Management (TDM) matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

(i) The Owner shall provide and maintain a minimum of two (2) car-share spaces as defined in the Zoning By-law Amendments in locations within the Development to be determined at the Site Plan Approval stage all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Transportation Services;

(ii) The owner shall provide proof of purchase and distribution of carshare memberships, each at the value of a 1-year membership, to all first-time residential unit renters to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

(iii) Prior to the issuance of the first Above-Grade Building Permit for the Development on any portion of the Lands, the Owner shall pay to the City, by certified cheque, the sum of Fifty Thousand Dollars (\$50,000.00) in Canadian funds, indexed upwardly in accordance with the Statistics Canada Residential or Non-Residential, as the case may be, Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01 or its successor, calculated from the date of the Agreement to the date of payment; for the future implementation of bike-share facilities in the vicinity of the development site, at a location that may be determined by the Chief Planner and Executive Director, City Planning Division, in consultation with the Ward Councillor;

(iv) The Owner shall provide and maintain a minimum of one (1) bicycle repair station in a location within the development determined at the Site Plan Approval stage all to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Transportation Services;

(v) The Owner shall provide and maintain twenty five (25) additional bicycle parking spaces on site to the satisfaction of the Chief Planner and Executive Director, City Planning Division and the General Manager, Transportation Services;

(vi) The owner shall provide proof of purchase and distribution of PRESTO cards, each at the value of a monthly TTC pass, to all first-time residential unit renters to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and

(g) The owner shall provide and maintain a real-time transportation screen in a location, through Site Plan Approval, to the satisfaction of the Chief Planner and Executive Director, City Planning Division, in consultation with the General Manager.

- (d) The following matter is also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:
- (i) No later than the earlier of registration of the condominium corporation of the building on the Site, the first residential occupancy of the building on the Site, or three years after the issuance of an above-grade building permit for the building on the Site, the owner shall at its sole expense provide minimum 2.1 metre wide sidewalks along the Eglinton Avenue West frontage and Little Boulevard frontage, to the satisfaction of the Director of Community Planning, North District.

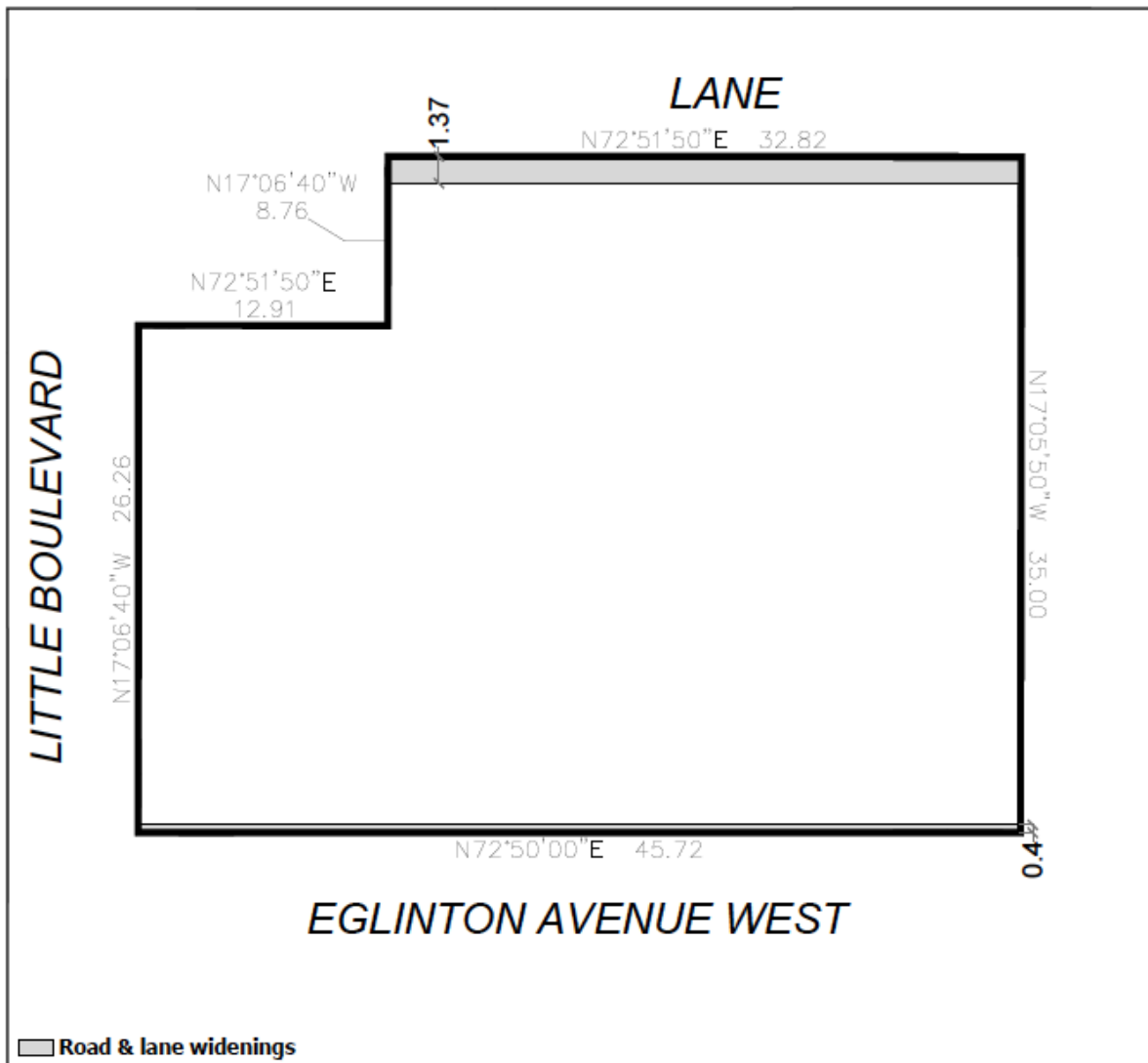


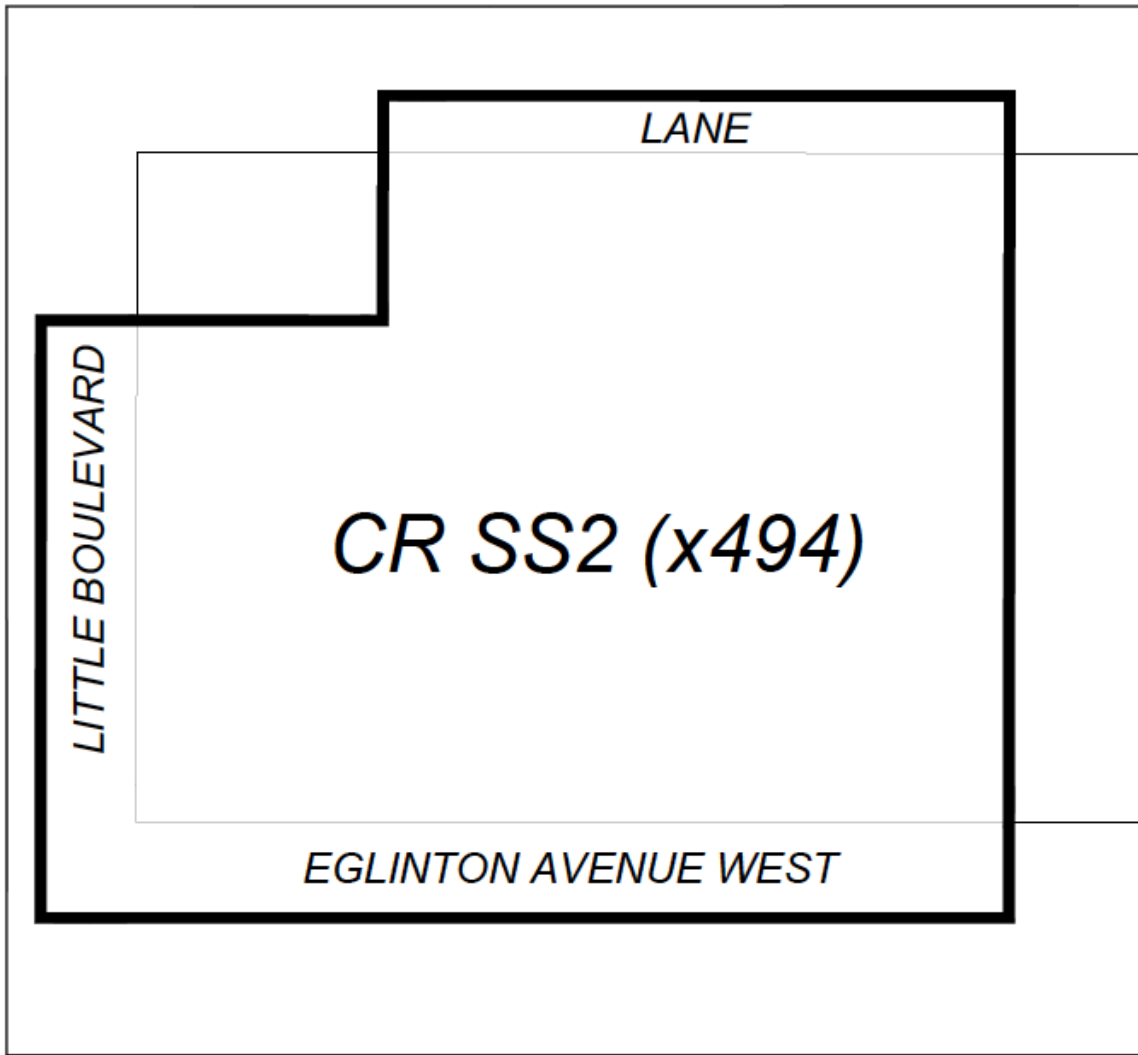
Diagram 1

2116 Eglinton Avenue West, Toronto

File #21 OZ 124036 NNY 08 OZ



Not to Scale



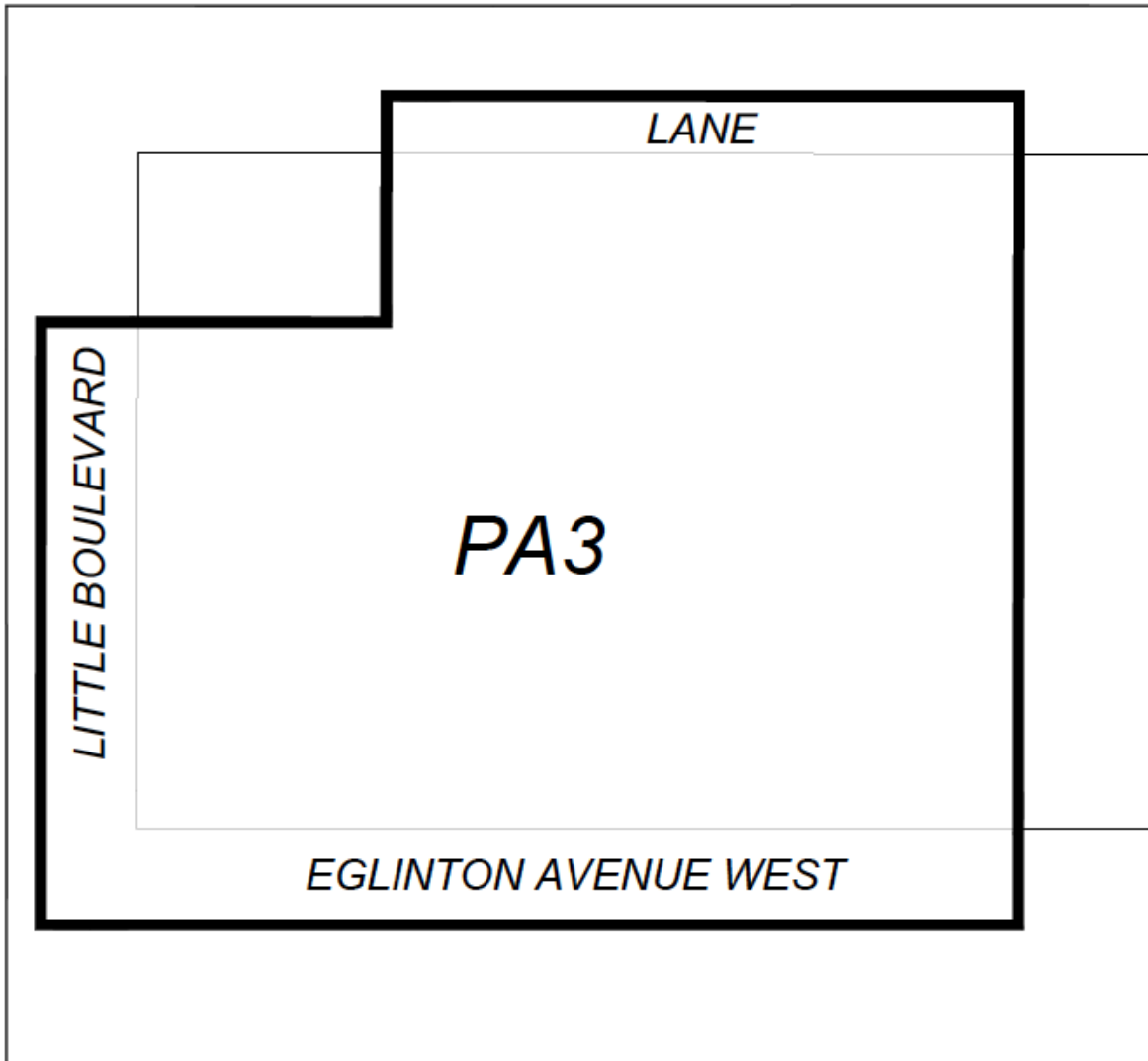
 **TORONTO**  
**Diagram 2**

**2116 Eglinton Avenue West, Toronto**

File #21 OZ 124036 NNY 08 OZ



Not to Scale



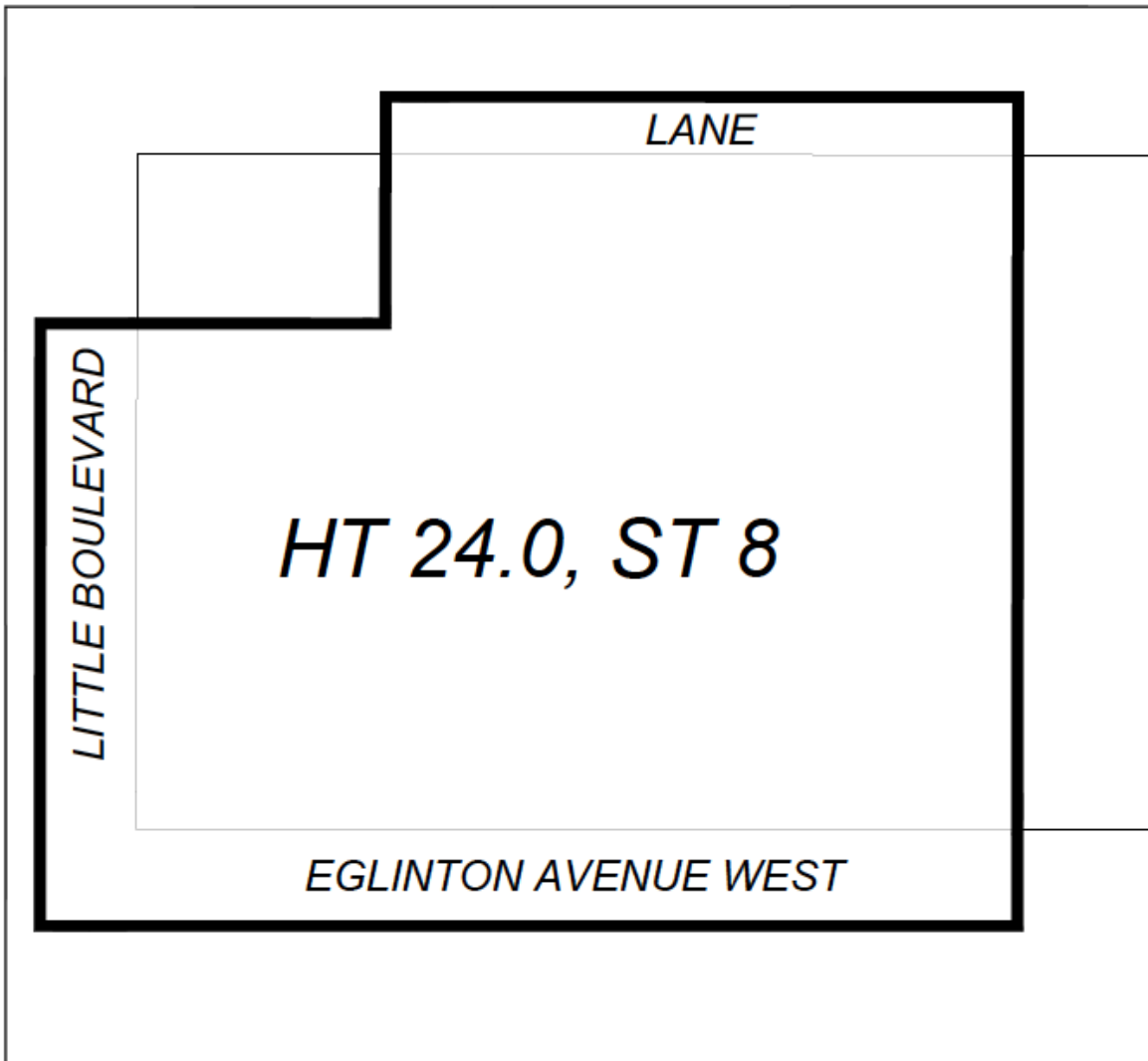
 **TORONTO**  
**Diagram 3**

**2116 Eglinton Avenue West, Toronto**

File #21 OZ 124036 NNY 08 OZ

  
Not to Scale





Not to Scale

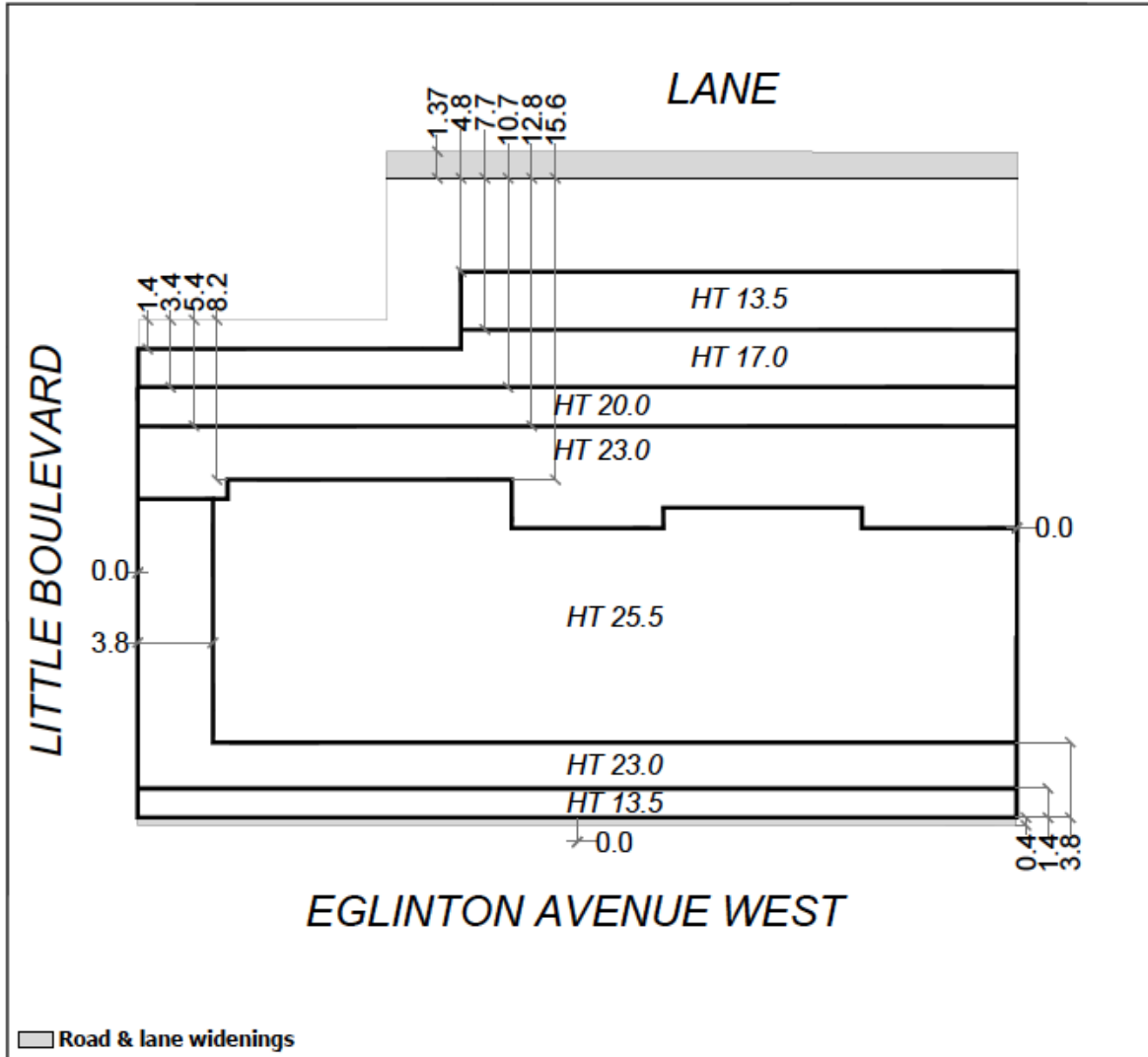


Diagram 5

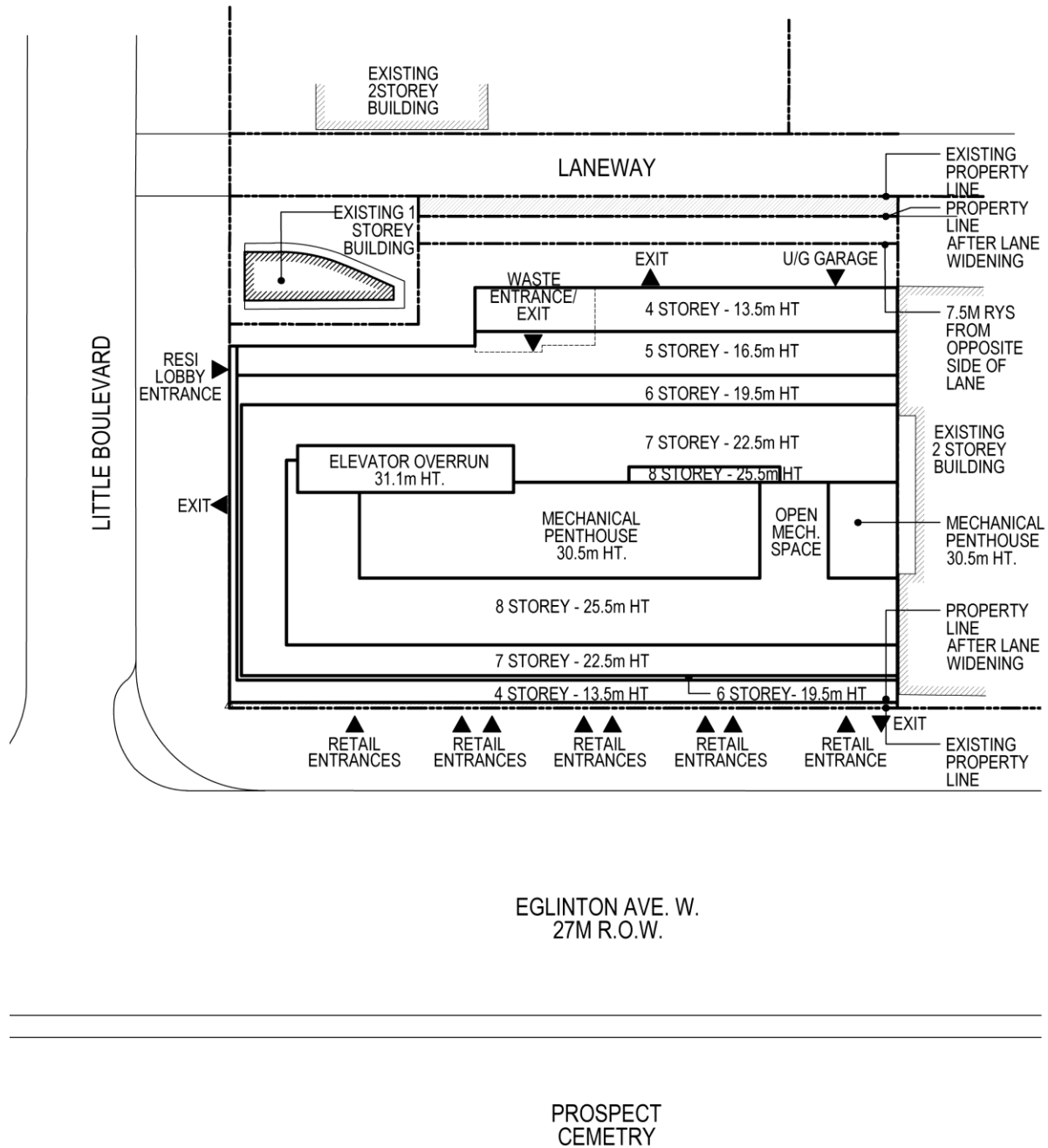
2116 Eglinton Avenue West, Toronto

File #21 OZ 124036 NNY 08 OZ



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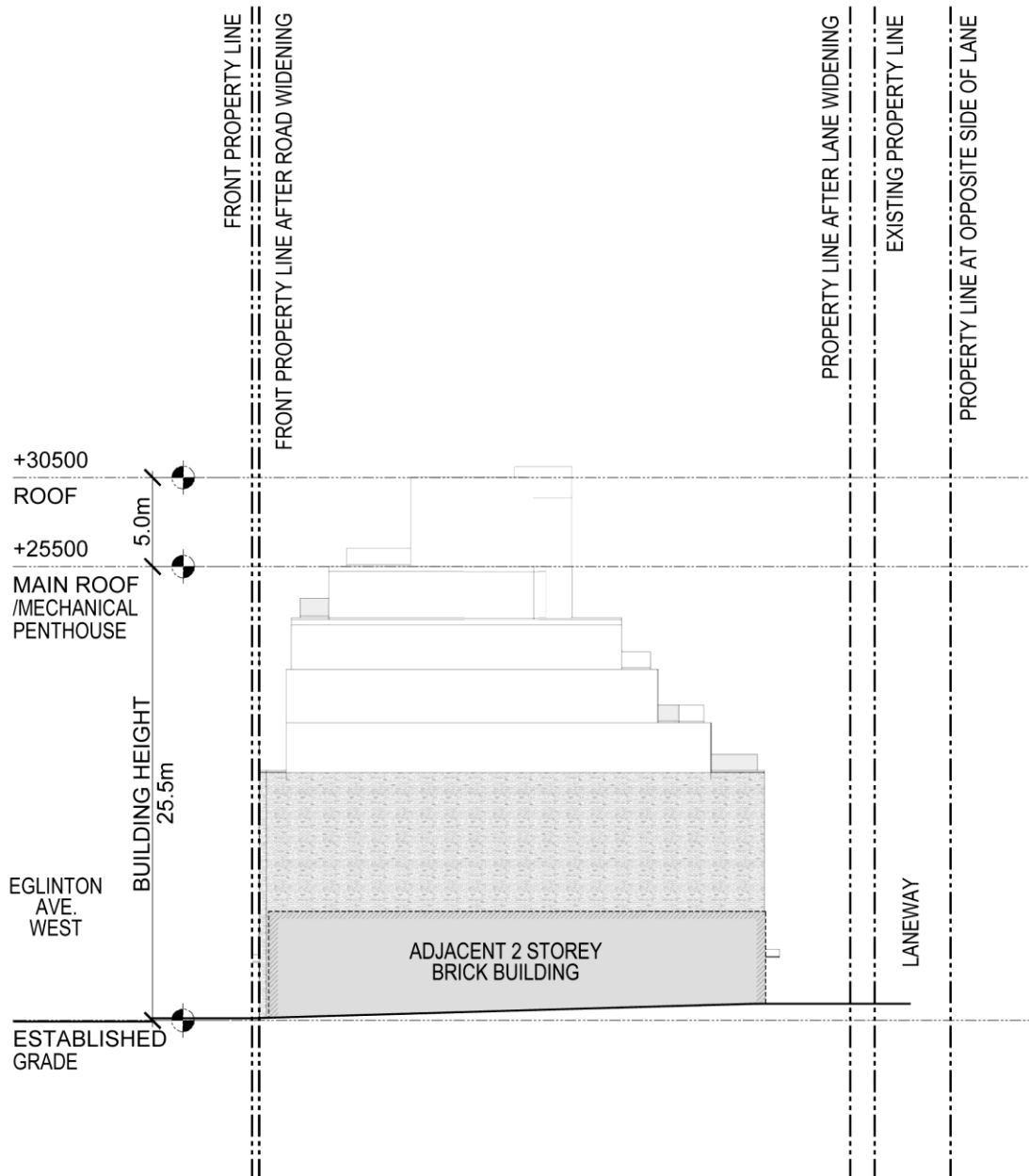
Attachment 6: Site Plan



Site Plan



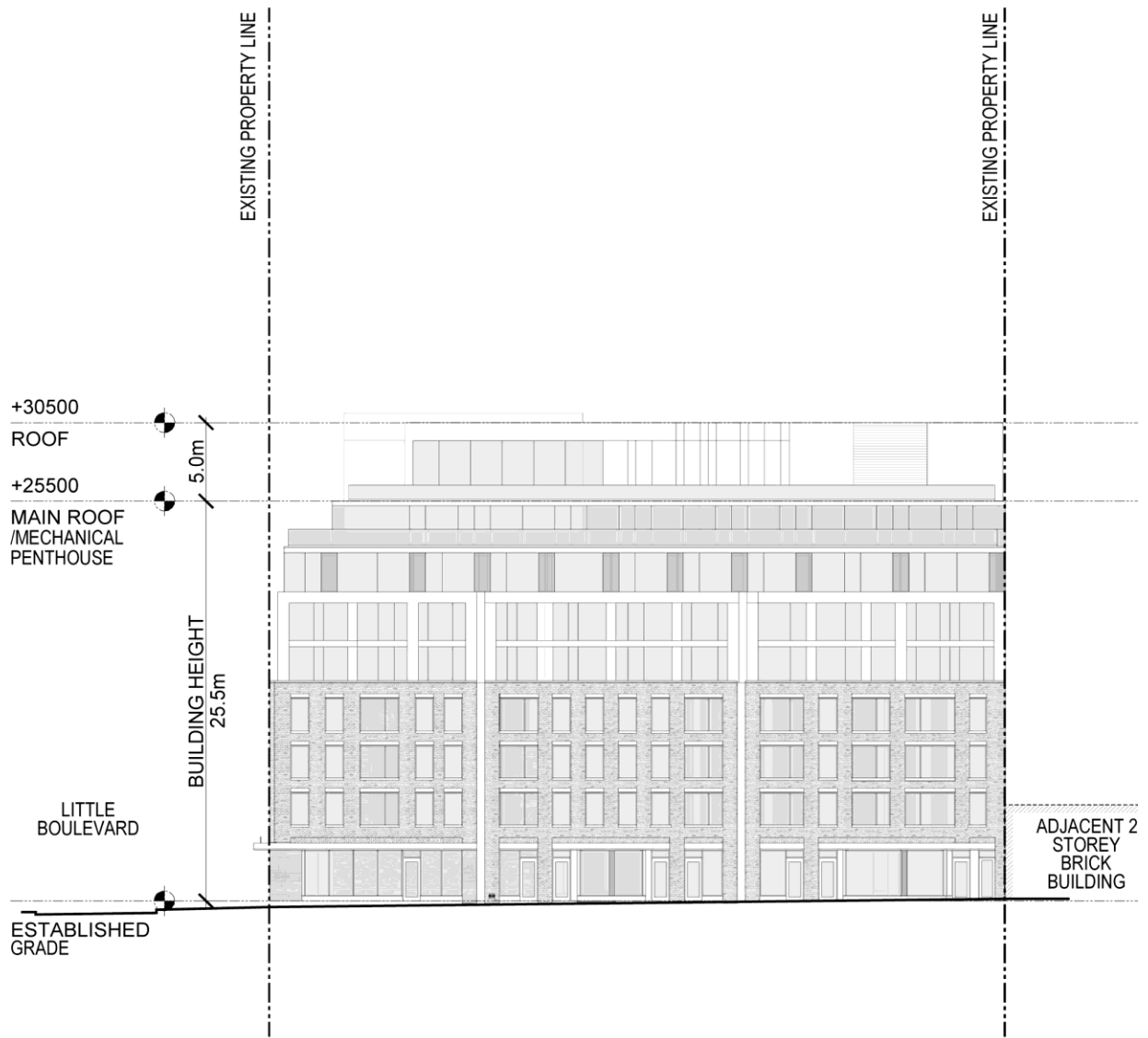
Attachment 7: Elevations



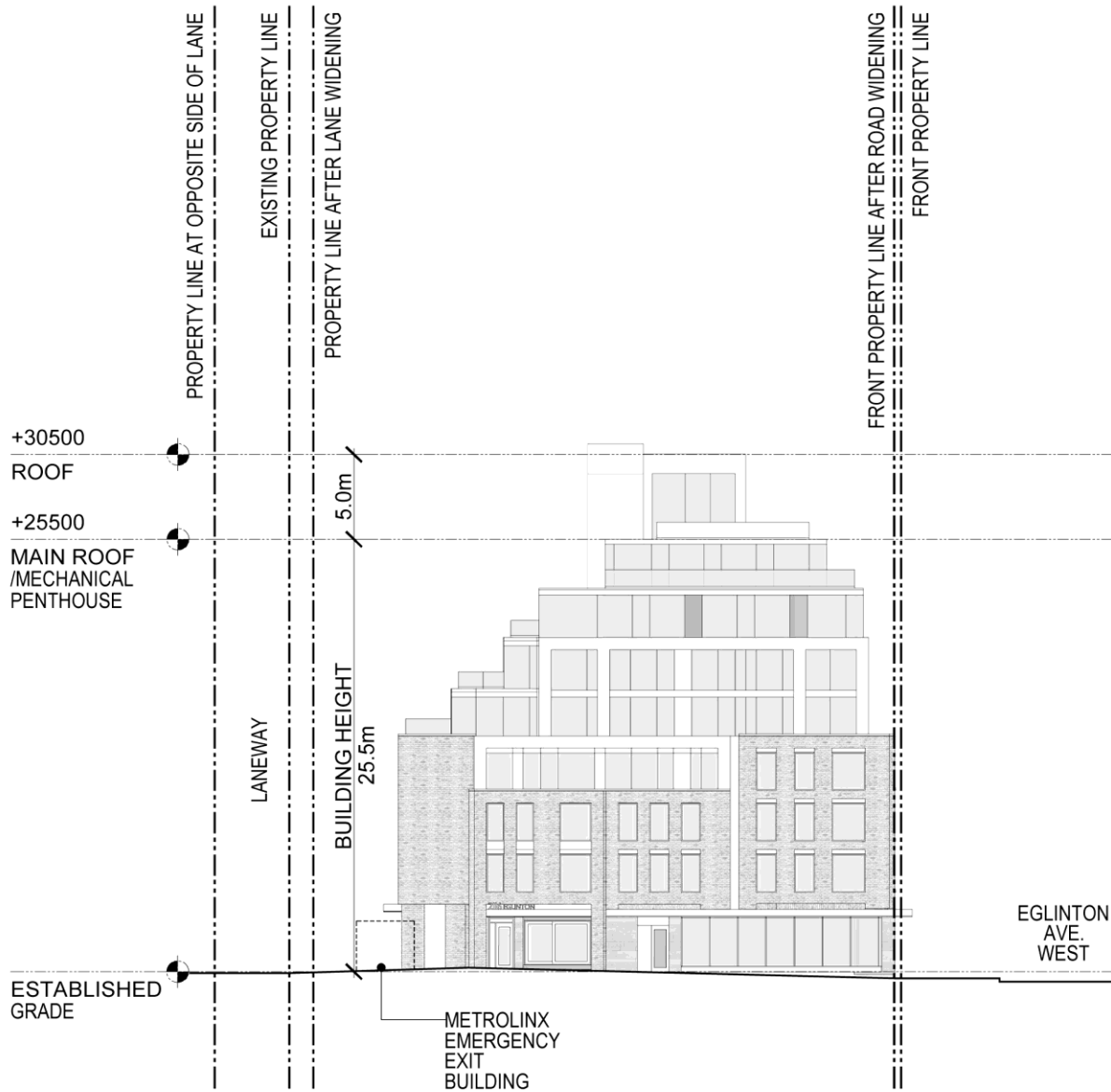
East Elevation



### North Elevation



### South Elevation



### West Elevation