

## **100 Eglinton Square – Official Plan Amendment, Zoning Amendment Application – Appeal Report**

Date: April 28, 2023

To: Scarborough Community Council

From: Acting Director, Community Planning, Scarborough District

Wards: 20 - Scarborough Southwest

**Planning Application Number:** 22 135860 ESC 20 OZ

### **SUMMARY**

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On April 26, 2022, an Official Plan and Zoning By-law Amendment application was submitted to permit the construction of a 35-storey mixed-use building with a total gross floor area of 20,218 square metres (18,975 square metres for residential uses, 328 square metres for retail uses and 915 square metres for office uses) and 296 residential units on the lands known as 100 Eglinton Square. The subject lands are located within the Golden Mile Secondary Plan ("**GMSP**") Area.

On September 28, 2022, the Applicant appealed the application to the Ontario Land Tribunal (the "**OLT**") due to City Council not making a decision within the time frame legislated by the *Planning Act*.

City Planning Staff do not support the application in its current form, as issues related to built form, massing, setbacks, and separation distance have not been appropriately addressed. The Applicant has also not coordinated with the adjacent landowners with regard to built form, transition and the provision of municipal infrastructure. This report recommends that the City Solicitor, with the appropriate City staff, attend the OLT hearing to oppose the application in its current form. The report also recommends that staff be authorized to continue discussions with the Applicant to resolve outstanding issues.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current Official Plan and Zoning By-law Amendment application appeal for the lands at 100 Eglinton Square and to continue discussions with the applicant in an attempt to resolve the outstanding issues.

2. In the event that the Ontario Land Tribunal allows the appeals in whole or in part, City Council authorize the City Solicitor to request the Tribunal that the issuance of any Final Order be withheld until such time as the City Solicitor advises that:

a. the final form and content of the draft Official Plan Amendments are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;

b. the final form and content of the draft Zoning By-laws are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;

c. the owner has at its sole cost and expense:

1. submitted a revised Functional Servicing Report and Stormwater Management Report, Hydrogeological Review, including the Foundation Drainage Report ("Engineering Reports") to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, in consultation with the General Manager, Toronto Water;

2. secured the design and provision of financial securities for any upgrades or required improvements to the existing municipal infrastructure identified in the accepted Engineering Reports, to support the development, all to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water, should it be determined that improvements or upgrades are required to support the development, according to the accepted Engineering Reports, accepted by the Chief Engineer and Executive Director, Engineering and Construction Services and the General Manager, Toronto Water;

3. implemented the accepted Engineering Reports and confirmed that the implementation does not require changes to the proposed amending By-laws or any required changes have been made to the proposed amending By-laws to the satisfaction of the Chief Planner, City Planning and the City Solicitor, including the use of a Holding ("H") By-law symbol regarding any new or upgrades to existing municipal servicing infrastructure as may be required;

4. submitted a revised Multi-Modal Transportation Impact Study satisfactory to the General Manger, Transportation Services and thereafter implement any such requirements as part of the Site Plan Control application; and

5. submitted a Transportation Justification Addendum and Travel Demand Management Plan to the satisfaction of the Chief Planner and Executive Director, City Planning, and the General Manager, Transportation Services.

3. City Council authorize the City Solicitor and appropriate City staff to take all necessary actions to implement City Council's decision on this matter.

## **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 Connects**

In May 2014, City Council directed City Planning staff to undertake further study of the six focus areas that were identified in the Eglinton Connects Planning Study, including the Golden Mile. Further information regarding the Eglinton Connects Planning Study can be found at: <https://www.toronto.ca/legdocs/mmis/2014/pg/bgrd/backgroundfile-68062.pdf>

The Golden Mile Market Analysis and Economic Strategy Study was completed in December 2016. The Study analyzed the existing economic and employment conditions in the Golden Mile. Further information regarding the Golden Mile Market Analysis and Economic Strategy Study can be found at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.SC21.12>

### **Golden Mile Secondary Plan Study and Proposed Secondary Plan**

In May 2016, City Planning staff initiated the Golden Mile Secondary Plan Study to develop a vision and comprehensive planning framework for the Golden Mile area that would include Secondary Plan policies and guidelines/strategies that direct:

- Built form, public realm, community infrastructure, and public art strategies;
- A transportation master plan and master servicing plan;
- Urban design guidelines; and,
- Implementation/financial strategies.

On July 17, 2020, Scarborough Community Council commenced a Statutory Public Meeting on Official Plan Amendment 499 ("**OPA 499**"), including the GMSP and associated Urban Design Guidelines. Scarborough Community Council adjourned the Public Meeting and deferred consideration on OPA 499 to the Scarborough Community Council meeting on October 16, 2020. The decision of Scarborough Community Council, the proposed OPA 499 and reports from City Planning can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.SC16.3>

On October 27, 28 and 30, 2020, City Council adopted OPA 499, which contains the GMSP. City Council also adopted the Golden Mile Urban Design Guidelines. City Council's decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.SC18.1>

By-law 911-2020 adopting OPA 499 can be found here:

<https://www.toronto.ca/legdocs/bylaws/2020/law0911.pdf>

On March 9, 2022, City Council adopted a report from the City Solicitor regarding modifications to OPA 499, which contains the GMSP. City Council's decision can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.CC41.9>

On March 29, 2023, City Council adopted a report from the City Solicitor regarding further modifications to OPA 499. City Council's decision can be found here:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.CC5.21>

## **Preliminary Report**

A pre-application meeting was held on June 17, 2021. The current application was submitted on April 26, 2022 and has been deemed complete as of this date.

A Preliminary Report on the application was adopted by Scarborough Community Council on June 30, 2022, authorizing staff to conduct a community consultation meeting with an expanded notification area. The Preliminary Report and Scarborough Community Council decision

<https://www.toronto.ca/legdocs/mmis/2022/sc/bgrd/backgroundfile-227072.pdf>

Through the adoption of the above noted Preliminary Report, City staff were authorized to process the application concurrently with, and within the context of, draft OPA 499 and the GMSP.

## **THE SITE AND SURROUNDING AREA**

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**Description:** The subject site is generally rectangular in shape with an area of 1,662 square metres and a frontage of approximately 48 metres along Eglinton Avenue East and 35 metres along Pharmacy Avenue. See Attachment 1 for the Location Map.

**Existing Use:** Two (2) one-storey commercial buildings with surface parking.

Immediate surrounding uses include low-rise non-residential uses across Eglinton Avenue East at 1880-1890 Eglinton Avenue East (Choice lands) to the north; low-rise commercial uses at 40 Eglinton Square (Metro lands) and 1-70 Eglinton Square (Eglinton Square Shopping Centre) (KingSett lands) to the south and west; and industrial uses across Pharmacy Avenue at 1891 Eglinton Avenue East (operated by Flexible Packaging).

## APPLICATION

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### Description

**Height:** 35-storey mixed-use building (118 metres, inclusive of mechanical penthouse), including a six-storey podium.

**Uses:** Mixed-use building containing retail, office and residential uses.

**Density:** 13.05 times the lot area, with a gross floor area of 20,218 square metres.

**Dwelling Units:** A total of 296 residential units are proposed, including: 66 studio units (22%), 138 one-bedroom units (47%), 60 two-bedroom units (20%), and 32 three-bedroom units (11%).

**Conveyance:** The application proposes a 2.5-metre right-of-way widening along the north property line (Eglinton Avenue East) and a 0.4-metre right-of-way widening along the east property line (Pharmacy Avenue).

**Access, Parking and Loading:** Vehicular access to the site is proposed via a driveway access off of Pharmacy Avenue, to be shared with the abutting property to the south at 40 Eglinton Square. An internalized Type-G loading space and Type-C loading space are proposed adjacent to the vehicular access to the underground parking garage from the shared driveway.

A total of 85 vehicle parking spaces are proposed below grade, including 69 resident parking spaces, 8 visitor parking spaces, and 8 commercial parking spaces. A total of 288 bicycle parking spaces are proposed, including 252 long-term and 36 short-term bicycle parking spaces.

**Setbacks:** The application proposes a 3.0-metre setback along Eglinton Avenue East; a 3.0-metre setback along Pharmacy Avenue; a 3.4-metre setback from the south property line; and a 0.0-metre setback from the west property line.

**Amenity Space:** 669 square metres of indoor amenity space and 578 square metres of outdoor amenity space are proposed, which is a ratio of approximately 2.3 square metres of indoor and 1.9 square metres of outdoor amenity space per proposed dwelling unit.

### Additional Information

See Attachments 1 through 7 of this report for a location map, Application Data Sheet, site plan, and 3D representations of the proposal in context. Detailed project information, including all plans and reports submitted as part of the application, can be found on the City's Application Information Centre at:

<http://app.toronto.ca/AIC/index.do?folderRsn=XXIOtiXuXPmOJg0czV4%2Bww%3D%3D>

## **Reason for Application**

The Official Plan and Zoning By-law Amendment application has been submitted to enable the mixed-use development of the lands with predominantly residential uses and provide for new development standards.

## **Site Plan Control**

The application is subject to Site Plan Control. A Site Plan Control application has been submitted and will be processed concurrently with this application. The site plan application has not been referred to the OLT.

## **POLICY CONSIDERATIONS**

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

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement (PPS), and shall conform to provincial plans, including the Growth Plan for the Greater Golden Horseshoe (2020) (the Growth Plan).

### **Toronto Official Plan**

The subject site is designated as *Mixed Use Areas* on Land Use Map 20. An excerpt from this Official Plan Land Use Map can be found in Attachment 3. This portion of Eglinton Avenue East is identified as an *Avenue* on Map 2, a Major Street on Map 3 with a planned right-of-way width of 43 metres, as identified through OPA 499, and a Higher Order Transit Corridor (Map 4). Pharmacy Avenue is a Major Street with a 27-metre right-of-way. Lands to the south and southwest of the site are also designated as *Mixed Use Areas*.

### **Golden Mile Secondary Plan**

The subject site is located within the GMSP Area, as set out in OPA 499. The site has frontage on Eglinton Avenue East, which has a planned right-of-way width of 43 metres through the GMSP Area. The site is also located within the Mixed Use Transit Nodes, which permits buildings up to a maximum height of 30 storeys.

OPA 499, including the GMSP, are under appeal at the OLT. OPA 499 can be reviewed in its entirety at: <https://www.toronto.ca/legdocs/bylaws/2020/law0911.pdf>

While it remains under appeal and is not yet in force, OPA 499 represents City Council's vision for the subject site in the context of the broader GMSP Area and staff are reviewing the application in the context of OPA 499.

### **Zoning**

The site is zoned Commercial Residential (CR) 0.25 (c0.25; r0.0) SS3 (x472) under Zoning By-law 569-2013, as amended, and Community Shopping Commercial (CC) 29-

68 under the former City of Scarborough Zoning By-law (Clairlea Community) No. 8978, as amended. The CR zone above permits a range of commercial and residential uses.

The CC zone permits community commercial uses, neighbourhood commercial uses and day nurseries. Both zones permit a maximum density of 0.25 times the area of the lot for commercial uses. Although the CR zone above contemplates residential uses, the maximum permitted residential density is 0.0 times the area of the lot.

See Attachment 4 for the existing zoning under Zoning By-law 569-2013, as amended. The City's Zoning By-law No. 569-2013 can be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law/preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

## **Design Guidelines**

The following design guidelines have been used in the evaluation of this application:

- Golden Mile Urban Design Guidelines;
- Tall Building Design Guidelines;
- Growing Up Guidelines: Planning for Children in New Vertical Communities;
- Pet Friendly Design Guidelines;
- Best Practices for Bird-Friendly Glass;
- Best Practices for Effective Lighting; and
- Toronto Accessibility Design Guidelines.

The City's Design Guidelines: <https://www.toronto.ca/citygovernment/planning-development/officialplanguidelines/design-guidelines/>

## **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 and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the TGS. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives. The TGS can be found here:

<https://www.toronto.ca/city-government/planning-development/official-planguidelines/toronto-green-standard/>

## **COMMUNITY CONSULTATION**

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The applicant appealed the application to the OLT prior to the scheduling of a community consultation meeting. Staff note that applications appealed to the OLT are exempted from the public consultation requirements of the Planning Act.

## COMMENTS

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### Provincial Policy Statement and Provincial Plans

While the site is an appropriate location for growth and intensification consistent with the PPS and Growth Plan, as currently proposed the application is not consistent with the PPS and does not conform to the Growth Plan. The proposal does not implement appropriate development standards and built form as intended through the City's Official Plan, the GMSP and other supporting documents.

### Land Use

The subject site is located on lands designated *Mixed Use Areas* and identified as an *Avenue* in the Official Plan. *Mixed Use Areas* and *Avenues* are expected to absorb much of Toronto's anticipated growth, including a range of housing options. The Official Plan directs development in *Mixed Use Areas* to create a balance of high quality commercial, residential, institutional and open space uses that meet the needs of the local community.

The site is also located within the Mixed Use Transit Nodes Character Area in the GMSP, which requires development on these sites to include a minimum of 10 per cent non-residential uses in order to provide a balanced mix of land uses and provide active commercial uses at grade.

The subject site is currently occupied by two (2) one-storey commercial buildings with a gross floor area of 1,062 square metres with associated surface parking. The application proposes 328 square metres of retail uses at grade, 915 square metres of office uses on the second storey and residential uses above. Overall, the application proposes 1,062 square metres of non-residential uses (5%), whereas the GMSP sets out a minimum of 10% non-residential uses for the Mixed Use Transit Nodes.

The proposal does not meet the objectives of the GMSP for a balanced mix of uses, nor does it adequately provide active commercial uses at grade.

### Compatibility and Mitigation

The applicant submitted a Compatibility and Mitigation Study for air quality, dust, odour, noise, and vibration to determine potential impacts on the proposed development and compliance with provincial regulations and guidelines.

Section 2.2.4 of the Official Plan includes land use compatibility/mitigation policies that require appropriate design, buffering and/or separation between sensitive land uses that are adjacent to or near *Employment Areas* or within the influence area of major facilities, which includes the proposal for the subject lands.

City staff will need to retain a third-party consultant to undertake a peer review of the Compatibility and Mitigation Study, at a cost to the applicant. The Study will be required to include a comprehensive assessment of the compatibility/mitigation matters of the proposed use in relation to existing employment uses.



## **Adjacency to Transit Stations**

While the site is in proximity to the Eglinton Crosstown Light Rail Transit ("**ECLRT**") Pharmacy Station, the proximity to a transit station is only one factor associated with the intensity of use, density, scale, form, and massing of development that may be permitted. Through the GMSP Study, City staff have appropriately planned for all of these matters to ensure the achievement of complete communities.

The proposal does not meet the GMSP objectives for built form within the Mixed Use Transit Nodes, including building height, setbacks, stepbacks, and separation distances. City staff are of the opinion that the subject site should form part of a comprehensive master plan for the lands at the southeast corner of Pharmacy Avenue and Eglinton Avenue East, including 40 Eglinton Square (Metro lands).

## **Built Form**

City Planning staff are of the opinion that the subject site is too small to accommodate a tall building, and the proposed built form and massing are not in keeping with the GMSP policies. The proposal requires revisions to the building massing, including setbacks, streetwall height and stepbacks, in order to meet the objectives of the GMSP and related Golden Mile Urban Design Guidelines, as well as the Tall Building Guidelines.

The proposal also requires revisions to appropriately integrate with the adjacent lands at 40 Eglinton Square (Metro lands), which are subject to development Application Nos. 21 233427 ESC 20 OZ, 21 233429 ESC 20 SB and 21 233428 ESC 20 SA (under review). City Planning staff are of the opinion that the proposal should be coordinated with the proposed development for the Metro lands at 40 Eglinton Square for a potential consolidation and comprehensive development of the lands.

## **Road Widening**

A conveyance along the north property line will be required in order to satisfy the 43-metre wide right-of-way requirement for Eglinton Avenue East and meet the complete street objectives, including a new TTC concrete bus platform with bus shelter. The application currently proposes a 2.5-metre easement to achieve the planned right-of-way width for Eglinton Avenue East. However, City staff are of the opinion that a conveyance of approximate 3.0-3.5 metres will be required and that the proposed building setback from the north property line (Eglinton Avenue East) requires revision.

A conveyance along the east property line will be required in order to satisfy the 27-metre wide right-of-way requirement for Pharmacy Avenue. The application currently proposes a 0.4-metre conveyance. Additional widening beyond 27-metres may be required to accommodate all streetscape elements within the right-of-way.

## **Streetscape/Tree Preservation**

The proposed streetscape along Eglinton Avenue East is unacceptable. As discussed above, the proposal does not provide the minimum road widening requirement for Eglinton Avenue East. The proposed site plan also indicates an existing transformer within the municipal right-of-way adjacent to the northeast corner of the site.

The proposed streetscape along Pharmacy Avenue. There is also an existing fire hydrant within the right-of-way that may conflict with the proposed 2.1- metre public sidewalk on Pharmacy Avenue.

An Arborist Report, as well as a Tree Inventory and Preservation Plan were submitted in support of the application. The application proposes the removal of the three (3) City street trees located within the municipal right-of-way adjacent to the northeast corner of the site. The applicant is required to provide nine (9) trees in the right-of-way and is proposing to plant eight (8) City-trees. The proposal does not currently meet the Official Plan objective of increasing the tree canopy coverage and policies directed at tree planting within the public realm.

The TGS requires a total soil volume of 281 cubic metres for the subject site. The application proposes a total soil volume of 245 cubic metres (87%) to accommodate the proposed trees. In addition, the proposed below grade parking garage encroaches into the setbacks, which could create a conflict and insufficient soil depth for the proposed trees and landscaping. The proposal does not meet the Tier 1 TGS requirement for soil volume.

Detailed Landscape and Soil Volume Plans are required, as well as further review of streetscape elements along Eglinton Avenue East and Pharmacy Avenue.

### **Sun and Shadow**

The Applicant submitted a shadow study showing the shadow of the proposed building at the spring and fall equinoxes (March 21 and September 21). The GMSP includes sunlight Policy 7.48 regarding the minimum sunlight requirements on the north sidewalk of Eglinton Avenue East to achieve a minimum of 50% sunlight for five (5) consecutive hours. The proposal does not adequately limit the shadow impact on the north boulevard of Eglinton Avenue East, between road curb and street line.

### **Wind**

The Pedestrian Level Wind Study submitted in support of the application identifies grade-level areas within and surrounding the subject site with uncomfortable wind conditions at certain times of the year. The Study also identifies that the outdoor amenity space on the seventh storey will have wind speeds that exceed the annual safety criterion. The wind impacts resulting from the proposal are not acceptable and do not meet the policies of the GMSP and the intent of the Golden Mile Urban Design Guidelines. Revisions are required, including increased tower setbacks, provide recessed entrances for residential and non-residential uses, and provide wind mitigation measures adjacent to the outdoor amenity space on the seventh storey.

### **Traffic Impact and Access**

A Transportation Impact Study and associated plans have been submitted for the subject site and have been reviewed by Transportation Services. Some revisions and additional information are required.

Vehicle access is proposed via a driveway along the south property line from Pharmacy Avenue, which would be shared with the abutting lands at 40 Eglinton Square (Metro lands). The proposal for the abutting Metro lands includes a new east-west street, south of the proposed shared driveway. The proposal should be revised to consolidate the proposed driveways from Pharmacy Avenue. Alternatively, if consolidation is not feasible then vehicle access should be provided entirely within the subject site.

The GMSP identifies the potential extension of O'Connor Drive, which may be located south of the subject site and extend east of Pharmacy Avenue, through the lands at 1891 Eglinton Avenue East (Mattamy lands). The alignment of O'Connor Drive could have an impact on the transportation network in the vicinity of the subject site. As such, coordination between the applicant and the landowners at 40 Eglinton Square and 1891 Eglinton Avenue East is strongly encouraged.

### **Parking and Loading**

The application proposes 85 vehicle parking spaces. Transportation Services staff require a Transportation Justification Addendum in order to further assess the traffic impact of the proposed development and the proposed parking rates. In addition, further Travel Demand Management ("**TDM**") measures, including a TDM Plan and additional bicycle parking spaces, are required to achieve the performance measures of the TGS and manage traffic impacts of the proposed development.

The application proposes 288 bicycle parking spaces, of which 272 bicycle spaces would be provided for residents (252 long-term spaces on the second storey and 20 short-term spaces at-grade indoors). 18 short-term bicycle parking spaces are proposed at-grade outdoors, including 16 spaces for the non-residential uses, which would be located along the southern frontage at the rear of the residential lobby and would be accessible from the shared driveway. Transportation Planning staff have reviewed the proposal and have requested additional information, including a detailed Functional Plan and TDM Plan, to assess the proposal, including the potential conflict between all users of the shared driveway.

One 'Type G' loading space and one 'Type C' loading space would be enclosed at grade and located adjacent to the vehicular access ramp to the below grade parking garage from the shared driveway. A Transportation Justification Addendum is required to address the loading operational assessments.

In the event that the Ontario Land Tribunal allows the appeal in whole or in part, the Final Order should be withheld pending the submission and review of a Transportation Justification Addendum and TDM Plan to the satisfaction of the General Manager, Transportation Services and the Chief Planner and Executive Director, City Planning.

### **Servicing**

A Functional Servicing and Stormwater Management Report, Geotechnical Investigation and Hydrogeological Investigation and associated plans have been submitted for the subject site and have been reviewed by Engineering and Construction Services. A number of revisions and additional information are required to determine if there is

available municipal infrastructure to support the proposed development. The application proposes some of the servicing infrastructure on the abutting property at 40 Eglinton Square, which is not acceptable.

In the event that the OLT allows the appeal in whole or in part, the Final Order should be withheld pending the confirmation of water, sanitary and stormwater capacity and/or any required upgrades to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. A holding (H) by-law may be required for this development site as well regarding the trunk sewer capacity in this outlet area depending on the remaining capacity available.

### **Dwelling Unit Mix and Size**

The Council-adopted GMSP requires that development containing more than 80 new residential units will include larger units, as follows:

- A minimum of 10 per cent of the total number of units will be three-bedroom units; and,
- An additional minimum of 25 per cent of the total number of units will have at least two-bedrooms.

The application proposes a total of 296 residential units, of which 60 units would be two-bedroom units (20%), and 32 units would be three-bedroom units (11%). This dwelling unit mix does not satisfy the GMSP policy regarding larger units and revisions are required to increase the number of two-bedroom units.

The Growing Up Guidelines state that the ideal unit size for two-bedroom units is 90 square metres, with 87-90 square metres representing an appropriate diversity of unit sizes. The Guidelines state that 106 square metres is the ideal unit size for three-bedroom units, with 100-106 square metres representing an appropriate diversity of unit sizes.

The application proposes an average unit size of 66 square metres for two-bedroom units and 78 square metres for three-bedroom units. The application does not satisfy the unit size objectives of the Growing Up Guidelines, the City's Official Plan housing policies, or the Growth Plan's growth management and housing policies to accommodate within new development a broad range of households, including families with children.

### **Open Space/Parkland**

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 per cent parkland dedication and the non-residential component is subject to a 2 per cent parkland dedication.

## **Indoor/Outdoor Amenity Space**

Zoning By-law 569-2013 requires a building with 20 or more dwelling units to provide a minimum of 4.0 square metres of amenity space per unit, of which 2.0 square metres must be indoor amenity space. The proposal is required to provide 1,184 square metres of amenity space, of which 592 square metres is to be indoor amenity space.

The proposal includes 1,247 square metres (4.2 square metres per unit) of total amenity space on third and seventh storeys, including 669 square metres (2.3 square metres per unit) of indoor amenity space and 578 square metres (1.9 square metres per unit) of outdoor amenity space. The proposed amount of outdoor amenity space is deficient.

## **Community Benefits**

Changes to Section 37 of the *Planning Act* have replaced increased height and/or density bonusing with a new growth funding tool called the Community Benefits Charge ("**CBC**"). The application will be subject to the new Community Benefits Charges framework.

## **Toronto Green Standard**

The applicant is required to meet Tier 1 of the TGS, and is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and achieving net-zero emissions by 2040 or sooner.

Should the proposal be approved in some form by the OLT, applicable performance measures to achieve Tier 1 development features would be secured in the site-specific Zoning Bylaw and others through the Site Plan Control application.

## **Further Issues**

City Planning continues to receive additional information regarding this application as the result of ongoing review by City commenting divisions, materials submitted in support of the proposal, and through deputation made by members of the public to Community Council. City Planning staff may also be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result, Planning staff may continue to identify further issues or supplement the reasons provided in this report. Where substantive changes to the proposal are made by the applicant, Staff may report back to City Council as necessary.

## **Conclusion**

City Planning staff cannot support the Official Plan and Zoning By-law Amendment application in its current form. The application has been reviewed against the applicable planning framework and as currently proposed is not consistent with the policies of the PPS (2020), the Growth Plan (2020), and the Toronto Official Plan, including the GMSP.

A Case Management Conference ("**CMC**") was held by the OLT on February 14, 2023, and a second CMC was scheduled to be held on May 8, 2023 and may be adjourned to a date in June 2023.

Staff recommend that City Council direct the City Solicitor, together with the appropriate City staff, to attend the OLT in opposition of the appeal of the application and to continue discussions with the Applicant to resolve the issues outlined in this report. Should the OLT allow the appeal in whole or in part, it is recommended that the City Solicitor request the Tribunal withhold its Final Order until such time as a number of matters are addressed.

## **CONTACT**

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Emily Caldwell, Senior Planner, Community Planning, Scarborough District, Tel. No. 416-396-4927, E-mail: Emily.Caldwell@toronto.ca

## **SIGNATURE**

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Christian Ventresca, MScPL, MCIP, RPP, Acting 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: Existing Zoning By-law Map

### **Applicant Submitted Drawings**

Attachment 5: Site Plan

Attachment 6: 3D Model of Proposal in Context Looking Northeast

Attachment 7: 3D Model of Proposal in Context Looking Southwest

## Attachment 1: Application Data Sheet

Municipal Address: 100 EGLINTON SQ Date Received: April 19, 2022

Application Number: 22 135860 ESC 20 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Official Plan and Zoning Zoning By-law Amendment application to permit a 35-storey mixed-use building consisting of a total gross floor area of 20,218 square metres (18,975 square metres for residential uses, 328 square metres for retail uses and 915 square metres for office uses), with 296 residential units and a Floor Space Index (FSI) of 13.0 times the area of the lot. A total of 85 vehicular parking spaces, 288 bicycle parking spaces and 2 loading spaces are proposed.

Applicant	Agent	Architect	Owner
Armstrong Planning & Project Management	Armstrong Planning & Project Management	IBI Group	LCG 100 Eglinton Square Ltd

### EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas Site Specific Provision:

Zoning: CR 0.25 (c0.25; r0.0) (x472) Heritage Designation:

Height Limit (m): Site Plan Control Area: Y

### PROJECT INFORMATION

Site Area (sq m): 1,662 Frontage (m): 49 Depth (m): 36

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,062		1,062	1,062
Residential GFA (sq m):			18,975	18,975
Non-Residential GFA (sq m):	1,062		1,243	1,243
Total GFA (sq m):	1,062		20,218	20,218
Height - Storeys:	1		35	35
Height - Metres:			118	118

Lot Coverage Ratio (%) : 63.89 Floor Space Index: 12.16

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	18,975	
Retail GFA:	328	
Office GFA:	915	
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:				
Freehold:				
Condominium:			296	296
Other:				
Total Units:			296	296

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		66	138	60	32
Total Units:		66	138	60	32

Parking and Loading

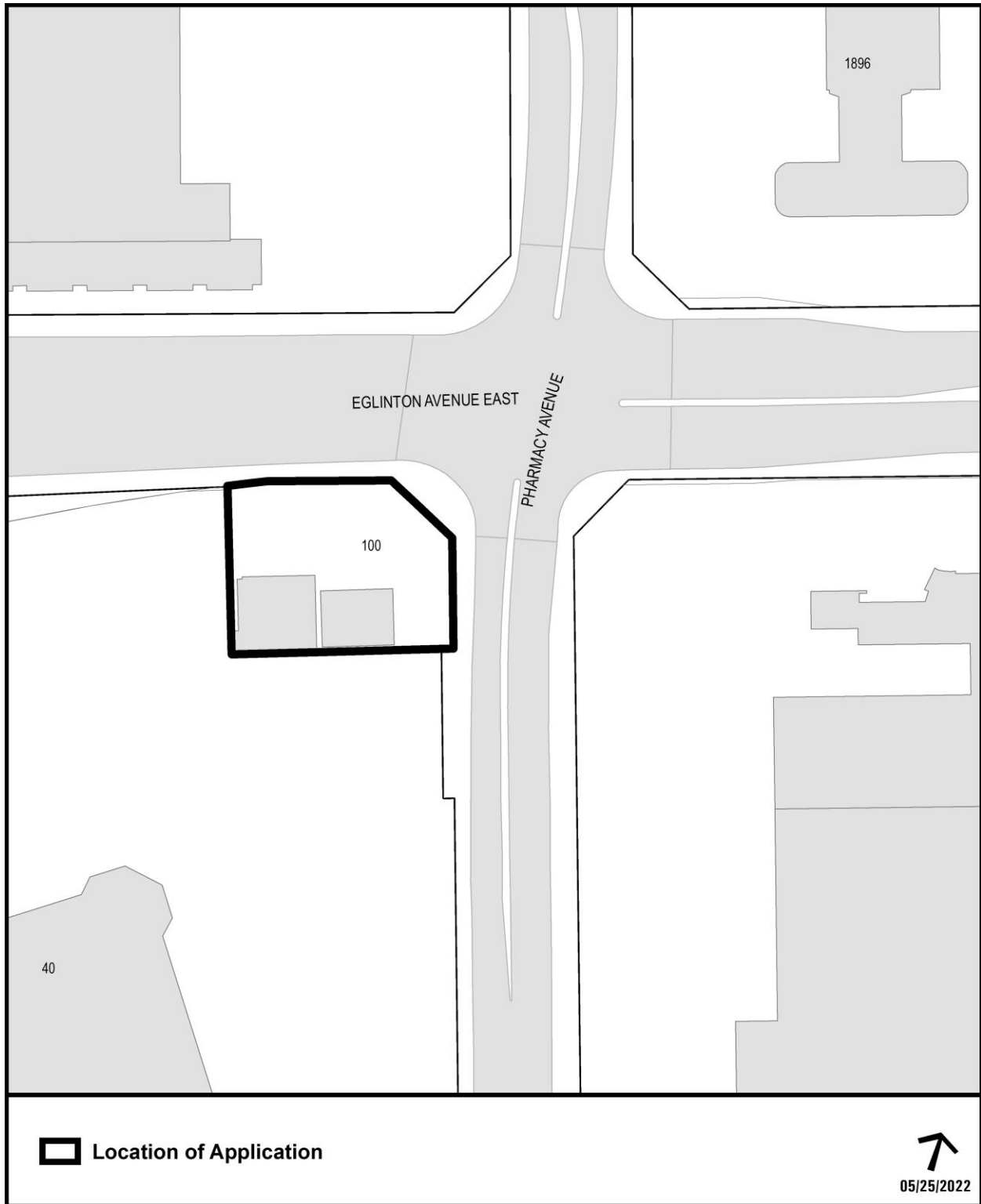
Parking Spaces:	85	Bicycle Parking Spaces: 288	Loading Docks:	2
--------------------	----	-----------------------------	----------------	---

CONTACT:

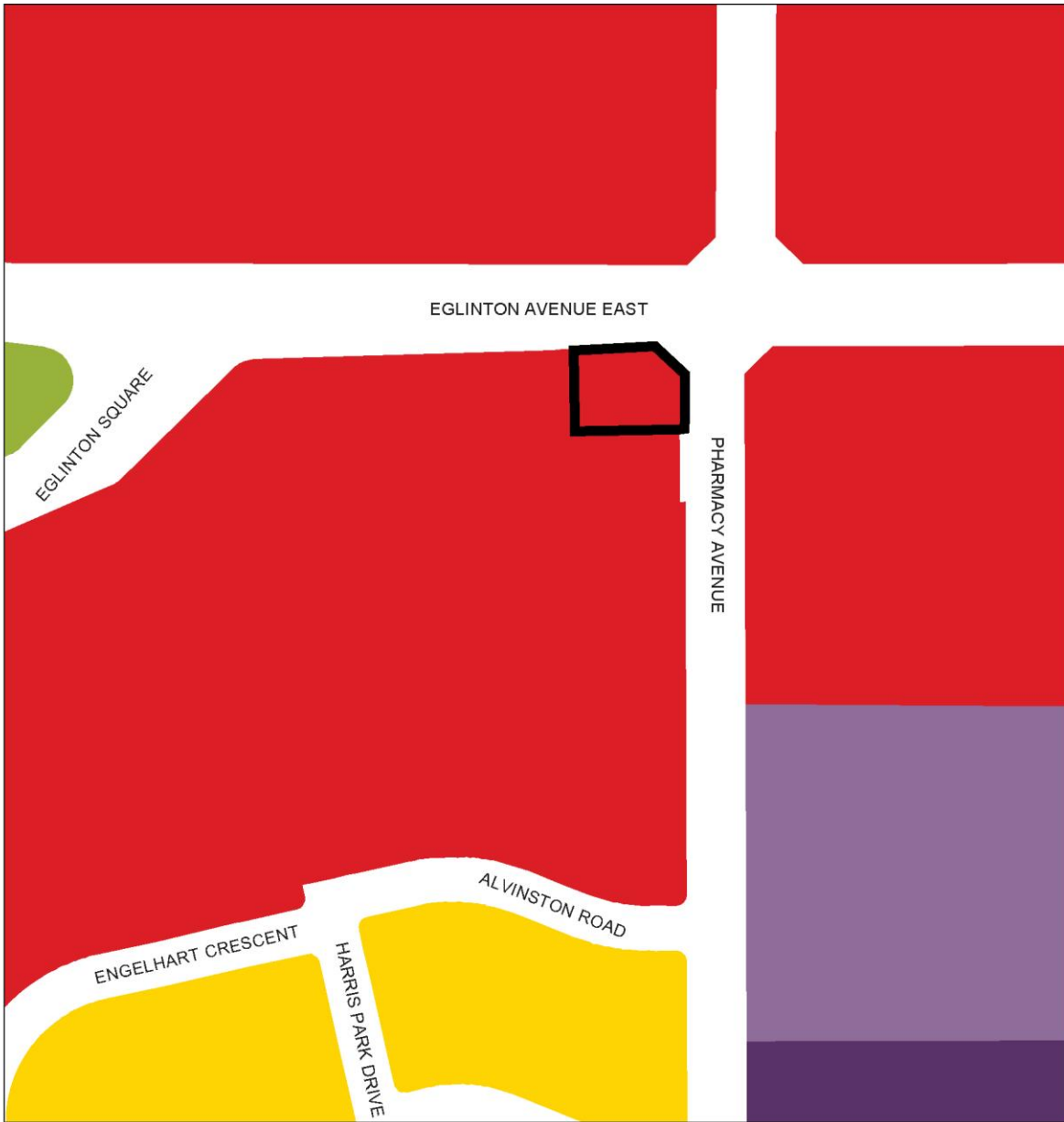
Emily Caldwell, Senior Planner  
416-396-4927  
Emily.Caldwell@toronto.ca



## Attachment 2: Location Map



# Attachment 3: Official Plan Land Use Map



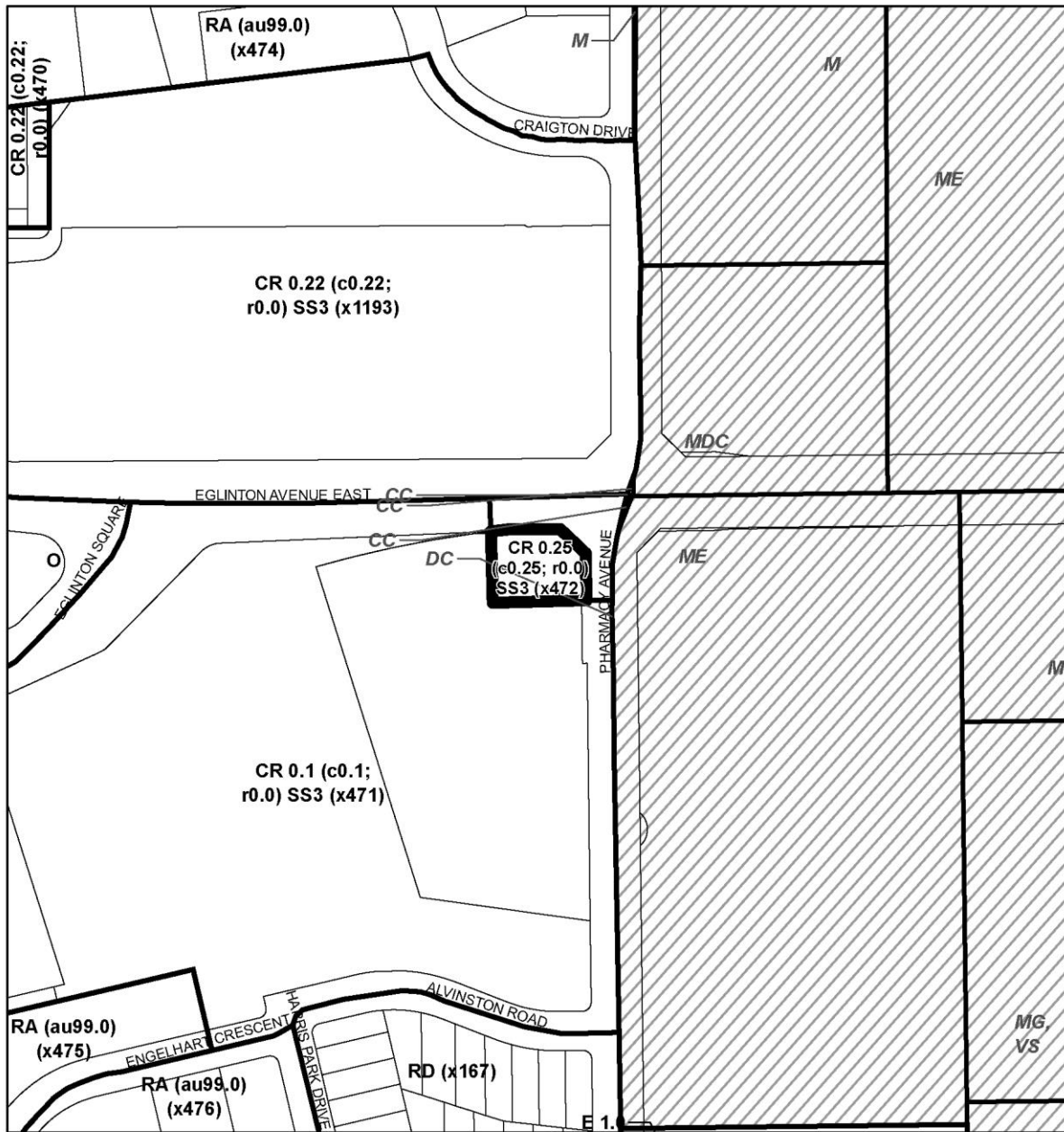
Official Plan Land Use Map 20

100 Eglinton Square  
22 135860 ESC 20 02

- Location of Application
- Neighbourhoods
- Mixed Use Areas
- Parks
- General Employment Areas
- Core Employment Areas

Not to Scale  
 Extracted: 05/25/2022

# Attachment 4: Existing Zoning By-law Map



**Zoning By-law 569-2013**

**100 Eglinton Square**

**File # 22 135860 ESC 20 0Z**



Location of Application

- |                          |                           |
|--------------------------|---------------------------|
| RD Residential Detached  | CR Commercial Residential |
| RA Residential Apartment | E Employment Industrial   |
|                          | O Open Space              |

See Former City of Scarborough Clairlea Community By-law No. 8978

- |    |                             |
|----|-----------------------------|
| M  | Multiple-Family Residential |
| CC | Community Commercial        |

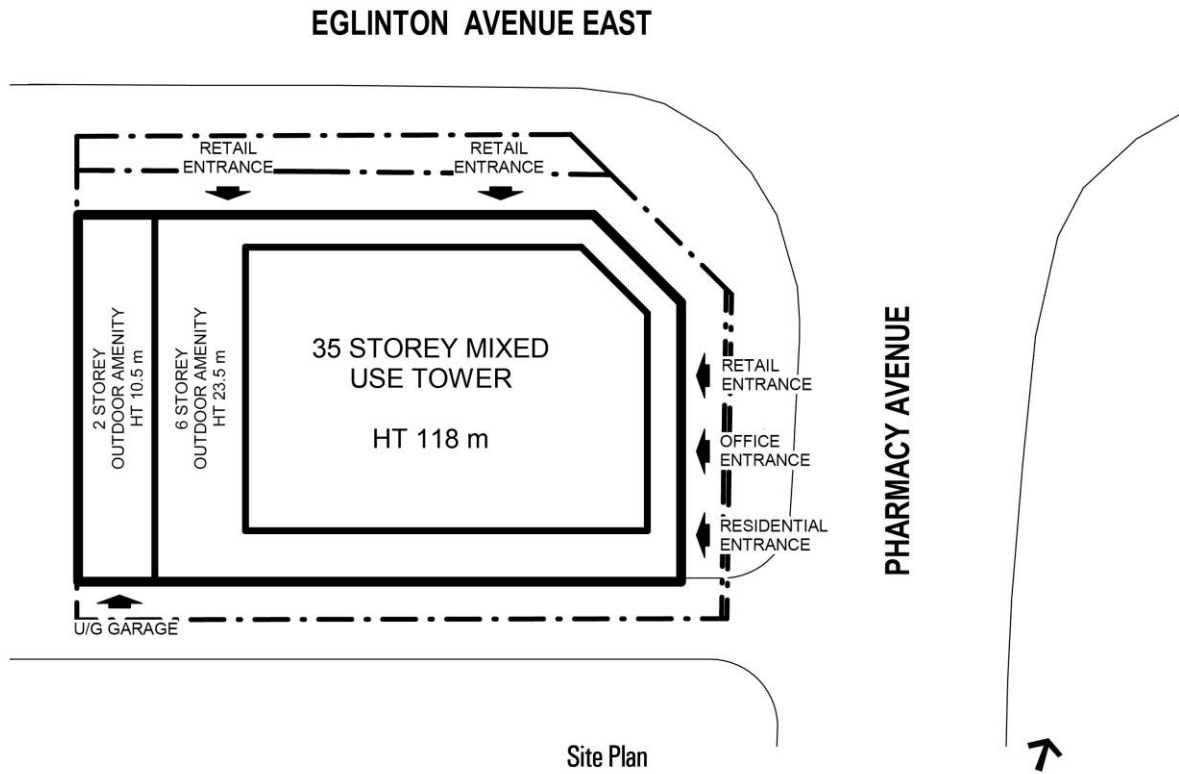
See Former City of Scarborough Employment District By-law No. 24982 (Golden Mile)

- |        |   |
|--------|---|
| M      | Industrial Zone                               |
| ME     | Mixed Employment Zone                         |
| MDC    | Industrial District Commercial Zone           |
| CC     | Community Commercial Zone                     |
| DC     | District Commercial Zone                      |
| MG, VS | General Industrial Zone, Vehicle Service Zone |



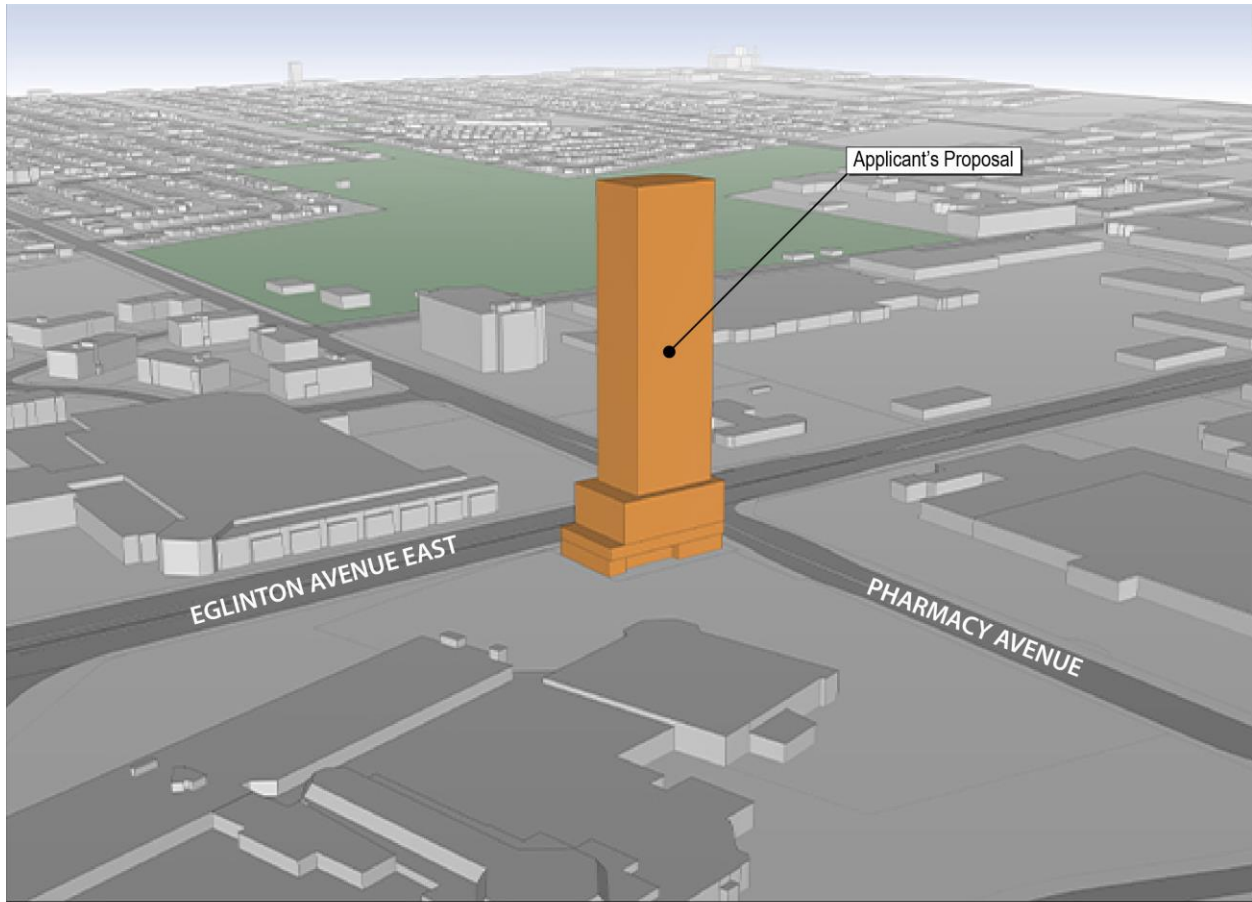
Not to Scale  
Extracted: 05/31/2022

# Attachment 5: Site Plan



Site Plan

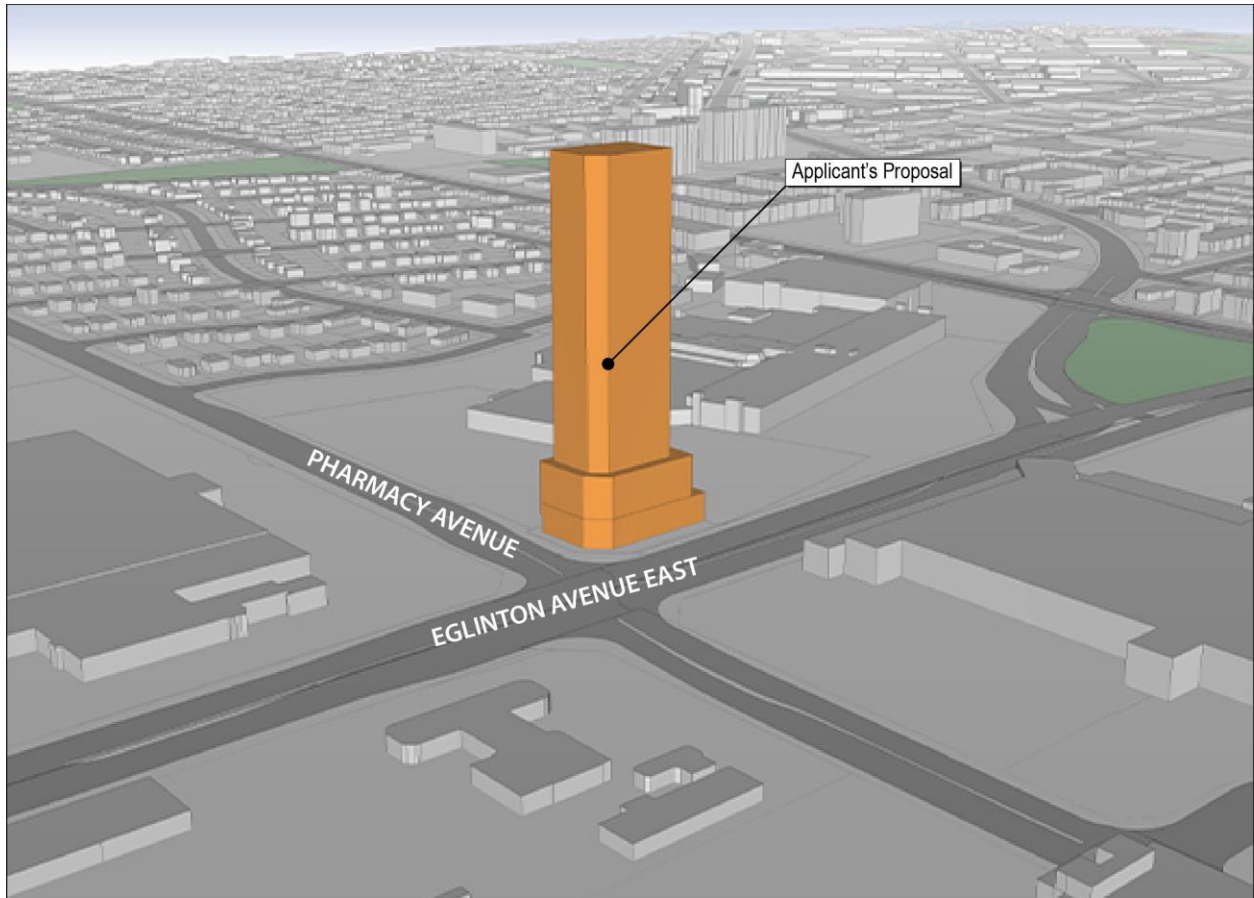
## Attachment 6: 3D Model of Proposal in Context Looking Northeast



View of Applicant's Proposal Looking Northeast

↙  
05/27/2022

# Attachment 7: 3D Model of Proposal in Context Looking Southwest



View of Applicant's Proposal Looking Southwest



05/27/2022