

## **Final Report - 2567 Eglinton Avenue East – Zoning By-law Amendment Application**

Date: April 04, 2022

To: Scarborough Community Council

From: Director, Community Planning, Scarborough District

Ward: 20 Scarborough Southwest

**Planning Application Number:** 19 263883 ESC 20 OZ

### **SUMMARY**

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This application proposes to amend Zoning By-law 569-2013 to permit an 11-storey mixed-use building at 2567 Eglinton Avenue East. The proposed building would have a total gross floor area of 8,856 square metres and contain 118 dwelling units. A total of 432 square metres of retail/commercial space is proposed on the ground floor with a resulting Floor Space Index of approximately 3.25. One type "G" loading space, 119 vehicular and 92 bicycle parking spaces would be provided to service the proposed development. Vehicular access to the site will be provided from Huntington Avenue with parking provided in 2 levels of underground parking garage.

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).

The proposal conforms with the Official Plan as it intensifies a site designated Mixed Use Areas in a way that is compatible with existing and planned context. The 11-storey building conforms to the appropriate midrise performance standards. It provides the necessary transition to adjacent low scale uses while introducing additional housing options, including units suitable for larger households within a contextually appropriate built form.

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

## **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council amend Zoning By-law 569-2013 for the lands at 2567 Eglinton Avenue East substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to this report.
2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council request the Owner to resolve outstanding matters related to the Functional Servicing and Capacity Analysis Report, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, before introducing the necessary Bills to City Council for enactment.

## **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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### **Eglinton East LRT**

In March 2016, City Council endorsed the Eglinton East LRT (EELRT) as part of the Scarborough rapid transit network. In April 2019 Council supported an EELRT alignment to Malvern Town Centre. The subject property is located in the EELRT corridor. Additional information about the Eglinton East LRT can be found online in a report to Council at:

<https://www.toronto.ca/legdocs/mmis/2019/ex/bgrd/backgroundfile131528.pdf>.

A pre-application meeting was held on April 16, 2019. The application was submitted on December 20, 2019 and deemed complete on December 20, 2019. A Preliminary Report on the application was adopted by Scarborough Community Council on March 12, 2020 authorizing staff to conduct a community consultation meeting. Community consultation is summarized in the Comments section of this Report. The Preliminary Report can be found at this web link:

<https://www.toronto.ca/legdocs/mmis/2020/sc/bgrd/backgroundfile-146225.pdf>

## PROPOSAL

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The application proposes an 11-storey mixed-use building on the south-west corner of Eglinton Avenue East and Huntington Avenue. The proposed building would have a total gross floor area of 8,856 square metres resulting in a Floor Space Index of approximately 3.25. The proposed building would contain 118 dwelling units and 432 square metres of retail/commercial space. In addition to the proposed retail/commercial uses, the application proposes a gym, an indoor amenity area, a service/utility room and bicycle parking/storage spaces on the ground floor. An outdoor amenity area is proposed between the building and Huntington Avenue. The proposed residential uses are located on the upper floors.

The following building setbacks are proposed: 0 metres along Eglinton Avenue East; 3 metres along Huntington Avenue; 0 metres from the west property line; and 14.4 metres from the south property line.

The proposed building would have a height of 35 metres, with a mechanical penthouse located above having an additional height of 4.5 metres. A variety of setbacks at the front and rear are provided to transition from Eglinton Avenue East and the *Neighbourhoods* to the south.

The application proposes 120 vehicular parking spaces, of which 4 spaces would be located above grade (surface) near the west property line, with the remaining located in 2 levels of an underground parking garage. A total of 96 bicycle parking spaces and 1 type "G" loading space would be provided to service the proposed development. Vehicular access to the proposed building would be provided from Huntington Avenue.

Additional information can be found in the Application Data Sheet found on Attachment No. 1.

### **Site and Surrounding Area**

The site is located on the south-west corner of Eglinton Avenue East and Huntington Avenue with a total area of 2,565 square metres, having a lot frontage of approximately 36.58 metres on Eglinton Avenue East and a depth of about 66 metres.

The surrounding uses are as follows:

North: across Eglinton Avenue East, are mainly 1-storey commercial buildings/strip plazas with surface parking areas.

South: primarily comprises of 1-storey detached dwellings.

West: primarily 1-storey commercial buildings/strip plazas with surface parking areas.

East: across Huntington Avenue is a Toronto Fire Station and mainly 1-storey commercial buildings/strip plazas with surface parking areas.

## **Reasons for Application**

The proposal requires an amendment to the Zoning By-law to permit residential uses, establish among other matters, development standards including use, building height, massing, setbacks, setbacks and density, number of vehicular and bicycle parking spaces.

## **APPLICATION BACKGROUND**

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### **Application Submission Requirements**

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

- Draft Zoning By-law Amendment
- Architectural Plans
- Landscape and Lighting Plan
- Energy Strategy Report
- Toronto Green Standards Checklist/Template
- Public Consultation Strategy
- Transportation Impact Study
- Arborist Report
- Planning Rationale
- Hydrogeological Investigation
- Geotechnical Investigation
- Composite Utility Plan
- Functional Servicing and Stormwater Management Plan/Report
- Tree Inventory and Tree Preservation Plan
- Environmental Site Assessment
- Noise Impact Study
- Sun/Shadow Study

### **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 had an opportunity to view the oral submissions made at the statutory public meeting held by Scarborough Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

## 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 4.7 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 of 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

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. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application.

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

It should be noted that this application was submitted prior to the September 2020 decision from the Minister of Municipal Affairs approving Official Plan Amendments ("OPAs") 479 (Public Realm) and 480 (Built Form). The OPAs replaced Sections 3.1.1, 3.1.2, and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types, which respond to Council's direction to amend the urban design policies of the Official Plan. While not subject to these OPAs, this application was reviewed against the new public realm and built form policies to ensure consistency with Council's direction on these matters. Other Official Plan policies reviewed are highlighted as follows:

## Chapter 2 - Shaping the City

### Section 2.2 - Structuring Growth In The City: Integrating Land Use And Transportation

Policy 2.2.5 states that the City's servicing for water, wastewater and stormwater management infrastructure will be maintained and developed to support the city building objectives by providing adequate facilities to support new development and maintaining the infrastructure in a state of good repair.

### Section 2.3.1 - Healthy Neighbourhoods

Policy 2.3.1.3 requires developments in *Mixed Use Areas*, *Regeneration Areas*, and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods*, to be compatible with those *Neighbourhoods*. Development will gradually transition in scale and density through step-downs and setbacks, maintaining adequate light and privacy of the *Neighbourhoods*. Development will mitigate impacts on *Neighbourhoods* as follows: orientation and screening of lighting and amenity areas; attenuation of traffic and parking impacts on adjacent streets; and placement and screening of parking, servicing, and access areas in underground and above-grade structures.

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

### **Section 3.1.1 - The Public Realm**

Policy 3.1.1.1 defines the public realm as all public spaces and private-spaces that are publicly accessible, while Policy 3.1.1.2 directs the public realm to be the organizing framework for development and to foster and contribute to complete and walkable communities and the physical character of the City and its neighbourhoods.

Policies 3.1.1.6 and 3.1.1.13 state that city streets are significant public open spaces, of which sidewalks and boulevards play a prominent component, and the design of city streets needs to balance the needs and priorities of various users and uses. Design of streets must also contemplate provision of view corridors, sky views, sunlight, as well as good active transportation and public gather places and destinations.

Policy 3.1.1.16 states that all development will prioritize the preservation, long-term growth, and numerical increase of trees, and new development proposals must demonstrate how this will be achieved.

### **Section 3.1.2 - Built Form**

Policies 3.1.2.1, 3.1.2.5, and 3.1.2.6, direct that development be located and organized within its existing and planned context. Development is to transition in scale between areas of different building heights and intensities of use while considering the existing and planned context of neighbouring properties and the public realm. The massing of new development is required to frame and define the public realm while ensuring appropriate levels of sunlight on public sidewalks and parks.

Policy 3.1.2.3 provides greater specifics on transition by stating that development will provide setbacks and separation distances from neighbouring properties and adjacent windowed walls, in order to protect privacy.

Policies 3.1.2.7, 3.1.2.2, 3.1.2.4, and 3.1.2.11 state that development should be organized to transition in scale within the site, and provide well-designed private amenity spaces for multi-unit residential developments and where appropriate, accessible open spaces. Vehicular access, servicing, and other ancillary spaces and elements should be located to minimize impact on the public realm and adjacencies.

### **Section 3.1.3 Built Form - Building Types (Mid-Rise Buildings)**

Policy 3.1.3.4 states that mid-rise buildings are developed to be generally no taller than the width of the front-abutting right-of-way and stepback at a height equal to 80% of the right-of-way width in order to maintain street proportion and skyviews from the public realm. Design must allow for daylight and privacy for ground floor oriented units.

Policy 3.1.3.6 requires mid-rise buildings on deep sites to provide and frame accessible and well-proportioned open spaces that have access to sunlight and daylight.



Section 3.2.1 - Housing Policy 3.2.1 provides policy direction with respect to housing.

Policy 3.2.1.1 states a full range of housing, in terms of form, tenure and affordability will be provided and maintained to meet the current and future needs of residents. A full range of housing includes: social housing, shared and/or congregate-living housing arrangements.

## **Chapter 4 – Land Use Designations**

### **Section 4.5 - Mixed Use Areas**

The subject lands are designated *Mixed Use Areas* on Map 20 of the Official Plan. Please see Attachment 3 for an excerpt from the Official Plan Land Use Map. *Mixed Use Areas* are intended to provide a broad range of commercial, residential and institutional uses in single-use or mixed-use buildings.

Policy 4.5.2(c) and (d) states development will locate and mass new buildings to provide a transition between areas of different intensity and scale through means such as setbacks and/or stepping down of heights, particularly lower scale *Neighbourhoods*. Configuration of massing will adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes.

Policy 4.5.2(e) states development will frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces. As for the residents of every multi-unit residential development, Policy 4.5.2. (k) directs for development to provide indoor and outdoor recreation space.

Policies 4.5.2(i) and 4.5.2(j) refers to development that will provide an adequate supply of parking for residents and visitors; while locating and screening service areas, ramps, and garbage storage to minimize impact on adjacent streets and residences.

## **Zoning**

The property is subject to the City of Toronto Zoning By-law No. 569-2013, as amended and the Eglinton Community Zoning By-law No. 10048, as amended. See Attachment 5: Zoning By-law Map. The City of Toronto Zoning By-law No. 569-2013, as amended zones the subject lands as Commercial Residential CR 0.4 (c0.4; r0.0) SS3 (x689).

A variety of uses including Automobile Sales, Service and Maintenance Uses, Funeral Homes, Fraternal Organizations, Hotels and Motels, Place(s) of Worship and Professional and Business Offices are permitted, but it does not permit residential uses as shown by numerical value of zero density for residential uses, in the zoning standards noted above. The Commercial Residential zoning permits a maximum building height of 11 metres, a maximum building coverage of 33%, and a floor space index of 0.4 times the lot area for non-residential uses. This By-law also establishes minimum building setbacks from Eglinton Avenue East and other local streets.

The Eglinton Community Zoning By-law No. 10048, as amended, zones the subject site Highway Commercial (HC 29-33-76-86), which permits day nurseries and “highway commercial uses”, but does not permit residential uses. Highway commercial uses are defined as commercial uses which necessitate a location adjacent to a major traffic arterial and do not require large areas for sustained off-street parking or those which are not suited to locations in shopping centres. Like By-law No. 569-2013, Eglinton Community By-law No. 10048, as amended does not permit residential uses on the subject property.

The City's Zoning By-law 569-2013 may be found here:

<https://www.toronto.ca/citygovernment/planning-development/zoning-by-law-preliminary-zoning-reviews/zoningby-law-569-2013-2/>

## **Design Guidelines**

### **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/bqrd/backgroundfile-92537.pdf>.

The Avenues and Mid-Rise Building Study Performance Standards and its Addendum will be referred in the proceeding sections of the report, as the "Mid-Rise Performance Standards."

## Other guidelines

Other guidelines that are relevant to the review of this application include:

- Growing Up Urban Design Guidelines; and
- Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Building.

## Site Plan Control

The application is subject to Site Plan Control. A Site Plan Control application (File Number 20 234885 ESC 20 SA) has been submitted and is being reviewed concurrently with this 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) as follows.

The proposal appropriately intensifies lands designated for intensification in the municipal Official Plan, and is thus consistent with the PPS (2020) and conforms with Growth Plan (2020) policies on intensification in appropriate areas. It is serviced by a frequent bus route and is appropriately scaled for the area context, particularly as new transit options emerge along the nearby Kingston Road Corridor through the City's implementation of the Eglinton East LRT.

The proposal also addresses PPS (2020) and Growth Plan (2020) policies on housing options and providing dwelling units with different bedroom types, particularly multi bedroom units, which supports a wider demographic including larger households. Consistent with PPS (2020) policies on the public realm and active transportation, the proposal maintains and improves the boulevard sidewalks along both Lawrence Avenue East and Galloway Road. This also conforms with Growth Plan (2020) policies.

### Land Use

This application has been reviewed against Official Plan policy and planning studies described in the Policy Considerations Section of the Report as well as the policies of the Official Plan as a whole.

The subject property is located in this segment of Eglinton Avenue East which is designated as *Mixed Use Areas*. *Mixed Use Areas* are expected to absorb most of the anticipated increase in the development of various uses, including new housing. The introduction of residential units and retail/commercial uses in a mid-rise built form on the subject site is desirable and appropriate and conforms to the *Mixed Use Areas* land use designation.

## **Density, Height, Massing**

The application has been reviewed against the Official Plan policies and Design Guidelines described in the Policy Consideration Section of the Report. The proposal is adequately transitioned to adjacent properties and fits within its existing and planned context as follows:

- Along the Eglinton Avenue East frontage, the application provides a land conveyance of 2.8 metres in support of the future EELRT infrastructure. The proposed building will be built up to the new property line with adequate stepbacks on the upper floors contained within the front angular plane.
- Along the Huntington Avenue, a 3-metre building setback is provided creating an expansive public realm with landscaping and views into the ground floor amenity areas. direct entrances to grade-related units.
- At the rear (south), the building is set back 7.5 metres from the south property line with the upper floors progressively stepping back within the midrise 45-degree angular plane. The sculpting of the massing through the progressive stepbacks and setback provide adequate transition, visual and privacy separation to the adjacent *Neighbourhoods* to the south.
- Along the west property line, the proposed building will have a zero setback, while still providing adequate visual privacy and minimizing overlook to the adjacent properties.
- The height of this building is appropriate for this location based on policies within the Mid-Rise Guidelines, which call for a 1:1 ratio of the right-of-way to the building height. The right-of-way width of Eglinton Avenue East is 36 metres, whereas the proposed building height is 35 metres.

The proposed 11-storey building height fits into the existing and planned context as it does not exceed the right-of-way width of Eglinton Avenue East. The height, density and scale have been appropriately deployed such that they comply with most of the Mid-Rise Performance Standards pertaining to containment within the front and rear angular planes, building setbacks, ground floor height to accommodate retail/commercial uses while providing active uses on the ground floor. The proposed development meets the Public Realm and Built Form policies in the Official Plan by enhancing public spaces, providing transition in scale that supports the public realm and is compatible with the existing/planned built form context.

## **Sun, Shadow, Wind**

The application provided a Sun/Shadow Study prepared by KFA Architects & Planners Inc. The shadows cast on the surrounding streets and sidewalks, as well as neighbouring properties, were evaluated at various times throughout the year. It is noted that the proposal maintains the required 5 hours of sunlight on the sidewalk on the north side of Eglinton Avenue East and the east side of Huntington Avenue and adequately limits shadowing on adjacent properties during the spring and fall equinoxes.

A Qualitative Pedestrian Level Wind Assessment prepared by Gradient Wind Engineering Inc. was provided in support of the application. Their Assessment concludes that all grade level areas within and surrounding the development site will be acceptable for the intended pedestrian uses on a seasonal basis. More specifically, surrounding sidewalks, laneways, building access points, parking areas, landscaped spaces, and nearby transit stops will experience calm and acceptable wind conditions throughout the year.

Planning staff accept the conclusions of the respective studies and the proposal will be subject to further assessment during the Site Plan Approval process.

### **Traffic Impact, Access, Parking**

The subject property currently has two full moves access onto Huntington Avenue. The proposed development would result in the closure of one of the access points from Huntington, leaving one to service the proposal. This access is located approximately 60 metres south of Eglinton Avenue East.

The Transportation Impact Study (TIS) prepared by Nextrans Consulting Engineers in support of the application has determined that the site access is expected to operate at acceptable levels of service with minimum delay or queuing. The access configuration includes: one inbound lane and one outbound lane, one shared through/left and one shared through/right on Huntington Avenue.

The TIS indicates that the proposed development is expected to generate:

- 41 total two-way trips (10 inbound and 31 outbound) and 43 total two-way trips (26 inbound and 17 outbound) during the AM and PM peak hours, respectively;
- 15 two-way auto trips (4 inbound and 11 outbound) and 17 two-way auto trips (9 inbound and 8 outbound) during the AM and PM peak hours, respectively;
- 17 two-way transit trips (4 inbound and 13 outbound) and 18 two-way transit trips (11 inbound and 7 outbound) during the AM and PM peak hours, respectively; and
- 4 two-way active transportation trips (1 inbound and 3 outbound) and 5 two-way active transportation trips (3 inbound and 2 outbound) during the AM and PM peak hours, respectively.

The intersection capacity analysis in the TIS indicates that under existing, future background and future total conditions, all the intersections considered in the study are expected to operate at acceptable levels of service. Transportation Services staff agree with this conclusion.

The proposed development will provide a total of 126 vehicle parking spaces (including resident, visitor and retail parking spaces), which exceeds the minimum Zoning By-law requirement of 103 parking spaces. The proposed development would also provide 1 "type G" loading space. The vehicular turning radii provided confirm and demonstrate the accessibility to the loading space.

Transportation Planning staff have requested the applicant to provide a functional design of Eglinton Avenue East and Huntington Avenue to include both sides of the street and all existing and planned infrastructure improvements. Staff have also recommended the provision of a bicycle share facility on the subject property. The above-noted requirements would be addressed and the necessary financial obligations secured under the Site Plan Approval process.

The proposed parking supply and loading space are acceptable and have been incorporated into the implementing draft zoning by-law.

### **Road Widening**

The application has provided a 2.8-metre boulevard widening as shown on the associated site plan (see Attachment 7) to support the EELRT. In addition, Transportation Services staff require a 6-metre corner rounding at the northeast portion of the site. Further details regarding the above-noted matters will be addressed under the Site Plan Approval process.

### **Streetscape**

On the south side of Eglinton Avenue East, a line of new street trees is proposed in the City boulevard along the public sidewalk, with active uses in form of retail/commercial units on the ground floor. On the west side of Huntington Avenue, the proposal is appropriately set back to contain landscaping fronting the amenity space located on the ground floor and supporting two new rows of trees along the public sidewalk. The above-noted improvements are acceptable and would be further evaluated with the necessary financial obligations secured under the Site Plan Approval process.

### **Servicing**

Engineering and Construction Services staff reviewed the submitted Functional Servicing and Stormwater Management Report while staff have deemed the reports generally acceptable, revisions are required to the Capacity Analysis Report.

Staff have noted that the detailed population calculations for each catchment area under pre and post-development conditions must be provided in the Sanitary Drainage Plans. The revised Sanitary Drainage Plan should also include the types of land use, and their total population, taking into consideration the future developments based on the City's development application website, to determine the population density and the drainage areas contributing to each sewer segment. Detailed calculations are required to support the above-noted scenarios.

The applicant and Engineering and Construction Services staff are still working through some final details and calculations in the Capacity Analysis Report. As such, this report recommends that the enacting Bills be held until the applicant submits the required revisions to the Functional Servicing and Capacity Analysis Report. Stormwater Management features will be secured through the approval of a Site Plan Control application.

## **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the city. The lands which are the subject of this application are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second-lowest quintile of current provision of parkland and is in a parkland acquisition priority area, as per Chapter 415, Article III of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential component of this proposal is subject to a cap of 10% parkland dedication. The non-residential component is subject to a 2% parkland dedication.

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. The appraisal will be conducted upon the submission of an application for the first above-ground building permit and is valid for six months. Payment will be required prior to building permit issuance.

## **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). Comment whether the applicant proposes to preserve/protect street and/or private trees, remove street and/or private trees.

As proposed, this project would require the removal of 2 By-law protected privately-owned trees, located on the subject site and 7 City street trees located on the road allowance adjacent to Huntington Avenue and Eglinton Avenue East.

The By-law protected private trees are 2 Russian olive trees each having a diameter of 35 cm. The proposed building footprint, underground garage and excavation will require the removal of these trees. The planting of 3 replacement trees for each Bylaw-protected private tree removed would be a condition of Urban Forestry's permit issuance if an application to remove the subject trees is approved.

The 7 City street trees include 2 Linden trees, 1 Honey locust tree, 2 Red maple trees, and 2 Common hackberry trees. The proposed excavation for underground parking and pedestrian reconfiguration will require the removal of these trees. Urban Forestry staff have advised that the application would satisfy the replacement requirement of 7 trees.

The application is also required to comply with the tree planting elements of the Toronto Green Standard (TGS) Version 3, which requires 450m<sup>3</sup> of soil volume. The submitted landscape plans comply with this requirement, with a combined total of 22 proposed new trees on the private and public portions of the site. These tree planting plans require minor modifications and details. The submission of satisfactory plans/revisions

will be a condition of Urban Forestry's approval of the concurrent Site Plan Control application.

### **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. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner. Performance measures for the Tier 1 development features will be secured through the Site Plan Approval process.

### **Community Services Assessment**

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

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. 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.

Through the application circulation process, a number of external and internal commenting agencies provided comments. The Toronto District School Board and the Toronto Catholic District School Board have indicated that there is capacity in the local schools to accommodate students anticipated from the proposed development.

### **Section 37**

While the subject application is proposing to increase permitted density from 0.4 to 3.25 times the site area, the resulting gross floor area proposed amounts to 8,856 square metres, which is below the threshold 10,000 square metres of development required for the application of Section 37 pursuant to policy 5.1.1.4 of the Official Plan.



## Community Consultation

A virtual community meeting was held on October 26, 2020, and attended by approximately 20 members of the public, City staff, the Ward Councillor, and the applicant's team. At the meeting City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework, and the building proposal. Following the presentations, City staff led a town hall format question and answer period. The attendees asked questions and expressed a number of comments, issues and concerns, including:

- Traffic impacts on Huntington Avenue due to the volume of cars generated by the proposal
- Potential conflicts with the Fire Station across the site on the east side of Huntington Avenue
- Mitigation measures to address traffic impacts generated by the proposal
- The retail/commercial space is the same size as the existing space currently occupied by the KFC restaurant.
- Availability of surface parking to support retail/commercial uses on the site
- Support for development that revitalizes the area, with new residents and businesses.
- Provision of affordable housing.
- Tenure of the proposed development.
- Timing of approval and construction timeline.

These concerns were considered in the review of the application and the applicant revised their plans to include non-residential uses and improved the design quality of the proposal. Staff have reviewed concerns on traffic and parking and have found them satisfactory as noted previously in this report.

## 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, provide a compatible level of intensification in a *Mixed Use Area* that conforms with applicable urban design guidelines and meets the development criteria on a site well serviced by buses and near active transportation routes.

Staff worked with the applicant and the community to address and resolve key concerns related to the retention of some local commercial uses and improving the quality of the public realms and built form. The proposal would also provide much needed family-size dwelling units compatible with the surrounding context and provide an acceptable level of commercial uses to serve the surrounding neighbourhood.

Staff recommend that Council support approval of the application and amend the Zoning By-law to permit its construction.

## **CONTACT**

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Renrick Ashby, Manager, Community Planning, Scarborough District, Tel. No. 416-396-7022, E-mail: Renrick.Ashby@toronto.ca

## **SIGNATURE**

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Paul Zuliani, MBA, RPP, Director  
Community Planning, Scarborough 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: Eglinton Community Zoning By-law No. 10048, as amended
- Attachment 5: City of Toronto By-law 569-2013
- Attachment 6: Draft Zoning By law Amendment
- Attachment 7: Summary of Public Consultation

### Applicant Submitted Drawings

- Attachment 8: Site Plan
- Attachment 9: 3D Model of Proposal in Context, Looking Northeast
- Attachment 10: 3D Model of Proposal in Context, Looking Southwest
- Attachment 11: East Elevation
- Attachment 12: West Elevation
- Attachment 13: South Elevation

## Attachment 1: Application Data Sheet

Municipal Address: 2567 EGLINTON AVENUE EAST      Date Received: December 20, 2019  
 Application Number: 19 263883 ESC 20 OZ  
 Application Type: Rezoning

Project Description: Development comprising of an 11-storey mixed use building with underground parking.

Applicant	Agent	Architect	Owner
KFA Architects & Planners Inc.	KFA Architects & Planners Inc.	KFA Architects & Planners Inc.	MIDEGLINTON INVESTMENTS LIMITED

### EXISTING PLANNING CONTROLS

Official Plan Designation:	<i>Mixed Use Areas</i>	Site Specific Provision:	Yes
Zoning:	CR (c0.4;r0.0) SS3 (x689)	Heritage Designation:	No
Height Limit (m):	11	Site Plan Control Area:	Yes

### PROJECT INFORMATION

Site Area (sq m):	2,565	Frontage (m):	37	Depth (m):	66
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	715		1,067	1,067
Residential GFA (sq m):			8,001	8,001
Non-Residential GFA (sq m):	715		342	342
Total GFA (sq m):	715		8,343	8,343
Height - Storeys:	1		11	11
Height - Metres:			35	35

Lot Coverage Ratio (%)	41.6	Floor Space Index:	3.25
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	8,001	
Retail GFA:	342	

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			118	118
Other:				
Total Units:			118	118

#### Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		8	83	16	11
Total Units:		8	83	16	11

#### Parking and Loading

Parking Spaces:	120	Bicycle Parking Spaces:	96	Loading Docks:	1
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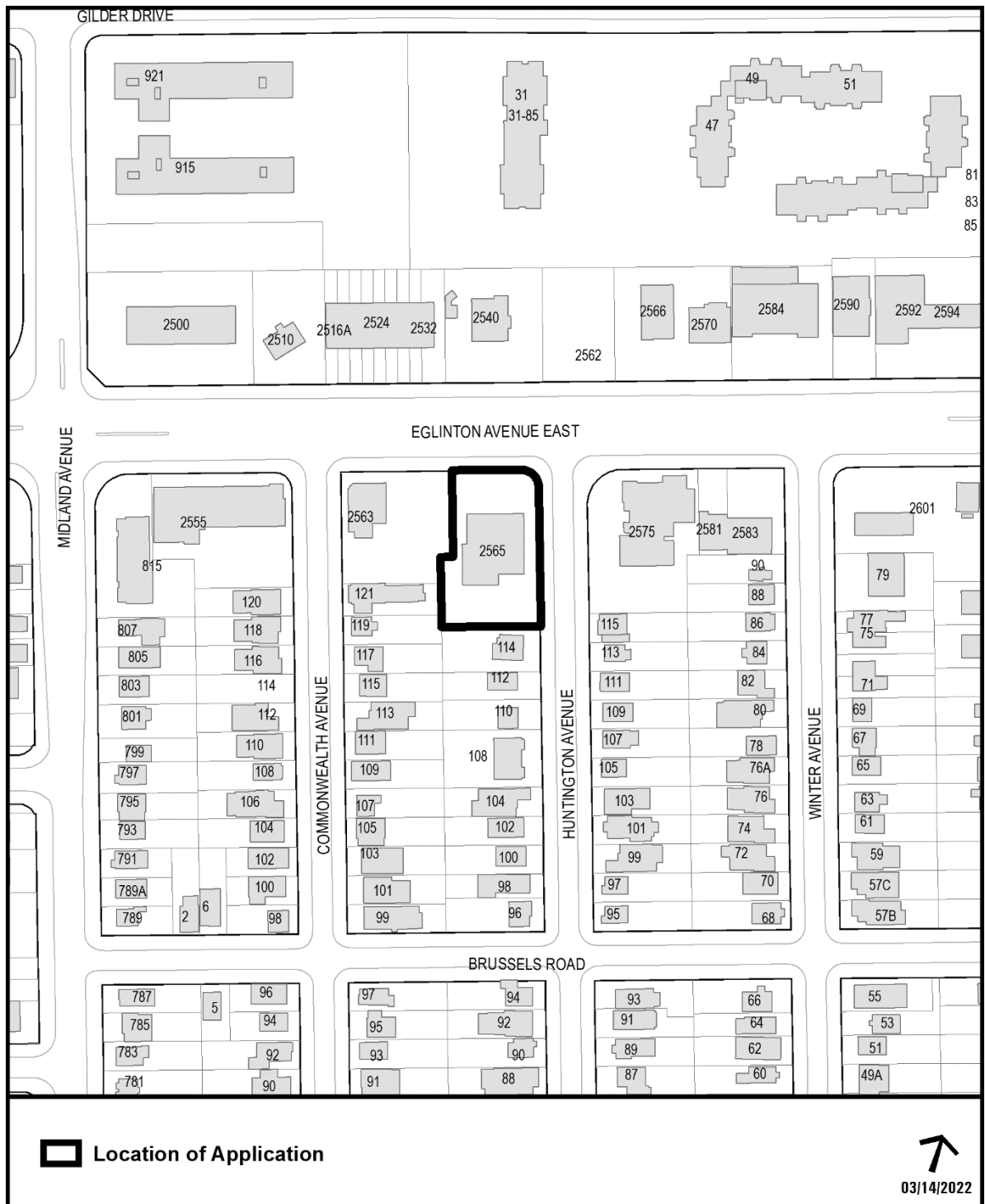
#### CONTACT:

Renrick Ashby, Manager

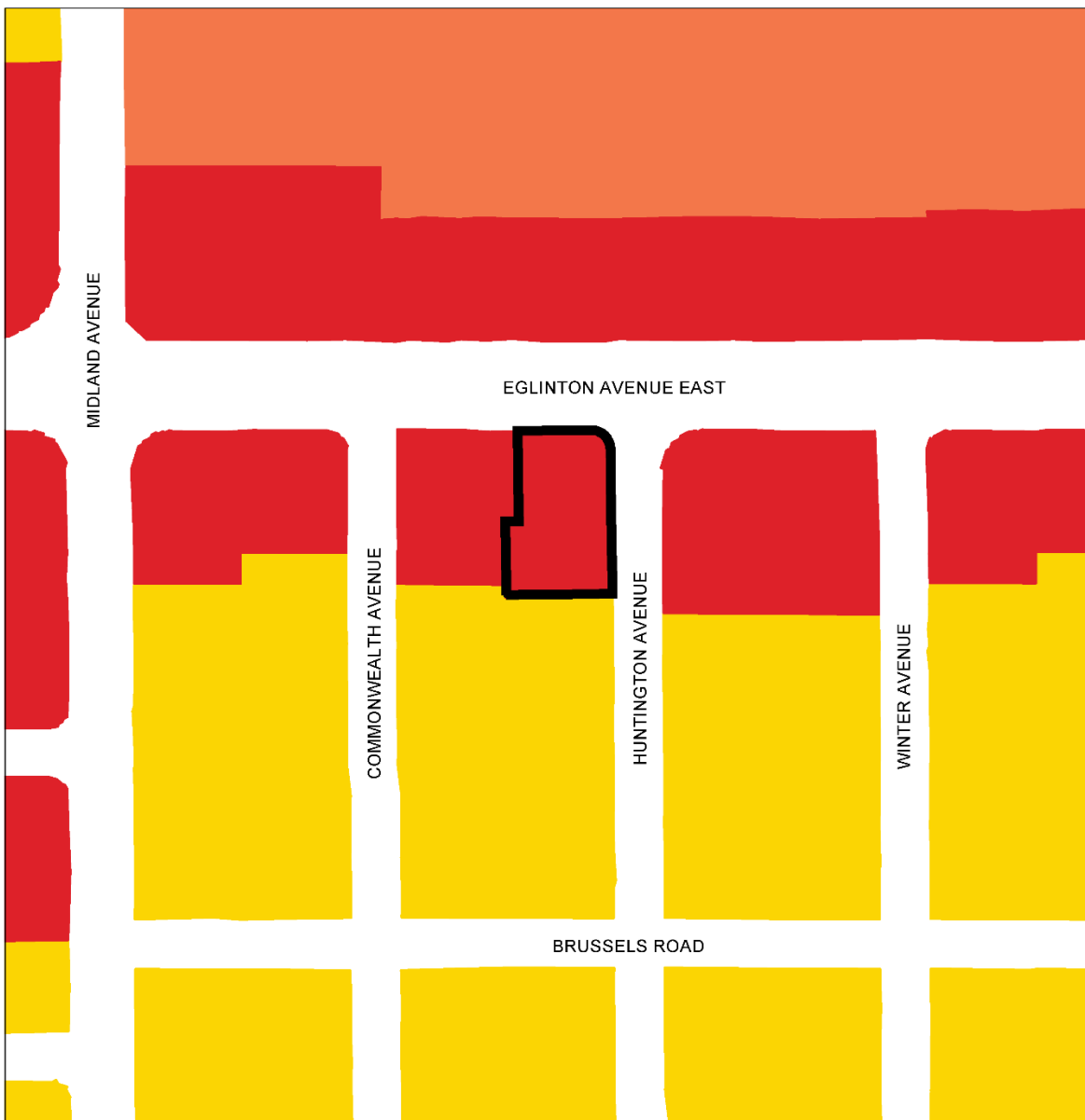
Community Planning, Scarborough District

[Renrick.Ashby@toronto.ca](mailto:Renrick.Ashby@toronto.ca)

## Attachment 2: Location Map







### Attachment 3: Official Plan Land Use Map



2567 Eglinton Avenue East

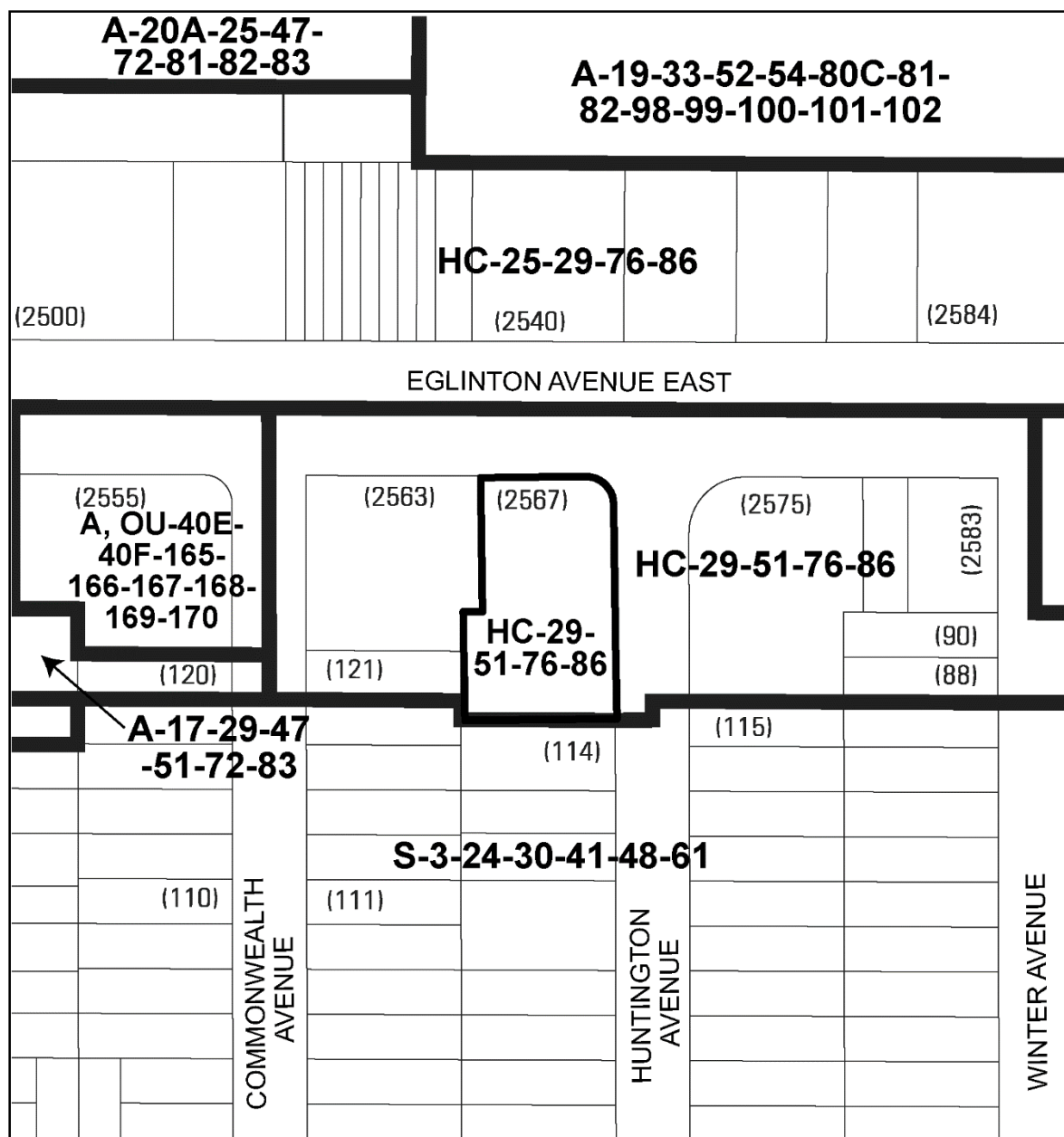
Official Plan Land Use Map #20

File # 19 263883 ESC 20 0Z

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas

↑  
Not to Scale  
03/14/2022

# Attachment 4: Eglinton Community Zoning By-law No. 10048, as amended



Eglinton Community By-Law No.10048

2567 Eglinton Avenue East

File # 19 263883 ESC 20 0Z



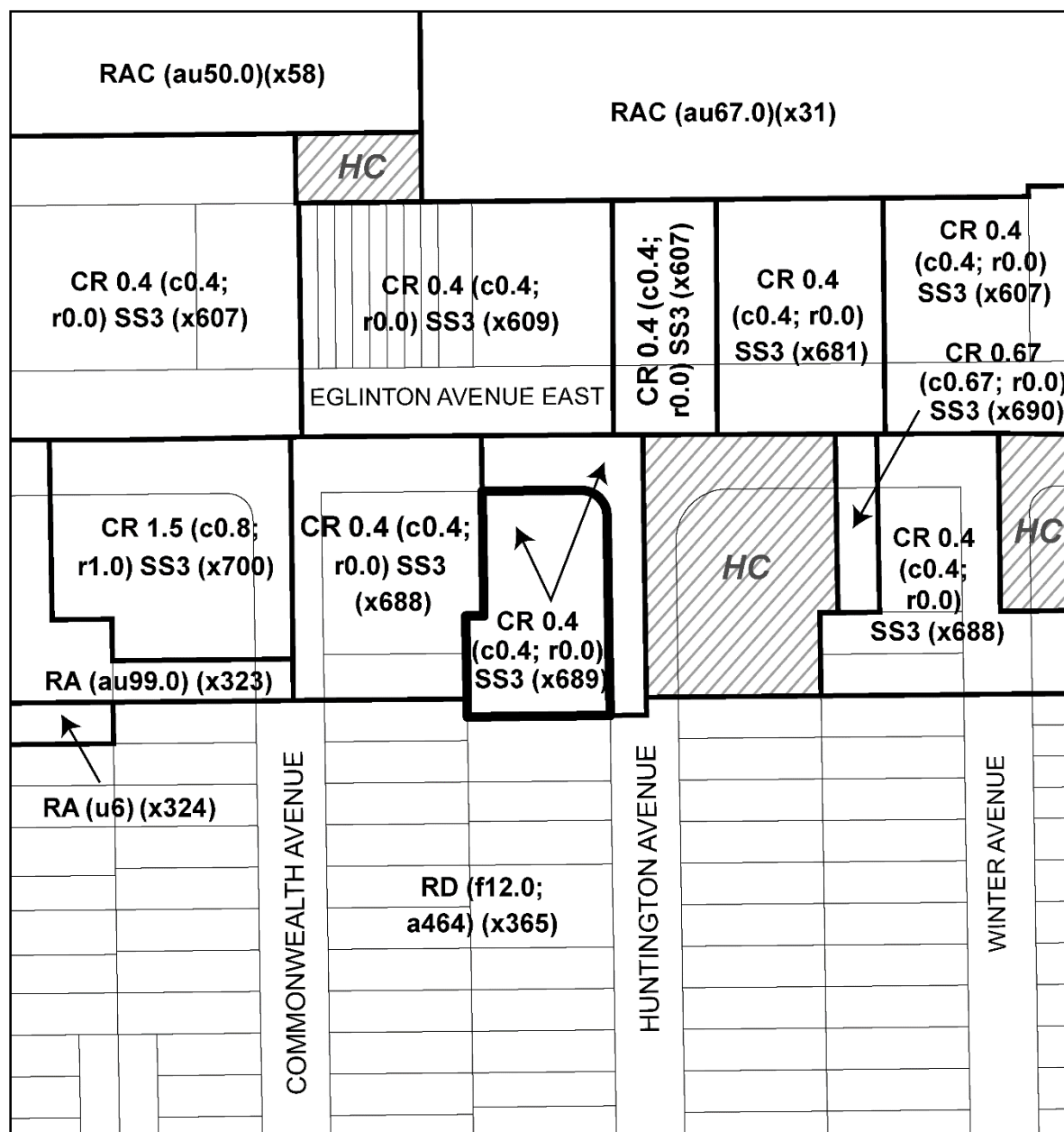
Location of Application

A Apartment Residential Zone  
HC Highway Commercial  
S Single Family Residential Zone



Not to Scale  
Extracted: 03/31/2022

# Attachment 5: City of Toronto By-law 569-2013, as amended



Zoning By-law 569-2013

2567 Eglinton Avenue East

File # 19 263883 ESC 20 0Z



Location of Application



See Former City of Scarborough Eglinton Community By-law No. 10048

RD  
RA

Residential Detached  
Residential Apartment

RAC  
CR

Residential Apartment Commercial  
Commercial Residential

HC

Highway Commercial



Not to Scale  
Extracted: 03/14/2022



## Attachment 6: Draft Zoning By law Amendment

Authority: Scarborough Community Council Item ##, as adopted by City of Toronto Council on ~, 2022

### CITY OF TORONTO

#### BY-LAW No. **XXXX** (2022)

#### **To amend Zoning By-law No. 569-2013, as amended, with respect to the lands municipally known in the year 2022 as 2567 Eglinton Avenue East**

Whereas Council of the City of Toronto has the authority to pursuant to 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*; and

The Council of the City of Toronto enacts:

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 No. 569-2013, Chapter 800 Definitions.
3. Zoning By-law No. 569-2013, as amended, is further amended by amending the zone label on the Zoning By-law Map in Section 990.10 respecting the lands outlined by heavy black lines from a zone label of CR 0.4 (c0.4; r0.0) SS3(x689) to a zone label of CR3.85 c0.4 r3.45 SS3 (x689) as shown on Diagram 2 attached to this By-law.
4. Zoning By-law 569 -2013, as amended, is further amended by amending the Height Overlay Map in Section 995.20 for the lands subject to this By-law, from a height and storey label of HT 11 metres to a height and storey label of HT 35 metres, ST 11, as shown on Diagram 4 attached to this By-law.
5. Zoning By-law 569 -2013, as amended, is further amended by amending the Lot Coverage Overlay Map in Section 995.30 for the lands subject to this By-law, from a lot coverage label of 33 to a lot coverage label of 50 as shown on Diagram 3 attached to this By-law.
6. Zoning By-law 569-2013, as amended, is further amended by amending Article 900.11.10 Exception Number 689 so that it reads:

(689) Exception CR [689]

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 2567 Eglinton Avenue East, subject to by-law [Clerks to supply by-law ##] are complied with, a **building** or **structure** may be constructed, used or enlarged in compliance with Sections (B) to (M) below:
- (B) Despite regulations 40.5.40.10(1) and (2), the height of a building or structure is the distance between highest point of the **building** or **structure** within the **lot** and the established grade is the Canadian Geodetic Datum elevation of 165.58 metres, for the purposes of this By-law [Clerks to supply by-law ##].
- (C) Despite regulation 40.10.40.10(3)(B) the permitted maximum height of any **building** or **structure** is the height in metres specified by the numbers following the symbol HT as shown on Diagram 4 attached to this By-law [Clerks to supply by-law ##].
- (D) Despite 40.5.40.10 (3), (4) (5) and C above, the following elements of a **building** or **structure** may project above the maximum **building** heights shown on Diagram 4 attached to this By-law [Clerks to supply by-law ##]:
  - (i) lighting fixtures, balustrades, bollards, trellises, parapets, privacy screens, safety railings, guardrails, chimneys, vents, stacks and exhaust stacks, and ornamental or architectural features may exceed the permitted maximum height by a maximum of 2.0 metres; and
  - (ii) mechanical equipment such as an emergency generator may exceed the permitted maximum height as shown on Diagram 4 by a maximum of 4.0 metres.
- (E) The proposed **building** or **structure** would provide a total of 118 **dwelling units** of which a minimum of 10 percent of the total number of **dwelling units** must contain a minimum of three bedrooms.
- (F) Despite regulation 40.10.40.40(1), the total permitted maximum **gross floor area** of the **building** is 8,860 square metres of which the permitted maximum residential **gross floor area** is 8,425 square metres and the permitted maximum non-residential **gross floor area** is 435 square metres.
- (G) Despite regulation 40.10.40.70 (3), the required minimum **building setbacks** of **buildings** or **structures** above ground level are shown on Diagram 4 attached to this By-law [Clerks to supply by-law ##].
- (H) Despite clause 40.10.40.60 and G above, the following are permitted to encroach into the required **building setbacks** shown on Diagram 4 of By-law [Clerks to supply by-law ##]:
  - i. bay windows, lighting fixtures, cornices, eaves, canopies, parapets, railings, privacy screens, terrace dividers, terraces, patios, cabanas, planters, balustrades, bollards, stairs, covered stairs or stair enclosures, awnings, fences and safety railings, guard rails, trellises, underground

- garage ramps and accessory structures, guardrails, mechanical equipment and fans, ornamental or architectural features, structures and elements related to outdoor patios, roofing assembly which may extend beyond the building envelope to a maximum of 2.2 metres;
  - ii. balconies and privacy screens may encroach to a maximum of 2 metres; and,
  - iii. cantilevered bay window, box window or other projecting window to a maximum of 0.5 metres.
- (I) Despite regulation 40.10.40.50 (1), the minimum permitted amount of **amenity space** shall be 3.15 square metres per **dwelling unit**. Minimum amenity areas will be allocated per **dwelling unit** as follows:
- i. the minimum permitted amount of indoor **amenity space** shall be 2.00 square metres; and,
  - ii. the minimum permitted amount of outdoor **amenity space** shall be 1.15 metres.
- (J) Despite regulation 40.10.40.1(1) the residential **amenity space** can be located at the same level as non-residential uses and are accessible only to residents of the **building**.
- (K) Despite regulation 200.5.10.1(1) and Table 200.5.10.1, **parking spaces** must be provided on the **lot** at the following minimum rates:
- i. 0.7 **parking spaces** for each bachelor **dwelling unit**;
  - ii. 0.8 **parking spaces** for each one-bedroom **dwelling unit**;
  - iii. 0.9 **parking spaces** for each two-bedroom **dwelling unit**;
  - iv. 1.1 **parking spaces** for each three-bedroom **dwelling unit**;
  - v. 0.15 **parking spaces** for each **dwelling unit** for residential visitor **parking space**; and
  - vi. 1.0 **parking spaces** is required for non-residential uses.
- (L) Despite regulation 200.15.1(1), an accessible **parking space** must have the following minimum dimensions:
- i. length of 5.6 metres;
  - ii. width of 3.4 metres; and
  - iii. vertical clearance of 2.1 metres.

- (M) Despite regulation 230.5.1.10(9) (B) a required "long-term" **bicycle parking space** for **dwelling units** and for uses other than **dwelling units** may be located;
- i. outdoors on the surface of the **lot**.

Prevailing By-laws and Prevailing Sections: None Apply

7. Despite any severance, partition or division of the lands, the provisions of this By-law shall apply as if no severance, partition or division occurred.

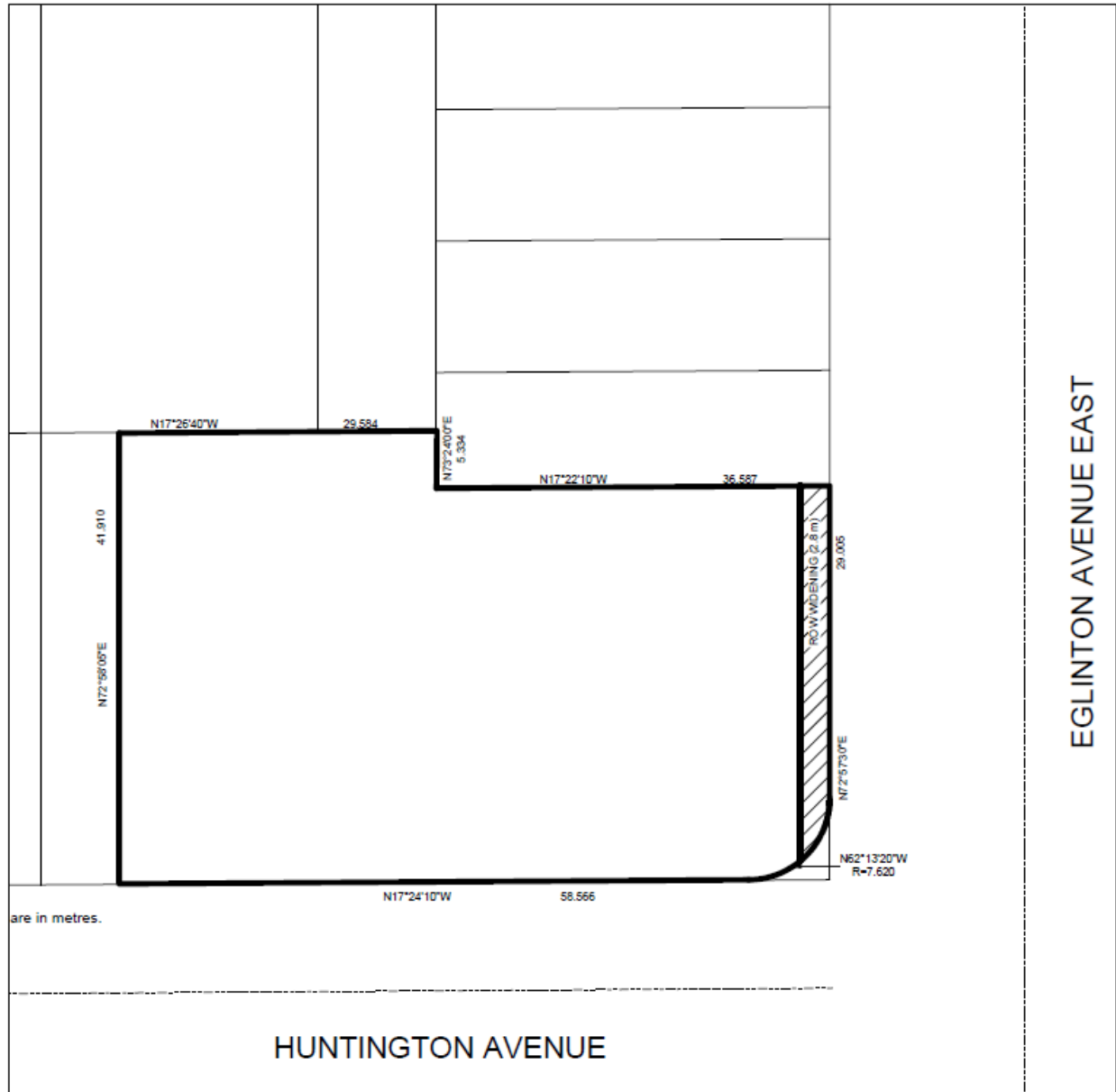
ENACTED AND PASSED this \_ day of \_\_\_\_, A.D. 2022.

Frances Nunziata  
Speaker

John D. Elvidge,  
City Clerk

(Seal of the City)

**Diagram 1**



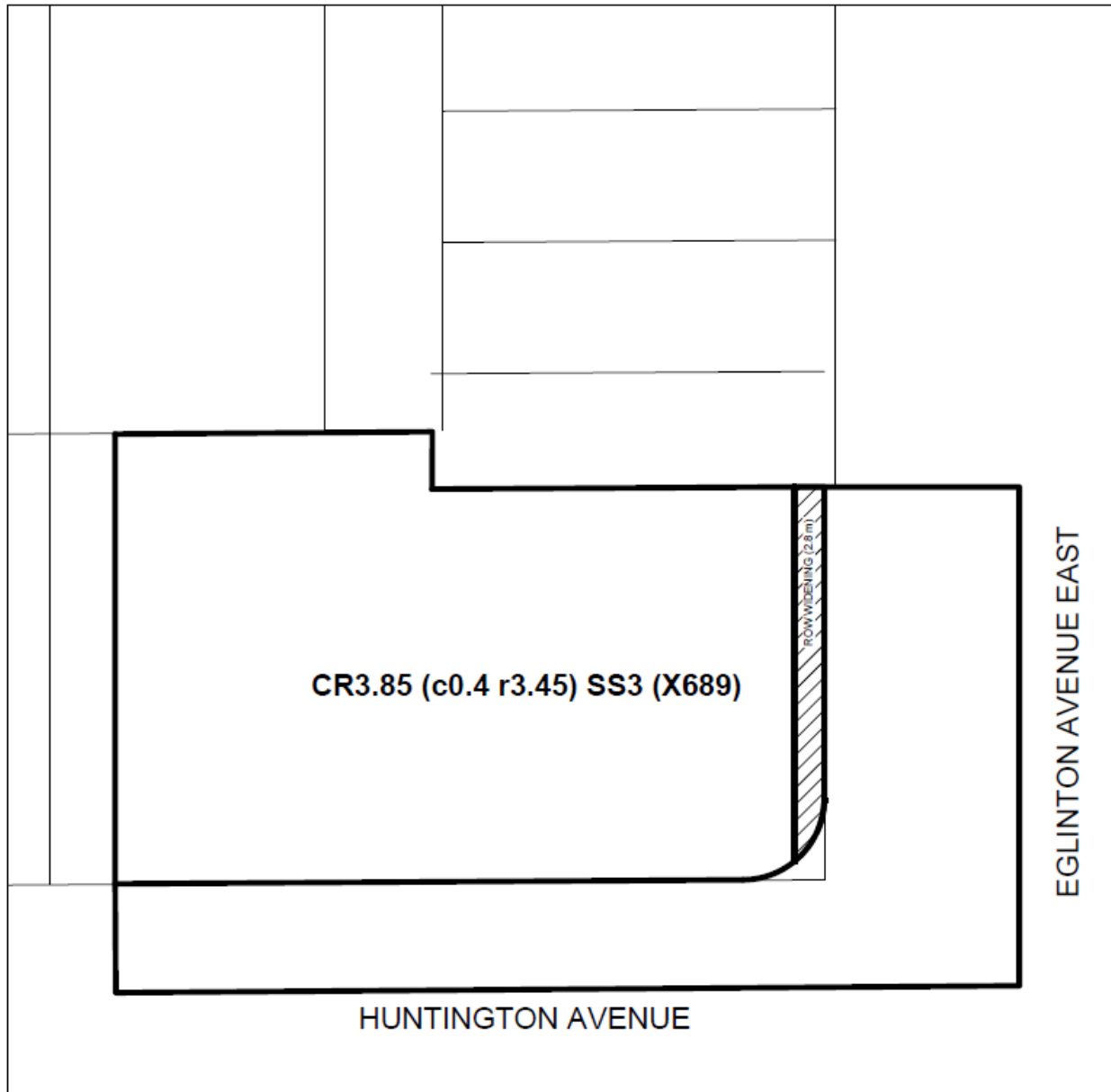
2567 Eglinton Avenue East, Toronto  
City of Toronto Zoning By-law 569-2013

Map 1

File # 20\_\_\_\_\_

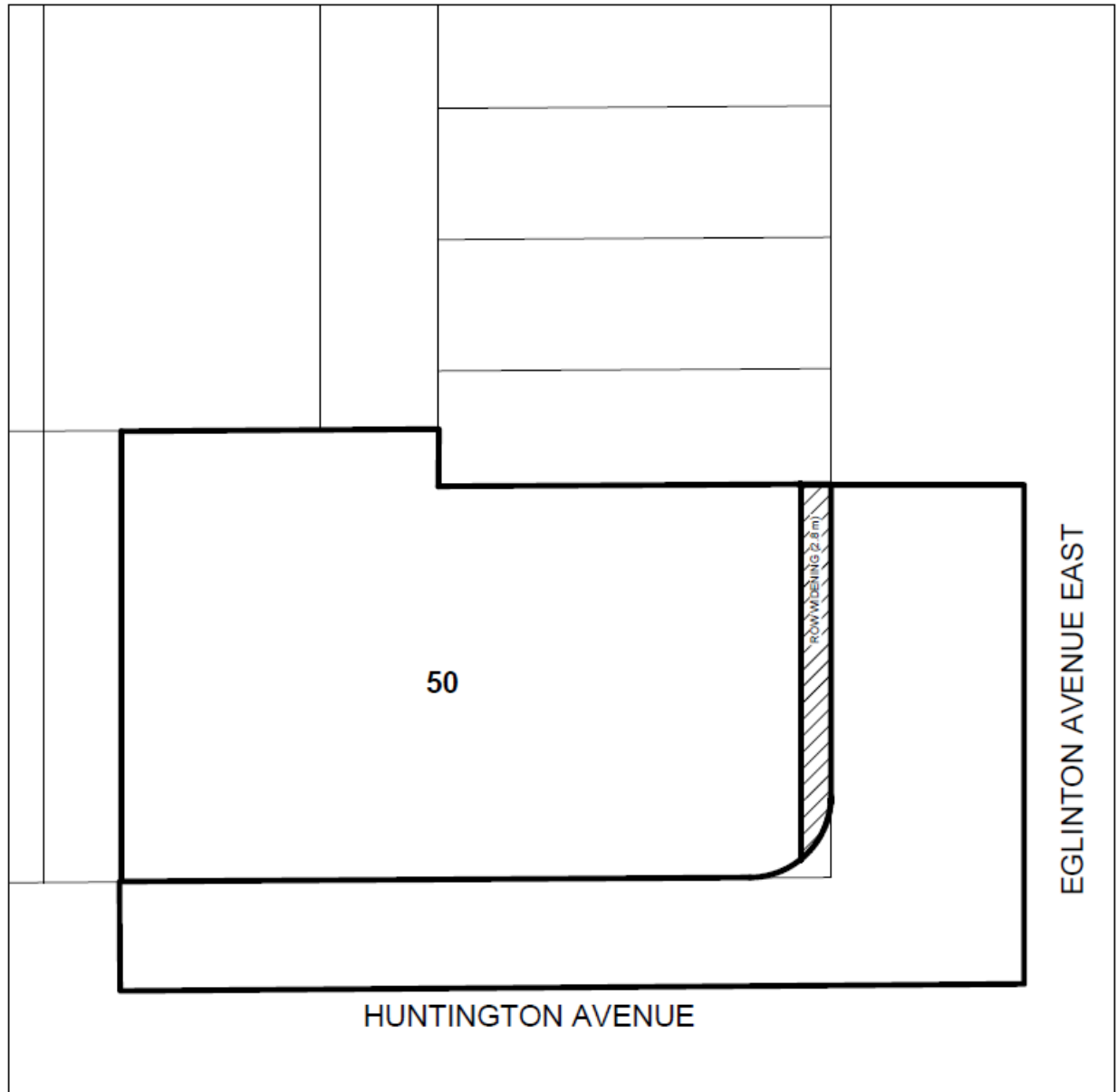


**Diagram 2**



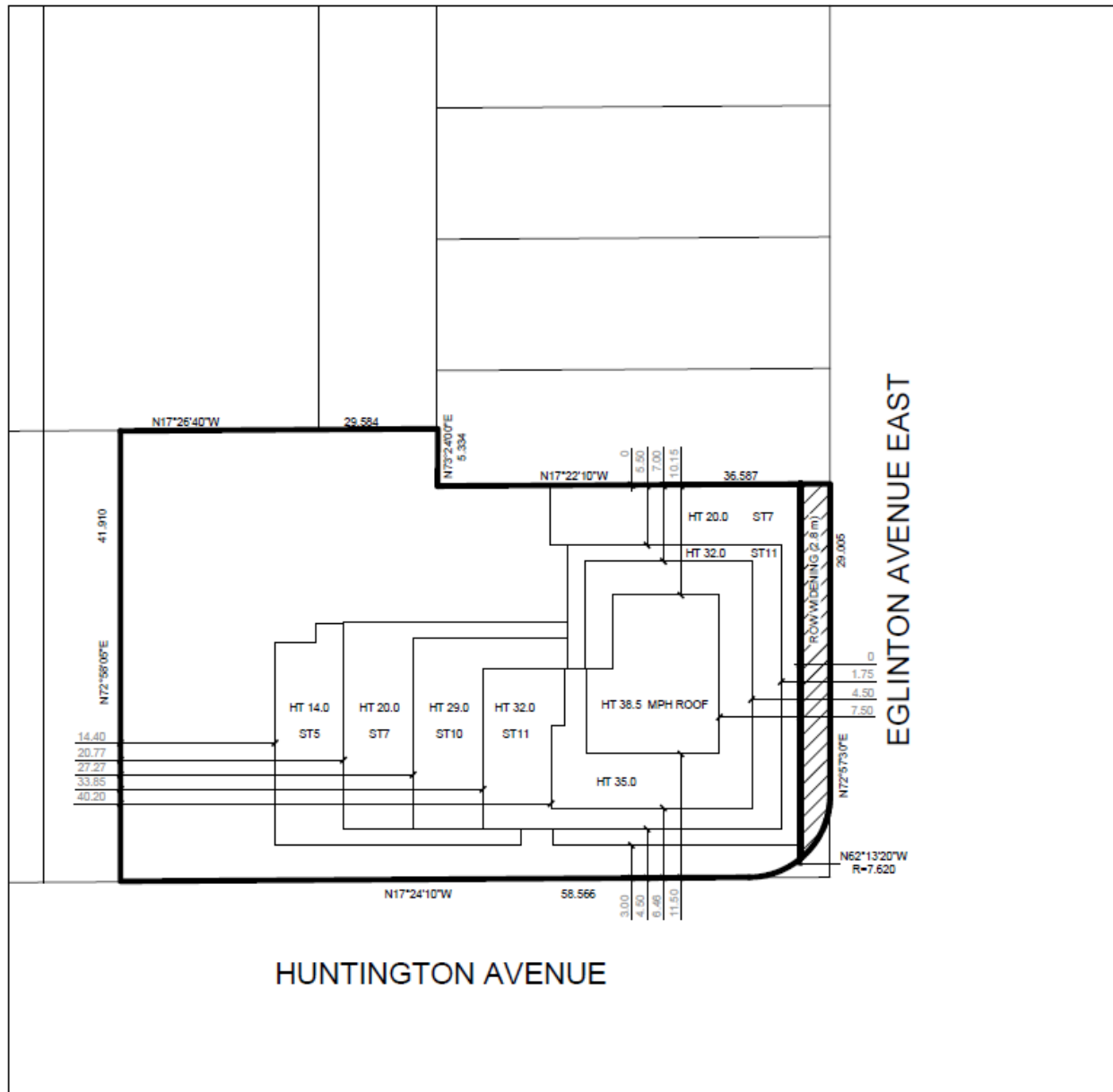
2567 Eglinton Avenue East, Toronto  
City of Toronto Zoning By-law 569-2013

**Diagram 3**



2567 Eglinton Avenue East, Toronto  
City of Toronto Zoning By-law 569-2013

**Diagram 4**



2567 Eglinton Avenue East, Toronto  
City of Toronto Zoning By-law 569-2013

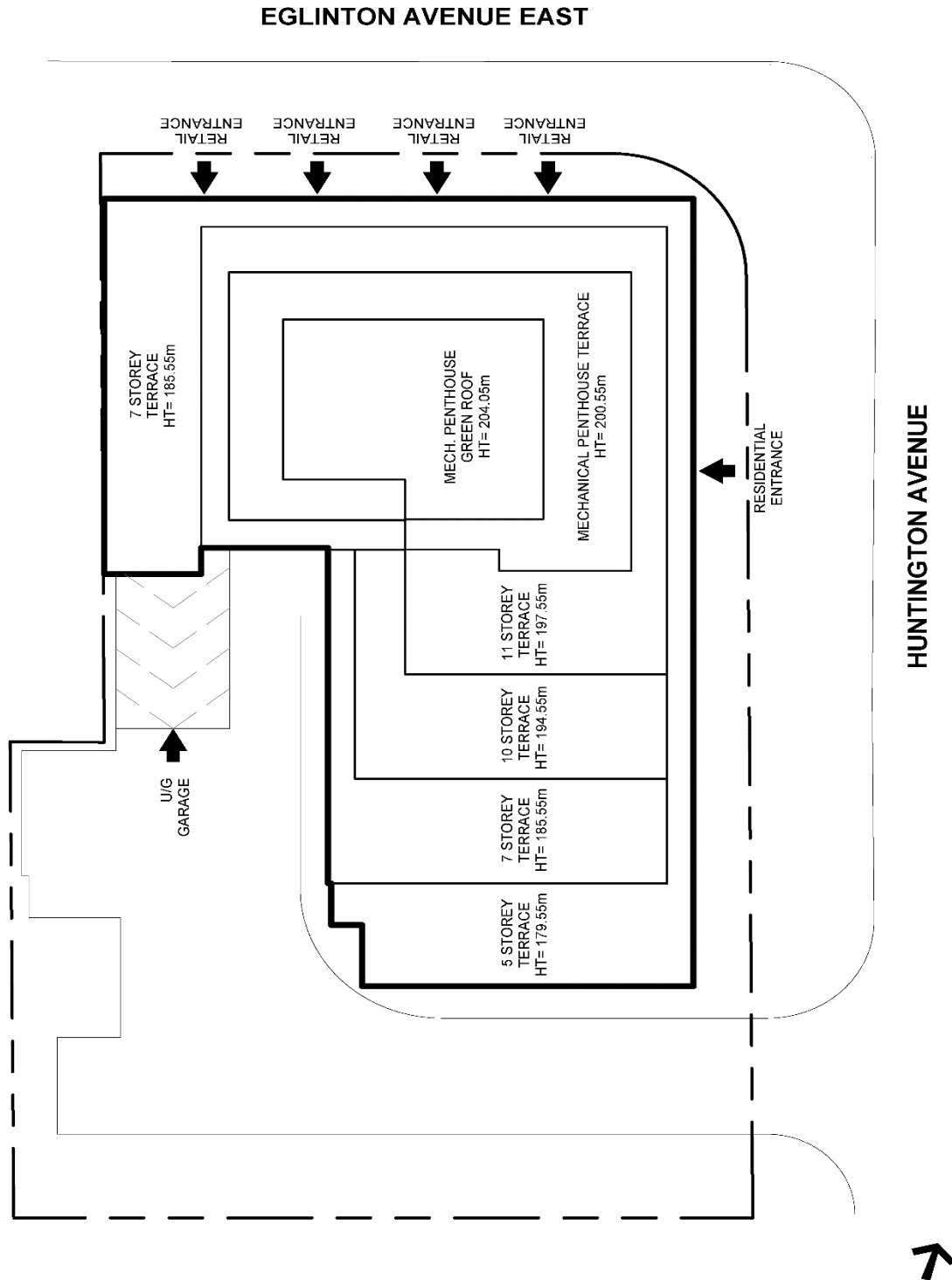


## **Attachment 7: Summary of Public Consultation**

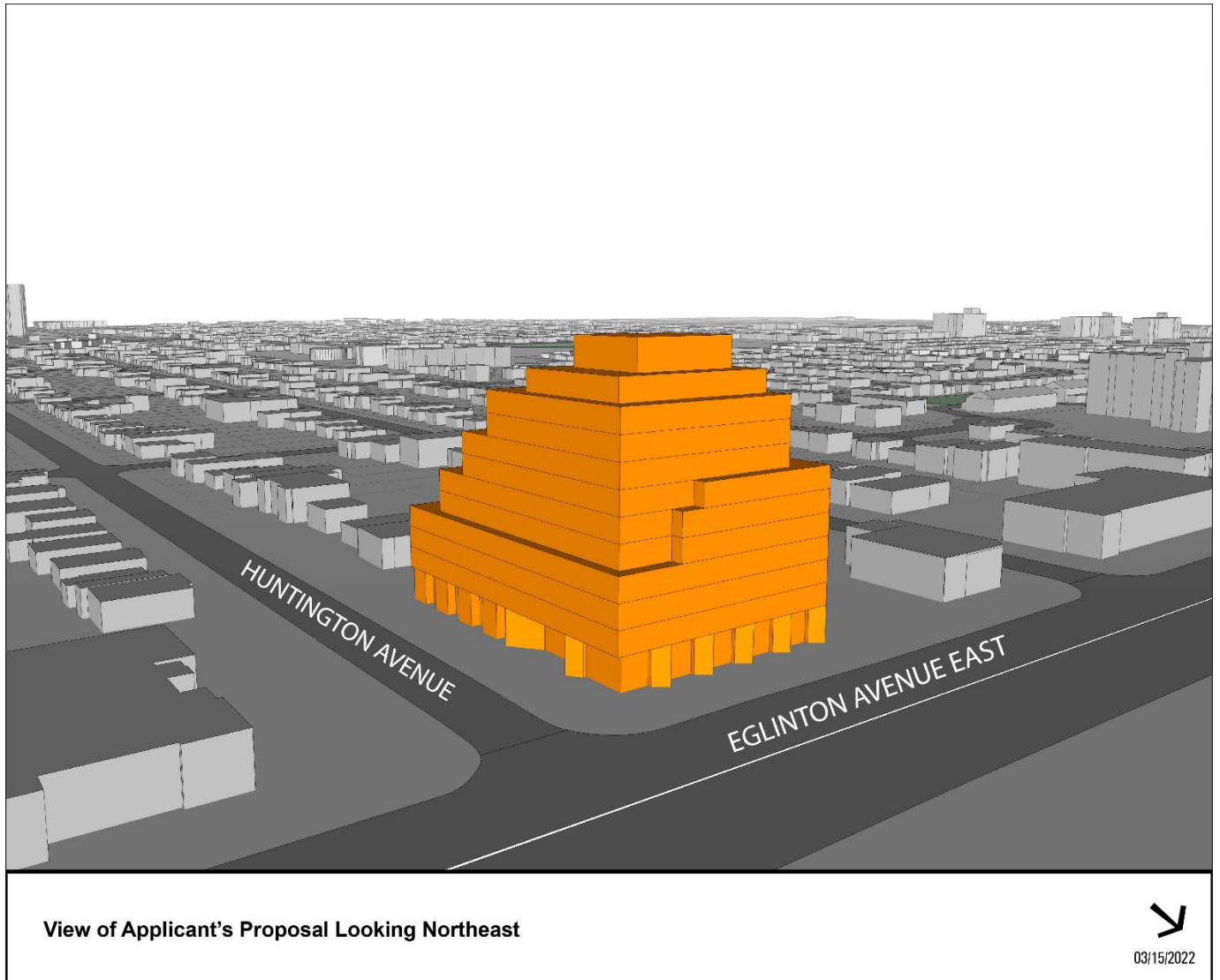
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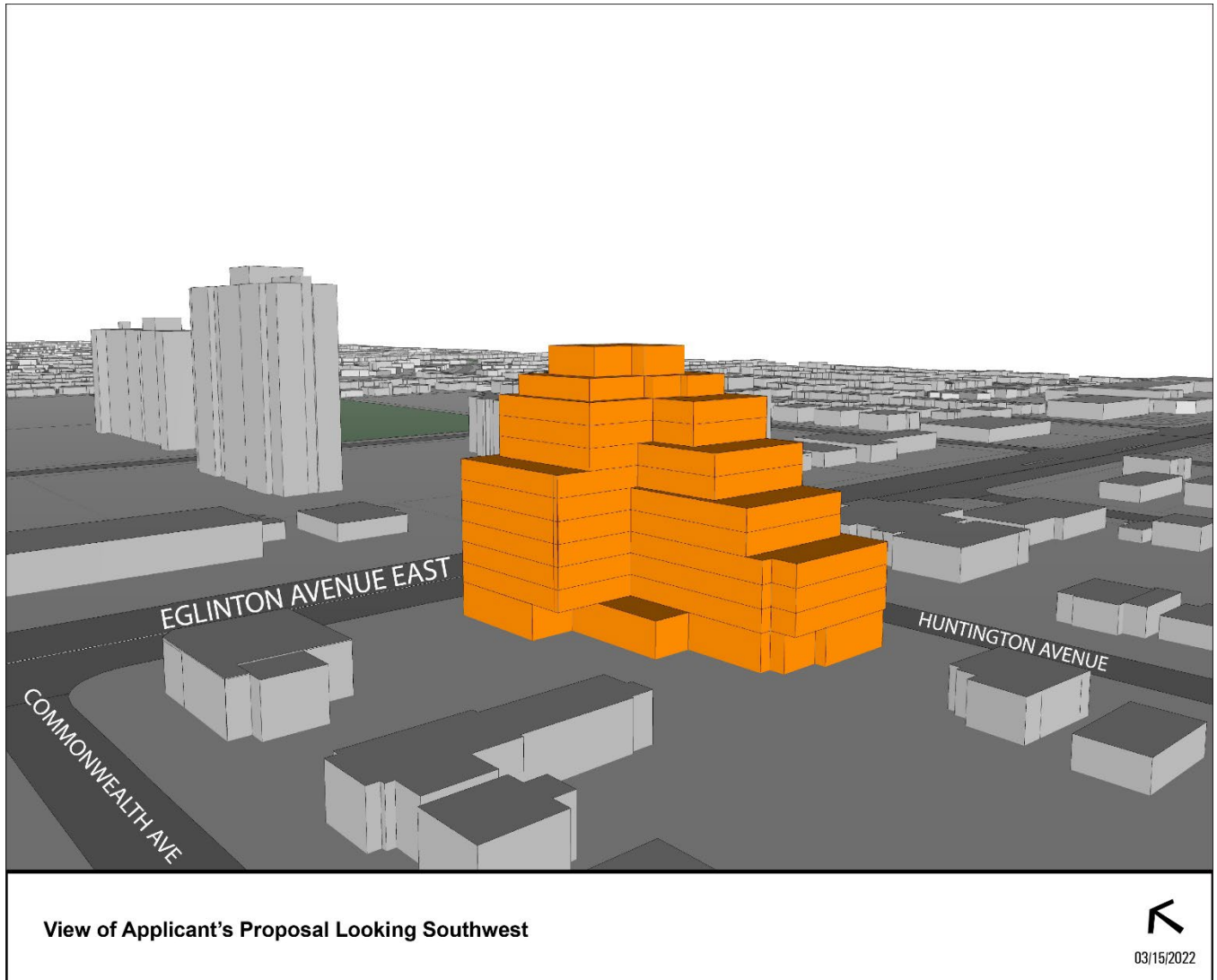
## Attachment 8: Site Plan



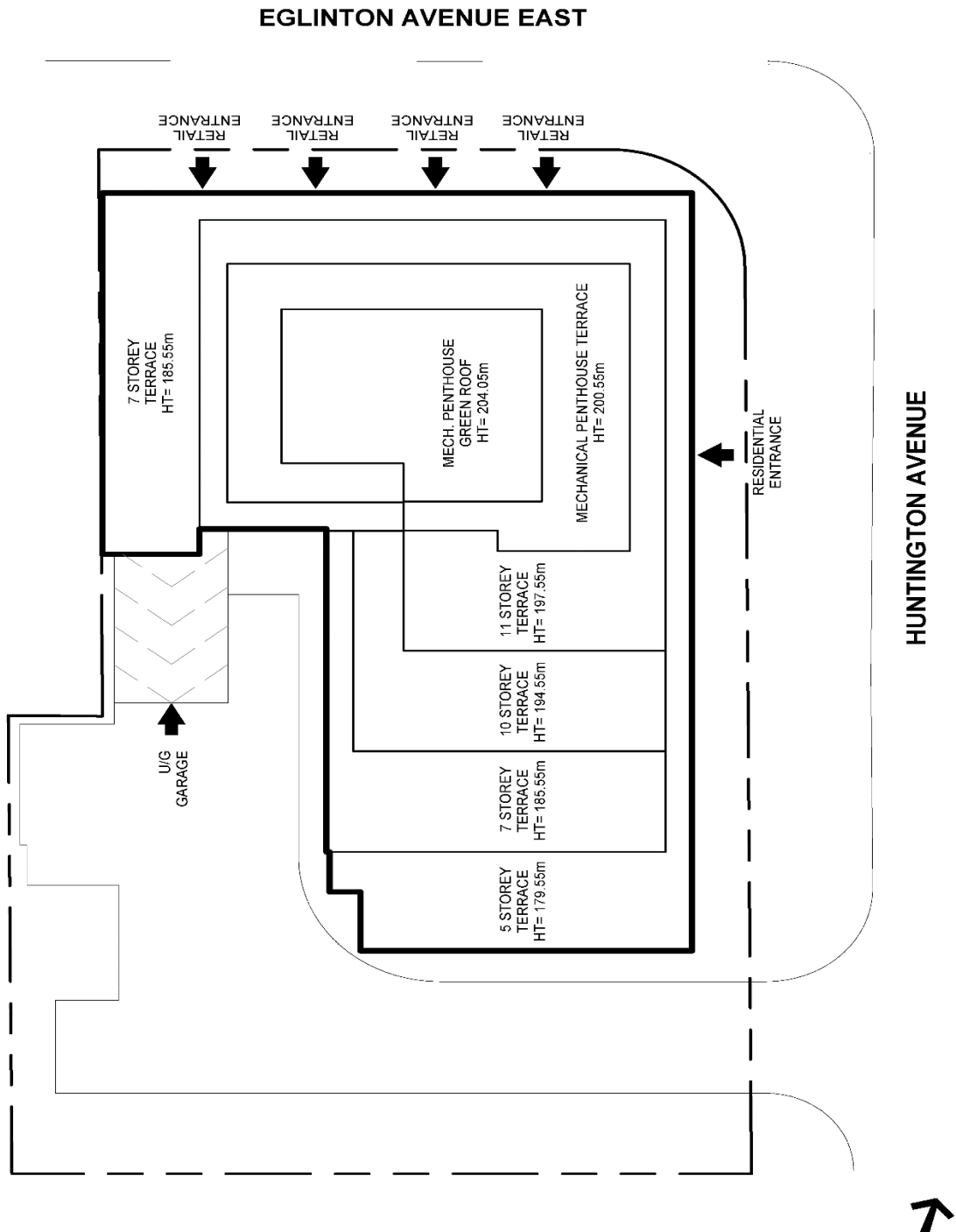
## Attachment 9: 3D Model of Proposal in Context, Looking Northeast



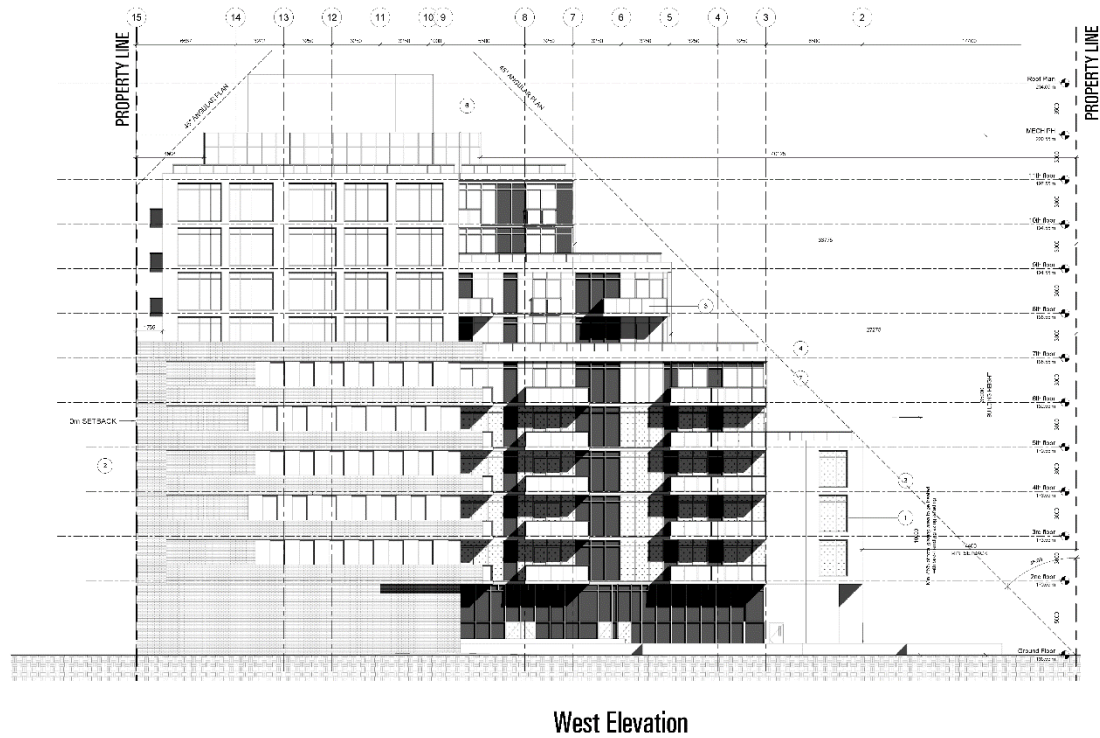
## Attachment 10: 3D Model of Proposal in Context, Looking Southwest



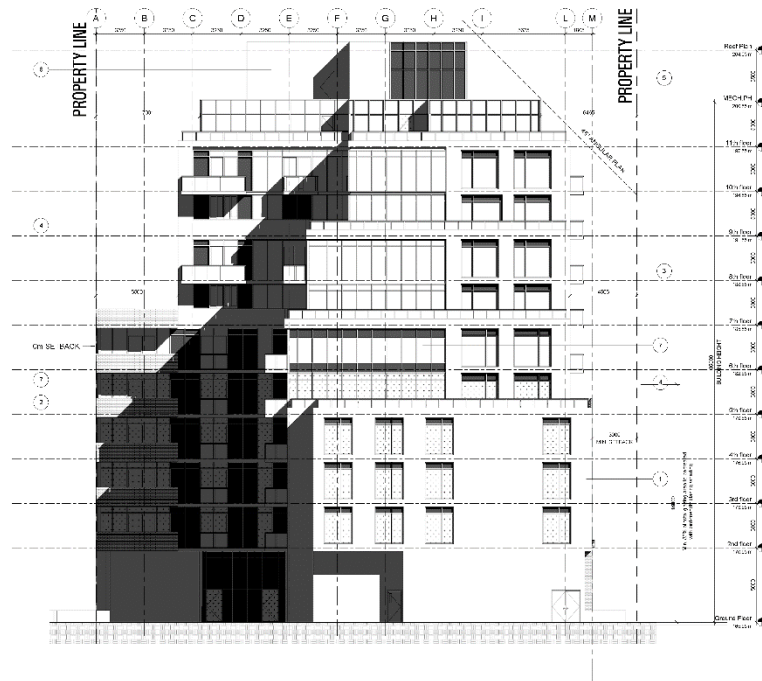
## Attachment 11: East Elevation



Final Report - 2567 Eglinton Avenue East – Zoning Amendment Application



## Attachment 13: South Elevation



South Elevation