

90-110 Eglinton Avenue East – Official Plan and Zoning By-law Amendment Application – Decision Report – Approval

Date: October 16, 2024
To: Toronto and East York Community Council
From: Director, Community Planning, Toronto and East York District
Ward: 12 - Toronto-St. Paul's

Planning Application Number: 22 190798 STE 12 OZ

SUMMARY

This report reviews and recommends approval of the application to amend the Official Plan and Zoning By-law to permit a two tower mixed-use building at 90-110 Eglinton Avenue East at 58-storeys each. The towers are connected at floors 5 to 10 with a bridge element.

The proposed building contains 1,035 residential units, with a total gross floor area of 93,096.6 square metres, including 1,305.2 square metres of at-grade retail. The proposal includes 2,375 square metres of publicly accessible space, which includes a 24.1 metre-wide landscaped mid-block connection with a minimum 3.0 metre-wide publicly accessible pedestrian walkway that will connect Eglinton Avenue East with a planned walkway through to Roehampton Avenue. Also proposed is a 5.4-metre setback from the property line along Eglinton Avenue East facilitating a 15.0-metre public sidewalk.

The Official Plan Amendment will secure the provision of 4,595 square metres of affordable housing in lieu of a portion of the required office space replacement, should the office space not be replaced.

RECOMMENDATIONS

The Director, Community Planning, Toronto and East York District, recommends that:

1. City Council amend the Official Plan for the lands at 90-110 Eglinton Avenue East substantially in accordance with the draft Official Plan Amendment included as Attachment 6 to this report.

2. City Council amend Zoning By-law 569-2013 for the lands at 90-110 Eglinton Avenue East substantially in accordance with the draft Zoning By-law Amendment, which includes a Holding Provision, included as Attachment 7 to this report.

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

4. In accordance with Holding Provision included in the Draft Zoning By-law Amendment, included as Attachment 7 to this report, City Council require the owner of the lands at 90-110 Eglinton Avenue East to enter into an agreement for the conveyance of a minimum of 4,595 square metres of gross floor area for affordable rental housing, in lieu of the required office replacement, with the City of Toronto and operator of the social housing program pursuant to Section 453.1 of the City of Toronto Act, 2006 to secure the provision of a social housing program on the lands and registered it in priority against the title to the lands. Such terms and conditions shall be satisfactory to the Chief Planner and Executive Director, City Planning, the Executive Director, Housing Secretariat, and the City Solicitor, in accordance with the terms and conditions outlined in Attachment 8 of the report.

5. City Council require the owner of the lands at 90-110 Eglinton Avenue East to enter into, and register on title, an Amending Section 37 Agreement which would amend the June, 22 2022 Section 37 Agreement registered on title for 90 Eglinton Avenue East as Instrument AT 6189536 to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor. The revised community benefits to be provided by and at the owner's expense, and secured through the Zoning By-law Amendment and the required Amending Section 37 Agreement, are as follows:

a. A financial contribution to the City in the amount of \$4,500,000.00, inclusive of the previously secured \$2,995,000.00, subject to indexing, allocated to local community benefits and improvements which will benefit the community in the vicinity of the project such as, but not limited to, affordable housing, local parkland improvements and/or public realm improvements, and community services and facilities, all at the discretion of the City Solicitor, Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor;

b. The owner shall provide and maintain, at its own expense, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, a mid-block connection with a minimum width of 3.5 metres in the form of a landscaped pedestrian walkway, connecting Eglinton Avenue East to the north property line, between the West Tower and East Tower, and aligning with the planned public walkway connecting to Roehampton Avenue, as a surface easement for pedestrian use by members of the general public. Such easements shall be conveyed to the City prior to site plan approval, and with the final 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; and

c. The owner shall provide and maintain, at its own expense, all to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor, a surface easement along the Eglinton Avenue East frontage to form a widened public sidewalk. The surface easement shall range in width from 1.8 metres to 5.4 metres, from the building's structural pillars and open spaces to the south property line; such easements shall be conveyed to the City prior to site plan approval, and with the final 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;

d. City Council request that the owner make reasonable commercial efforts to convey off-site parkland to the City equal to the value of the on-site parkland dedication owed for the additional density, in fulfilment of the parkland dedication requirements pursuant to Section 42 of the Planning Act, with the off-site parkland dedication to be acceptable to the General Manager, Parks, Forestry and Recreation and free and clear of any above or below grade encumbrances, to be conveyed prior to the issuance of the first above grade building permit; and

i. in the event that the off-site parkland dedication is less than the value of the on-site parkland dedication, then the owner will pay cash-in-lieu of parkland to make up for the shortfall in parkland dedication, prior to the issuance of the first above grade building permit;

ii. in the event that the owner is unable to provide an acceptable off-site parkland dedication to the city, the owner will be required to satisfy the parkland dedication requirement through the payment of cash-in-lieu; and

iii. the value of the cash-in-lieu of parkland dedication will be appraised through the City's Corporate Real Estate Management Division and payment will be required prior to the issuance of the first above grade building permit.

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

A portion of the site was the subject of a Zoning By-law Amendment application at 90 Eglinton Avenue East (18 128310 STE 22 OZ), which was approved by the Ontario Land Tribunal on July 12, 2022, permitting a 52-storey mixed-use building. See By-law [53-2024\(OLT\)](#).

The Section 37 provisions secured through site-specific Zoning By-law 53-2024 (OLT) included the following:

- A financial contribution to the City in the amount of \$2,995,000.00, indexed from the date of execution of the Section 37 Agreement until the payment of the said monies, to be allocated towards capital projects within the Yonge-Eglinton area of the Ward, at the discretion of the Chief Planner in consultation with the Ward Councillor.
- The owner shall provide an off-site parkland dedication at 51 Montgomery Avenue paired with a cash-in-lieu contribution of \$4,447,340.00, indexed from the date of execution of the Section 37 Agreement, payable upon issuance of first above grade building permit, in satisfaction of application's Section 42 requirements.
- The owner shall convey to the City, for nominal consideration, a non-exclusive surface easement on the site in perpetuity for public pedestrian access over a 2.1 metre clearway at the western boundary of the site.

THE SITE

Description: The site is located on the north side of Eglinton Avenue East between Yonge Street and Redpath Avenue, at the junction with Dunfield Avenue. The site is generally rectangular in shape and has an approximate area of 5,450 square metres, with a frontage of 91.5 metres along Eglinton Avenue East, and a depth of 56.2 metres.

The site is located approximately 225 metres east of the Eglinton Subway Station and the future Eglinton LRT station, and approximately 380 metres west of the future Mount Pleasant Light Rail Transit (LRT) station.

Existing Uses:

- At 90 Eglinton Avenue East, a 9-storey office building with retail uses on the ground floor and a 2-level underground parking garage and a rear surface parking lot; and
- At 110 Eglinton Avenue East, A 7-storey office building containing retail uses on the ground floor and two levels of underground parking.

THE APPLICATION

Description: A two-tower mixed-use building, with the west tower comprised of a 58 and 38-storey (229.0 and 151.0 metres, respectively) terraced tower, and east tower comprised of a 58 and 31-storey (229.0 and 126.0 metres respectively) terraced tower. The towers are connected at floors 5 to 10 with a bridge element.

Density: 17.16 times the area of the lot.

Dwelling Units: 1,035 dwelling units including 680 one-bedroom units (65.7%), 278 two-bedroom units (26.9%), and 77 three-bedroom units (7.4%).

Non-Residential: 1,305.2 square metres of retail space is proposed at-grade.

Office Space and Affordable Housing: A total of 22,976 square metres is required as office gross floor area replacement, comprised of 13,705 square metres of existing office gross floor area on the subject site, as well as the transfer of 9,271 square metres of office gross floor area to the subject site from two donor sites at 150-164 Eglinton Avenue East and 134 and 140 Redpath Avenue, and 50-90 Eglinton Avenue West and 17-19 Henning Avenue.

Should the existing office space not be replaced, a total of 4,595 square metres of affordable rental housing (resulting in approximately 67 affordable rental housing units) will be secured, in lieu of office space replacement. The affordable rental housing represents 20% of the gross floor area of the office space including the donor sites.

Amenity Space: 2,795.3 square metres of residential amenity space (2.7 square metres per unit) is proposed, consisting of 1,848.2 square metres of indoor amenity space (1.8 square metres per unit) and 947.1 square metres of outdoor amenity space (0.9 square metres per unit).

Open Space: 2,375 square metres of open space at-grade, which includes a 24.1-metre-wide landscaped north-south mid-block pedestrian connection with a minimum 3.5-metre-wide publicly accessible pedestrian walkway from Eglinton Avenue East from the south property line to the north property line that will connect to a planned walkway through the redevelopment site at 77 Roehampton Avenue, to Roehampton Avenue. The proposed open space will also include a public easement over a 5.4-metre setback, ranging in width from 1.8 metres to 5.4 metres from the building's structural pillars and open spaces to the south property line along Eglinton Avenue East, generally facilitating a minimum 12.0-metre-wide public sidewalk. The final location and layout of the easement will be finalized during the site plan review process. Additional ground floor setbacks along the north, east, and west portions of the site are proposed and will connect to the Eglinton Green Line. The Eglinton Green Line requires a minimum 12.0-metre setback from the property line, on all properties on the north side of a defined portion of Eglinton Avenue.

Access, Parking, and Loading: The primary residential and office entrances are located between the two towers, with access taken from the central open space. Retail entrances are located along Eglinton Avenue East, as well as along the east and west building facades.

Vehicular and loading access will be from a 6.0-metre-wide private driveway from Eglinton Avenue East. A total of 212 parking spaces are proposed in a 3-level underground parking garage. Four loading spaces, including a Type 'G', a Type 'B', and two Type 'C' spaces, are proposed for the development, along with 1,153 bicycle parking spaces, including 932 long term and 114 short term spaces for residents.

Revisions: The current proposal incorporates revisions from the original application as summarized below:

- Revised from two towers at 57 and 59 storeys 194.6 and 200.8 metres, respectively) atop a 9-storey base building, to two standalone 58-storey towers (229.0 metres) connected by a 6-storey bridge element.
- Publicly accessible spaces increased from 1,311 to 2,375 square metres.
- Total gross floor area reduced from 94,903 to 93,096 square metres.
- Unit count reduced from 1,116 to 1,035 units; and
- Vehicular parking spaces reduced from 366 to 212 spaces.

Additional Information: See attachments No. 1, 2, and 9 to 12 of this report for the Application Data Sheet, Location Map, Site Plan, Elevations, and three-dimensional representation of the proposal. 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: www.toronto.ca/90EglintonAveE

Reasons for Application

The Official Plan Amendment will recognize this site as a donor site for two other development sites in the Yonge Eglinton Secondary Plan area and established a cumulative office replacement gross floor area required, and to secure the potential provision of affordable housing in lieu of the required office replacement. The Official Plan Amendment is also required to permit the proposed unit mix.

Amendments to the City-wide Zoning By-law 569-2013 are required to permit the building form, height, density, setbacks, and other performance 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) (PPS (2020)), and shall conform to provincial plans including A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (Growth Plan (2020)), the Greenbelt Plan and others.

On October 20, 2024 the Provincial Planning Statement (2024) comes into effect and combines the PPS (2020) and the Growth Plan (2020) into a single policy document. As of October 20, 2024, all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Planning Statement

(2024) (PPS 2024) and shall conform to provincial plans including the Greenbelt Plan (2017) and others.

Official Plan: The Official Plan Urban Structure Map 2 designates the site as a Centre. The land use designation for the site is Mixed Use Areas. See Attachment 3 of this report for the Official Plan Land Use Map

Yonge-Eglinton Secondary Plan (OPA 405): The site is within the Eglinton Green Line Character Area, with an anticipated height range of 40 to 55 storeys. The Yonge-Eglinton Secondary Plan designates the site as Mixed Use Areas 'A', which requires 100 per cent replacement of any existing office gross floor area on the site or to a receiving site located in the Yonge-Eglinton Secondary Plan area. The site, located within the secondary zone of both the Mount Pleasant and Yonge-Eglinton Transit Station nodes, will see development proposals reflecting transit supportive policy expectations, compact built form, and a mix of uses. See Attachment 4 of this report for the Secondary Plan Land Use map.

Zoning: A portion of the subject site, 90 Eglinton Avenue East is zoned CR 5.0 (c3.0; r3.0) SS2 (x610) with a height limit of 187.5 metres under Zoning By-law 53-2024(OLT). The remainder of the site, 110 Eglinton Avenue East. is zoned CR 5.0 (c3.0; r3.0) SS2 (x2497) with a height limit of 48.0 metres under Zoning By-law 569-2013. The maximum permitted density is 5.0 times the area of the lot. The Commercial Residential zone permits a range of commercial and residential uses.

See Attachment 5 of this report for the existing Zoning By-law Map.

Design Guidelines

The following [design guidelines](#) have been used in the evaluation of this application:

- Tall Building Design Guidelines.
- Midtown Public Realm Implementation Strategy; and,
- Growing Up Guidelines Planning for Children in New Vertical Communities.

Toronto Green Standard

The [Toronto Green Standard \(TGS\)](#) 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.

COMMUNITY CONSULTATION

Community Consultation

A Virtual Community Consultation Meeting was hosted by City Planning staff on November 30, 2022, where presentations were given by City staff and the applicant. Approximately 42 people participated as well as a representative from the local Councillor's office. The following comments and issues were raised:

- Support for intensification on this site due to the proximity to subway and LRT stations.
- Desire for the provision of affordable housing.
- Concern about building height and massing as it relates to adjacent sites.
- Concern for wind impact, privacy, and disrupted views.
- Desire for a reduction of parking supply given proximity to transit station.
- Timing of construction and desire for construction monitoring and mitigation; and
- Impact of construction noise and traffic.

Davisville Village Community Festival

Planning staff attended the Davisville Village Community Festival on June 15, 2024 at June Rowlands Park. Staff engaged members of the public on community priorities and needs. Affordable housing and childcare facilities were identified as key elements needed by the community.

Open House

An Open House event was hosted by the City Planning division on September 5 and 7, 2024 at the Toronto Public Library Northern District Branch. Representatives from the applicant's project team were also present to speak to members of the public. The Open House provided the public with an opportunity to view revised submission materials, ask questions and provide feedback to staff and the applicant.

The issues raised through community consultation have been considered through the review of the application.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have an opportunity to consider submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application. The Community Council meeting is broadcasted live over the internet and recorded for review.

COMMENTS

Provincial Framework

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 PPS, and conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan). The proposal is consistent with the Provincial Policy Statement (2020) and the Provincial Planning Statement (2024), and conforms with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020).

Affordable Housing

The proposed Official Plan Amendment requires that, should the existing office space not be replaced, then approximately 4,595 square metres (representing 20% of total office space not being replaced) will be required on-site for affordable housing, resulting in approximately 67 affordable rental housing units to be conveyed at a nominal cost to a non-profit housing provider. The units would be comprised of 44 one-bedroom, 18 two-bedroom and 5 three-bedroom units. The units would be located in Block 1 or Block 2, whichever is developed first. The affordable rental units would have full access to all residential amenities in the building.

The units are proposed to be operated by a non-profit housing provider as affordable rental housing for a minimum of 99 years and rented at the lower of the City's income-based affordable rental definition or affordable rental housing as defined in the Provincial Affordable Residential Units Bulletin. The proposed terms, including the permanent conveyance of units to the non-profit housing provider and the length and depth of affordability all combined represent a significant contribution towards affordable housing. The units would be secured through an agreement under section 453.1 of the City of Toronto Act, which enables the City to provide increased residential densities on sites where social or affordable housing is owned and/or operated by a non-profit organization. A summary of the proposed affordable housing terms can be found in Attachment 8 to this report.

Discussions with the applicant and City regarding the selection of a non-profit provider and the related funding, partnerships, and/or beneficial financing arrangements are ongoing, with the required agreement under section 453.1 of the City of Toronto Act included in a Holding Provision within the draft Zoning By-law found in Attachment 7 to this report.

Land Use

The Yonge and Eglinton Secondary Plan states that all or a portion of the office gross floor area required to be replaced on the site may be transferred to a receiving site within the Yonge-Eglinton Secondary Plan Area, provided that the non-residential gross floor area on the receiving site is secured prior to, or concurrent with, any residential gross floor area on the donor site.

The proposed Official Plan Amendment to permit the transfer of existing office gross floor area from two donor sites at 150-164 Eglinton Avenue East and 134 and 140 Redpath Avenue, and 50-90 Eglinton Avenue West and 17-19 Henning Avenue to the receiving site at 90-110 Eglinton Avenue East is acceptable and supports the needs of the existing and future residents in the area. As an alternative to the full office replacement requirement, the applicant proposes to provide a minimum of 4,595 square metres of gross floor area for affordable rental housing.

Although the proposal does not provide the total non-residential replacement required in the Secondary Plan, the proposal would deliver community benefits through the provision of affordable rental housing pursuant to Section 453.1 of the City of Toronto Act, 2006.

Site Organization

The proposed site organization is appropriate and integrates into the surrounding context. Retail is located along Eglinton Avenue East. The primary residential entrances to both buildings are accessed from the accessible open space along the interior facades of the two towers. Vehicular access is from a 6.0-metre-wide driveway on Eglinton Avenue East. The towers are connected by a bridge component, with separate residential and office lobbies as well as amenity areas for each tower component. The underground parking garage and the loading areas are consolidated across the entire site and will be shared between both buildings.

The proposed Zoning By-law Amendment reflects this configuration. The proposed development will include 2,375 square metres (44% of the site area) of continuous and accessible open space throughout the site, including a minimum 3.5 metre-wide public walkway within a 24.1-metre-wide open space proposed between the two towers, connecting north to Roehampton Avenue through 77 Roehampton Avenue, and a setback range of 1.8 to 5.4-metres from the property line along Eglinton Avenue East, facilitating an expanded public sidewalk.

Built Form

City Planning staff finds that the proposal conforms with the applicable Official Plan policies with respect to built form and massing. Furthermore, the proposal meets the intent of the Tall Building Design Guidelines and the Yonge-Eglinton Secondary Plan.

Height and Massing

The proposed overall height of each tower at 229.0 metres (58-storeys) is generally in keeping with the approved towers in the area. The tower heights are acceptable given the site's proximity to the Eglinton Subway Station and future Eglinton and Mount Pleasant LRT stations, and inclusion within the Council delineated Eglinton PMTSA.

Each tower element steps in height, tapering as they rise. Each tower element has an approximate floor plate size of 1,040 square metres up to the 37th (west tower) and 30th floor (east tower), to a reduced floor plate of approximately 523 square metres

from floors 38 to 58 for the west tower, and floors 31 to 58 for the east tower. The perceived massing of the towers appear reduced by altering the height of each tower at specific floors, in conjunction with vertical reveals in the east and west façades of each tower. The stepped tower floor plates which taper as the buildings rise provide a unique contribution to the midtown skyline.

The proposal maintains a 24.1-metre tower separation for the entire height of the buildings, with the taller elements of the two towers at an offset.

The surrounding existing and planned context includes multiple tall buildings. The proposed towers do not feature a traditional base building, but achieve appropriate tower setbacks from the public realm along Eglinton Avenue East and separation distances to adjacent sites.

West Tower

At ground level, the tower is set back 5.4 metres from the future lot line following a 0.4 metre right-of-way widening, provided along Eglinton Avenue East. The building cantilevers over the ground floor by 3.0 metres, resulting in an overall setback of 2.43 metres from the new south lot line. The tower is set back 10.67 metres from the west lot line and 7.50 metres from the north lot line. This latter setback is maintained to the top of the 37th floor, above which the building steps back 23.0 metres, for a total setback of 30.5 metres from the north lot line.

Above the ground floor, floors 2 through 10 are proposed as office space.

East Tower

The tower is set back 5.4 metres from the new south lot line at ground level. The tower cantilevers over the ground floor by 3.0 metres, resulting in an overall setback of 2.4 metres from the south lot line. Above the 30th floor, the building steps back 23.0 metres from the south face of the building, resulting in an overall setback of 25.4 metres from the south lot line until the top of the building.

The tower is set back 10.78 metres from the east lot line, which increases to 25.99 metres from the east lot line at the northeast corner.

Public Realm and Streetscape

City staff are satisfied that the proposal conforms with the applicable public realm policies of the Official Plan

The proposed building is set back approximately 5.4 metres at-grade from the lot line along Eglinton Avenue East, with a planned 0.4-metre road widening conveyance, a 3.9-metre-wide pedestrian clearway, for a total maximum setback of 15.0 metres from the curb building face along Eglinton Avenue East to building face, expanding the public realm to accommodate elements such as trees and seating.

The proposal achieves the intent of the Secondary Plan policy, and contributes to the realization of the Eglinton Green line, a planned major linear publicly accessible green

space on Eglinton Avenue and one of the Public Realm Moves in the Yonge-Eglinton Secondary Plan. This Public Realm Move anticipates a minimum 12.0-metre setback from the property line, on all properties on the north side of a defined portion of Eglinton Avenue, located between Eglinton Park and Mount Pleasant Road. The space within the setback will be designed, constructed and maintained by the developer.

In the wider site context, the public realm will include pedestrian walkways and landscaped areas between the interior facades of the building. The space will be animated by retail uses which will span the full extent of the ground floor, activating the Eglinton Greenline. The proposal will introduce a total of 29 new private tree plantings. Currently no trees exist on site.

Shadow Impact

The proposed buildings will cast limited net new shadow during the spring and fall equinox on the Broadway Avenue and Roehampton Avenue right-of-way and adjacent buildings to the northwest of the development site primarily between 10:18am and 11:18am. Minimal new shadowing is further limited to Roehampton Avenue between 12:18pm and 3:18pm, with the North Toronto Collegiate Institute field being shadowed between 12:18pm and 1:18pm.

The Eglinton Greenline will experience no additional shadowing throughout the spring, summer and autumn equinoxes.

The proposed buildings have been massed, located and articulated, with appropriate separation distance, to limit shadow impacts on surrounding areas, including the public realm, and maintain sky views in accordance with the intent of the Official Plan Built Form policies and Tall Building Design Guidelines. The resulting shadows are acceptable.

Wind Impact

The Pedestrian Level Wind Study dated March 15, 2024, concludes that the future wind conditions for all grade-level, pedestrian wind-sensitive areas within and surrounding the site, will be acceptable for the intended uses on a seasonal basis. The Level 2 terraces on both towers include seating and a potential outdoor play area. Noted areas will need further mitigation measures. Additional outdoor amenity areas are located at floors 11, 31 and 38 and will be primarily suitable for standing and sitting throughout the seasons.

Unit Mix

The Yonge-Eglinton Secondary Plan requires the provision of 10% of all units as three-bedroom units, 15% as two-bedroom units and an additional 15% of units as a combination of two- and three-bedroom units or units that can be converted to larger units.

The application proposes a variation to the unit distribution which would reduce the proportion of 3-bedroom units from 10% to 7%, and increase the additional total number of units being located and designed so they can be converted, if needed, to provide additional two- and three-bedroom units from 15% to 18%.

City Planning staff are supportive of the proposed unit mix for this site and it will be secured in both the Official Plan and Zoning By-law Amendments.

Amenity Space

Amenity space for building residents is proposed on the 38th floor of the west tower and the 31st floor of the east tower, with shared indoor and outdoor amenity space between the towers at the 11th floor. The proposed total of 2,795.3 square metres (1,848.2 square metres and 947.1 square metres of indoor and outdoor amenity space, respectively), is acceptable.

Traffic Impact, Access, Parking, Loading

A Transportation Impact Study was submitted to assess the traffic impact, access, parking and loading arrangements for this development. Transportation Services staff have reviewed the Transportation Impact Study and accepted its conclusions.

Servicing

Engineering and Construction Services staff have reviewed the submitted materials and have identified several outstanding items for resolution prior to enabling zoning. These matters will be addressed through a Holding Provision within the draft By-law, Attachment 7 to this report.

Road Widening and Conveyance

A 0.4-metre road widening is required along the Eglinton Avenue East frontage to satisfy the requirement of a 27.0-metre-wide right-of-way.

Parkland

In accordance with Section 42 of the Planning Act, the applicable alternative rate for off-site parkland dedication is 1 hectare per 600 net residential units to a cap of 10% of the development site as the site is less than five hectares, with the non-residential uses subject to a 2% parkland dedication. The total parkland dedication requirement for the proposed new gross floor area is 277.6 square metres.

Through the previous approval at 90 Eglinton Avenue East, approved by the Ontario Land Tribunal on July 12, 2022, the Section 42 statutory parkland dedication requirements were satisfied through a combination of securing 51 Montgomery Avenue as off-site parkland dedication and additional cash-in-lieu.

The applicant has agreed to work with staff to secure additional off-site properties, through an amendment to the registered Section 37 agreement, to fulfil the Section 42

requirements relating to the additional density proposed. Parks, Forestry and Recreation staff will work with the applicant to identify suitable off-site properties for conveyance to the City as parkland. If no such property can be secured, cash-in-lieu will be accepted.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees by-law) and III (Private Tree). The site has no existing private or city-owned trees that would require preservation or protection.

Holding Provision

This report recommends the adoption of a Zoning By-law Amendment that is subject to a holding provision under Section 36 of the Planning Act, restricting the proposed use of the lands until the conditions to lifting the holding provision, as set out in the By-law, are satisfied.

The Chief Planner and their designate have the authority to make decisions on applications to remove holding provisions, which do not contain financial implications not previously authorized by Council.

Toronto Green Standard

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.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning. The site, now expanded from 90 Eglinton Avenue East to include 110 Eglinton Avenue East, includes revised community benefits recommended to be secured and reflected as part of an Amending Section 37 Agreement, to Instrument AT 6189536, and are as follows:

- a. A cash contribution in the sum of \$4,500,000.00, subject to indexing, is to be allocated to local community benefits and improvements which will benefit the community in the vicinity of the project such as, but not limited to, affordable housing, local parkland improvements and/or public realm improvements, and community services and facilities, all at the discretion of the City Solicitor and Chief Planner and Executive Director, City Planning, in consultation with the Ward Councillor. The existing Section 37 agreement secures a cash sum of \$2,995,000.00. The revised community benefit is inclusive of the previously secured \$2,995,000.00.

b. Additional offsite parkland as outlined in the recommendations in this report. This is in addition to offsite parkland previously secured at 51 Montgomery Avenue.

c. A mid-block connection a minimum of 3.5 metres wide in the form of a landscaped pedestrian walkway, connecting Eglinton Avenue East to the north property line and situated between the West Tower and East Tower, The midblock connection will align with the planned public walkway connecting to Roehampton Avenue, as a surface easement for pedestrian use. This midblock connection replaces the 2.1 metre public pedestrian clearway previously secured along the western boundary of the site, 90 Eglinton Avenue East.

d. A surface easement along the Eglinton Avenue East frontage to form a widened public sidewalk within the Eglinton Green line, ranging from 1.8 metres to 5.4 metres in width, from the building's structural pillars and open spaces to the south property line.

The terms amending the Section 37 Agreement were negotiated with consideration given to 150-164 Eglinton Avenue East, 134 Redpath Avenue and 140 Redpath Avenue.

CONTACT

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SIGNATURE

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Director, Community Planning
Toronto and East York District

ATTACHMENTS

Attachment 1: Application Data Sheet
Attachment 2: Location Map
Attachment 3: Official Plan Land Use Map
Attachment 4: Yonge-Eglinton Secondary Plan - Land Use Map
Attachment 5: Existing Zoning By-law Map
Attachment 6: Draft Official Plan Amendment

Attachment 7: Draft Zoning By-law Amendment
Attachment 8: Affordable Housing Terms of Reference
Attachment 9: Site Plan
Attachment 10: Ground Floor Plan
Attachment 11: Elevations
Attachment 12: 3D Massing Model

Attachment 1: Application Data Sheet

Municipal Address: 90-110 Eglinton Ave. E. **Date Received:** August 15, 2022

Application Number: 22 190798 STE 12 OZ

Application Type: Official Plan and Zoning By-law Amendment

Project Description: Two 58-storey mixed-use buildings

Applicant

Kevin McKeown

Architect

Turner Fleischer

Owner

90 Eglinton Avenue
Holdings Limited: 110
Eglinton Avenue East
Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation: Mixed Use Areas

Site Specific Provision: OPA 405

Zoning: CR 5.0 (c3.0; r3.0) SS2 (x610) & CR 5.0 (c3.0; r3.0) SS2 (x2497)

Heritage Designation: N

Height Limit (m): 48

Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 5,461.1 **Frontage (m):** 91.55 **Depth (m):** 55.93

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	N/A	0	2,141.8	2,141.8
Residential GFA (sq m):	0	0	68,786.4	68,786.4
Non-Residential GFA (sq m):	N/A	0	24,310.2	24,310.2
Total GFA (sq m):	N/A	0	93,096.6	93,096.6
Height - Storeys:	9 + 7	0	58 + 58	58 + 58
Height - Metres:	N/A	N/A	228.8	228.8
Lot Coverage Ratio (%): 39.5	Floor Space Index:		17.16	

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

Residential GFA: 68,786.4 1,556.7

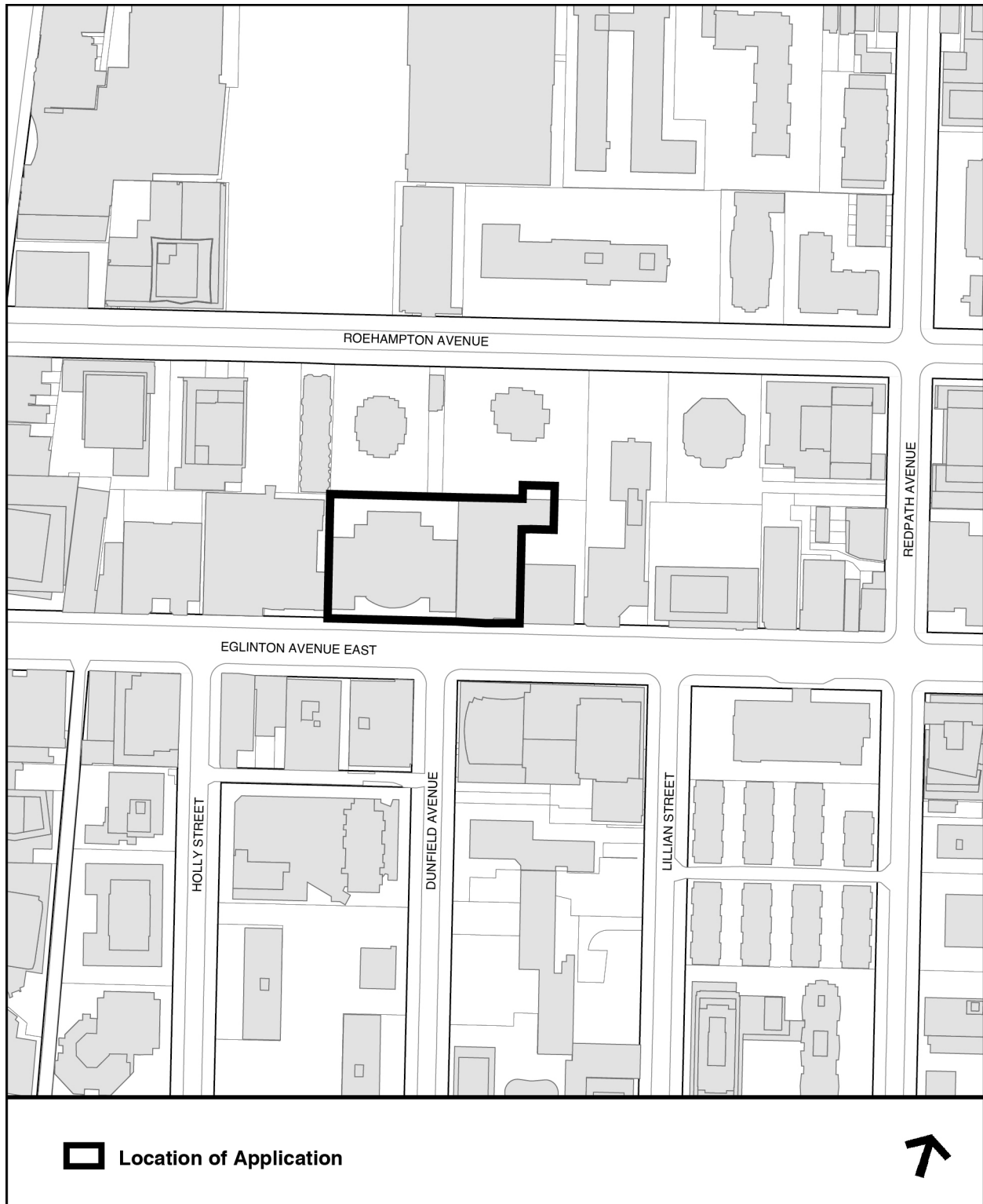
Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	0	0	0	0
Condominium:	0	0	1,035	1,035

Total Units:	0	1,035	1,035
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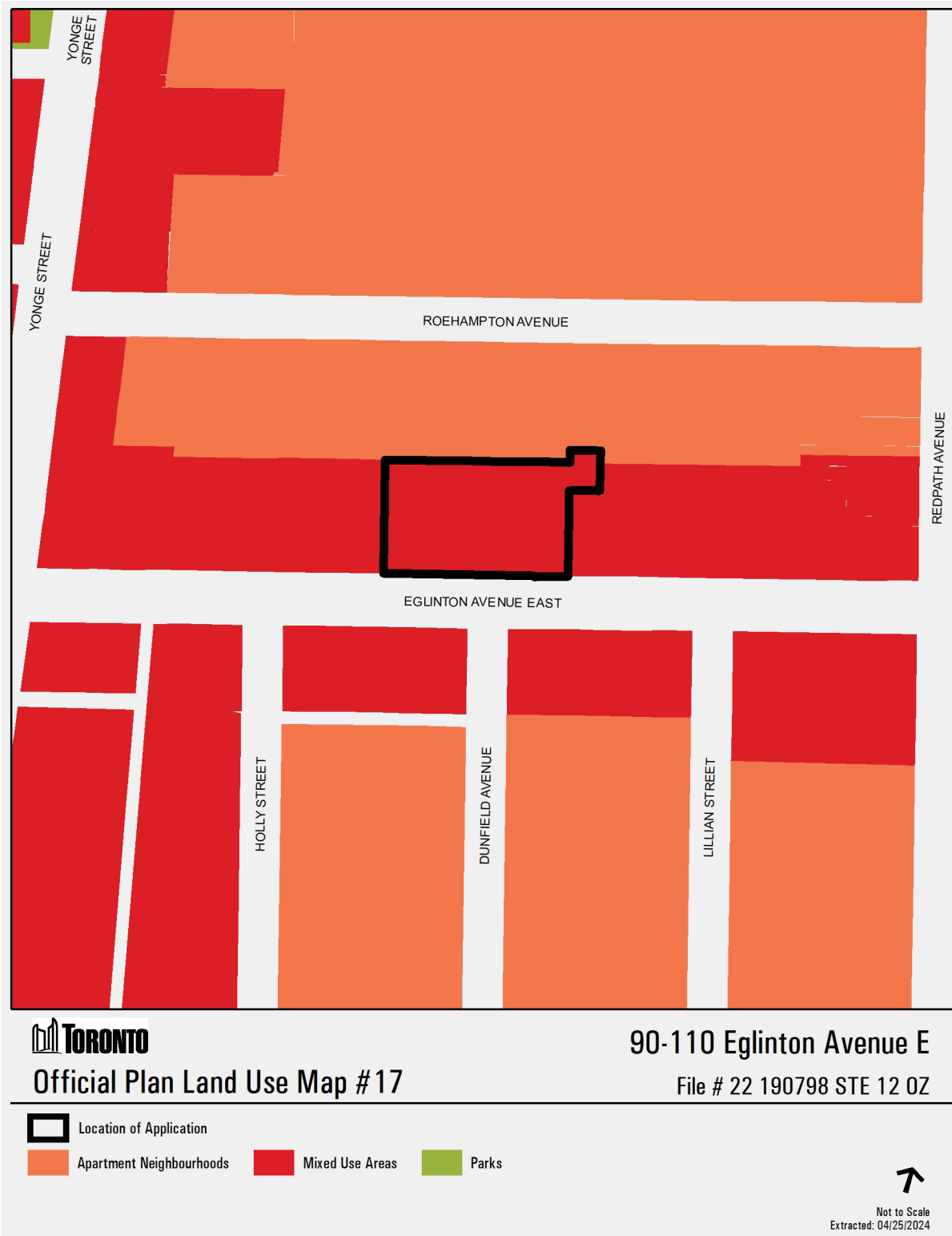
Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:		0	0	0	0
Proposed:		0	680	278	77
Total Units:		0	680	278	77

Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Attachment 4: Yonge-Eglinton Secondary Plan Land Use Map



Yonge-Eglinton Secondary Plan

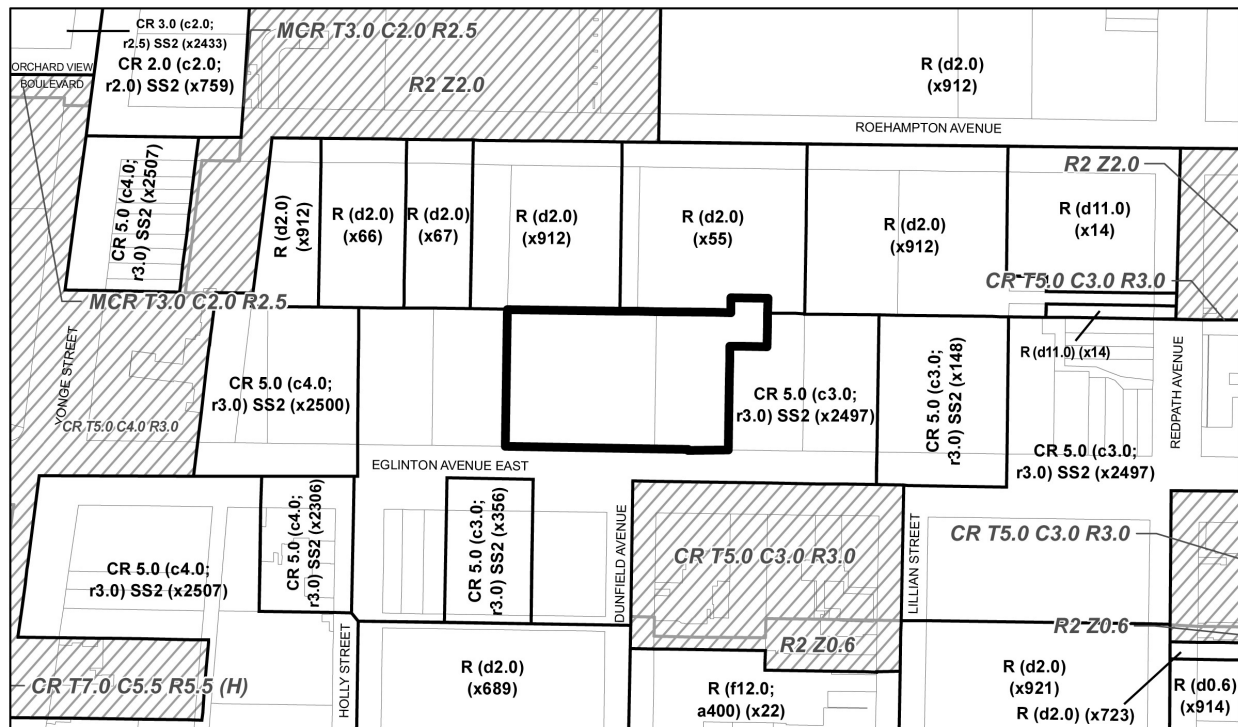
MAP 21-4 Land Use Plan



Not to Scale ↗

March 29, 2018

Attachment 5: Existing Zoning By-law Map



Zoning By-law 569-2013

90-110 Eglinton Avenue E

File # 22 190798 STE 12 0Z



Location of Application

R Residential CR Commercial Residential



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

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



Not to Scale
Extracted: 04/25/2024

Attachment 6: Draft Official Plan Amendment

AMENDMENT NO. 767 TO THE OFFICIAL PLAN

LANDS MUNICIPALLY KNOWN IN THE YEAR 2023 AS
90 AND 110 EGLINTON AVENUE EAST

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 6, Section 21, Yonge-Eglinton Secondary Plan, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy 12 for the lands municipally known in 2023 as 90 and 110 Eglinton Avenue East:

“12 90 and 110 Eglinton Avenue East

(a) Any development containing greater than or equal to 80 new residential units will include:

- i. A minimum of 15 per cent of the total number of units as 2-bedroom units.
- ii. A minimum of 7 per cent of the total number of units as 3-bedroom units; and
- iii. An additional 18 per cent of the total number of units will be a combination of 2-bedrooms and/or 3-bedroom units, and/or units that can be converted to 2-bedroom and 3-bedroom units through the use of adaptable design measures.

(b) A total of 22,976 square metres of office gross floor area shall be provided in any redevelopment of the lands, which shall include the replacement of 13,705 square metres of existing office gross floor area, as well as the replacement of office gross floor area transferred from the following two donor sites:

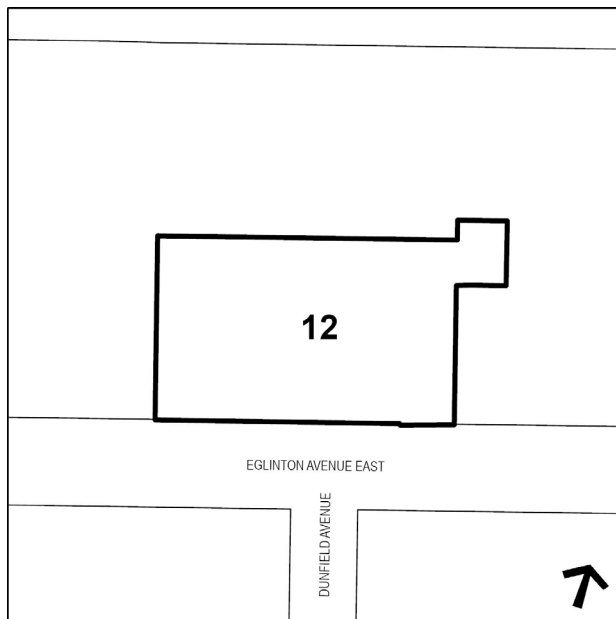
- i. 3,809 square metres from 50, 60 and 90 Eglinton Avenue West and 17-19 Henning Avenue; and
- ii. 5,462 square metres from 150, 160 and 164 Eglinton Avenue East and 134 and 140 Redpath Avenue.

(c) Despite Policies 2.5.4, 2.5.5, 2.5.7, and 2.5.8 of the Yonge-Eglinton Secondary Plan, the requirements of (b) above for the donor and receiving sites noted above may instead be satisfied by:

- i. providing a minimum of 4,595 square metres of residential gross floor area as affordable housing, dedicated to a social housing program authorized under Section 453.1 of the City of Toronto Act, 2006; and

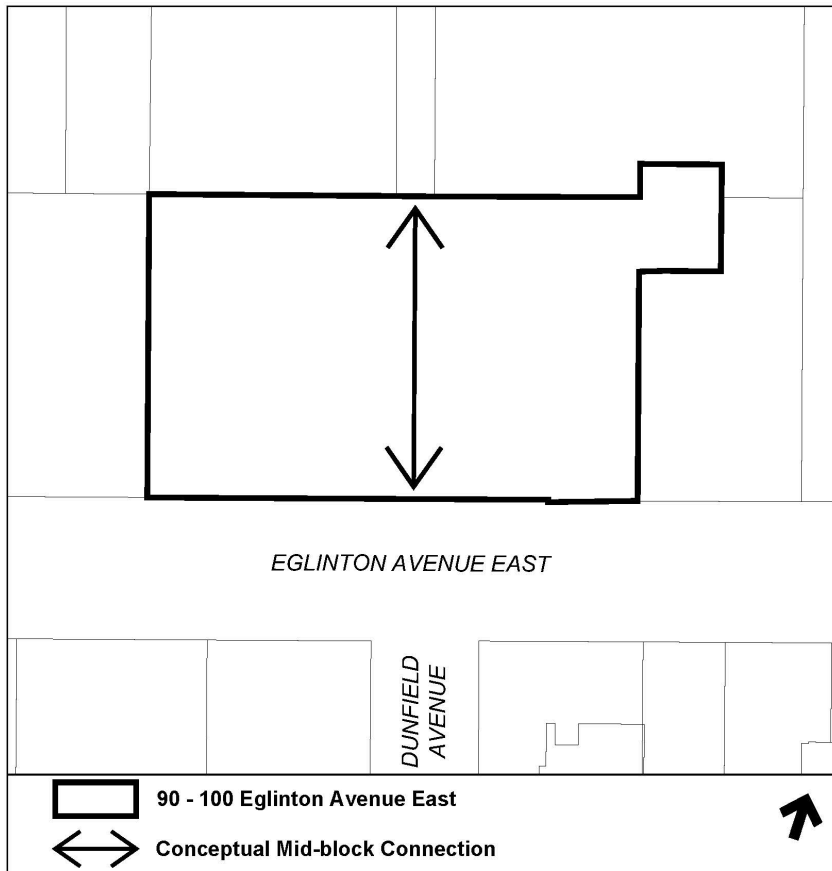
ii. the owner entering into an agreement, pursuant to Section 453.1 of the City of Toronto Act, 2006, that provides a minimum of 4,595 square metres of residential gross floor area as affordable rental units within the proposed development. The affordable rental units will generally match the overall building unit mix, unless otherwise specified, to the satisfaction of the Chief Planner and Executive Director, City Planning.

(d) New development is required to provide a mid-block connection with a minimum pedestrian clearway of 3.5 metres, connecting north from Eglinton Avenue East, as shown conceptually on Schedule 1.

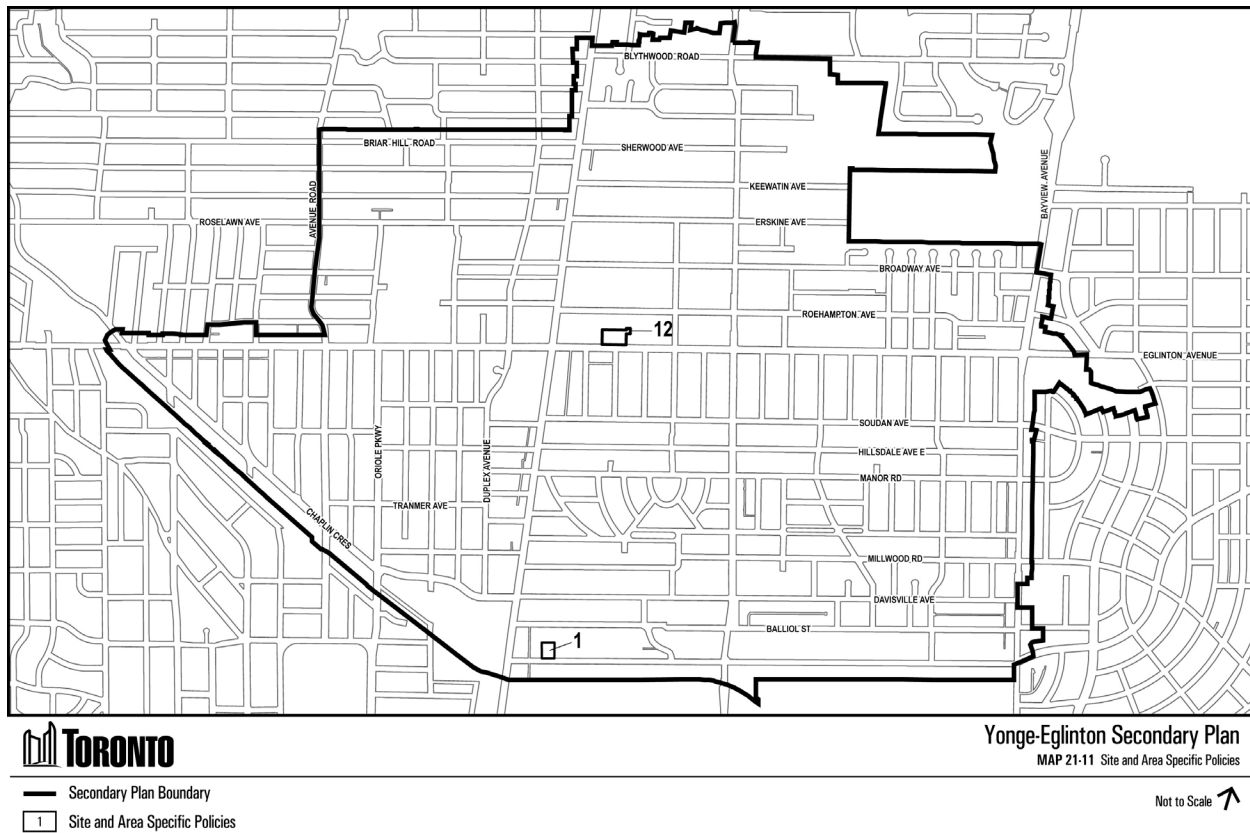


2. Chapter 6, Section 21, Yonge-Eglinton Secondary Plan, Map 21-11, Site and Area Specific Policies, is amended to show the lands known municipally in 2023 as 90 and 110 Eglinton Avenue East as Site and Area Specific Policy 12, as shown on the attached Schedule 2.

Schedule 1



Schedule 2



09/04/2024

Attachment 7: Draft Zoning By-law Amendment

To be available prior to the October 24, 2024, Toronto and East York Community Council Meeting.

Attachment 8: Affordable Housing Terms of Reference

1. Provision of Affordable Rental Housing

- a) A total gross floor area of no less than 4,595 square metres (including corridors and any additional dedicated space for the units as required by the non-profit housing provider) of affordable rental housing shall be conveyed by the owner to a non-profit housing provider on the lands known as 90 to 110 Eglinton Avenue East for the purpose of operating a social housing program pursuant to Section 453.1 of the City of Toronto Act, 2006 in consultation with and to the satisfaction of the Chief Planner and Executive Director, City Planning and Executive Director, Housing Secretariat.
- b) All affordable rental units ("Affordable Rental Housing Units") shall be owned and operated by the non-profit provider.
- c) The non-profit housing provider will be selected in consultation with and to the satisfaction of the Chief Planner and Executive Director, City Planning and Executive Director, Housing Secretariat. The process to select the non-profit housing provider shall be prepared and administered by the owner to the satisfaction of the Chief Planner and Executive Director, City Planning and Executive Director, Housing Secretariat.
- d) The total gross floor area will include approximately 67 affordable rental housing units and located in either Block 1 or Block 2, whichever is developed first.
- e) The Affordable Rental Housing Units shall be conveyed as a single stratified parcel with shared facilities agreement.
- f) The Affordable Rental Housing Units shall be constructed to a fully finished condition, to a similar standard as the market units in the remainder of the development.
- g) The Affordable Rental Housing Units shall be ready and available for occupancy no later than the time 70% of the other units in the Development are ready and available for occupancy.

2. Units

- a) The Affordable Rental Housing Units will be provided to the satisfaction of the Chief Planner and Executive Director, City Planning and the Executive Director, Housing Secretariat.
- b) The unit mix and sizes of the Affordable Rental Housing Units shall generally meet the unit sizes in the Affordable Rental Housing Design Guidelines or the requirements of the non-profit housing provider and be to the satisfaction of the

Chief Planner and Executive Director, City Planning and the Executive Director, Housing Secretariat and generally be reflective of the following:

- i) Forty-four one-bedroom units, with an average size of 55 square metres and a minimum unit size of 48.7 square metres.
 - ii) Eighteen two-bedroom units, with an average size of 67 square metres and a minimum size of 60 square metres; and,
 - iii) Five three-bedroom units, with an average size of 92 square metres and a minimum size of 84 square metres.
- c) The final unit sizes and breakdown of the Affordable Rental Housing Units will be exclusive of balconies.
- d) The size, location and layout of the Affordable Rental Housing Units shall be indicated in the approved drawings under the Site Plan application for the Site, subject to minor modifications at the detailed design stage, and secured in a Section 453.1 of the City of Toronto Act, 2006 agreement prior to lifting the Hold for the Zoning by-law to the satisfaction of the Chief Planner and Executive Director, City Planning and the Executive Director, Housing Secretariat.

3. Rents

- a) The initial rents (inclusive of utilities) charged to the first tenants of the Affordable Rental Housing Units and upon turnover of any Affordable Rental Housing Unit for the duration of the affordability period shall not exceed the lower of the City of Toronto Official Plan income-based affordable rental housing definition or affordable rental housing as defined in the Provincial Affordable Residential Units Bulletin.
- b) After the first year of occupancy of any of the of the Affordable Rental Housing Units and for the duration of the affordability period, the rent (inclusive of utilities) charged to tenants occupying such units may be escalated annually by not more than the annual provincial rent guideline, regardless of whether such guideline is applicable to the units under the Residential Tenancies Act or any successor legislation governing residential tenancies in Ontario, until the tenancy ends, provided that at no point shall the rent (inclusive of utilities) charged exceed the lower of the Official Plan income-based affordable rent definition or the Provincial definition of affordable.
- c) Utilities include the cost of hydro, heat, water, and hot water and are the responsibility of the non-profit housing provider. If utilities are to be paid directly by the tenant household, the rents must be adjusted in accordance with the Utility

Allowance as determined by the City and to the satisfaction of the Executive Director, Housing Secretariat

4. Affordability Period

- a) The Affordable Rental Housing Units shall be maintained as affordable rental housing for a 99-year affordability period.
- b) The non-profit housing provider shall provide and maintain the affordable rental housing units at the rents identified in Part 3 above for the duration of the Affordability Period; the affordable rental housing units shall not be registered as a condominium or any other form of ownership, such as life lease or co-ownership, which provide a right to exclusive possession of a dwelling unit, and no application for conversion for non-rental housing purposes, or application to demolish any affordable rental housing units shall be made for the duration of the Affordability Period; upon the expiration of the Affordability Period, the owner shall continue to provide and maintain the affordable rental housing units as rental dwelling units, unless and until such time as the owner has applied for and obtained approvals necessary to do otherwise.

5. Administration and Renting of Affordable Rental Housing

- a) During the 99-year affordability period, the non-profit housing provider agrees to work with the City to administer the units in accordance with the City's Affordable Rental Housing Administration Manual.
- b) The non-profit housing provider will offer the units to eligible households who have demonstrated that they are in need of affordable rental housing and who are on the City's centralized rental housing access system or, in the event the centralized rental housing access system is not available, through a fair and transparent advertising and selection process to the satisfaction of the Executive Director, Housing Secretariat; and at least 6 months in advance of any Affordable Rental Housing Unit being made available for rent, the housing provider shall develop and implement an Access Plan which will outline how the Affordable Rental Housing Units will be rented to eligible households in consultation with, and to the satisfaction of, the Executive Director, Housing Secretariat.

6. Amenities

- a) All units will have access to all areas of the building, including all common and amenity areas. Costs associated with use of and easements for common and amenity areas will be reduced to 33% of the standard shared use costs or such other amount, to the satisfaction of the Chief Planner and Executive Director, City Planning and Executive Director, Housing Secretariat.

b) Tenants of the Affordable Rental Housing Units shall have equal access to all indoor and outdoor amenity spaces in the building on the same terms as other residents of the building.

c) All Affordable Rental Housing Units will have air conditioning and ensuite laundry provided with no extra charges for appliances.

d) Tenants will have equal access to bicycle parking/bicycle lockers in accordance with the zoning by-law.

7. Agreements for the Affordable Rental Housing

a) The Owner shall enter into and register in priority on title to the lands at 90-110 Eglinton Avenue East a Section 453.1 agreement of the City of Toronto Act for the conveyance of a minimum of 4,595 square metres of affordable rental housing as per the terms identified herein prior to lifting the Hold for the Zoning by-law at 90-110 Eglinton Avenue East.

8. Conveyance of the Affordable Rental Housing

a) The Owner shall enter into an Agreement of Purchase and Sale to convey the affordable housing units at a nominal cost to the selected non-profit housing provider. Which agreement will become final and binding at or before the issuance of the first above grade building permit for the development at 90-110 Eglinton and include provisions allowing all of the Affordable Rental Housing Units to be assignable by the non-profit housing provider to a different non-profit housing provider, subject to the approval of the Executive Director, Housing Secretariat.

b) Contemporaneously with the conveyance of the Affordable Rental Housing Units, the Owner shall, at nominal cost, convey easements of indefinite term to the non-profit provider to secure access to, and enjoyment of, all common areas, utility and mechanical areas, areas required for ingress and egress, vehicle and bicycle parking areas (visitor and resident), and indoor and outdoor amenity areas as provided for in the Agreement(s), including visitors of same.

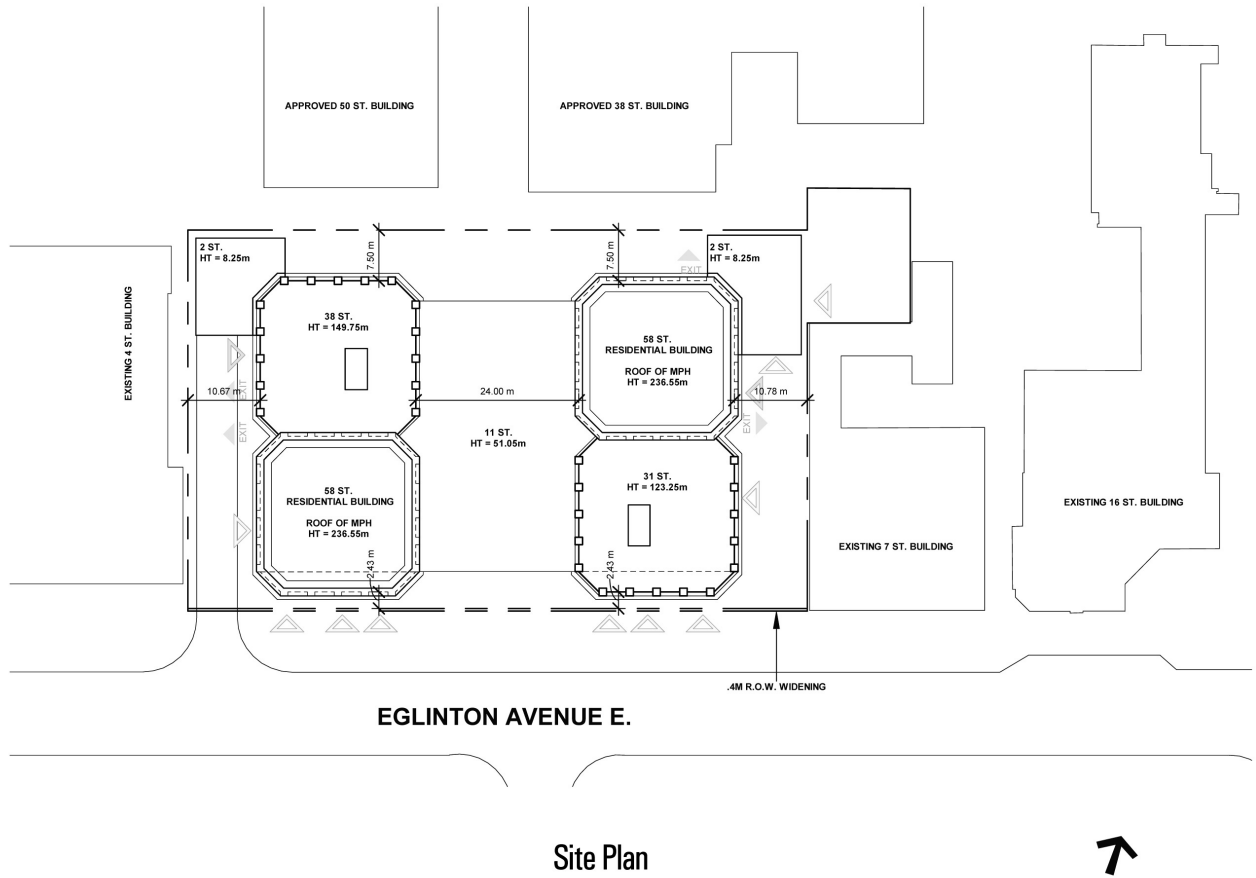
c) Should the non-profit housing provider not close on the property, a timeline for the Owner to remedy and secure an alternate Affordable Housing Provider shall be established.

d) The owner or non-profit housing provider shall be responsible for all applicable land transfer taxes associated with the conveyance of the Affordable Rental Housing Units to the City or non-profit housing provider.

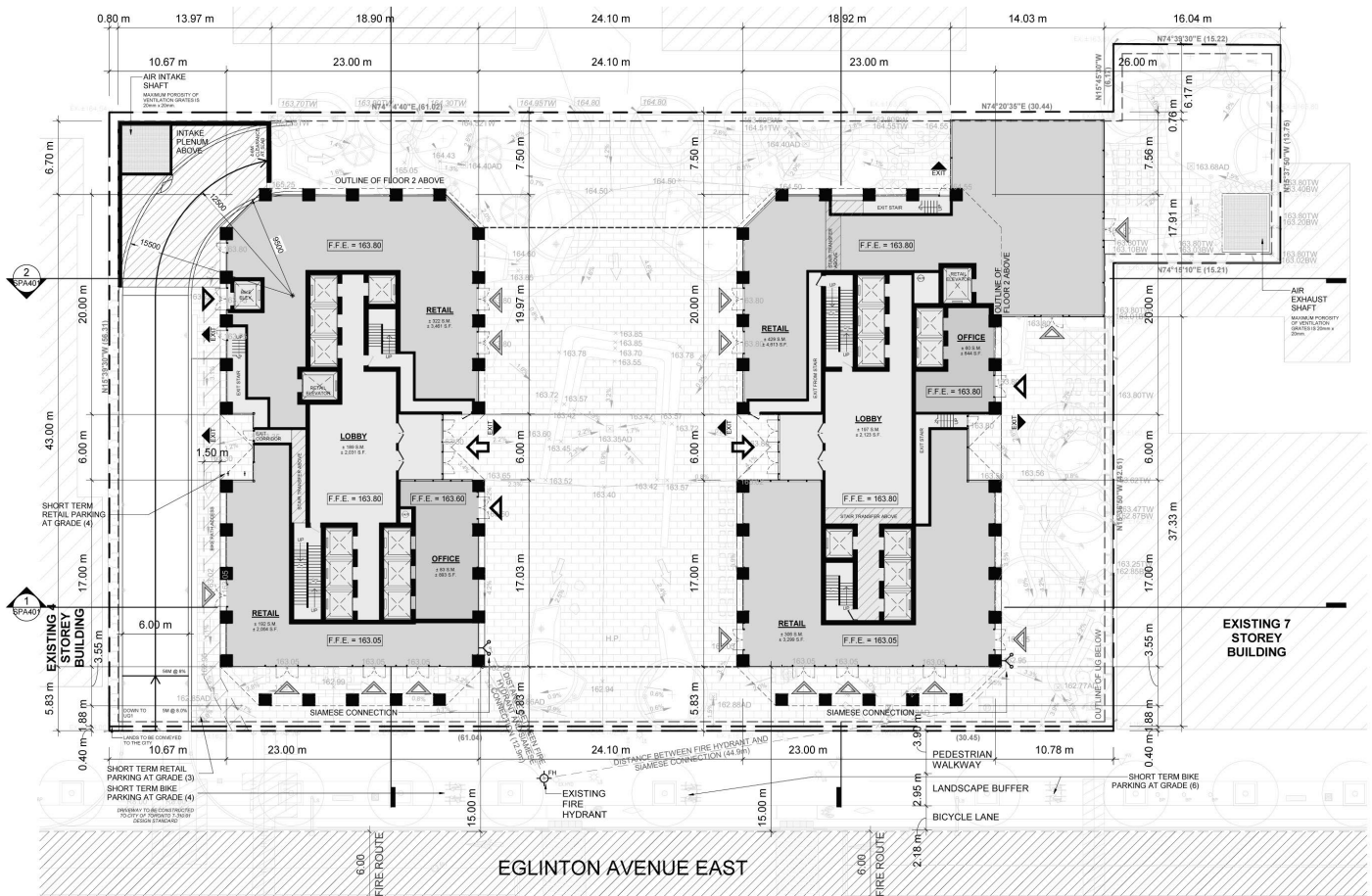
e) Any waivers of fees and charges will be in accordance with applicable legislations. The non-profit housing provider may apply for property tax

exemptions for the Affordable Rental Housing Units and other incentives from the City.

Attachment 9: Site Plan



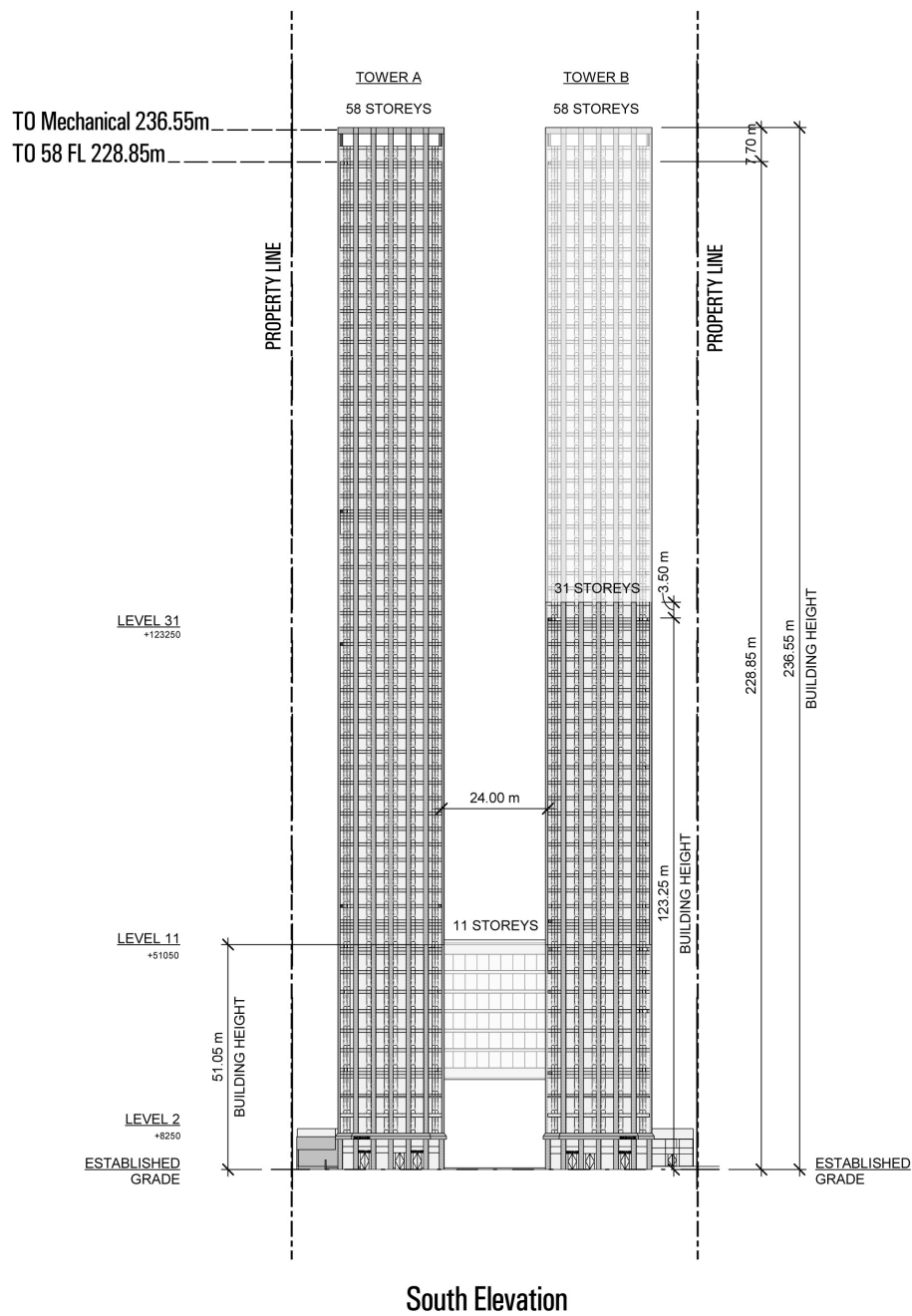
Attachment 10: Ground Floor Plan

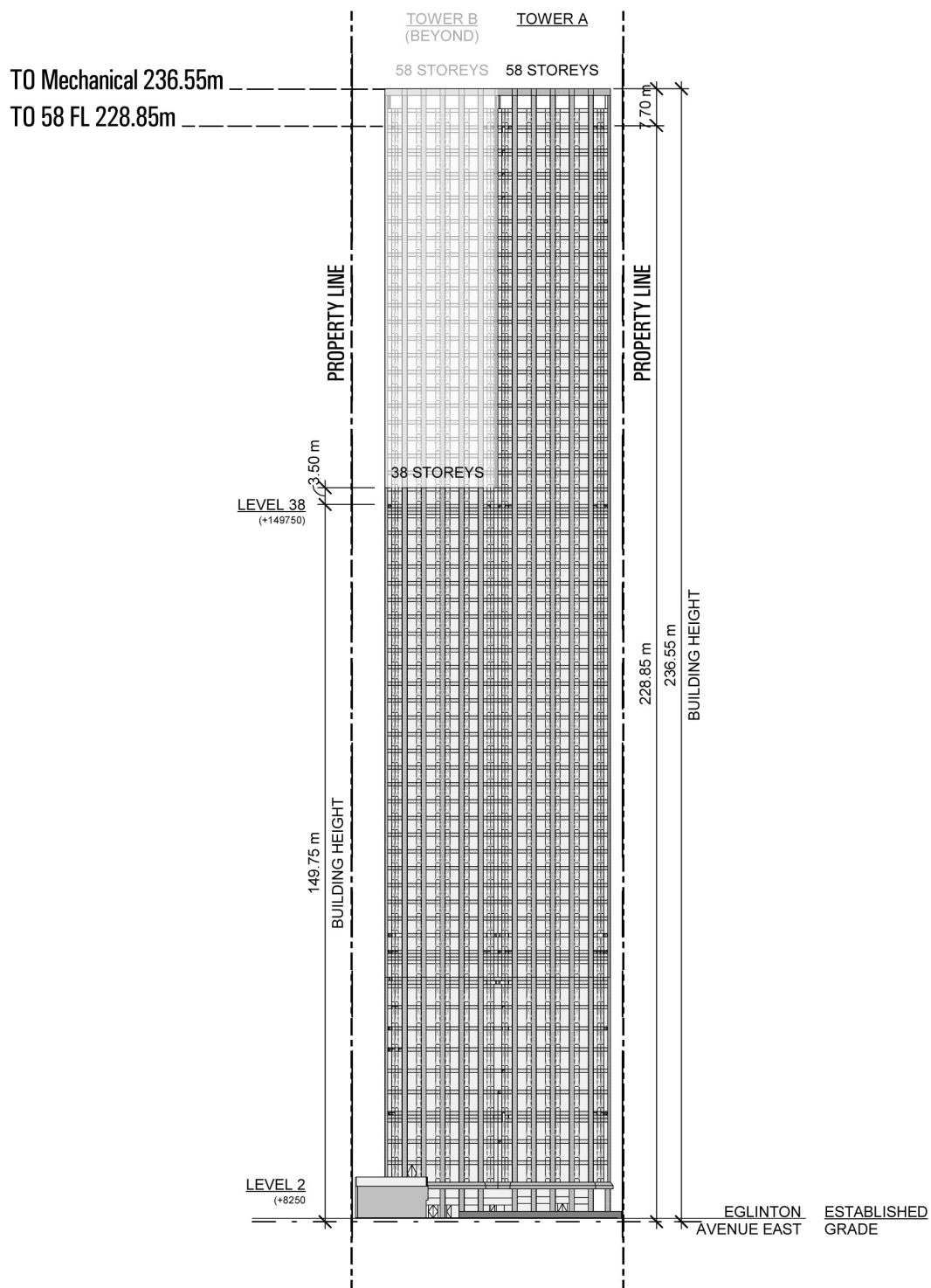


Ground Floor Plan

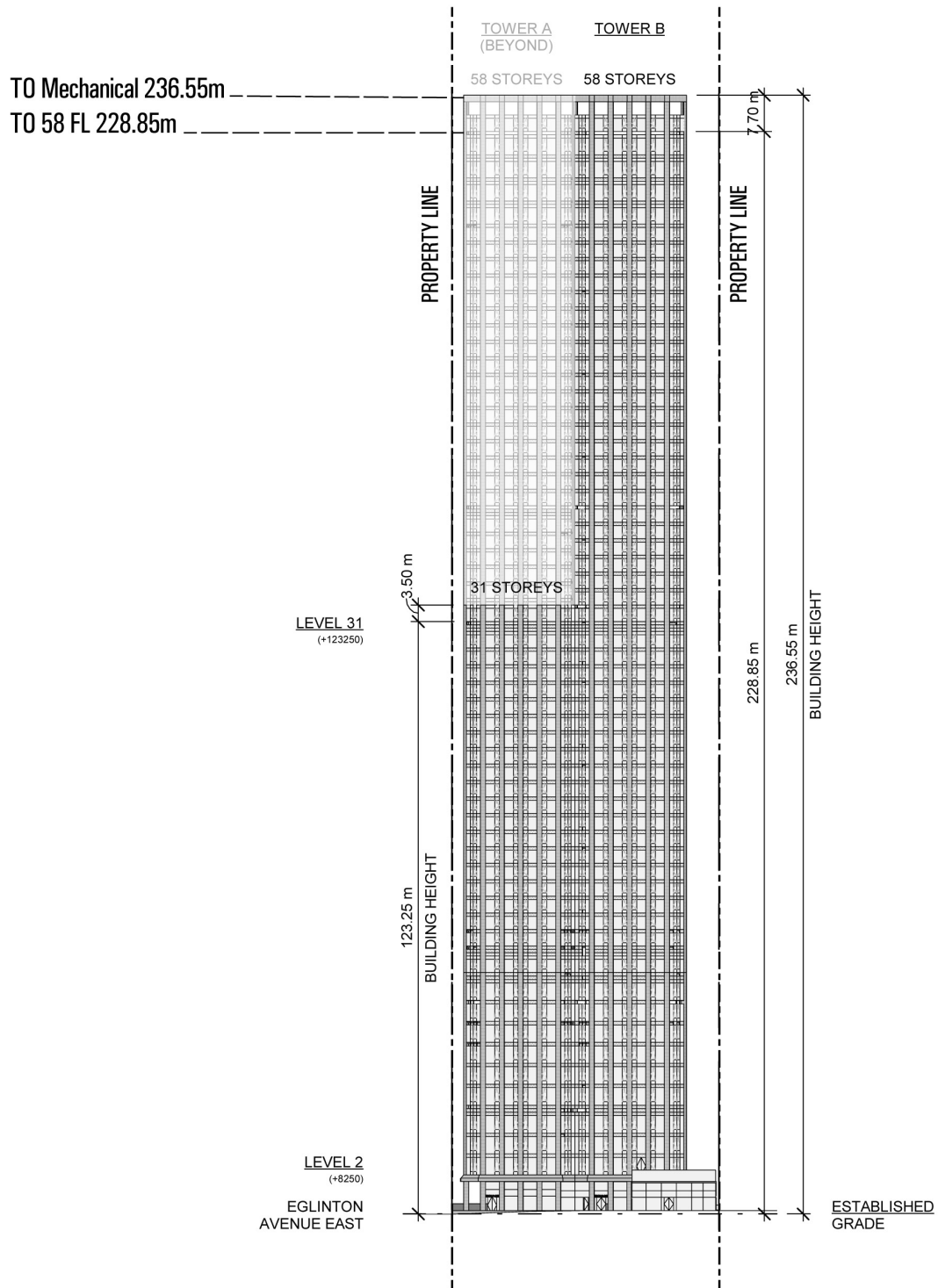


Attachment 11: Elevations



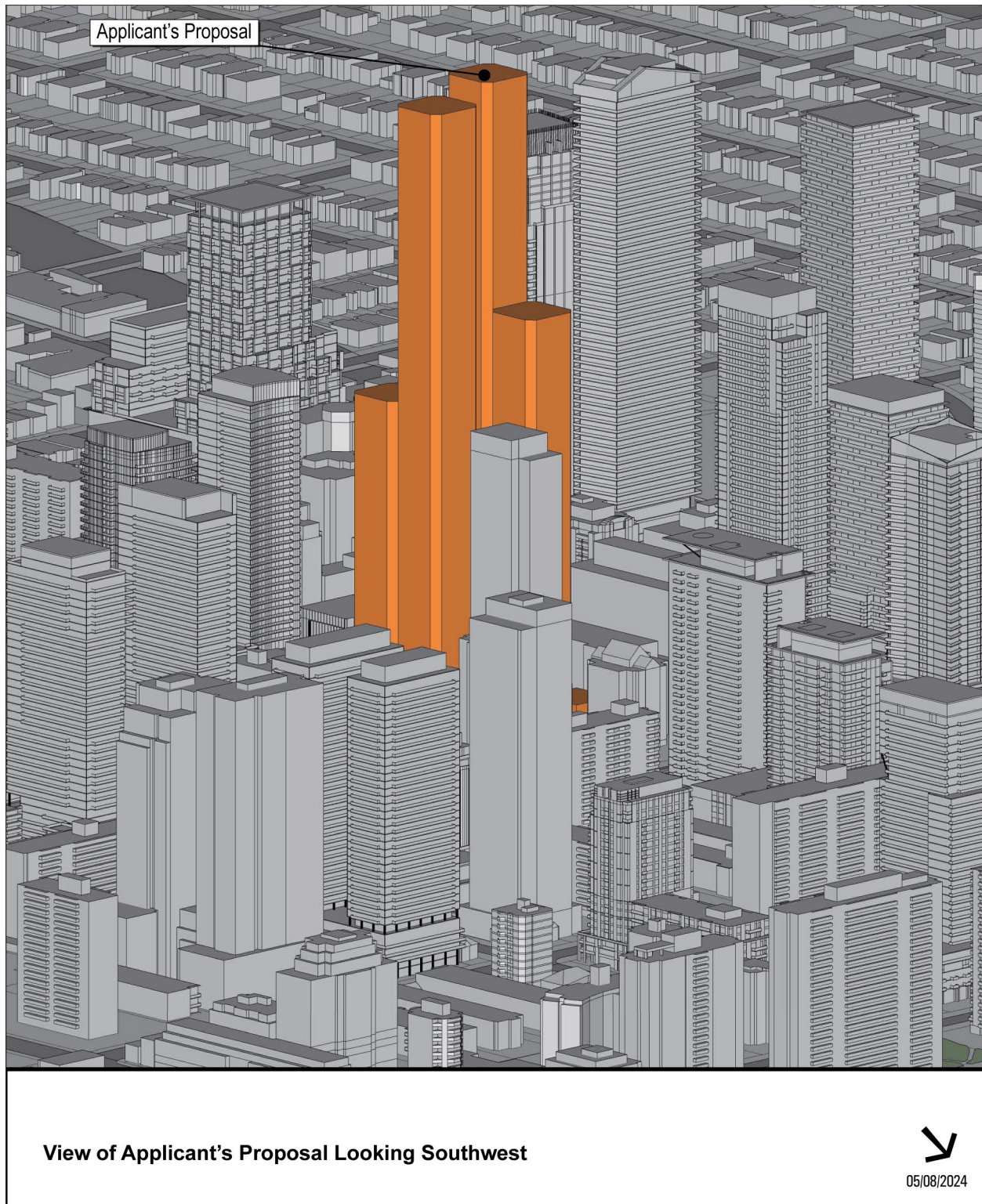


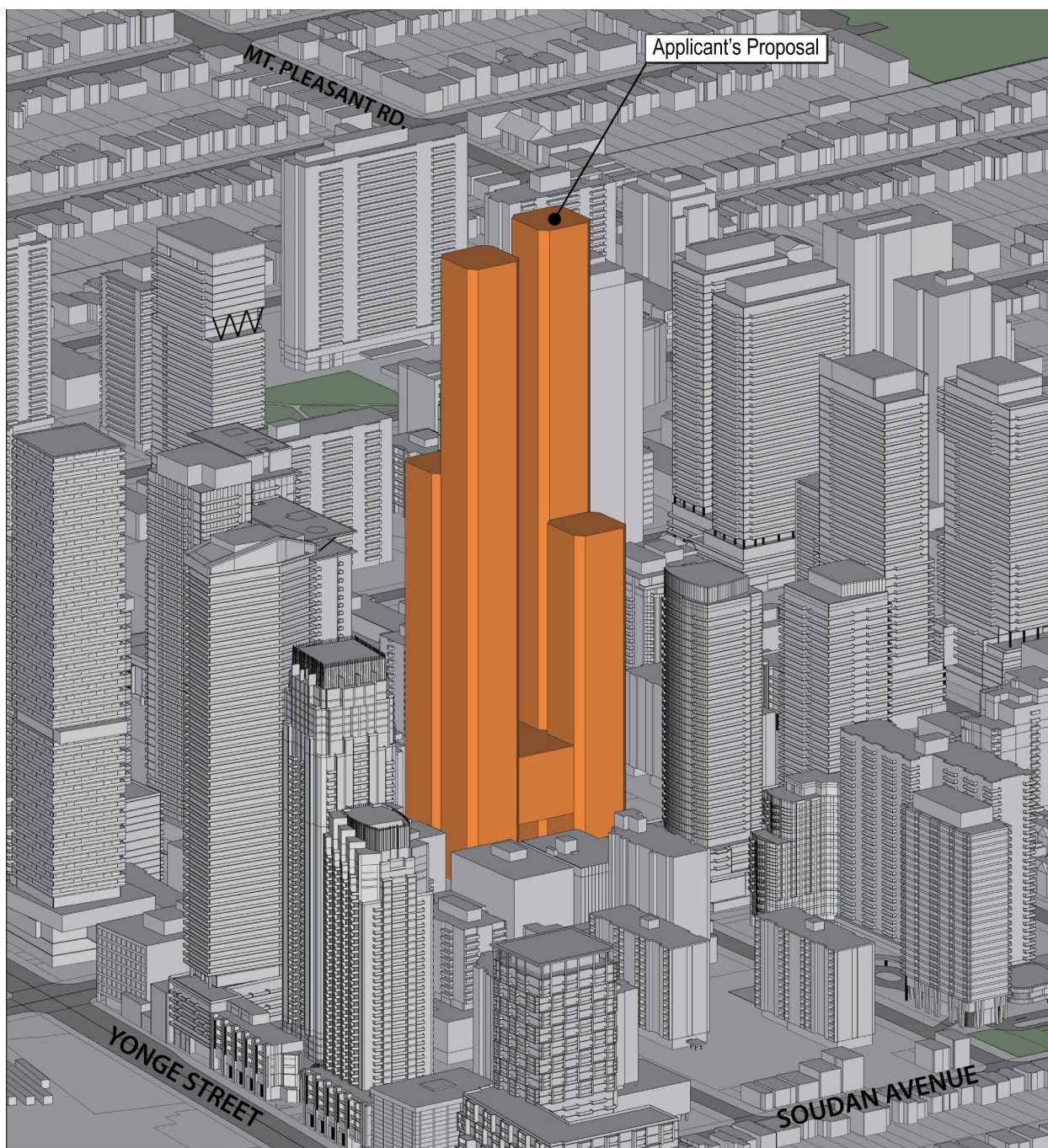
West Elevation



East Elevation

Attachment 12: Elevations





View of Applicant's Proposal Looking Northeast

05/08/2024