

# **1801 - 1807 Eglinton Avenue West – Zoning By-law Amendment and Rental Housing Demolition Applications – Final Report**

Date: June 13, 2022

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward: 12 - Toronto-St. Paul's

**Planning Application Numbers:** 20 170662 STE 12 OZ and 20 170679 STE 12 RH

## **SUMMARY**

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This report reviews and recommends approval of the applications to demolish 47 rental dwelling units and to amend the Zoning By-law to permit a 41-storey mixed-use building at 1801-1807 Eglinton Avenue West.

The proposed building would contain 446 dwelling units, including 47 rental replacement units, and 880 square metres of non-residential space, including a 222 square metre commercial retail unit and a 645 square metre community agency space. The Tenant Relocation and Assistance Plan would ensure existing tenants are provided with the right to return to replacement rental units at similar rents and financial assistance to help mitigate hardship.

## **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 1801-1807 Eglinton Avenue West (the "Lands") substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6 to this report (June 13, 2022) from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to submit the necessary bill(s) to implement the foregoing recommendation(s) provided the City Solicitor is satisfied that the appropriate legal mechanisms are in place to ensure that no building permit will issue until such time as the Section 37 Agreement is executed and registered.
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.

4. City Council authorize the City Solicitor and appropriate City staff to take such actions as are required to implement City Council's decision, including the execution and implementation of appropriate agreements.

5. City Council require the owner to enter into an agreement pursuant to Section 37 of the Planning Act (the "Section 37 Agreement") as follows:

a) the community benefits to be secured in the Section 37 Agreement are as follows:

i. prior to the earlier of condominium registration or first occupancy of any residential unit on the Lands, the owner shall design, construct, finish and convey freehold ownership to the City, in an acceptable environmental condition and at no cost to the City, a minimum of 645 square metres of Community Agency Space, consisting of 115 square metres at ground level and 530 square metres on the second storey (collectively the "Community Agency Space") and provided in accordance with the City's Community Space Tenancy Policy and Base Building Conditions, with the terms and specifications to be finalized and secured in the Section 37 Agreement, all to the satisfaction of the Executive Director, Corporate Real Estate Management, the Executive Director, Social Development, Finance and Administration, the Chief Planner and Executive Director, City Planning, and the City Solicitor;

A. a letter of credit in the amount sufficient to guarantee 120% of the estimated cost of the design, construction and handover of the Community Agency Space complying with the specifications and requirements of the Section 37 Agreement, to the satisfaction of the Executive Director, Corporate Real Estate Management, the Executive Director, Social Development, Finance and Administration, the Chief Planner and Executive Director, City Planning, and the City Solicitor. This letter of credit shall be provided to the City prior to the issuance of the first above-grade building permit for non-residential uses so as to secure the Community Agency Space pursuant to 5A(a) above, with the Community Agency Space to be made available to the City within 12 months of residential occupancy of the building;

B. prior to the issuance of the first above-grade building permit for the proposed development on the Lands, the owner shall provide the City an indexed one-time cash contribution of six-hundred, twenty-seven thousand, eight-hundred and eighty dollars (\$627,880.00) for future capital improvements to the Community Agency Space, at the discretion of the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor

C. the value of the cash contribution referred to in Recommendation 5A(a)ii. shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for Toronto, or its successor, calculated from the date of execution of the Section 37 Agreement to the date of payment of the funds by the owner to the City;

D. concurrent with, or prior to, the conveyance of the Community Agency Space to the City, the owner and the City shall enter into, and register on title to the appropriate lands, an Easement and Cost Sharing Agreement for nominal consideration and at no cost to the City, that is in a form satisfactory to the City Solicitor. The Easement and Cost Sharing Agreement shall address and/or provide for the integrated support, use, operation, maintenance, repair, replacement and reconstruction of certain shared facilities, and the sharing of costs, in respect thereof, of portions of the subject lands to be owned by the City and the owner as they pertain to the Community Agency Space;

ii An indexed one-time cash contribution of fifty-thousand dollars (\$50,000.00) to be paid by the owner to the City prior to the issuance of the first above-grade building permit for the proposed development on the Lands, and to be allocated to a Toronto bike-share station on or within a reasonable vicinity of the Lands;

b) the following be secured in the Section 37 Agreement as a legal convenience to secure matters required to support the development:

i. that the owner shall provide, at its own expense and to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, a minimum area of 51.8 square metres at the southwest corner of the Lands and a minimum area of 109.1 square metres at the southeast corner of the Lands as Privately Owned Publicly-Accessible Spaces (POPS) and shall provide to the City for nominal consideration POPS easements for use of the POPS by members of the general public. Such easements are to be conveyed to the City prior to the issuance of the Statement of Approval, and with the configuration and design to be determined to the satisfaction of the Chief Planner and Executive Director, City Planning in the context of site plan approval process. The owner shall, operate, maintain and repair the POPS and install and maintain signs, at its own expense, stating that members of the public shall be entitled to use the POPS 24 hours a day, 365 days a year. The owner shall have completed the construction of the POPS prior to first occupancy of any new commercial or residential unit on the Lands;

ii. that prior to Site Plan Approval, the owner shall submit a Pedestrian Level Wind Study, to the satisfaction of the Chief Planner and Executive Director, City Planning, including wind tunnel analysis, which identifies recommendations for the outdoor amenity areas, and pedestrian realm, including the adjacent park, to mitigate wind impacts year-round, and the owner shall implement and maintain in support of the development all recommended mitigation measures to the satisfaction of the Chief Planner and Executive Director, City Planning;

iii. prior to site plan approval, the owner has registered on title to the lands a Limiting Distance Agreement to which the City will be a party, to the satisfaction to the City Solicitor, over a portion of 1815 Eglinton Avenue West, the Metrolinx LRT Fairbanks station, that ensures that the tower portion of the proposed residential building at 1801-1807 Eglinton Avenue West can be located on the western lot line, in order to achieve an appropriate tower setback and separation

distance to the east, to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor;

iv. that the owner shall consult with Metrolinx and City Planning staff to explore the provision of windows or other design solutions improving access to sunlight within the south portion of the ground floor of the Community Space, adjacent to the Fairbank LRT station southern plaza/entrance;

v. that the owner shall provide ten percent (10%) of all net new residential units in the proposed development on the Lands as three-bedroom units;

vi. that the owner shall make reasonable efforts, to the satisfaction of the Chief Planner and Executive Director, City Planning, to promote the return of businesses and/or services displaced by the proposed development;

vii. that the owner shall submit documentation and/or cash contributions toward Transportation Demand Management measures, as listed below, and such cash contributions, if required, shall be paid by the owner prior to the issuance of the site plan approval for the development, in the form of certified cheques, to the satisfaction of the General Manger, Transportation Services, and such cash contribution, if required, shall be indexed upwardly in accordance with the Statistics Canada Non-Residential Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Publication No. 18-10-0135-01, or its successor, calculated from the date of the Section 37 Agreement to the date of payment:

- a) The provision of a minimum of two (2) car-share parking spaces in the underground garage;
- b) Written confirmation from a car-share operator that the allocated publicly- accessible car-share spaces provided on-site have been accepted and included in their services;
- c) One (1) car-share membership per household of each residential unit, offered in the first year of occupancy;
- d) One (1) bike-share membership per household of each residential unit, offered in the first year of occupancy; and
- e) A minimum of two (2) bike repair station provided on the lands;

viii. that the owner shall demonstrate that a landscape architect with previous indigenous design experience has been retained, and that prior to Site Plan Approval, the owner shall submit a landscape plan detailing an indigenous design for the southeast POPS, with the intention of highlighting and honouring the indigeneity of the area, to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

ix. The owner shall provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in

accordance with the Sewers By-law Chapter 681-10, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

x. that the owner shall pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, to be resubmitted for review and acceptance by the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements to such infrastructure are required to support this development.

6. City Council approve the Rental Housing Demolition application (20 170679 STE 12 RH) under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006 to permit the demolition of forty-seven (47) existing rental dwelling units at 1801-1807 Eglinton Avenue West, subject to the following conditions:

a). The owner shall provide and maintain forty-seven (47) replacement rental dwelling units for a period of at least twenty (20) years beginning from the date that each replacement rental unit is first occupied. During this 20-year period, no replacement rental dwelling unit shall be registered as a condominium or any other form of ownership housing that provides a right to exclusive possession of a dwelling unit, including life-lease or co-ownership, and no application shall be made to demolish any replacement rental dwelling unit or convert any replacement rental unit to a non-residential rental purpose. The forty-seven (47) replacement rental dwelling units shall collectively contain a total gross floor area of at least 3,083 square metres and be comprised of ten (10) studio units, twenty-five (25) one-bedroom units, nine (9) two-bedroom units, and three (3) three-bedroom units, as generally illustrated in the plans prepared by BDP Quadrangle and dated May 31, 2022, with any revision to these plans being to the satisfaction of the Chief Planner and Executive Director, City Planning;

b) The owner shall provide and maintain at least five (5) studio units, fourteen (14) one-bedroom units, eight (8) two-bedroom units, and three (3) three-bedroom units at affordable rents, as currently defined in the Official Plan, and the remaining five (5) studio units, eleven (11) one-bedroom units, and one (1) two-bedroom unit at mid-range rents, as currently defined in the Official Plan, for a period of at least ten (10) years beginning from the date of first occupancy of each unit.

c) The location of the forty-seven (47) replacement rental units within the proposed development shall be determined prior to the issuance of Notice of Approval Conditions of site plan approval, to the satisfaction of the Chief Planner and Executive Director, City Planning;

d) The owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants of the forty-seven (47) existing rental dwelling units proposed to be demolished, addressing the right to return to occupy one of the replacement rental dwelling units at similar rents, the provision of alternative accommodation at similar rents in the form of rent gap payments, and other assistance to mitigate hardship. The Tenant Relocation and Assistance Plan

shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning;

e) The owner shall provide tenants of all forty-seven (47) replacement rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed development, at no extra charge, and on the same terms and conditions as any other resident of the development, without separate entrances or the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;

f) The owner shall provide ensuite laundry in each replacement rental dwelling unit within the proposed development at no additional cost to tenants;

g) The owner shall provide central air conditioning in each replacement rental dwelling unit within the proposed development at no additional cost to tenants;

h) The owner shall provide and make available nine (9) vehicle parking spaces to returning tenants of the replacement rental dwelling units who previously leased vehicle parking spaces as part of their residential lease agreements, and at similar monthly parking charges that such tenants previously paid, in the existing building. Should returning tenants who previously leased vehicle parking spaces elect to lease fewer than nine (9) vehicle parking spaces in the development or should a returning tenant leasing a vehicular parking space in the development vacate their replacement rental unit, the owner may provide and make available no fewer than six (6) vehicular parking spaces to tenants of the replacement rental units, and on the same terms and conditions as any other resident of the development;

i) The owner shall provide tenants of the replacement rental dwelling units with access to all bicycle and visitor vehicular parking at no charge and on the same terms and conditions as any other resident of the development;

j) The owner shall provide tenants of the replacement rental dwelling units with access to any storage lockers in the proposed development on the same terms and conditions as any other resident of the development;

k) The forty-seven (47) rental dwelling units required in Part 7.a above shall be made ready and available for occupancy no later than the date by which seventy percent (70%) of the new dwelling units in the proposed development, exclusive of the replacement rental units, are made available and ready for occupancy, subject to any revisions to the satisfaction of the Chief Planner and Executive Director, City Planning; and

l) The owner shall enter into, and register on title to the lands, one or more agreement(s) to secure the conditions outlined in Recommendation 7.a thought k., including an agreement pursuant to Section 111 of the City of Toronto Act, 2006, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.

7. City Council authorize the Chief Planner and Executive Director, City Planning to issue Preliminary Approval of the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the *City of Toronto Act, 2006* for the demolition of forty-seven (47) rental dwelling units at 1801-1807 Eglinton Avenue West after all the following has occurred:

- a) All conditions in Recommendation 7 have been fully satisfied and secured;
- b) The Zoning By-law Amendment has come into full force and effect;
- c) The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning or their designate pursuant to Section 114 of the *City of Toronto Act, 2006*;
- d) The issuance of excavation and shoring permits (conditional or full permits) for the approved development on the site;
- e) The owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant; and
- f) The execution and registration of agreements pursuant to Section 37 of the Planning Act and Section 111 of the City of Toronto Act, 2006 securing Recommendation 7 and any other requirements of the Zoning By-law Amendment (if applicable).

8. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning has given the Preliminary Approval referred to in Part 8 above.

9. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Residential Demolition Permit under Section 33 of the *Planning Act* and Chapter 363 of the Toronto Municipal Code for 1801-1807 Eglinton Avenue West after the Chief Planner and Executive Director, City Planning has given the Preliminary Approval referred to in Part 8 above, which may be included in the Rental Housing Demolition Permit under Chapter 667 pursuant to section 6.2 of Chapter 363, on condition that:

- a) The owner removes all debris and rubble from the site immediately after demolition;
- b) The owner erects solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building;
- c) The owner erects the proposed building no later than three (3) years from the date on which the demolition of the existing rental dwelling units commences, subject to the timeframe being extended at the discretion of the Chief Planner and Executive Director, City Planning; and

d) Should the owner fail to complete the proposed development containing the forty-seven (47) replacement rental dwelling units within the time specified in Part 10.c. above, the City Clerk shall be entitled to enter on the collector's roll, as with municipal property taxes, an amount equal to the sum of twenty thousand dollars (\$20,000.00) per dwelling unit for which a demolition permit is issued, and that such amount shall, until payment, be a lien or charge upon the land for which the Residential Demolition Permit is issued.

10. City Council authorize the appropriate City officials to take such actions as are necessary to implement City Council's decision, including execution of the Section 111 agreement and other related agreements.

## **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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A Preliminary Report on the application was adopted by Toronto and East York Community Council on October 15, 2020 authorizing staff to hold a community consultation meeting with an expanded notification area. The Toronto and East York Community Council Decision is available here: [Agenda Item History - 2020.TE19.25 \(toronto.ca\)](#)

## **SITE AND SURROUNDING AREA**

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**Description:** The rectangular-shaped site is 1,971 square metres in size, has a frontage of 31 metres along Eglinton Avenue West and Vaughan Road (which terminates just west of the site) to the south, and a depth of approximately 60 metres. The site slopes downwards from north to south by approximately 1.8 metres and is adjacent to the Fairbank Eglinton Crosstown LRT station. The site currently contains two 3-storey mixed-use buildings, which together contain 47 rental dwelling units. As of the date of this report, all 47 existing rental units are occupied.

**Official Plan Designation:** Mixed Use Areas and is subject to Site and Area Specific Policy 477 "Certain Lands in the Vicinity of Eglinton Avenue West and Dufferin Street".

**Zoning:** MCR (Main Street Commercial Residential) under the former City of York Zoning By-law 1-83, as amended, and (Commercial Residential) CR 2.5 (c2.5; r2.5) SS2 under Toronto Zoning By-law 569-2013 with a maximum permitted height of 24 metres or 8-storeys and a maximum permitted density of 2.5 times the area of the lot. See Attachment 4 to this report for the Existing Zoning By-law Map.

### **Surrounding Land Uses:**



**North:** of Eglinton Avenue West are 2 to 3-storey buildings with mixed commercial, retail and personal service uses at grade and residential uses on the upper levels. At 1812 and 1818 Eglinton Avenue West, there is a proposal for a 30-storey mixed-use building comprised of 381 dwelling units (Application 21 127937 NNY 08 OZ).

**South:** are three 13 to 16-storey residential buildings which form a complex of buildings providing full service, affordable residential accommodation for seniors, on a non-profit basis (the Lewis Garnsworthy Residence; St. Hilda's Senior Care Community Retirement Home; and St. Hilda's Towers). The complex also incorporates St. Hilda's Fairbank Anglican Church, which is listed on the City of Toronto's Heritage Register. Further south beyond these buildings is the Fairbank Public School and its sports field to the east.

**East:** is a 16-storey residential/mixed-use building (Doug Saunders Apartments), owned and operated by Toronto Community Housing (TCHC).

**West:** at the southeast corner of Eglinton Avenue and Dufferin Street is the main entrance building to the Fairbank Station on the future Line 5 Eglinton (Eglinton Crosstown Line). The station would be just east of the future St. Hilda's Parkette which would be integrated into the station design.

## THE APPLICATION

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**Description:** A 41-storey (approximately 144.8 metres, inclusive of a mechanical penthouse) mixed use building.

**Density:** 16.7 times the area of the lot.

**Dwelling Units and Amenity Space:** 446 dwelling units, including 47 rental replacement units. A total of 1,789 square metres of amenity space (4.0 square metres per residential unit), consisting of 1,001 square metres of indoor amenity space (2.2 square metres per residential unit) and 788 square metres of outdoor amenity space (1.77 square metres per residential unit).

**Rental Replacement and Tenant Relocation and Assistance:** Full replacement of the 47 existing rental units by their respective bedroom types, at comparable unit sizes, and at similar rents to those in effect at the time of application. Existing tenants would be eligible for the right to return to a replacement rental unit and financial compensation in the form of rent gap payments, as well as additional assistance, to mitigate hardship. The breakdown of the existing and replacement rental units by bedroom type and rent classification is as follows:

Bedroom Type	Affordable	Mid-Range	Total
Studio	5	5	10

<b>Bedroom Type</b>	<b>Affordable</b>	<b>Mid-Range</b>	<b>Total</b>
One-Bedroom	14	11	25
Two-Bedroom	8	1	9
Three-Bedroom	3	0	3
<b>Total</b>	<b>30</b>	<b>17</b>	<b>47</b>

**Retail:** The proposal includes a 194-square metre retail space located along the Eglinton Avenue West frontage.

**Access, Parking, and Loading:** Access to 55 vehicular parking spaces within the underground garage and a Type-G loading space is provided from Vaughan Road.

### **Additional Information**

See Attachment 1 to this report for the project data, Attachment 2 for the location map, Attachments 3-4 for the existing Official Plan and Zoning maps, Attachment No. 5 for the Dufferin Focus Area, and Attachments 7-9 for the site plan, elevations and 3D models of the proposal.

The current proposal incorporates numerous revisions from the original submission as summarized below:

- Increased building height from 30 to 41 storeys (106.5 to 144.8 metres, inclusive of a mechanical penthouse);
- Increased FSI from 11.48 to 16.7 times the area of the lot;
- Increased size of community agency space from 279 to 645 square metres;
- Increased number of dwelling units, from 284 to 446 units.
- Increased east tower setback from 5.5 to 11 metres;
- Decreased west tower setback from 5.5 to 0 metres; and
- Decreased parking rate from 0.19 to 0.12 spaces/dwelling unit.

### **Reasons for Applications**

The proposal requires an amendment to the Zoning By-law for an increase in density, and height, as well as site-specific provisions for setbacks and vehicular parking to implement the development.

A Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the *City of Toronto Act, 2006* is required to demolish the 47 existing rental dwelling units.

## **Site Plan Control**

The proposal is subject to Site Plan Control and a Site Plan Control application has been submitted.

## **Provincial Land Use Policies**

The application has been reviewed to determine its consistency with the Provincial Policy Statement, conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe, and conformity to the City's Official Plan. The Provincial Policy Statement (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. The Growth Plan, builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region.

## **Rental Housing Demolition and Conversion By-law**

Section 111 of the *City of Toronto Act, 2006* authorizes the City to regulate the demolition and conversion of residential rental properties. Chapter 667 of the Toronto Municipal Code, the Residential Rental Property Demolition and Conversion Control By-law, implements Section 111. The By-law prohibits the demolition of rental housing in any building or related group of buildings that collectively contain six or more dwelling units, of which at least one is a rental unit, without obtaining a permit from the City and requires a decision by either City Council or, where delegated, the Chief Planner and Executive Director, City Planning.

The proposal to demolish 47 rental dwelling units at 1801-1807 Eglinton Avenue West requires Council approval of an application under Chapter 667. The Rental Housing Demolition application was submitted with the Zoning By-law Amendment application on July 21, 2020 and deemed complete by City Planning staff on October 30, 2020.

## **Agency Circulation**

The applications, including the reports/studies submitted in support of the applications, 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.

## **COMMUNITY AND TENANT CONSULTATION**

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A virtual Community Consultation Meeting was held on December 3, 2020. At the meeting, City staff and the applicant's team delivered presentations on the site and surrounding area, the existing planning framework for the area, and the proposed development. Following the presentations, City staff led a question and answer format meeting. Comments and questions provided by meeting attendees included:

- The metric height of the building and how it compares to existing heights in the area;

- Concern about the impact to existing traffic conditions;
- Concern about the displacement of existing tenants;
- Concern about wind on open spaces in the area;
- Concern about shadow impact on *Neighbourhoods*-designated lands to the north;
- Support for family-sized residential units;
- Concern whether new commercial retail units would be affordable;
- Support for community space; and
- Whether any affordable housing is proposed within the development.

Additional consultation meetings were held on February 4, 2021 with the residents of St. Hilda's Towers and on March 2, 2021 with the residents of the Doug Saunders Apartments. Comments and questions provided by meeting attendees included: whether any accessible units for seniors would be provided in the proposed development; concern about the design of the public realm and ensuring it is accessible; and concern about the loss of Tim Horton's and whether that informal gathering space could be replaced.

City staff also received communications from Black Urbanism Toronto (BUTO) on September 15, 2020. Additional comments were provided identifying the following concerns:

- Provision of affordable housing units in the proposed development;
- Concern about size and use of Community Space in the proposed development;
- Support of widening of sidewalk along Eglinton Avenue West and other public realm improvements;
- Concern about the affordability of the proposed commercial retail units;
- Concern about shadow impact on the adjacent apartment building to the east;
- Concern about greater building scale changing the character of the area; and
- Concern regarding access to transit during the construction period.

The issues raised through community consultation have been considered through the review of the applications. Comments with respect to the proposed height, massing, setbacks, wind, shadow, family-sized units, and traffic are addressed in the Comments section below. The detailed building design, including proposed materials, and the construction management plan would be addressed during the Site Plan Control review process.

## **Tenant Consultation**

On May 31, 2022, a tenant consultation meeting was held to review the City's housing policies, the impact of the proposed demolition on existing tenants, and the proposed Tenant Relocation and Assistance Plan. The meeting was held virtually (due to the COVID-19 pandemic) and attended by 25 existing tenants, the applicant and their legal representation, City Planning staff, the local Councillor, and a representative of the Councillor's office.

During the meeting, tenants asked questions and expressed concerns about:

- The timing of the proposed demolition and development, when tenants would have to vacate their existing rental units and have the opportunity to return to the replacement rental units, and the estimated length of time over which the proposed development would be constructed;
- The proposed replacement rental unit sizes, and the process for selecting and returning to a replacement rental unit;
- How rent increases would be calculated over the construction period;
- How tenants will find alternative interim accommodation in the neighbourhood;
- How the financial compensation provided under the Tenant Relocation and Assistance Plan would be calculated and administered to tenants; and
- How the City determines whether a tenant is an Eligible Tenant (eligible for the Tenant Relocation and Assistance Plan) or a Post-Application Tenant (not eligible for the Tenant Relocation and Assistance Plan).

### **Statutory Public Meeting Comments**

In making their decision with regard to this application, Council members have had an opportunity to view the oral submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application, as these submissions are broadcast live over the internet and recorded for review.

## **COMMENTS**

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

The proposal has been reviewed and evaluated against the PPS and the Growth Plan. Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan.

### **Built Form**

City Planning staff finds that the proposal conforms with the applicable Official Plan policies with respect to built form and massing.

The development would create a balance of high-quality residential, commercial, community, and open space uses that meet the needs of the local community as anticipated in the Official Plan for *Mixed Use Areas*, the Tall Building Guidelines, Site and Area Specific Policy 477, and the Dufferin Focus Area (Eglinton Connects Study).

The proposed height of 41-storeys (144.8 metres, inclusive of the mechanical penthouse) is acceptable given the site's location adjacent to a LRT station, along an Avenue, and a few blocks west of a subway station. A tall building is anticipated on this site as per the illustration plan for the Dufferin Focus Area, and the proposed height would represent the height peak in the area.

The proposed massing would provide a streetwall height of four storeys (25 metres) on Eglinton Avenue West, framing the street with good proportion and fitting with the existing and planned context, including the LRT station to the west. The four-storey base building would also incorporate active ground floor uses characteristic of Eglinton Avenue West.

At the ground floor level, the proposed development would be set back 6.35 metres from the existing north lot line resulting in a significantly widened sidewalk and opportunity for an enhanced public realm.

Along the east property line and Vaughan Road, the base building would be two storeys (15.3 metres) in height and set back from the south property line by a minimum of 3.7 metres to a maximum of 15.63 metres to provide a widened sidewalk and two separated POPS areas. Above the ground floor, the base building along the Vaughan Road frontage is set back further to increase the amount of sunlight on the southwestern POPS.

The 2-storey base building along the east property line would rise to 16 storeys (61.5 metres) with a 5.5-metre east setback. The 16-storey component would then rise to the 41-storey (144.83 metres) tower component. The tower would be set back 7.6 metres from the north property line, 6.6 metres from south property line, 11 metres from the east property line and 0.0 metres from the west property line.

The tower would be located and oriented in relation to the base building and adjacent buildings to fit within the existing and planned context. The tower has been massed along the west lot line to provide an appropriate setback from the adjacent residential apartment building to the east. The applicant and Metrolinx will enter into a Limiting Distance Agreement, to which the City will also be a party, to provide the 0-metre setback to the west property line, and to achieve an 11-metre tower setback to the east property line.

The proposed tower setbacks are appropriate and would help mitigate negative impacts on the public realm and ensure adequate sky view, daylighting, and privacy.

### **Little Jamaica Initiative and Master Plan**

The Little Jamaica Initiative is an overarching approach that will develop and implement a series of programs, plans and/or strategies to respond to Council's direction and calls from the community to begin to address cultural erosion, community displacement and the lack of affordable spaces for residents and businesses. More specifically, the Initiative supports Caribbean, African and Black residents and equity-deserving communities to navigate neighbourhood change and intensification, infrastructure development and other urban renewal investments. The Little Jamaica Initiative will engage with the entire community to develop a plan to stabilize, strengthen and promote the cultural assets and diverse neighbourhoods in Little Jamaica.

The Little Jamaica Master Plan and engagement strategy is intended to result in the implementation of culturally responsive tools and policies that support and contribute to the cultural identity and significance of the area, manage growth and development,

advance social equity and economic inclusion for current and future residents to grow in place and guide investment in infrastructure and services.

City Planning staff have reviewed this development proposal with consideration of the objectives of the Little Jamaica Initiative and Master Plan. Elements of the proposal that advance these objectives include the proposed community agency space, public realm interventions such as the building setbacks and POPS, and specific requirements for approvals including consideration of retail tenant displacement and indigenous place-making.

### **Shadow Impact**

City Planning staff find the shadows that would be generated by the proposed development are acceptable and would adequately limit shadow impacts on Neighbourhoods-designated lands to the north and west, particularly during the spring and fall equinoxes.

The shadow studies demonstrate that the proposed development's shadow would have minimal impact on the public sidewalks along Dufferin Street and Eglinton Avenue West, and the low-rise residential *Neighbourhoods* north of Eglinton Avenue West during the spring/fall equinoxes.

Planning staff have assessed the proposed development in terms of the incremental impact that would result from the proposed 41-storey tower and are satisfied that it would adequately limit shadow on shadow-sensitive areas, parks, publicly-accessible open spaces, and the nearby school field at St. Thomas Aquinas School.

### **Wind Impact**

A Pedestrian Level Wind Study was submitted in support of the application. The study indicates that the surrounding public realm would experience wind conditions that are acceptable for the intended use (suitable for walking or better in the spring/fall/winter, and standing or better in the summer). A comparison of the existing versus future wind comfort surrounding the study site indicates that the proposed development would have a generally neutral influence on grade-level wind conditions, although somewhat windier conditions are expected for portions of the adjacent private parking lot to the east. The outdoor amenity spaces would be suitable for sitting or sedentary activities throughout the spring and summer without the need for mitigation. The private terraces would require wind mitigation measure such as wind screens.

City Planning staff have reviewed the Pedestrian Level Wind Study and are satisfied with the assessment, conclusions, and recommendations contained within the study. Further details on the proposed wind mitigations measures would be required during the Site Plan Control review process.

### **Rental Housing Demolition and Replacement**

In accordance with Policy 3.2.1.6 of the Official Plan, the applicant is proposing to replace all 47 existing rental dwelling units by their respective bedroom types, at similar

unit sizes, and at similar rents to those in effect at the time of application. The total GFA of the 47 replacement rental units is 3,083 square metres, which corresponds to the existing rental GFA. The precise location of the replacement rental units within the proposed development has not yet been determined, but the location would be determined prior to the issuance of the Notice of Approval Conditions (NOAC) of site plan approval, to the satisfaction of the Chief Planner and Executive Director, City Planning.

The applicant has confirmed that each tenant would reserve the right to return to a replacement rental unit of a similar unit type at similar rent, and that rents for replacement rental units without returning tenants would not exceed the applicable affordable or mid-range rent thresholds for a period of at least 10 years. Tenants who return to replacement rental units would be protected by the provincial rent increase Guideline until their tenancies end, irrespective of whether the Guideline applied to the proposed development under the *Residential Tenancies Act, 2006* (RTA).

### **Tenant Relocation and Assistance Plan**

The applicant has agreed to implement the Tenant Relocation and Assistance Plan for all Eligible Tenants who reside in the existing rental units proposed to be demolished at 1801-1807 Eglinton Avenue West. The plan would assist tenants in finding and securing alternative accommodation while the proposed development and replacement rental dwelling units are being constructed. The plan would consist of the following for each Eligible Tenant:

- The right to return to a replacement rental unit of the same bedroom type and a similar unit size, and at similar rent, as the rental unit they currently occupy;
- At least six months' notice before having to vacate their existing dwelling unit;
- Financial compensation, above and beyond that required under the RTA in the form of a rent gap payment, where the rent gap would be calculated as the difference between the rent paid by a tenant on the date their tenancy is terminated and the most recent average rent for vacant private rental apartments by unit type in Canada Mortgage and Housing Corporation's (CMHC) Rental Market Survey (RMS) Zone 8 (York), which encompasses the development site, over a 36-month period. In the event the proposed development took longer than 36 months to complete, the owner would provide each tenant additional monthly rent gap payments until the replacement rental units were ready for occupancy.
- Two moving allowances to cover expenses for moving off-site into alternative interim accommodation and then moving back into a replacement rental unit;
- Special needs compensation for applicable tenants; and
- Upon request, a rental leasing agent shall be made available to the Eligible Tenant to provide them with a list of rental vacancies in the neighbourhood, co-ordinate referrals and references from the current landlord, and provide similar assistance commensurate with the tenant's needs.

The Tenant Relocation and Assistance Plan is consistent with the City's current practices, would ensure that tenants can continue to access and afford suitable housing within the neighbourhood until the replacement rental units are complete, and would be



secured through one or more agreements with the City and to the satisfaction of the Chief Planner and Executive Director, City Planning.

### **Unit Mix**

The application proposes to provide 129 (32.3%) of the 399 net new dwelling units (non-replacement rental units) as two-bedroom units and 44 (11.0%) of the net new dwelling units as three-bedroom units, which satisfies the unit mix objectives of Guideline 2.1 of the Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines (the "Growing Up Guidelines").

### **Amenity Space**

Amenity space for building residents is proposed on the third and fifth floors of the proposed development at a rate that would meet the minimum requirement of 4.0 square metres of amenity space per dwelling unit (of which at least 2.0 square metres shall be indoor) contained in Zoning By-law 569-2013. A total of 1,789 square metres of indoor amenity space (2.2 square metres per dwelling unit) is proposed along with 788 square metres of outdoor amenity space (1.76 square metres per dwelling unit).

Detailed design of the amenity space, including provisions for households with children (Growing Up Guidelines) and pets (Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings), would be reviewed and secured through the Site Plan Control review process.

### **Community Agency Space**

The Community Services and Facilities Study determined that there is a general need for multi-purpose community agency space for the delivery of locally-based community services. The public consultations with local residents also identified this need and there was a strong desire for community space to be incorporated into this development proposal. A 645-square metre community space is proposed to be located on the ground and second floors, including an accessible entrance and interior elevator at Eglinton Avenue West and a secondary entrance on Vaughan Road. The space would be conveyed at no cost to the City, and tenanted to an eligible not-for-profit corporation under the City's Community Space Tenancy policy. Eligible services that can be provided under this policy include social or health services, community centre services or cultural or recreational services.

### **Public Realm**

The proposed building would be set back 6.35 metres from the Eglinton Avenue West property line resulting in a generous setback of approximately 7.0 metres from the curb. On Vaughan Road, the building would be set back by a maximum of 15.63 metres and a minimum of 3.7 metres from the property line to building face, resulting in a very generous setback range between approximately 20.0 and 9.0 metres from the curb. The proposed setbacks along both street frontages is a significant improvement from the existing condition and can accommodate a wide sidewalk and more space for pedestrians, trees, street furniture and patios, ensuring a vibrant and active pedestrian environment.

A Landscape Concept Plan submitted in support of the application plans for four new street trees on Eglinton Avenue West and three new street trees on Vaughan Road, accommodates planter beds, benches, and bike rings within the public realm adjacent to the subject site.

Two Privately Owned Publicly-Accessible Open Spaces (POPS) would be provided along Vaughan Road. The POPS at the southeast corner of the site is planned to have a large planting bed with new trees surrounded by seating. The POPS at the southwest corner of the site is proposed to be hard landscaping with additional seating and would be integrated with the LRT station entrance plaza and the new St. Hilda's Parkette. Further detailed design of the public realm would be addressed during the Site Plan Control review process.

Ground floor uses including retail space, community space entrance, and the residential lobby would be located along Eglinton Avenue West, allowing for access and views from the public realm.

City staff are satisfied that the proposal is consistent with the applicable public realm policies of the Official Plan, implements the recommendations in the Eglinton Connects Study, and incorporates comments made regarding the public realm at public consultations.

### **Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced, and expanded. Map 8B of the Official Plan established local parkland provisions across the City. The subject lands are in an area with 0 to 0.42 hectares of local parkland per 1,000 people. The site is in the lowest quintile of current provision of parkland and 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 a cash-in-lieu payment. The residential component of this proposal is subject to a 10% parkland dedication while the non-residential component is subject to a 2% parkland dedication.

The value of the cash-in-lieu of parkland dedication would be appraised through Real Estate Services. Payment would be required prior to the issuance of the first above-grade building permit for the proposed development.

### **Tree Preservation**

The applicant proposes to injure two privately-owned trees that are regulated by the Private Tree By-law and are partially or fully located on the adjacent property to the east. Urban Forestry staff have received an application to permit the injury of the two By-law-protected trees. There are no City-owned trees regulated by the Street Tree By-law.

## **Road Widening**

To satisfy the Official Plan requirement of a 27-metre right-of-way for this segment of Eglinton Avenue West, a 3.44-metre road widening is required along the Eglinton Avenue West frontage of the property. There is no additional land required for Vaughan Road. The widening would be conveyed to the City through the Site Plan Control review process.

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

Vehicular access for parking would be provided from Vaughan Road. A driveway would provide access to a three-level underground parking garage containing a total of 55 parking spaces, including 37 parking spaces for residents, 17 spaces for residential visitors, and two car-share spaces. No parking spaces are proposed for the retail use or community agency space. A Type G loading space is required and would also be accessed from Vaughan Road.

A total of 447 bicycle parking spaces are proposed, including 402 bicycle parking spaces for residents and 45 bicycle parking spaces for visitors on the second and mezzanine levels of the proposed development. The proposed bicycle parking spaces and loading space meet Zoning By-law requirements.

Transportation Services staff have reviewed the Urban Transportation Considerations Report and are satisfied with its conclusions. Transportation Demand Management measures will be secured as part of the Section 37 Agreement. Additional comments related to site access arrangements, site circulation and layout, design of the proposed site entrance driveway, layout of the proposed parking supply (including ingress/egress provided thereto), and requirements for electric vehicle infrastructure would be provided through the Site Plan Control review process.

## **Servicing and Stormwater Management**

The applicant has submitted a Functional Servicing and Stormwater Management Report, prepared by Odan/Detech Group Inc., dated July 14, 2020 and revised on September 21, 2021 and March 15, 2022, and a Hydrogeological Review Report, prepared by Grounded Engineering Inc., dated July 13, 2020, and revised on March 16, 2022, all in support of the proposal. Engineering and Construction Services and Toronto Water staff have reviewed the submitted materials and determined they are acceptable.

The owner is required to provide space within the development for installation of maintenance access holes and sampling ports on the private side, as close to the property line as possible, for both the storm and sanitary service connections, in accordance with the Sewers By-law Chapter 681-10.

The owner will also pay for and construct any improvements to the municipal infrastructure in connection with the site servicing report, should it be determined that upgrades to such infrastructure are required to support this development.

Other issues identified by Engineering and Construction Services staff will be resolved as part of the Site Plan approval 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. 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.

## Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020). The proposal conforms with the applicable policies of the Official Plan, including SASP 477 and is consistent with the objectives outlined in the Dufferin Focus Area. Staff find that the proposal fits in with the existing and planned context and that the proposal is appropriate. The objectives of the Little Jamaica Initiative and Master Plan have been considered and are reflected in the proposal and community benefits. Staff recommend that Council support approval of the application.

## CONTACT

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## SIGNATURE

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Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA,  
Director  
Community Planning  
Toronto and East 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
- Attachment 5: Dufferin Focus Area Map
- Attachment 6: Draft Zoning By-law Amendment

### **Applicant Submitted Drawings**

- Attachment 7: Site Plan
- Attachment 8: Elevations
- Attachment 9: 3D Models of Proposal in Context

Attachment 1: Application Data Sheet

**Municipal Address:** 1801-1807 Eglinton Ave W **Date Received:** July 21, 2020

**Application Number:** 20 170662 STE 12 OZ

**Project Description:** A 41-storey mixed-use building (144.83 metres to the top of the mechanical penthouse).

**Applicant**

KS 1801-1807 Eglinton Avenue West Inc.

**Architect**

Quadrangle Architects Ltd.

**EXISTING PLANNING CONTROLS**

<b>Official Plan Designation:</b>	Mixed Use Areas	<b>Site Specific Provision:</b>	SASP 477
<b>Zoning:</b>	CR 2.5 (c2.5; r2.5) SS2 (x2572)	<b>Heritage Designation:</b>	N
<b>Height Limit (m):</b>	24	<b>Site Plan Control Area:</b>	Y

**PROJECT INFORMATION**

Site Area (sq m): 1,971                      Frontage (m): 31                      Depth (m): 60

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,481	1,481
Residential GFA (sq m):			31,702	31,702
Non-Residential GFA (sq m):			633	633
Total GFA (sq m):			32,335.1	32,335.1
Height - Storeys:			41	41
Height - Metres:			144.8	144.8

**Lot Coverage Ratio (%):** 74.06                      **Floor Space Index:** 16.4

**Floor Area Breakdown    Above Grade (sq m)    Below Grade (sq m)**

Residential GFA:	31,702
Retail GFA:	168
Office GFA:	
Industrial GFA:	
Institutional/Other GFA:	465

<b>Residential Units by Tenure</b>	<b>Existing</b>	<b>Retained</b>	<b>Proposed</b>	<b>Total</b>
Rental:	47		47	47
Freehold:				
Condominium:			399	399
Other:				
<b>Total Units:</b>	<b>47</b>		<b>446</b>	<b>446</b>

### **Total Residential Units by Size**

	<b>Bachelor</b>	<b>1 Bedroom</b>	<b>2 Bedroom</b>	<b>3+ Bedroom</b>
Retained:				
Proposed:		261	138	47
<b>Total Units:</b>		<b>261</b>	<b>138</b>	<b>47</b>

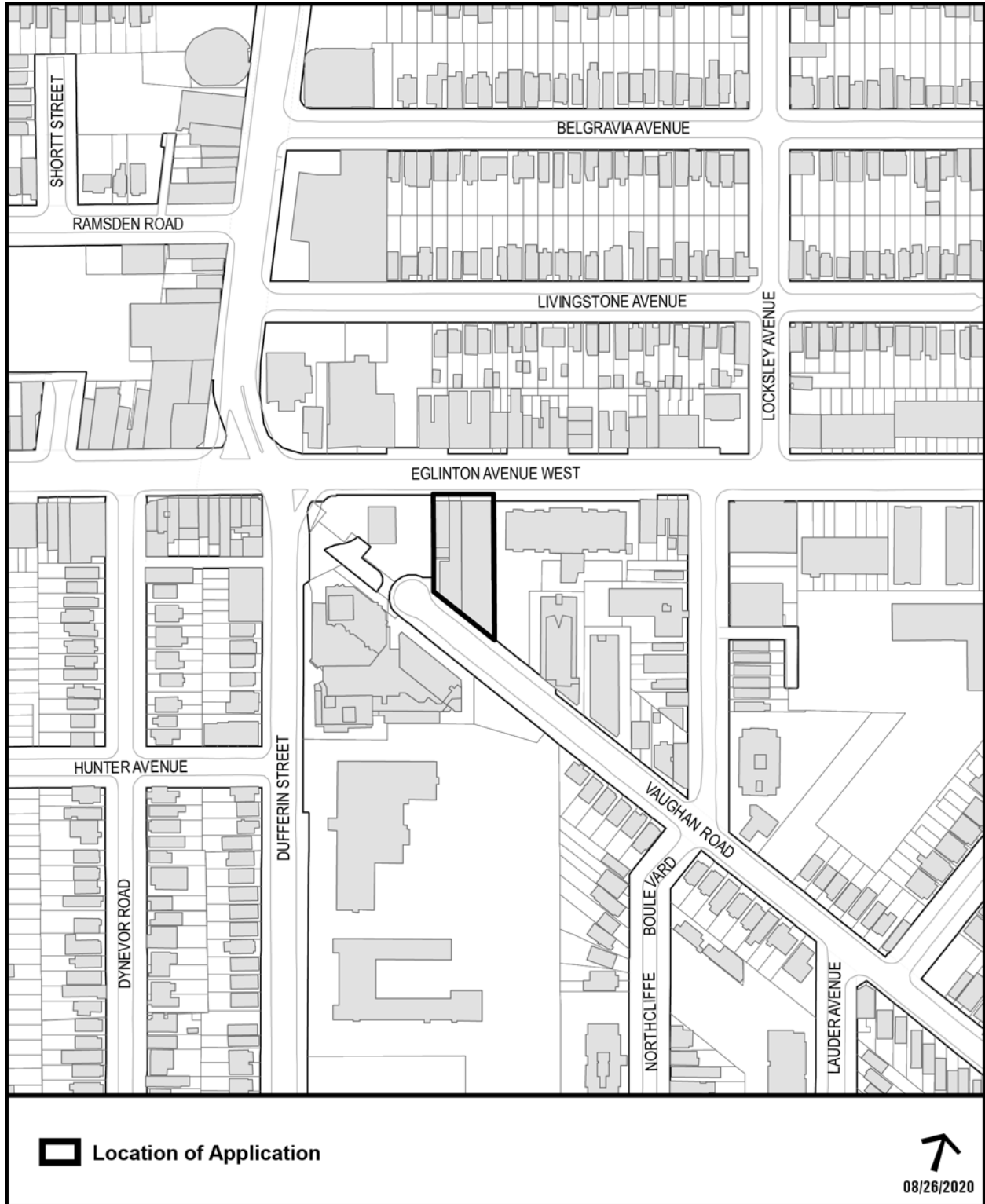
### **Parking and Loading**

Parking Spaces:	55	Bicycle Parking Spaces:	447	Loading Docks:	1
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### **CONTACT:**

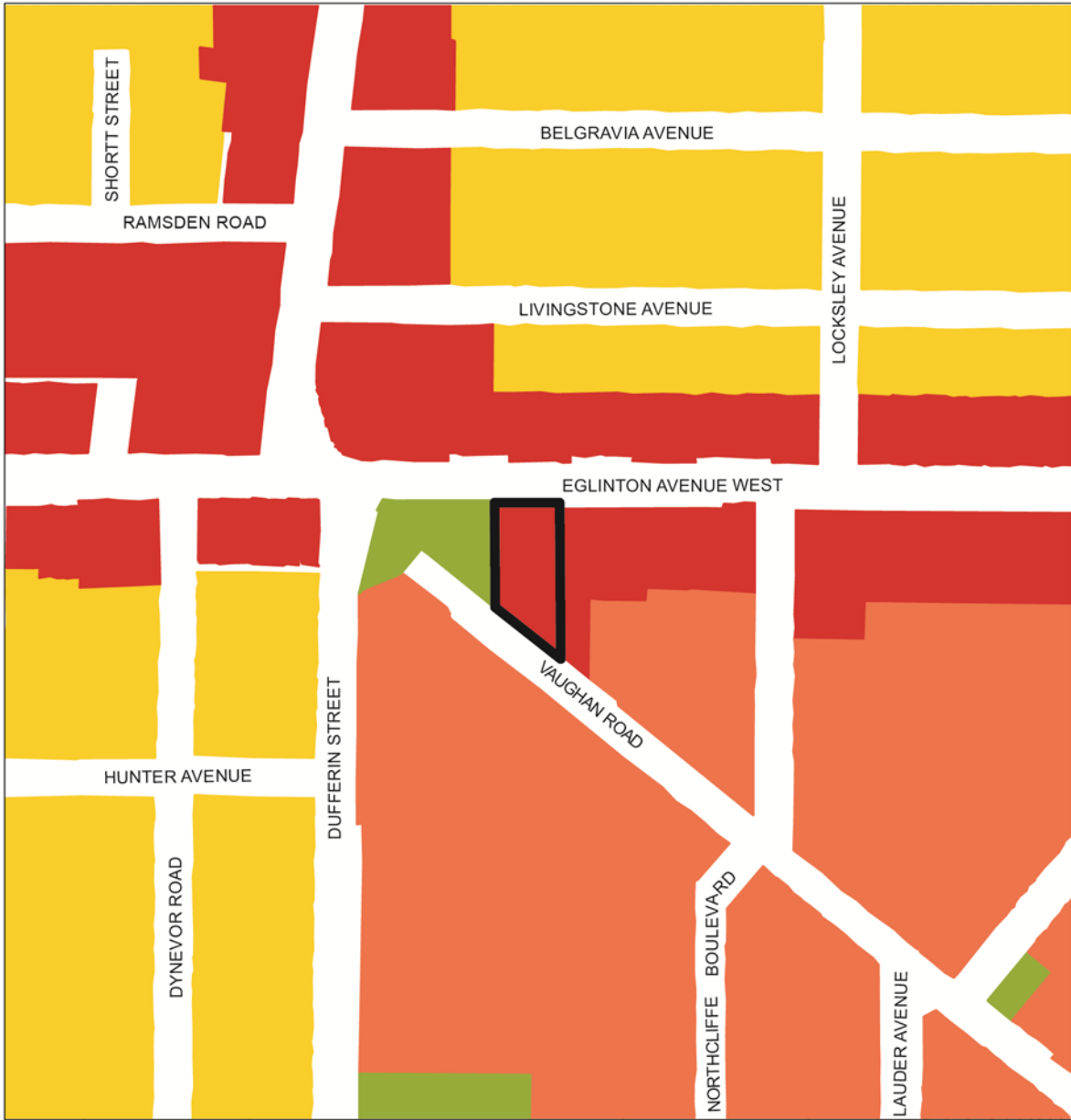
Sipo Maphangoh, Senior Planner  
 Sipo.Maphangoh@toronto.ca

Attachment 2: Location Map





Attachment 3: Official Plan Land Use Map



1801-1807 Eglinton Avenue West

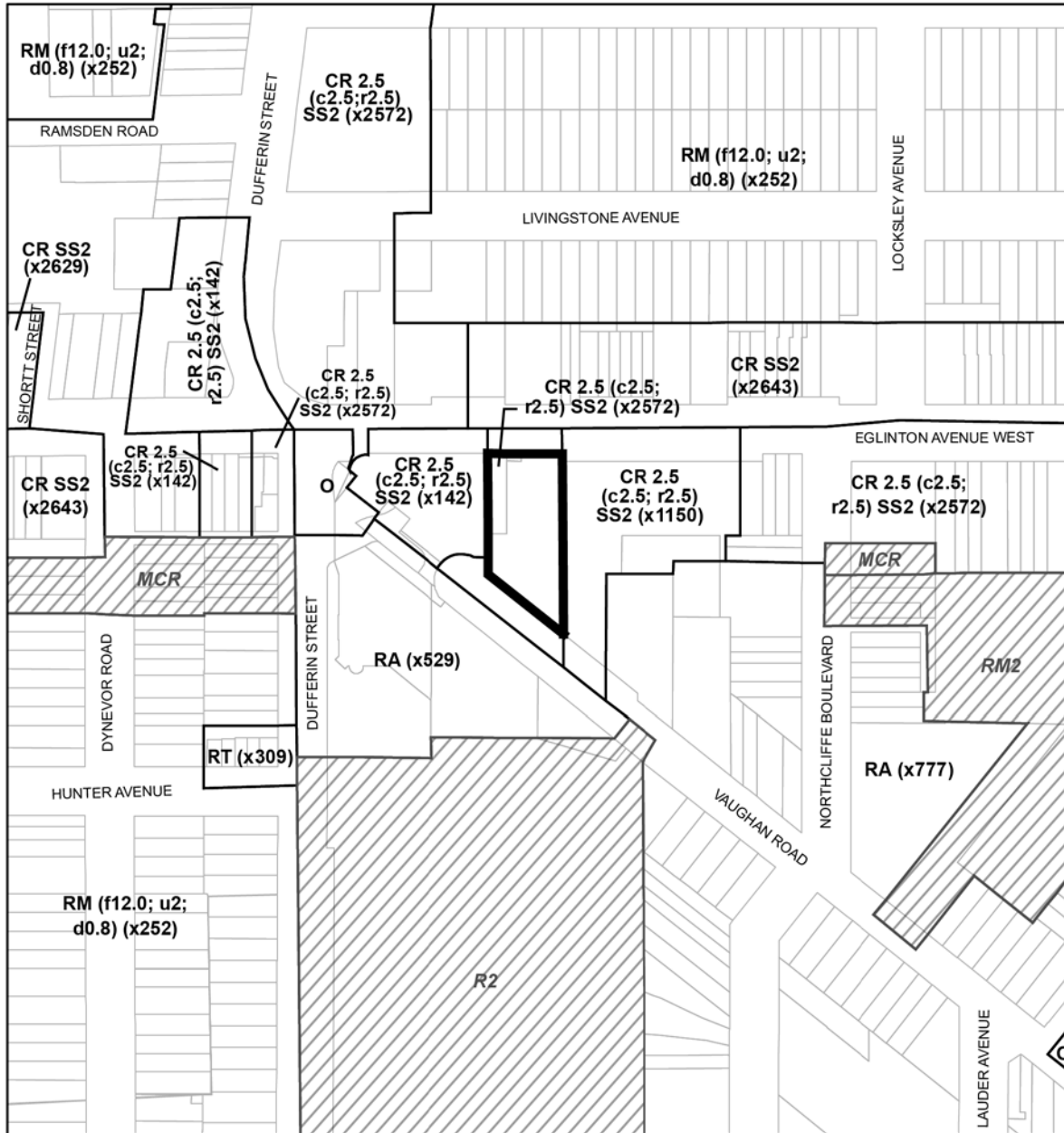
Official Plan Land Use

File # 20 170662 STE 12 0Z

- |   |                          |   |                          |
|---|--------------------------|---|--------------------------|
|  | Location of Application  |  | Parks & Open Space Areas |
|  | Neighbourhoods           |  | Parks                    |
|  | Apartment Neighbourhoods |   |                          |
|  | Mixed Use Areas          |   |                          |

↑  
Not to Scale  
08/26/2020

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

1801 - 1807 Eglinton Avenue West

File # 20 170662 STE 12 0Z

Location of Application

- RT** Residential Townhouse
- RM** Residential Multiple
- RA** Residential Apartment
- CR** Commercial Residential
- O** Open Space

- See Former City of York By-law No. 1-83
- R2** Residential Zone
- RM2** Residential Multiple Zone
- MCR** Mixed Commercial Residential Zone



Not to Scale  
Extracted: 08/26/2020

Attachment 5: Dufferin Focus Area



Excerpt From Volume 2 Appendix F:  
Focus Areas & Mobility Hub Studies

1801-1807 Eglinton Avenue West

File # 20 170662 STE 12 OZ &  
20 170679 STE 12 RH

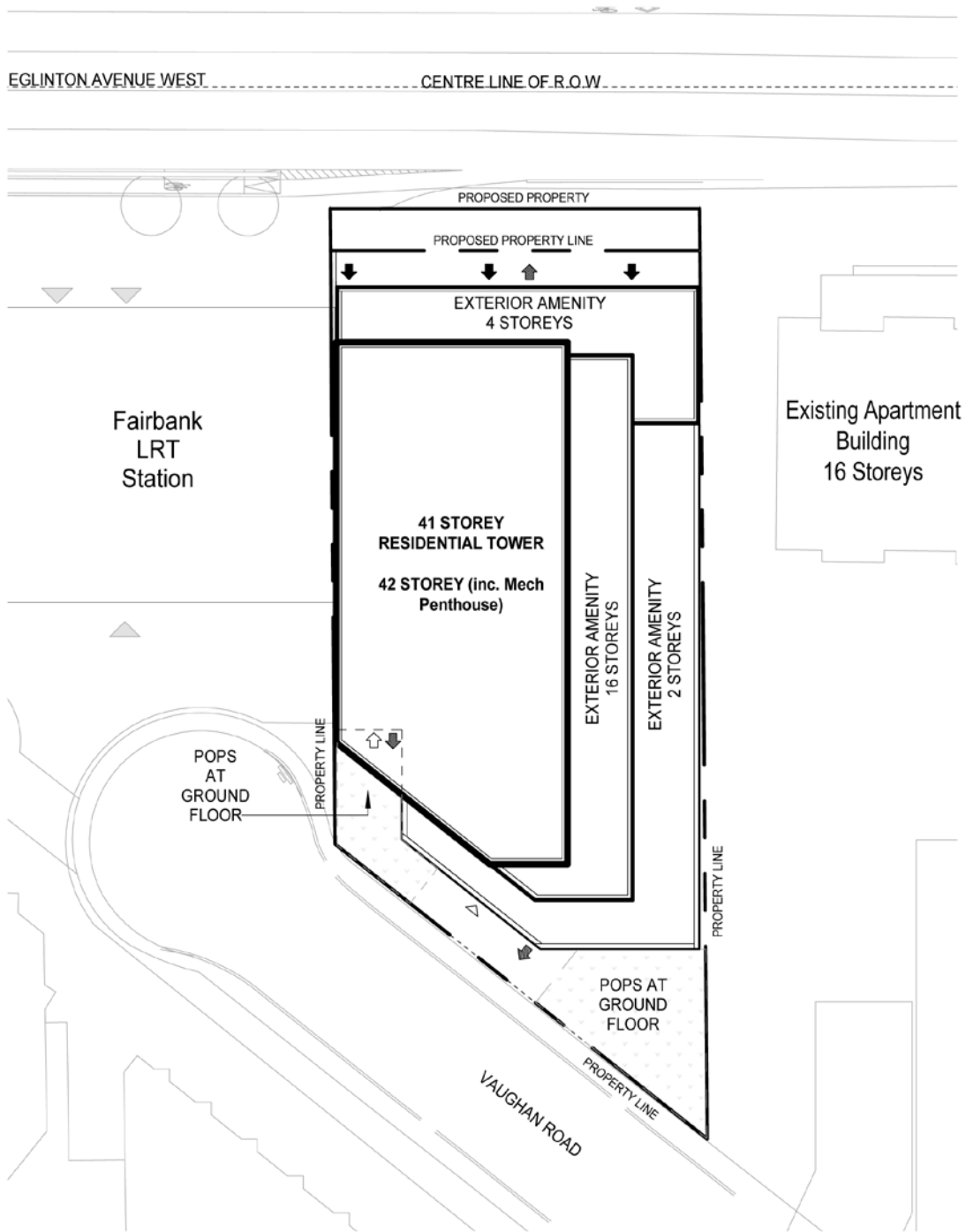
Location of Application	Location of Application	Future Station	2 Way Bike Path
Future Development: Townhouses	Neighbourhoods	New Public Street Connection	Stairs to Belt Line Trail
Future Development: Mid-rise	Apartment Neighbourhoods	New Pedestrian Connection	Retail Edge
Future Development: Tall Building	Mixed Use Areas	York Belt Line Trail	

Not to Scale  
04/20/2022

Attachment 6: Draft Zoning By-law Amendment

To be available at the June 29, 2022 Toronto and East York Community Council Meeting.

Attachment 7: Site Plan

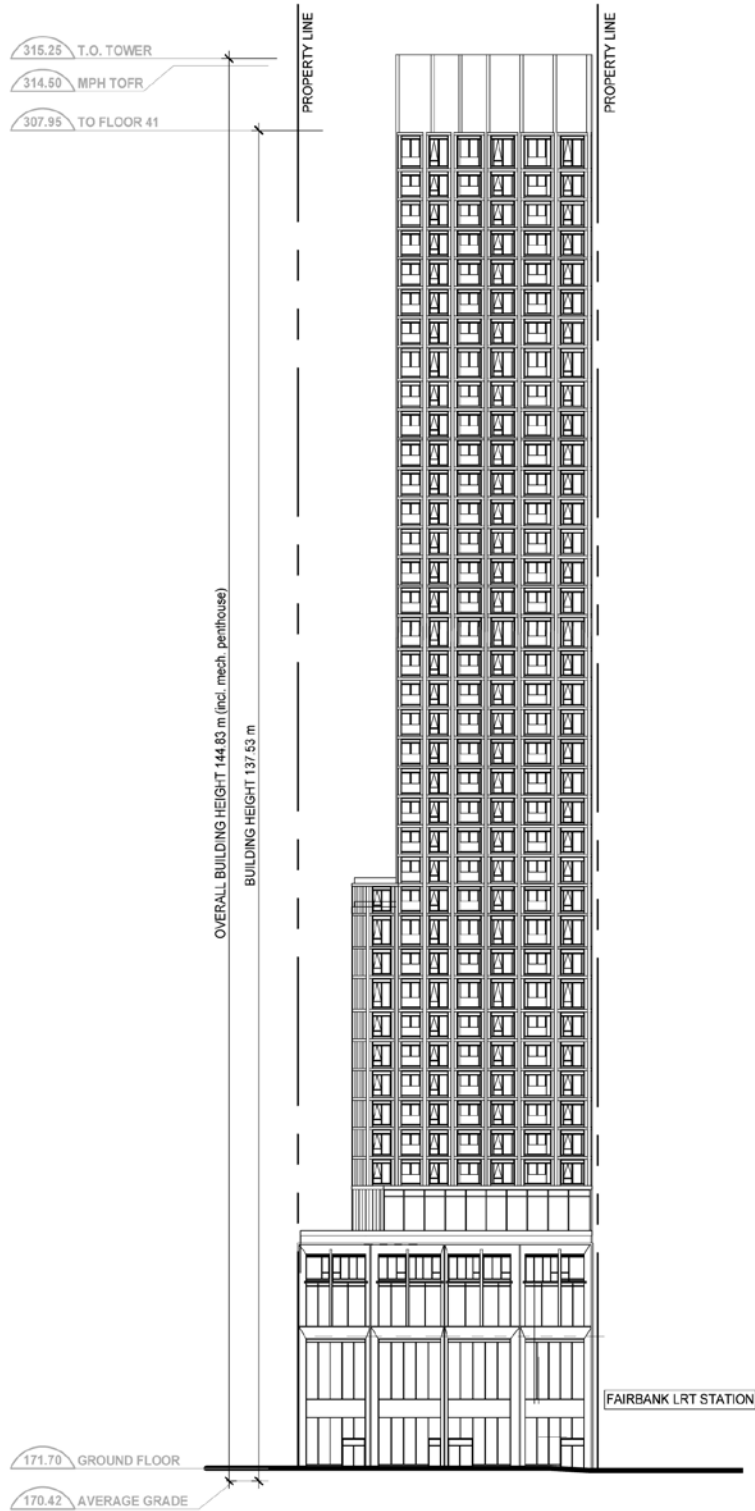


Site Plan



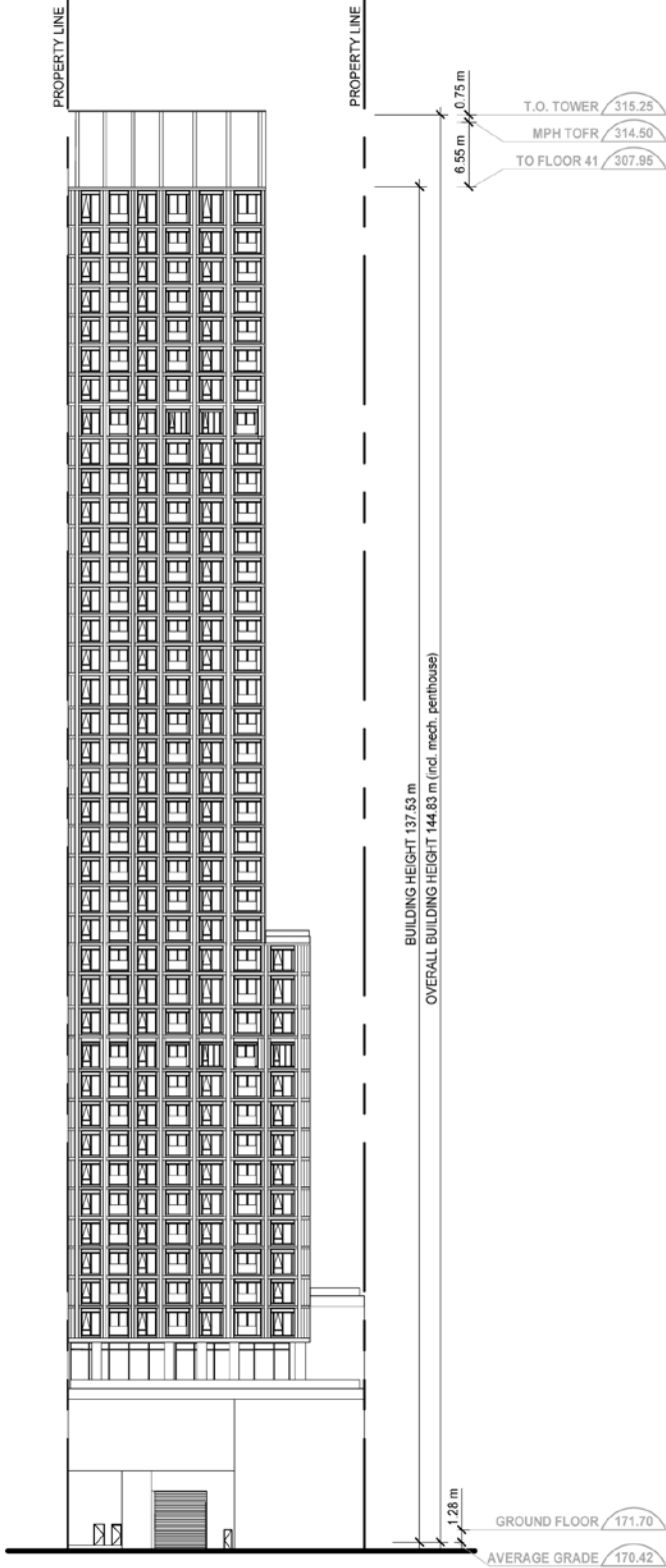
# Attachment 8: Elevations

TO Mechanical 144.08m  
TO 41 FL 137.53m



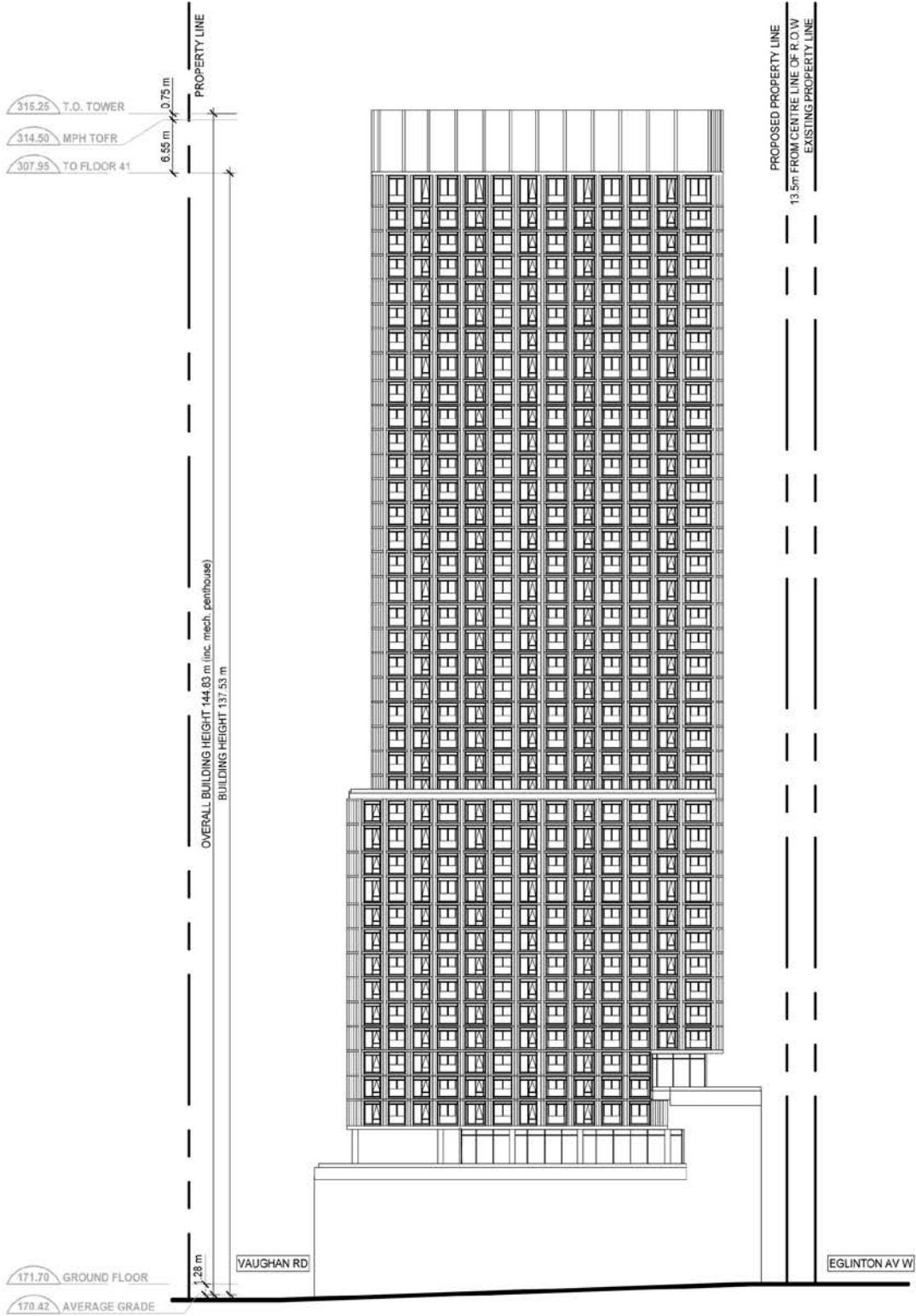
## South Elevation

TO Mechanical 144.08m  
TO 41 FL 137.53m



North Elevation

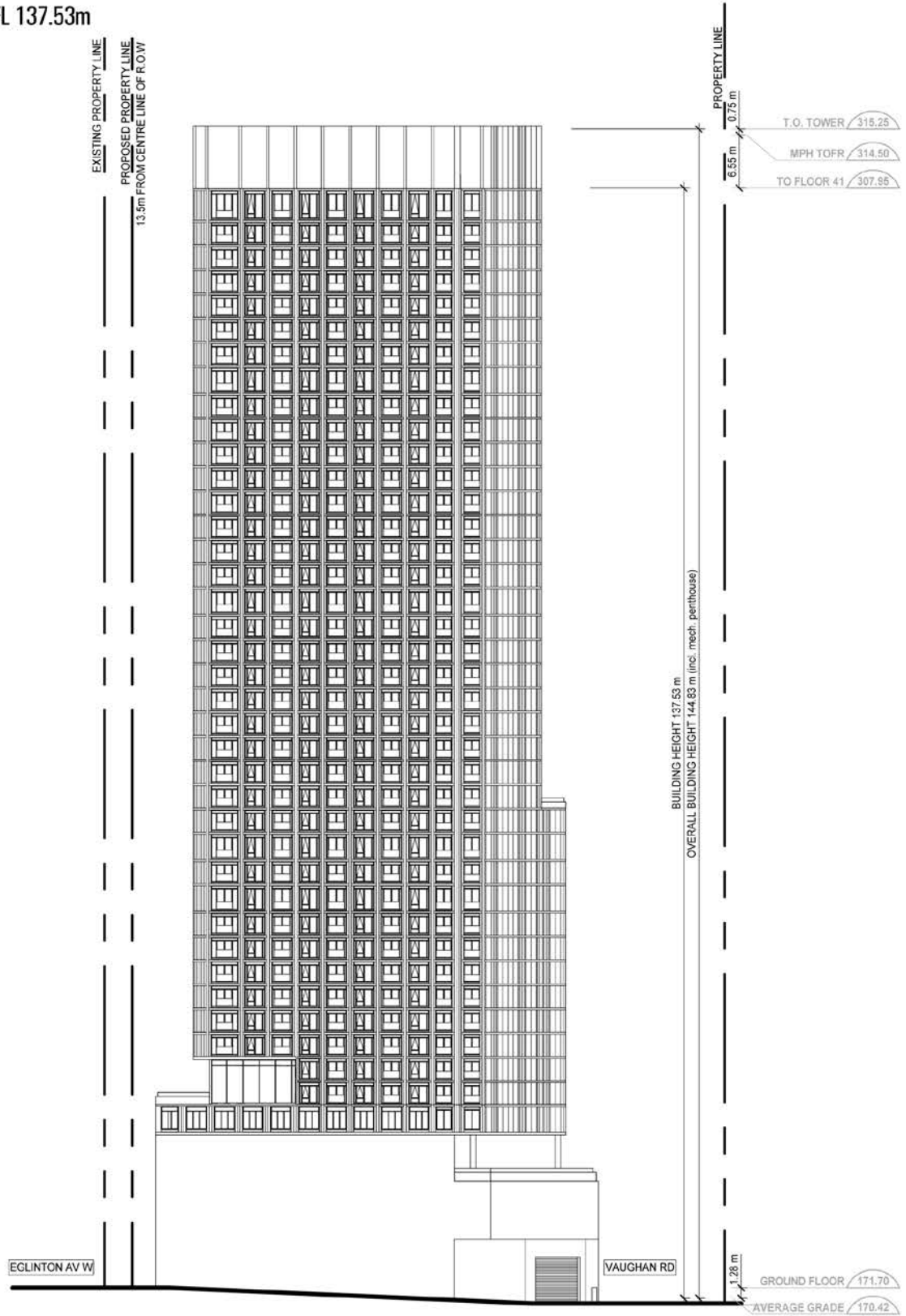
TO Mechanical 144.08m  
TO 41 FL 137.53m



East Elevation

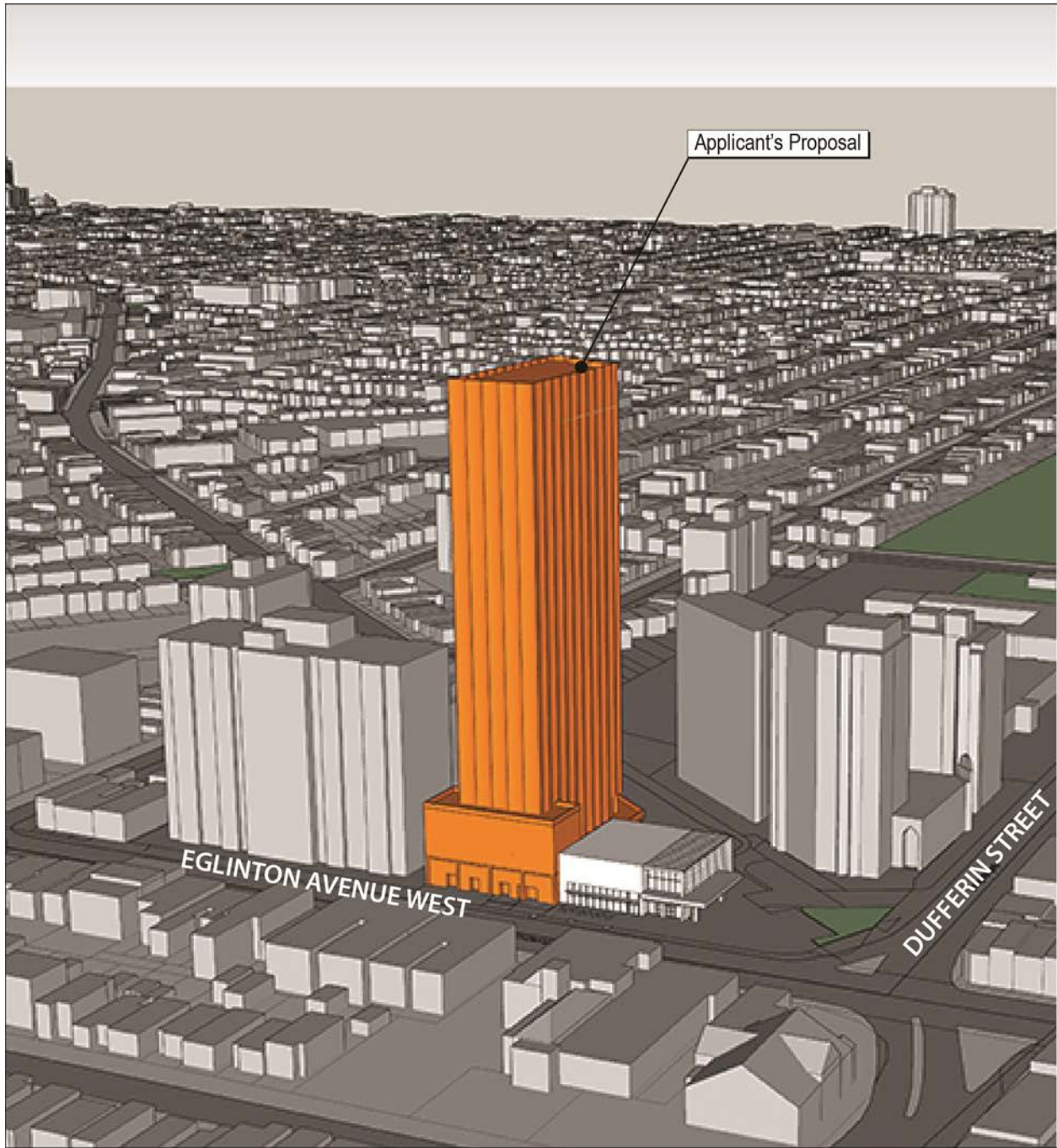


TO Mechanical 144.08m  
TO 41 FL 137.53m



West Elevation

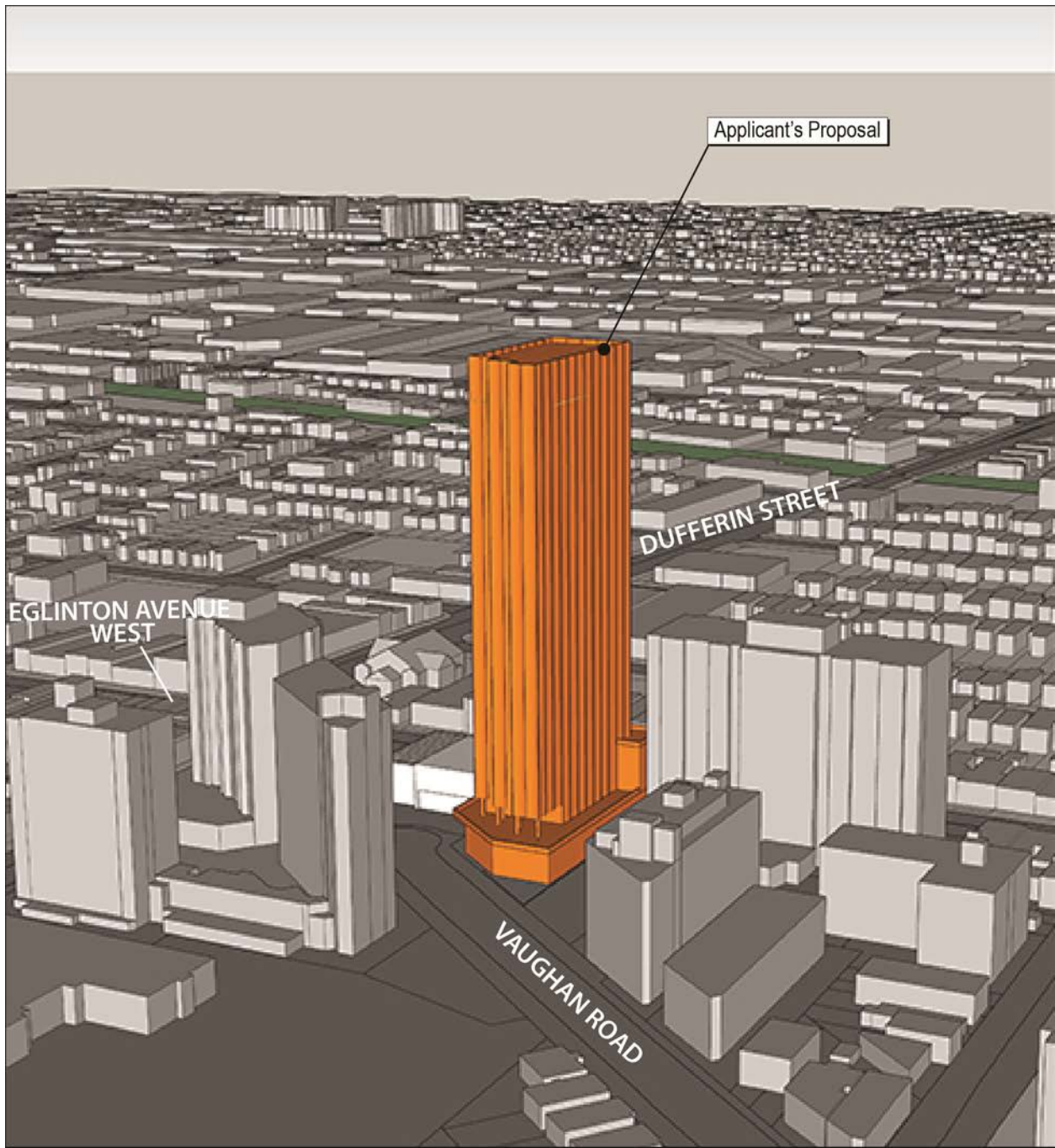
Attachment 9: 3D Models of Proposal in Context



View of Applicant's Proposal Looking Southeast



09/03/2020



View of Applicant's Proposal Looking Northwest



09/03/2020