

50-90 Eglinton Avenue West and 17-19 Henning Avenue – Official Plan and Zoning By-Law Amendment Application – Decision Report – Refusal

Date: June 6, 2024

To: North York Community Council

From: Director, Community Planning, North York District

Ward: 8 - Eglinton-Lawrence

Planning Application Number: 24 135591 NNY 08 OZ

Related Application Numbers: 23 176474 NNY 08 OZ, 20 126681 NNY SA

SUMMARY

The application proposes to increase the permitted height and density from the approved heights of 35 and 37-storeys as per By-law 1263-2022 (OLT), to 46 and 58-storeys. This height increase would result in a total gross floor area of 73,305 m², comprised of 71,992 m² of residential gross floor area and 1,313 m² of non-residential gross floor area at-grade. A total of 1,206 residential units are proposed, including 553 units in the west tower and 653 in the east tower. Vehicular and loading access to the development continues to be proposed from the future east-west private laneway along the north boundary of the site, connecting Henning Avenue and Duplex Avenue. Three (3) levels of underground parking are proposed, containing a total of 156 residential parking spaces and 14 visitor parking spaces. The revised buildings maintain the setbacks, stepbacks, commercial uses, and heritage retention of the previous approval.

This report reviews and recommends refusal of the application to amend the Official Plan and Zoning By-law because the outstanding issues could not be resolved within the legislated timeline for a decision of 120 days. Staff will continue discussions with the applicant in order to resolve outstanding issues.

RECOMMENDATIONS

The Director, Community Planning North York District recommends that:

1. City Council refuse the application for the Official Plan Amendment and Zoning By-law Amendment (Application No. 24 135591 NNY 08 OZ) for 50-90 Eglinton Avenue West and 17-19 Henning Avenue in its current form for the reasons identified in this Report.

2. City Council authorize the City Solicitor, together with appropriate staff, to appear before the Ontario Land Tribunal in support of City Council's decision to refuse the application, in the event that the application is appealed to the Ontario Land Tribunal.

FINANCIAL IMPACT

The City Planning Division confirms that there are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

DECISION HISTORY

On July 4, 2017, City Council considered and adopted the recommendations of a Final Report (Item NY22.4) by City Planning regarding the Official Plan and Zoning By-law amendment application for 90 Eglinton Avenue West and 17-19 Henning Avenue. The Official Plan Amendment was for 17-19 Henning Avenue to permit a 24-storey mixed use building on the site. A copy of City Council's decision and City Planning's report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.NY22.4>

On October 2017, the Applicant submitted an Official Plan and Zoning By-law Amendment for the property at 50-60 Eglinton Avenue West. On July 23, 2018, City Council considered and adopted the recommendations of a Request for Further Directions Report (Item CC44.40) by the City Solicitor regarding a proposed settlement offer for the appeal of the subject application. City Council accepted the applicant's settlement offer and supported a 32-storey mixed-use building on the site. A copy of City Council's decision, the City Solicitor's report, and the applicant's settlement offer can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.CC44.40>

On July 16, 2019, Council adopted recommendations for an alteration to the heritage property located at 50 Eglinton Avenue West. Council adopted recommendations which directed for 50 Eglinton Avenue West to be included on the City of Toronto's Heritage Register, that Council state its Intention to Designate the property included in the proposed development site (50-60 Eglinton West) under Part IV, Section 29 of the Ontario Heritage Act, and that Council grant authority to enter into a Heritage Easement Agreement for the subject property.

A copy of City Council's decision and associated report can be found at the following link:

<https://secure.toronto.ca/council/agenda-item.do?item=2019.NY7.8>

On August 6, 2019, the LPAT (now the OLT) approved the settlement between the applicant and the City regarding 50-60 Eglinton Avenue West. The LPAT approved the proposed settlement adopted by City Council in Item CC44.40 (above) and withheld its final order until certain pre-approval conditions were fulfilled. A copy of the LPAT's decision can be found at the following link:

<https://www.omb.gov.on.ca/e-decisions/pl180217-Aug-06-2019.pdf>

On December 15, 2020, an application was submitted for the consolidated subject site, including 50, 60 and 90 Eglinton Avenue West and 17-19 Henning Avenue. The application proposed an increase of the previously approved heights, from 24 to 34 storeys (west tower) and 32 to 39 storeys (east tower). On July 14, 2021, City Council considered and adopted the recommendations of a Request for Directions Report (Item NY25.7) by City Planning regarding an OLT appeal of the application. City Council instructed the City Solicitor and City staff to attend the OLT to oppose the application in its current form. City Council also instructed the City Solicitor to continue discussions with the Applicant in an attempt to resolve the outstanding issues with the Development proposal. A copy of City Council's decision and City Planning's report can be found at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.NY25.7>

On May 11, 2022, City Council adopted further instructions to staff (Item CC43.16) regarding the above noted appeal at the OLT. The recommendations included further directions to staff regarding an off-site parkland dedication at 61 Montgomery Avenue and 58 Helendale Avenue, heritage matters associated with 50 Eglinton Avenue West, and a Section 37 agreement for the proposed development. A copy of City Council's decision and City Legal's report can be found at the following link:

<https://secure.toronto.ca/council/agenda-item.do?item=2022.CC43.16>

On November 1, 2022, the OLT approved the settlement between the applicant and the City regarding the new consolidated site of 50-90 Eglinton Avenue West and 17-19 Henning Avenue. The settlement resulted in two mixed use towers at the height of 33 storeys (west tower) and 35 storeys (east tower). For the purpose of this report, this approval will henceforth be described as 'previous approval'. A copy of the OLT's decision can be found at the following link:

<https://www.omb.gov.on.ca/e-decisions/OLT-21-001703-NOV-01-2022.pdf>

A copy of the by-law for the above noted settlement can be found at the following link:

<https://www.toronto.ca/legdocs/bylaws/2022/law1263.pdf>

On October 26, 2023, the City of Toronto Committee of Adjustment approved a Minor Variance application which allowed the applicant to remove the on-site office replacement as required per the above noted settlement. Office uses typically have higher floor ceilings and because of its removal, the storeys previously proposed to be office has been changed to residential. As such, despite the building still being within

the envelope per the previous settlement, the overall building storey count has increased to 35 storeys (west tower) and 37 storeys (east tower).

On July 25, 2023, an application for Official Plan and Zoning By-Law Amendment was submitted for the properties at 17-41 Henning Avenue to redesignate the site from Neighbourhood to Mixed Use in the Official Plan for the purpose of facilitating a development for a 34-storey residential building. On November 8, 2023, City Council refused the application which was then subsequently appealed to the OLT by the applicant. A copy of City Council's decision and City Planning's report can be found at the following link:

<https://secure.toronto.ca/council/agenda-item.do?item=2023.NY8.6>

A mandatory pre-application consultation (PAC) meeting was held on April 9, 2024. The current application was submitted and deemed complete as of April 15, 2024. Staff conducted a Community Consultation Meeting for the application on June 5, 2024. Community consultation is summarized in the Comments section of this Report.

SITE AND SURROUNDING AREA CONTEXT

Description: The subject site includes three properties fronting Eglinton Avenue West between Henning Avenue and Duplex Avenue, and the properties to the immediate north at 17 and 19 Henning Avenue. The site has an area of approximately 3,989 square metres and is generally rectangular in shape, with frontages of 72.6 metres along Eglinton Avenue West, 48.3 metres along Duplex Avenue and 51 metres along Henning Avenue.

Existing Uses: 50 Eglinton Avenue West is occupied by a 2-storey brick building constructed in 1922 and was formerly owned and operated by Toronto Hydro as the Toronto Hydro-Electric System (THES) Eglinton Substation. In May 2019, the Toronto Preservation Board recommended the designation of 50 Eglinton Avenue West under Part IV of the Ontario Heritage Act and that a heritage easement agreement be entered into. At its meeting of July 16, 17 and 18, 2019, City Council adopted these recommendations.

60 Eglinton Avenue West is occupied by a vacant 3-storey hydro depot building. 90 Eglinton Avenue West is occupied by a 6-storey office building with one level of underground parking.

17-19 Henning Avenue is occupied by two 2-storey semi-detached dwellings, each with a driveway accommodating a front yard parking space.

Surrounding uses include:

North: North of the site is designated Neighbourhoods and consists of a four storey pre-cast concrete and block building housing a Hydro One transformer station, known municipally as 390-400 Duplex Avenue and a low rise residential neighbourhood of 2 and 3-storey residential dwellings. At 17-41 Henning Avenue, there is a proposal for a

34-storey residential building (23 176474 NNY 08 OZ). The application at 17-19 Henning Avenue is for the purpose of an Official Plan Amendment. The building is located at 21-41 Henning Avenue. It is noted that 17-19 Henning Avenue is also included as part of the subject application.

East: East of Duplex Avenue are lands in the Yonge-Eglinton Centre. This site is designated Mixed Use Areas in the Official Plan. An OLT approval at 36-44 Eglinton Avenue West has permitted a 59-storey mixed-use building. Further East is the Yonge Eglinton Centre, comprising of two office buildings at 33 and 22 Storeys. The southwest corner of Yonge Street and Eglinton Avenue West corner are the lands known as Canada Square, which contains three office buildings at 18, 17, and 6 storeys. At the Canada Square site, there is a proposed development (No. 20 232714 STE 12 OZ) for three towers at 45, 55, 60, storeys, and two towers at 65 storeys.

South: Opposite the site on the south side of Eglinton Avenue West is the 4-storey Toronto Police Services 53 Division building situated at the southeast corner of Duplex Avenue and Eglinton Avenue West. There is also a 3-storey rental apartment building at the southwest corner of Maxwell Avenue and Eglinton Avenue West opposite the site which is designated Apartment Neighbourhoods. Further west along Eglinton Avenue West are a series of 3 three-storey rental apartment buildings. Further south is a low rise residential neighbourhood of 2-storey detached dwellings designated Neighbourhoods.

West: West of Henning Avenue, along Eglinton Avenue West, is a 6-storey office building, 4 and 8 storey office buildings and a 7-storey mixed-use building. These sites are designated Mixed Use Areas in the Official Plan and are located within the Henning Character Area.

THE APPLICATION

The application proposes to increase the permitted height and density from the approved heights of 35 and 37-storeys as per By-law 1263-2022 (OLT), to 46 and 58-storeys. The revised buildings maintain the setbacks, stepbacks, and heritage retention of the previous approval. The table below provides a summary and comparison of the proposed development, and the latest drawing submitted under By-law 1263-2022 through Site Plan application (20 126681 NNY SA) for the subject site.

Category	Drawing Submitted under By-Law 1263-2022, dated December 18, 2023	Subject Application, Drawings dated April 10, 2024
Site Area	3,989 square metres; 3,925.5 square metres post required road widening	
	North 7.5m–7.6m	

Category	Drawing Submitted under By-Law 1263-2022, dated December 18, 2023	Subject Application, Drawings dated April 10, 2024
Minimum Base Building Setbacks from Property Line	South (Eglinton Ave W) 4.85 m, post road widening– 2.3m	
	East (Duplex Ave) 0.2m – 2.1m	
	West (Henning Ave) 3.0m	
Minimum Proposed Tower Setbacks, including terraces, from Property Line	<u>West Tower</u> North: 20 m South: 4.85m, post road widening West: 3.0m <u>East Tower</u> North: 7.5m South: 4.85m, post road widening East: 2.0m – 4.1m	
On-Site Tower Separation	20 m	
Gross Floor Area (GFA)	Residential: 49,101 m ² Retail: 1,332.8 m ² Total: 50, 433.8 m ²	Residential: 71,992 m ² Retail: 1,313.7 m ² Total: 73, 305.7 m ²
Floor Space Index (FSI)	12.76	18.55
Base Building Height	12.3-13.6 m	
Tower Heights	<u>West Tower</u> 35 Storeys 124.2m to MPH	<u>West Tower</u> 46 Storeys 158 m to MPH
	<u>East Tower</u> 37 Storeys 130.1m to MPH	<u>East Tower</u> 58 Storeys 182.9m to MPH

Category	Drawing Submitted under By-Law 1263-2022, dated December 18, 2023	Subject Application, Drawings dated April 10, 2024
Tower Floor Plates (Gross Construction Area)	<u>West Tower</u> 787.7 m ² <u>East Tower</u> 794.7 m ²	
Residential Units	1 Bedroom: 395 (56.3%) 2 Bedroom: 234 (33.3%) 3 Bedroom: 73 (10.4%) Total: 702	Studio: 53 (4.4%) 1 Bedroom: 645 (53.5%) 2 Bedroom: 388 (32.2%) 3 Bedroom: 120 (10%) Total: 1206
Amenity Area	Indoor: 1,404 m ² Outdoor: 1,184.1 m ² Total: 2,588.1 m ²	Indoor: 2,115.8 m ² Outdoor: 1,115.9 m ² Total: 3,271.7 m ²
Vehicular Parking	Residential: 156 Visitor: 9 Accessible: 8 Retail: 51 Total: 224	Residential: 156 Visitor: 14 Accessible: 8 Retail: 46 Total: 224

Access and Loading: Vehicular access to the site is provided through an east-west 6 metre wide private driveway at the north of the site which links Henning Avenue to Duplex Avenue. This driveway at 17-19 Henning Avenue will provide access to the loading space and the underground ramp leading to three levels of underground parking. This driveway is also proposed to provide access to the adjacent development at 17-41 Henning Avenue (23 176474 NNY 08 OZ). Three loading spaces are proposed, of which two are type C loading spaces, and one is a shared Type B and Type G space.

Additional Information

See Attachments 1-6 of this report for a Location Map, Application Data Sheet, and three dimensional representations of the project in context and a site plan of the proposal. The Application Data Sheet contains additional details on the proposal including: site area and dimensions; floor area; unit breakdowns; and parking counts.

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:
<https://www.toronto.ca/city-government/planning-development/application-details/?id=5422872&pid=579385>

Reasons for Application

The application proposes to amend the Official Plan for the lands at 17-19 Henning Avenue to redesignate the lands from Neighbourhoods to Mixed Use Areas. It is noted that the lands are also subject to another application currently before the OLT with the properties at 17-19 Henning Avenue (23 176474 NNY 08 OZ, 17-41 Henning Avenue), which is also proposing to re-designate 17-19 Henning Avenue from Neighbourhoods to Mixed Use Areas.

For the entire site, the applicant is proposing a Site and Area Specific Policy in the Official Plan to facilitate the development of the subject site, including the increased height and density. A site specific Zoning By-law amendment application is also proposed for the entire site to facilitate the proposed height and density and set appropriate development standards.

APPLICATION BACKGROUND

Application Requirements

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

- Shadow Study
- Planning Rationale
- Community Service and Facilities Study
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Arborist Report
- Functional Servicing Report
- Stormwater Management Report
- Geotechnical Report
- Hydrogeological Report
- Traffic Impact Study
- Pedestrian Level Wind Study
- Noise Impact and Vibration Study
- Heritage Impact Assessment
- Energy Strategy Report
- Phase I ESA

Agency Circulation Outcomes

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

POLICY & REGULATION CONSIDERATIONS

Provincial Land-Use Policies

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 (2020), and shall conform to provincial plans, including A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020), the Greenbelt Plan, and others.

Official Plan

The portion of the site at 17-19 Henning Avenue is designated Neighbourhoods in the Official Plan. The Neighbourhoods designation permits a full range of residential uses within lower scale buildings, as well as parks, schools, local institutions and small-scale stores and shops serving the needs of area residents. The balance of the lands at 50-90 Eglinton Avenue West is designated Mixed Use Area, which are intended to be made up of a broad range of commercial, residential and institutional uses in single use or mixed use buildings.

In July 2017, City Council adopted OPA 356 which introduced a new Site and Area Specific Policy (SASP) to the former Yonge-Eglinton Secondary Plan on 17- 19 Henning Avenue to allow for underground parking, a publicly accessible lane, an opaque barrier and landscaping on the lands associated with the approved development at 90 Eglinton Avenue West (14 145916 NNY 16 OZ & 16 140393 NNY 16 OZ). This SASP was carried over into the new Yonge-Eglinton Secondary Plan in June 2019.

Yonge-Eglinton Secondary Plan

The portion of the site located at 17-19 Henning Avenue does not have a designated land use in the Yonge-Eglinton Secondary Plan (YESP), with the balance of the lands being designated Mixed Use Areas “B” on Map 21-4. Mixed Use Areas “B” consist of residential, office and civic clusters around transit stations and along Yonge Street and Eglinton Avenue West. Tall buildings and large redevelopment sites capable of accommodating multiple buildings will provide 100 per cent replacement of any existing office gross floor area located on the site. As described in the Decision History section of this report, the previous approval has received a Minor Variance approval to provide office replacement off-site.

In the Yonge Eglinton Secondary Plan, the site is within the Henning Special Place Character Area on Map 21-2. A height range of 15 to 35 storey is set out for the Character Area. It is noted that an Official Plan Amendment is not required to achieve a greater or lesser height than the range, and the heights of buildings for sites will be specifically determined through rezoning applications. It is noted that the site is directly across from the Yonge-Eglinton Urban Growth Centre.

On Map-21-3, the site is located within the Eglinton Major Transit Station Area and its associated Secondary Zone. On March 25, 2022, the Planning and Housing Committee approved for consultation 97 MTSA/PMTSAs, of which Eglinton Station was identified as a PMTSA with a proposed minimum density target of 600 people and jobs per

hectare. The MTSA/PMTSAs are currently pending approval from the Minister of Municipal Affairs & Housing.

Zoning

The subject site is zoned CR3.0 (cr3.0; r2.0) SS2 (x785) under Zoning By-law 569-2013. The zoning was implemented as Council approved settlement through By-Law 1263-2022 (OLT) as approved by the OLT. The zoning approved two buildings at 35 and 37-storeys and its site specific performance standards. By-Law 1263-2022 also consists of Section 37 provisions, which includes, amongst others matters, community benefit contributions in the amount of \$4,750,000.00, \$2,000,000 to be used for improvements to local park improvements in Ward 8, including Eglinton Park, \$1,500,000 to be used for public realm improvements in Ward 8 in the Yonge Eglinton Secondary Plan area, and \$1,250,000 to be used for local area improvements in the vicinity of the subject site. In addition, the Section 37 provisions also included the conservation of the designated Heritage Building at 50 Eglinton Avenue West and the conveyance by the Owner to the City of the off-site parkland dedication of the properties at 61 Montgomery Avenue and 58 Helendale Avenue as well the above base improvements for such off-site parkland and the related development charge credit and an indexed-cash-in-lieu contribution of \$900,000.

Design Guidelines

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

- Tall Buildings Design Guidelines;
- City-Wide Mid-Rise Performance Standards and Addendum;
- Midtown Public Realm Implementation Strategy;
- Growing Up Guidelines for Children in Vertical Communities;
- Pet Friendly Design Guidelines for High Density Communities; and
- Toronto Green Standard

Toronto Green Standard

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.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control application (20 126681 NNY SA) was submitted on March 17, 2020 to implement the previous approval. The application is currently under review.

COMMENTS

Provincial Policy Statement and Provincial Plans

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff have reviewed the current proposal for consistency with the Provincial Policy Statement and conformity with the Growth Plan. The PPS directs for authorities to 'identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas.' Within the Growth Plan, municipalities are to 'identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas.' The subject site is adjacent to the Yonge-Eglinton Urban Growth Centre, which is within a Strategic Growth Area. As such, transition is to be provided in built form from the adjacent Urban Growth Centre. As currently proposed, the proposed density and height does not provide sufficient transition from the Urban Growth Centre. In addition, the site is located within Eglinton Station PMTSA with a proposed minimum density target of 600 people and jobs per hectare. Presently, the density target has already been met, and exceeded significantly based on the existing and proposed density in the area. Additional density is currently not required to meet required minimum targets. As such, the subject application is not consistent to the PPS and does not conform to Growth Plan.

Official Plan

In the Yonge-Eglinton Secondary Plan, the site is within the Henning Special Place Character Area on Map 21-2. A height range of 15 to 35 storeys is set out for the Henning Special Place Character Area. The proposed height at 46 and 58 storeys is significantly taller than the height set out in the Character Area. Section 5.4.3 states 'anticipated height ranges for each Character Area are set out below in order to provide guidance regarding the intended built form character for each Character Area'. The heights of buildings for sites and/or areas will be specifically determined through rezoning applications or a City initiated Zoning By-law amendment. An Official Plan Amendment will not be required in order to achieve a greater or lesser height'. As such, height can be determined through site specific Zoning By-law amendment applications.

Section 2.1.1 states not all areas within the Secondary Plan area will experience the same levels of intensification. Furthermore, the Urban Growth Centre, such as the Yonge-Eglinton Centre, is intended to be an area of major economic activity which is to accommodate significant population and employment growth. The Yonge-Eglinton Crossroads Character Area has a height range of 35-65 storeys. Policy 1.3.5 a. further states building heights will peak at the Crossroads of Yonge and Eglinton with gradual transition down in building heights in all directions. Per the multiple policy directions above, a site located in the Henning Special Place Character Area should not have the same density and height of developments located within the Yonge-Eglinton Centre. The height range for this character area is intended to be between 15-35 storeys which would represent a transitioning down of heights immediately adjacent the Yonge-Eglinton Crossroads Character Area at between 35-65 stories. What is proposed in this circumstance provide greater uncertainty to the relevance of each character area that

has been established through the Plan. As such an appropriate transition should be provided. With the proposed height at 46 and 58 storeys, and the site and area specific policy proposed by the applicant allowing for both buildings to be at 58 storeys, the proposed development would be of similar height to developments recently approved within the Yonge-Eglinton Centre. Given the above, the proposed development does not conform to the Secondary Plan as it does not respect the established urban structure and does not provide a gradual transition from the Yonge-Eglinton Centre.

Density, Height, Massing

As noted in the previous section, the subject application has not demonstrated it is of appropriate height and density given its place within the urban structure. The proposed buildings are taller than the buildings within the Yonge-Eglinton Centre. As such, the height and density of the proposed development should be reduced to provide appropriate transition from Yonge-Eglinton Centre.

Sun and Shadow

The site is located 240 metres east of Eglinton Park, a 9-hectare park featuring five multipurpose sports fields, four tennis courts, two ball diamonds, a children's playground, a wading pool, and the North Toronto Memorial Community Centre. The Yonge Eglinton Secondary Plan requires that no new net shadows be cast onto Eglinton Park.

The Shadow Study prepared by Turner Fleischer (dated by the Architect 04/10/24) demonstrates that net new shadows are proposed on Eglinton Park as of 10:18 a.m. on March 21. The proposed tower height of 46-58 storeys and the height ultimately permitted by the proposed site and area specific policy at 58 storeys for both towers do not conform to the shadow policies of the Yonge-Eglinton Secondary Plan.

Wind

Per the submitted Pedestrian Level Wind Study by Gradient Wind Engineering & Scientists dated March 7, 2024, the wind conditions with respect to the proposed scenario over most grade-level pedestrian wind-sensitive areas within and surrounding the study site will be acceptable for the intended use on a seasonal basis. However, portions of the sidewalk at the northeast corner of the building and an existing transit stop would require mitigation. Improvements to the Duplex Road and Eglinton Avenue West public realm through enhanced weather protection is required for the southeast corner of the site.

Traffic Impact & Parking

Transportation Services staff has reviewed the subject application and require amended studies and drawings. The Transportation Impact Study by WSP dated April 2024 should be updated to take account of the significant increase in density. Additional drawings and other details need to be included to demonstrate functionality on site and to provide required clarifications.

A stronger Traffic Demand Management (TDM) is also required for the application. Recommendations and considerations" cannot be accepted as TDM measures for the proposed development, confirmation is required for staff to assess the appropriateness of the proposed TDM Plan in meeting the requirement in AQ 1.1 of the TGS version 4 (Single Occupant Auto Vehicle Trips). Many of the proposed TDM measures are Zoning or TGS requirements. These measures will not be considered as TDM measures.

Given the above, the proposal has not demonstrated that the increased density can be accommodated from a traffic and parking perspective.

Road Widening

According to the City's Official Plan, Eglinton Avenue West has identified as a 27-metre wide right-of way at this location. To achieve this width, a 0.4 m road widening conveyance is required along the Eglinton Avenue West frontage of the site. A 1.8 m wide road widening conveyance is also required along the Duplex Avenue frontage. In addition, a 6.0m corner rounding is required at the southwest corner of the site.

Servicing

Engineering Services staff has reviewed the subject application and requires revisions to the Servicing Report to demonstrate that the City requirements can be met and sufficient capacity exist to accommodate the proposed development. Further analysis is required for stormwater management and sewer capacity. Engineering Services would require that a 'Holding' symbol to be placed on the subject property until capacity can be confirmed, and any identified improvements that would need to be implemented.

Waste Management Services

Waste Management Services require revisions to the submitted drawings for elements such as the staging pad and vehicle moving diagram to confirm services can be accommodated.

Community Benefits

The previous approval and its associated By-Law 1263-2022 secured a number of community benefit contributions, amongst others, a financial contribution of \$4,750,000,00, \$2,000,000 to be used for improvements to local park improvements in Ward 8, including Eglinton Park, \$1,500,000 to be used for public realm improvements in Ward 8 in the Yonge Eglinton Secondary Plan area, and \$1,250,000 to be used for local area improvements in the vicinity of the subject site. The application is silent on how the context of the Section 37 obligations included in By-law 1263-2022(OLT) is to be addressed. Given that the subject application is an amendment to the previous approval within the community benefit regime, the Section 37 provisions should carry over, with additional contributions to be negotiated based on the increased GFA.

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.

Community Consultation

A Virtual Community Consultation Meeting was hosted by City staff on June 5, 2024. Approximately 35 members of the public attended, as well as the Ward Councillor. Following a presentation by City staff and the Applicant, the following comments and issues were raised:

- Concerns for the proposed height and density and its impacts on the neighbourhood;
- Concerns for how the building transitions into the adjacent low density neighbourhood north and west of the site;
- Concerns that the number of parking spaces is deficient given the high level of density proposed;
- Concerns regarding shadowing;
- Concerns for the lack of affordable housing;
- Concerns for the lack of new infrastructure (i.e. school, parks, community services) to accommodate the proposed developments in the larger area; and
- Concerns for the increase in traffic and noise caused by construction of the new developments in the area.

Further Issues

City Planning continues to receive additional information regarding these applications as a 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. 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.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Toronto Official Plan, including the Yonge-Eglinton Secondary Plan, and applicable City guidelines intended to implement Official Plan policies. The subject application is not consistent to the PPS, does not conform to Growth Plan and is not consistent with the City's Official Plan as it relates to setting appropriate urban structure. Furthermore, the proposed height is significantly taller than the character area prescribed in the Yonge-Eglinton Secondary Plan. The proposal does not appropriately relate to the original community benefit regime in place in the underlying By-law 1263-2022(OLT). For the reasons outlined in this report, City staff cannot support the proposal in its current form and recommend Council refuse the application.

CONTACT

Angela Zhao, Senior Planner
Tel. No. 416-338-8083, E-mail: Angela.Zhao@toronto.ca

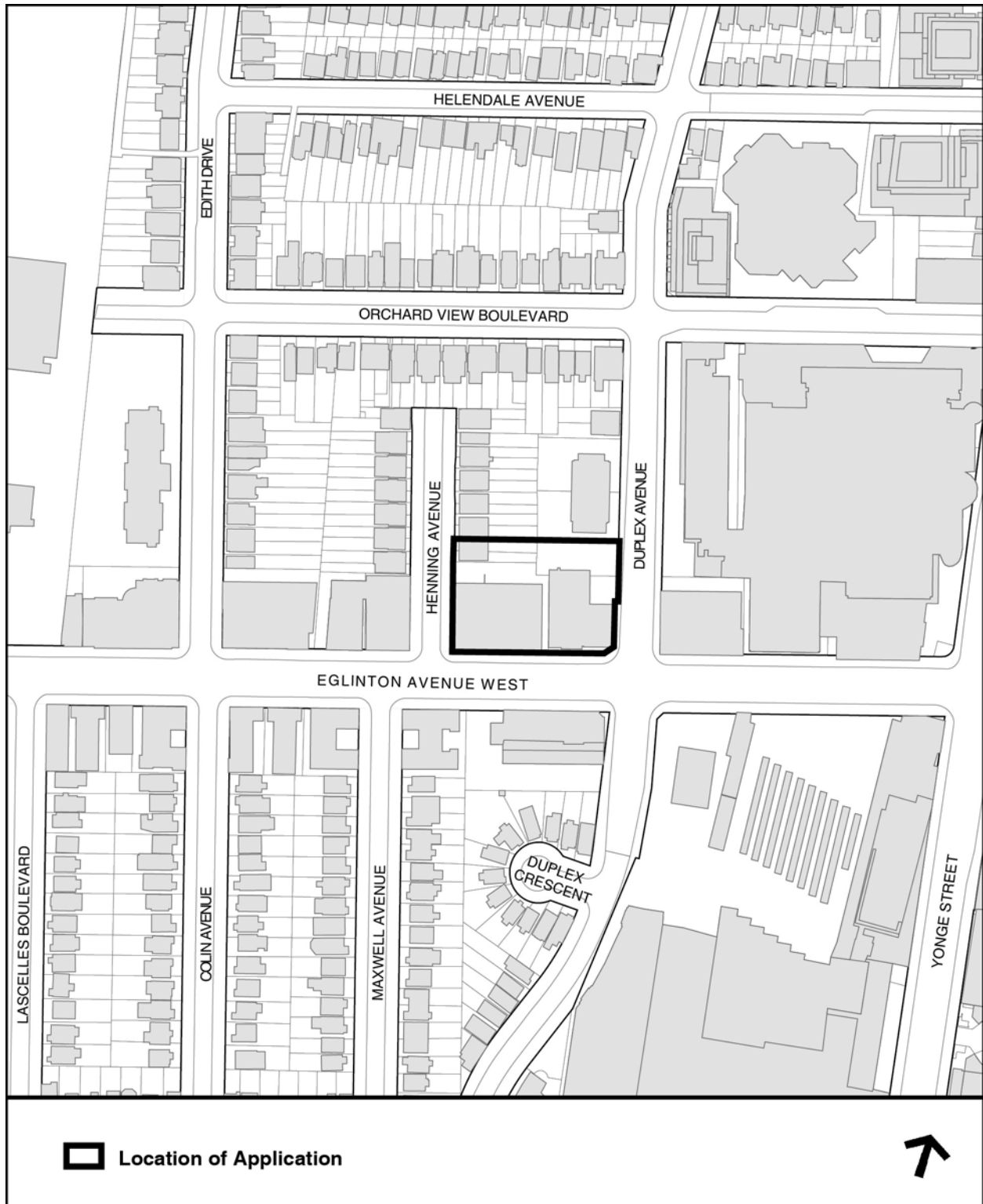
SIGNATURE

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

ATTACHMENTS

Attachment 1: Location Map
Attachment 2: Application Data Sheet
Attachment 3: 3D Model of Proposal in Context Looking Northeast
Attachment 4: 3D Model of Proposal in Context Looking Southwest
Attachment 5: Site Plan
Attachment 6a: North Elevations
Attachment 6b: South Elevations
Attachment 7: Official Plan Land Use Map
Attachment 8: Yonge-Eglinton Secondary Plan Map 21-2 Midtown Character Areas
Attachment 9: Yonge-Eglinton Secondary Plan Map 21-3 Midtown Transit Station Areas
Attachment 10: Yonge-Eglinton Secondary Plan Map 21-4 Midtown Land Use Plan
Attachment 11: Zoning By-law No. 569-2013 Map

Attachment 1: Location Map



Attachment 2: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 50, 60, 90
EGLINTON AVENUE
WEST, AND 17, 19
HENNING AVENUE

Date Received: April 15, 2024

Application Number: 24 135591 NNY 8 OZ

Application Type: OPA/ZBLA

Project Description: Proposal to increase the permitted height and density from the approved heights of 35 and 37-storeys as per By-law 1263-2022 (OLT), to 46 and 58-storeys. This height increase would result in a total gross floor area of 73,305 m², comprised of 71,992 m² of residential gross floor area and 1,313 m² of non-residential gross floor area at-grade. A total of 1,206 residential units are proposed, including 553 units in the west tower and 653 in the east tower. Vehicular and loading access to the development continues to be proposed from the future east-west private laneway on-site, connecting Henning Avenue and Duplex Avenue. Three (3) levels of underground parking are proposed, containing a total of 216 vehicular parking spaces.

Applicant	Agent	Architect	Owner
MADISON GROUP	MADISON GROUP	TURNER FLEISCHER ARCHITECTS	60 EGLINTON WEST LIMITED

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods & Mixed Use Areas	Site Specific Provision: Yes – 17-19 Henning Avenue
Zoning:	CR3.0 (cr3.0; r2.0) SS2 (x785)	Heritage Designation: Yes
Height Limit (m):	120	Site Plan Control Area: Yes

PROJECT INFORMATION

Site Area (sq m):	3,989	Frontage (m):	77.0	Depth (m):	50.8
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):				
Residential GFA (sq m):			71,992	71,992
Non-Residential GFA (sq m):			1313.7	384
Total GFA (sq m):			13305.7	28,960
Height - Storeys:			46 & 58	46 & 58
Height - Metres:			158 m & 192.9 m	158 m & 192.9 m

Lot Coverage Ratio (%): 60.3

Floor Space Index: 18.55

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	71,992	
Retail GFA:	1313.7	
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	0	0		
Freehold:	2	0		
Condominium:	0	0	1206	1206
Other:	0	0		
Total Units:			1206	1206

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		53	645	388	120
Total Units:		53	645	388	120

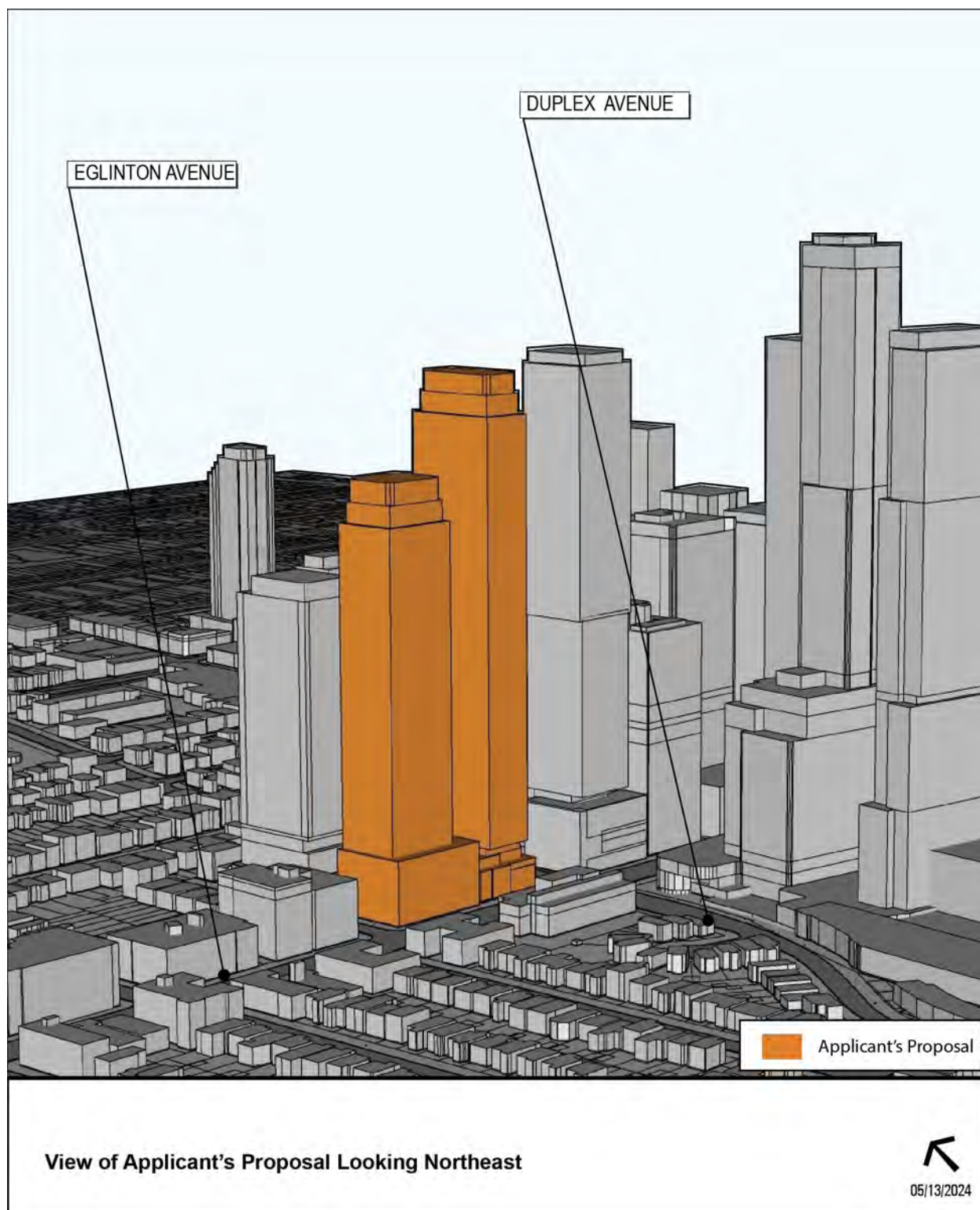
Parking and Loading

Parking Spaces: 224 Bicycle Parking Spaces: 1086 Loading Docks: 3

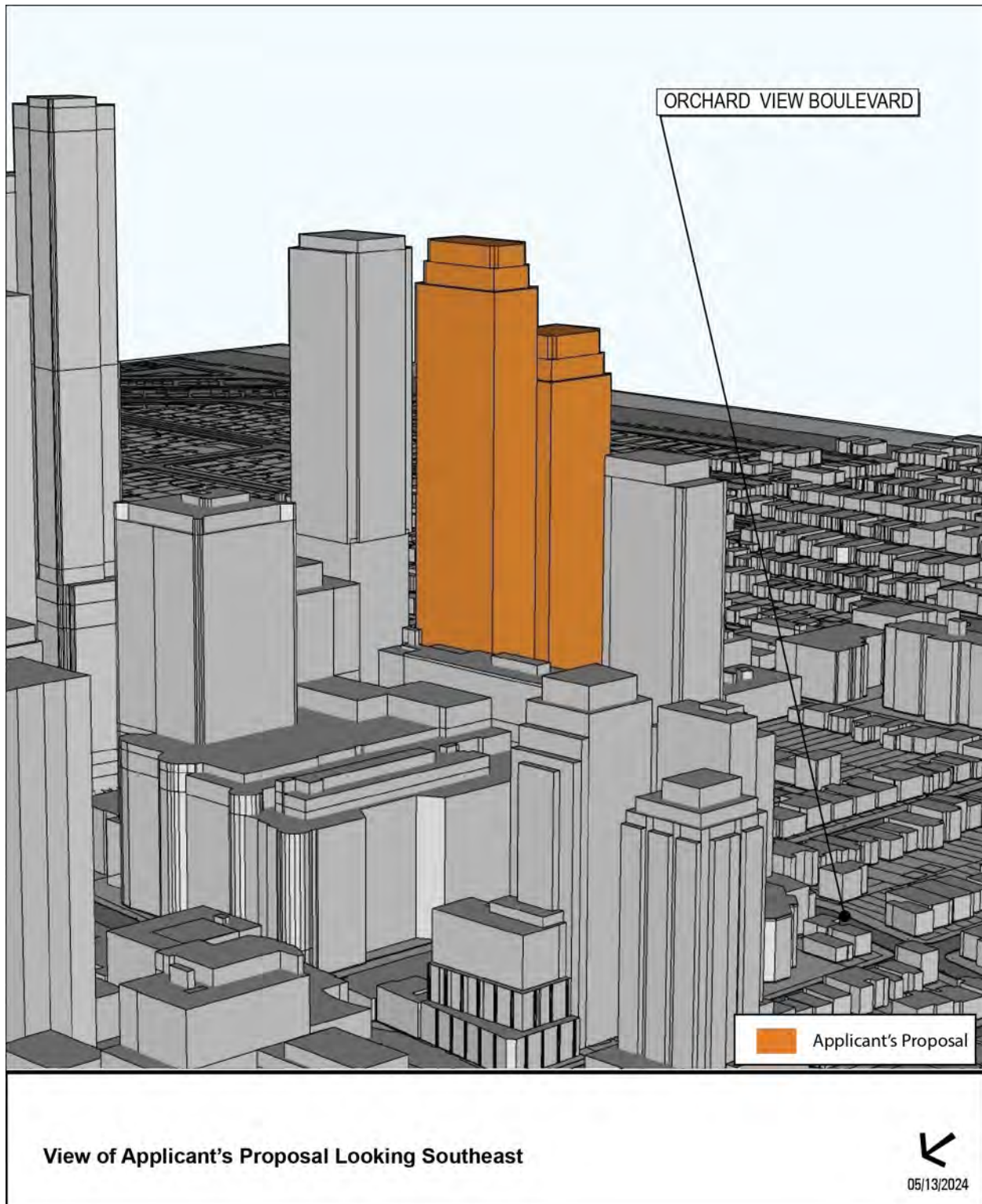
CONTACT:

Angela Zhao, Senior Planner
416-338-8083
Angela.Zhao@toronto.ca

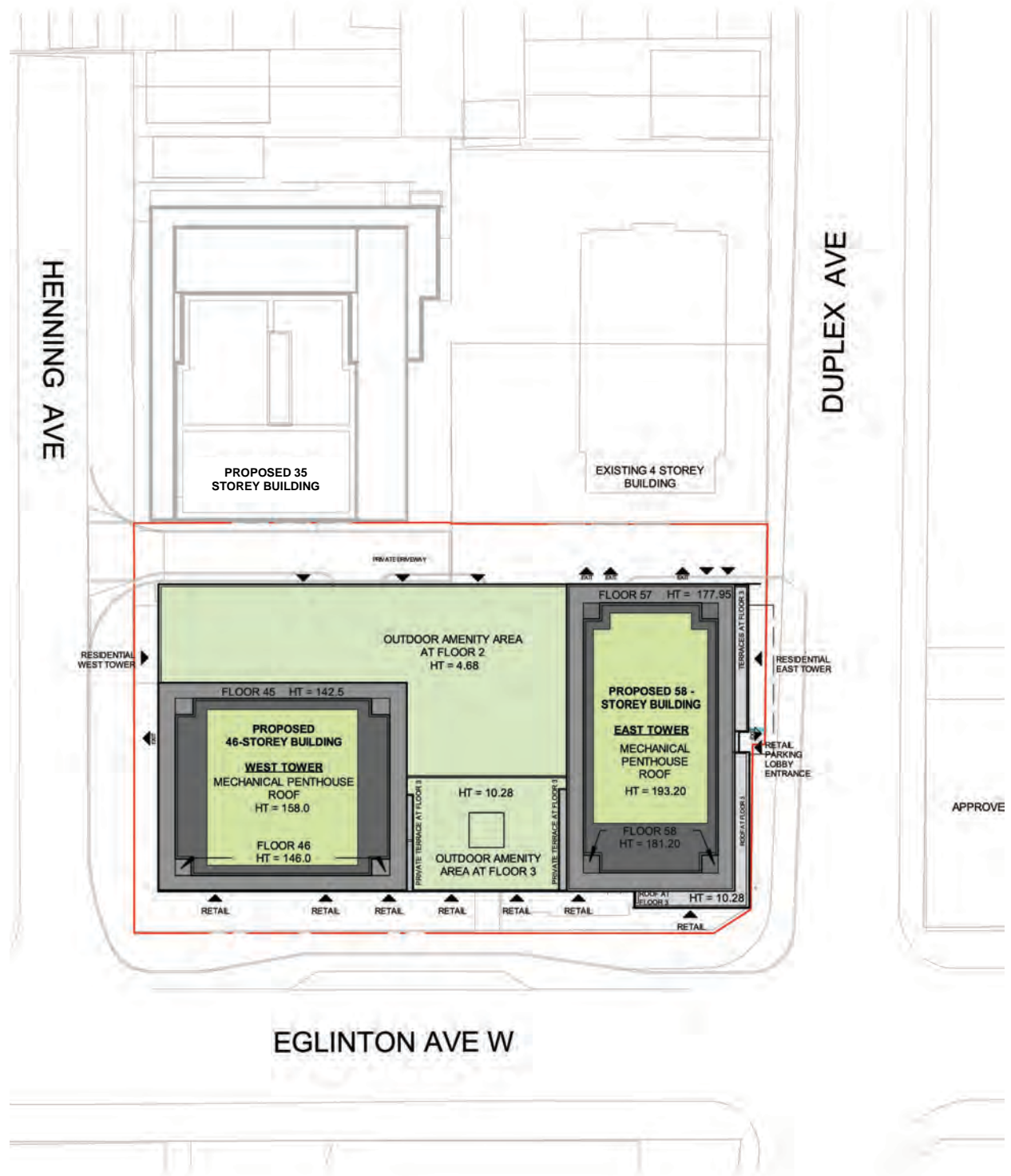
Attachment 3: 3D Model of Proposal in Context Looking Northeast



Attachment 4: 3D Model of Proposal in Context Looking Southwest



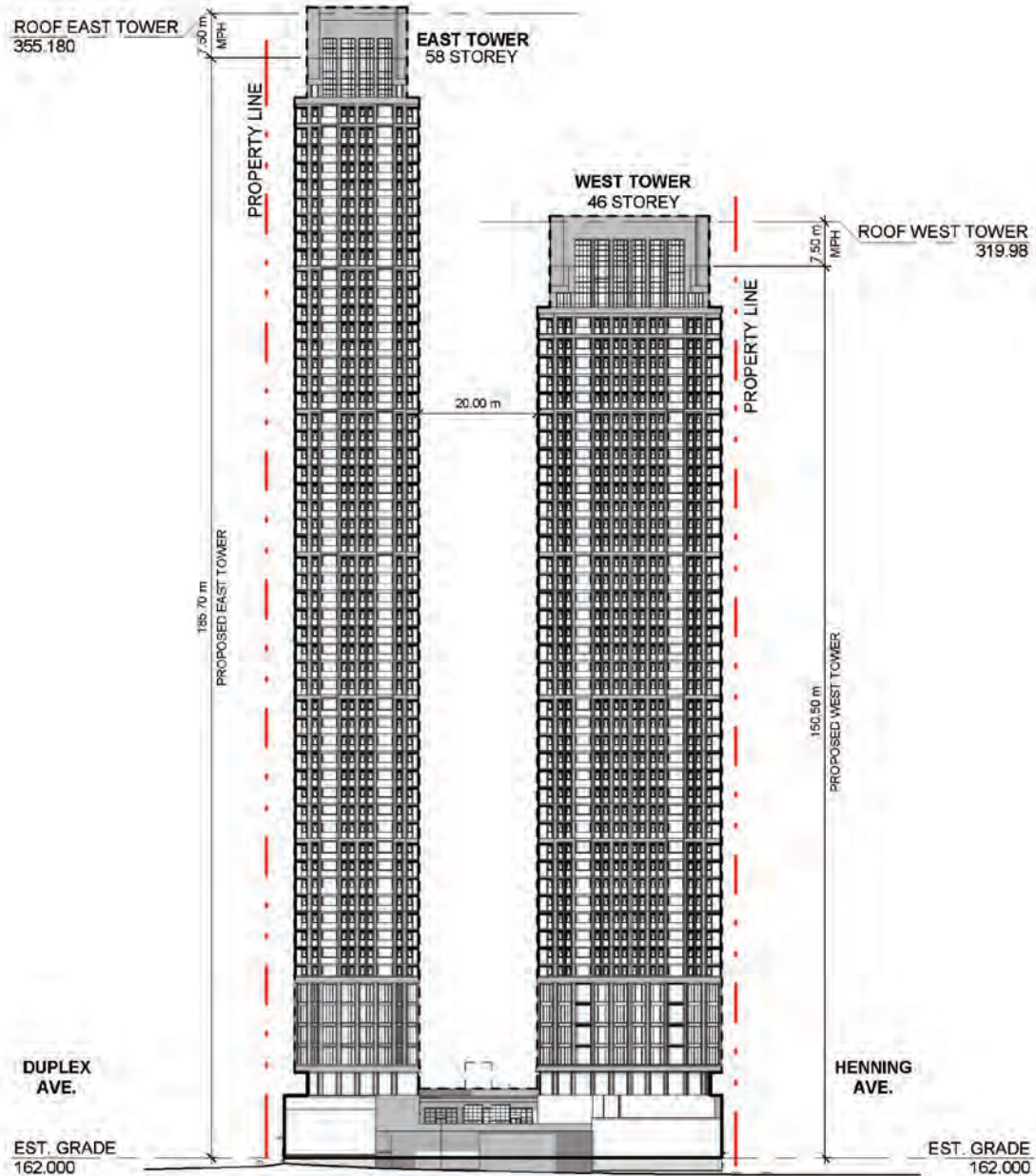
Attachment 5: Site Plan



Site Plan

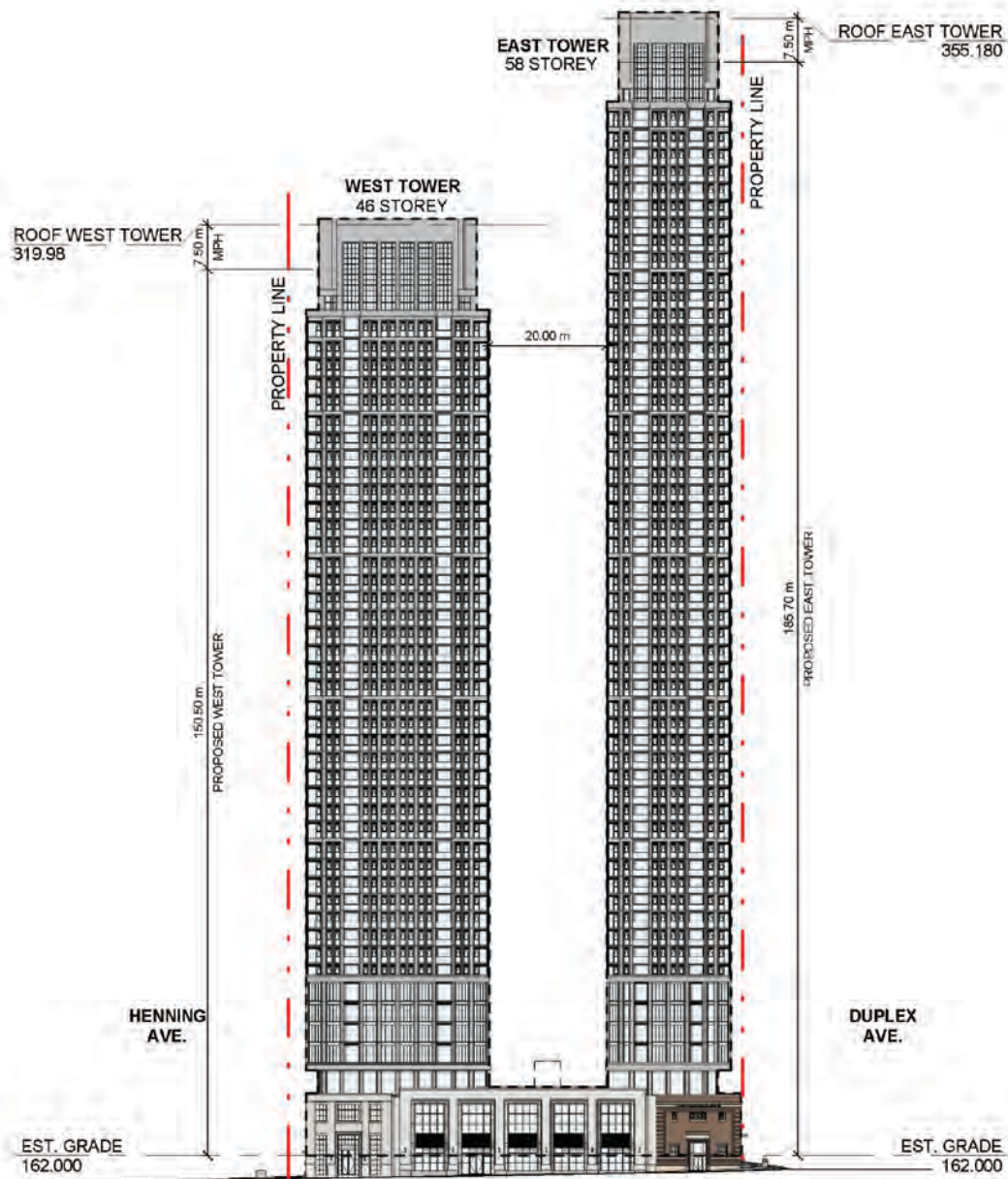


Attachment 6a: North Elevations



North Elevation

Attachment 6b: South Elevations



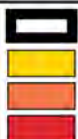
South Elevation

Attachment 7: Official Plan Land Use Map



50-90 Eglinton Avenue West & 17-19 Henning Avenue
Official Plan Land Use Map #17

File # 24 135591 NNY 08 02



Location of Application

Neighbourhoods

Apartment Neighbourhoods

Mixed Use Areas

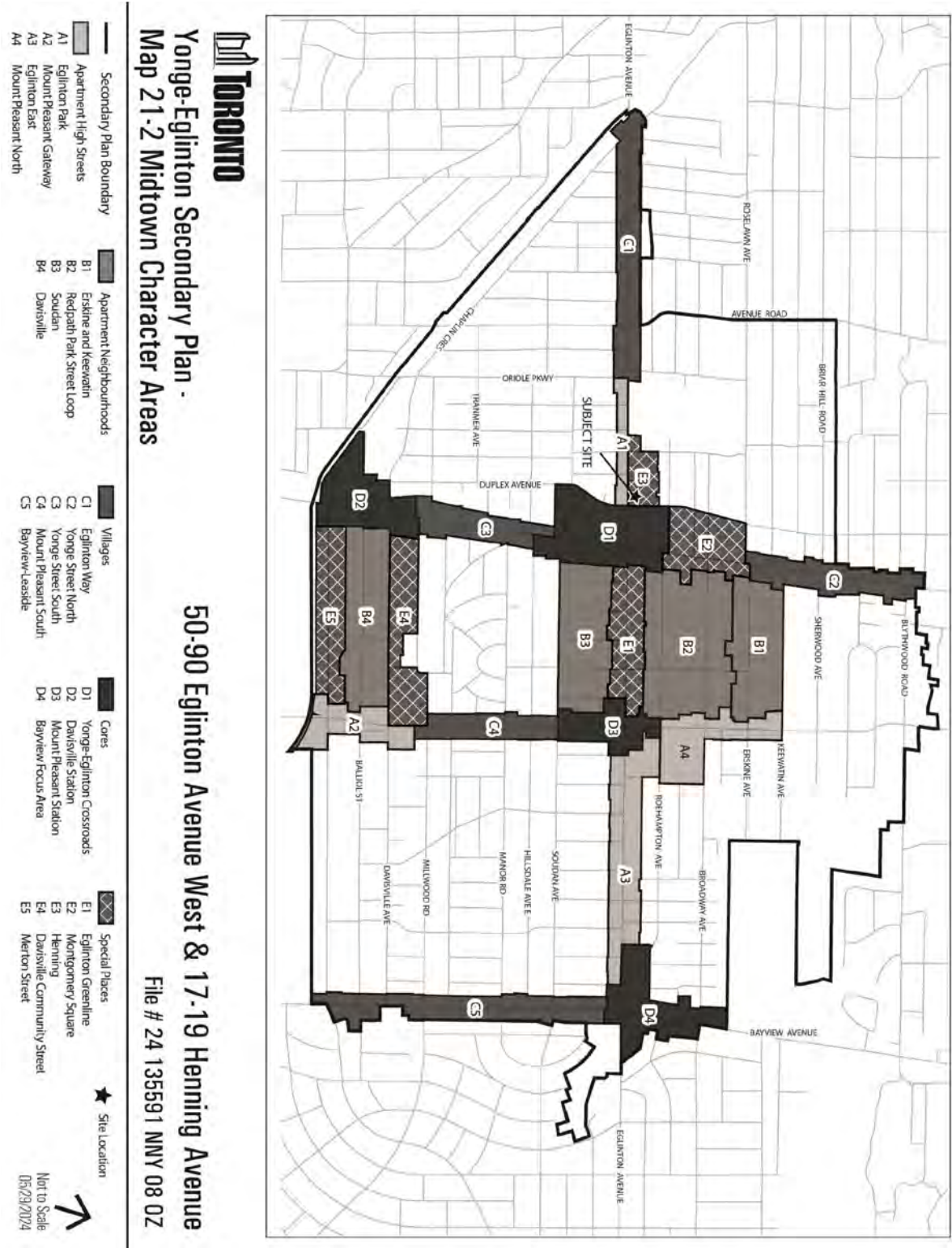


Parks

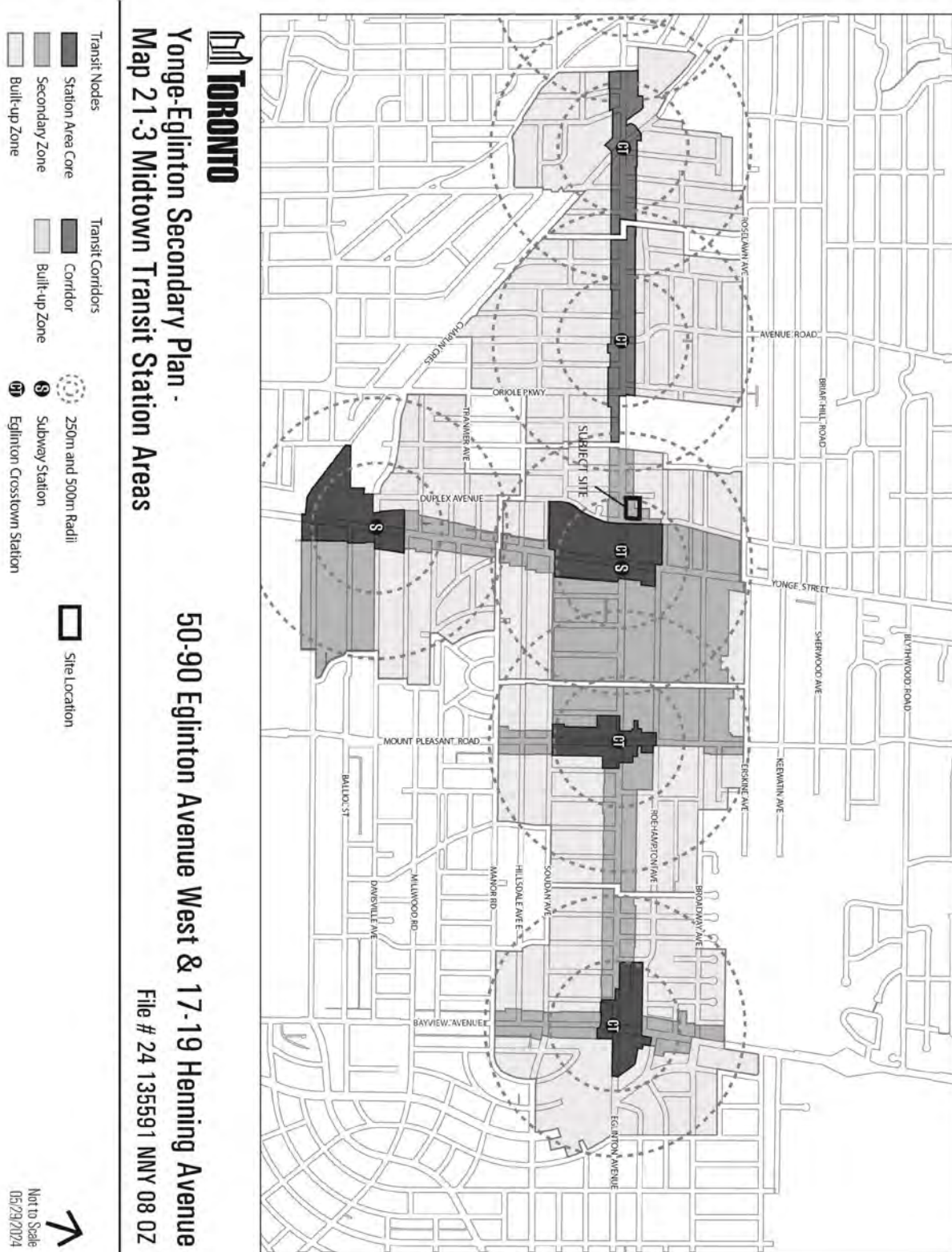


Not to Scale
Extracted: 04/15/2024

Areas



Attachment 9: Yonge-Eglinton Secondary Plan Map 21-3 Midtown Transit Station Areas



Attachment 10: Yonge-Eglinton Secondary Plan Map 21-4 Midtown Land Use Plan

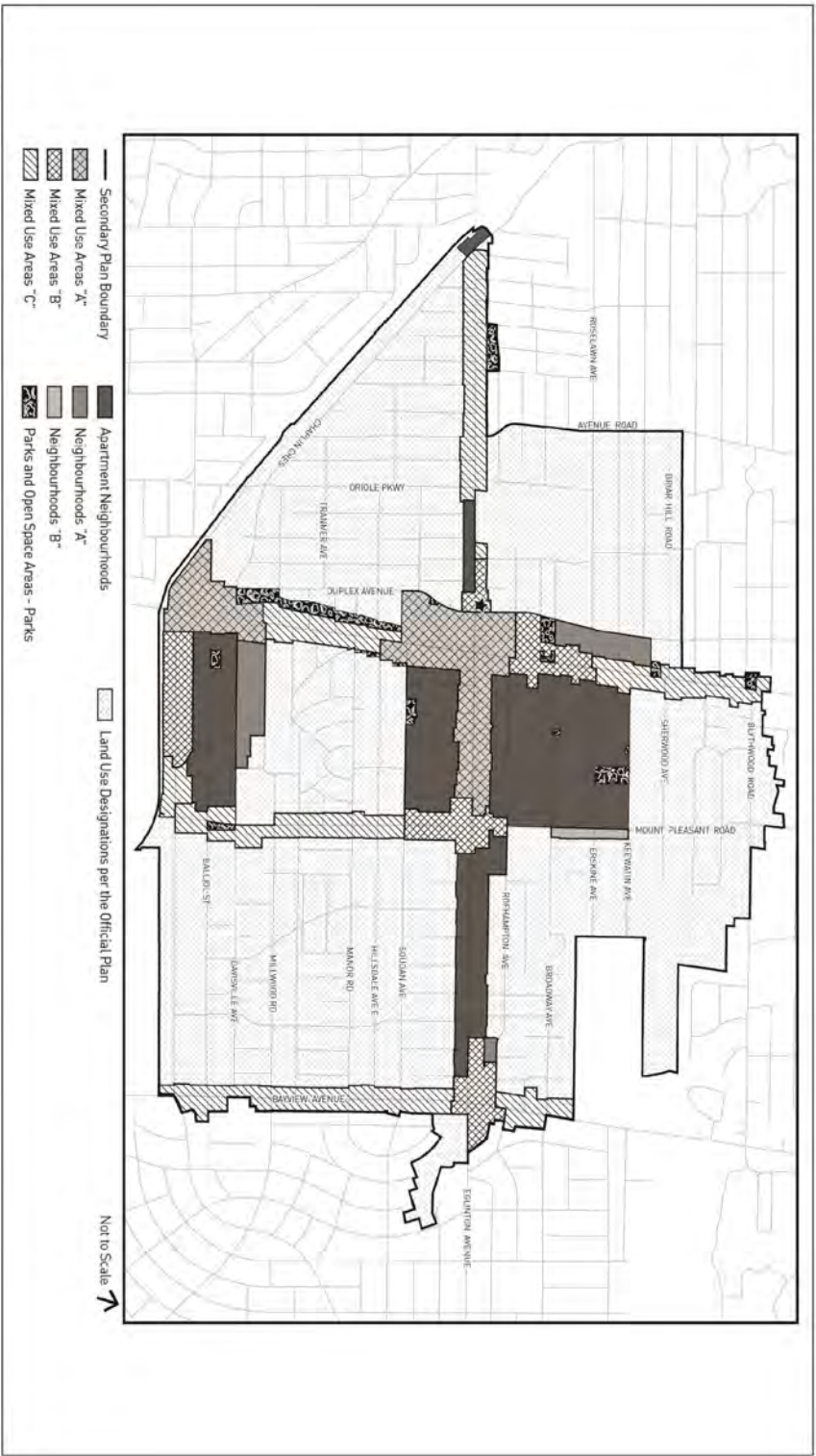
★ Site Location



Yonge-Eglinton Secondary Plan - OPA 405

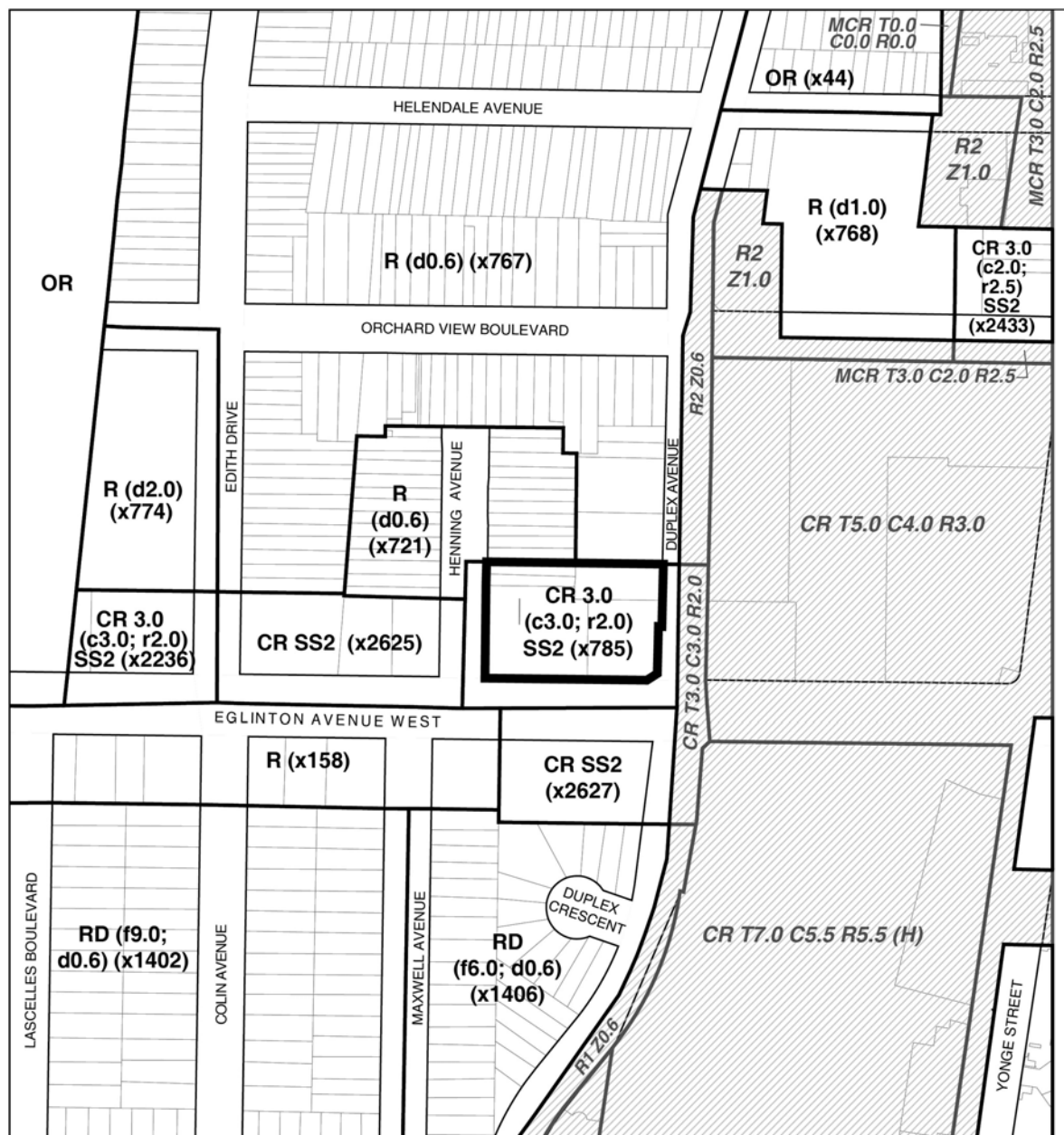
50-90 Eglinton Avenue West & 17-19 Henning Avenue

File # 24 135591 NNY 08 02



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Attachment 11: Zoning By-law No. 569-2013 Map



50-90 Eglinton Avenue West & 17-19 Henning Avenue

Zoning By-law 569-2013

File # 24 135591 NNY 08 02

Location of Application

R Residential
RD Residential Detached
CR Commercial Residential
OR Open Space Recreation

See Former City of Toronto By-law No. 438-86

R1 Residential District
R2 Residential District
CR Mixed-Use District
MCR Mixed-Use District

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