

**2270-2280 Eglinton Avenue West - Zoning By-law  
Amendment Application – Final Report**

<b>Date:</b>	May 29, 2013
<b>To:</b>	North York Community Council
<b>From:</b>	Director, Community Planning, North York District
<b>Wards:</b>	Ward 15 – Eglinton-Lawrence
<b>Reference Number:</b>	12 233124 NNY 15 OZ

**SUMMARY**

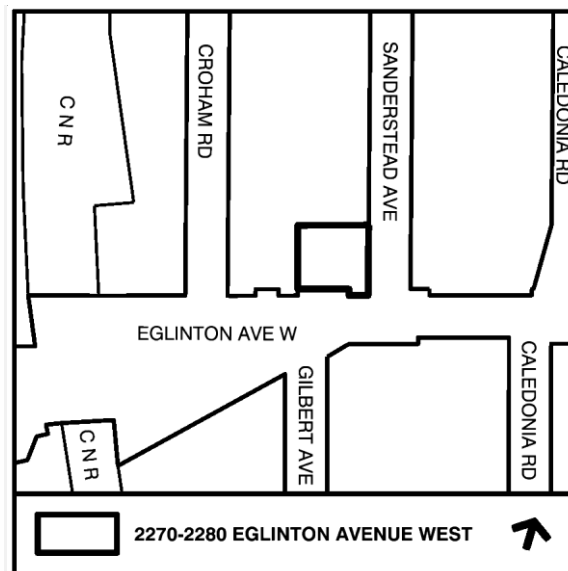
This application proposes to amend former City of York Zoning By-law No. 1-83 for the lands at 2270-2280 Eglinton Avenue West to permit the development of a seven (7) storey mid-rise rental apartment building with 14 at grade parking spaces. The proposed building would contain 29 dwelling units with 156 m<sup>2</sup> of at-grade commercial uses at a density of 3.0 FSI.

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

**RECOMMENDATIONS**

**The City Planning Division recommends that:**

1. City Council amend former City of York Zoning By-law 1-83, for the lands at 2270-2280 Eglinton Avenue West substantially in accordance with the draft Zoning By-law Amendment included as Attachment No. 5.



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

## **Financial Impact**

The recommendations in this report have no financial impact.

## **DECISION HISTORY**

A Preliminary Report for this application was considered by North York Community Council at its meeting of November 6, 2012. This report can be found at:

<http://www.toronto.ca/legdocs/mmis/2012/ny/bgrd/backgroundfile-51192.pdf>

## **ISSUE BACKGROUND**

### **Proposal**

The proposal is for a seven storey 29-unit mid-rise rental apartment building with at-grade commercial uses, on the northwest corner of Eglinton Avenue West and Sanderstead Avenue. The proposed apartment building is comprised of 8 one bedroom units, 19 two bedroom units, 2 three bedroom units and 156 m<sup>2</sup> of at-grade commercial uses. There are 14 proposed surface parking spaces which would be accessed off a driveway on Sanderstead Avenue. The proposed density is 3.0 FSI with a total GFA of 3,155m<sup>2</sup>. The front of the proposed building along Eglinton Avenue West frontage steps back at the seventh floor. The rear of the building steps back at the sixth floor and further steps back at the seventh floor. All balconies and terraces are located on the front (south elevation) of the building. Copies of the site and elevation plans are included as Attachments 1 and 2.

### **Site and Surrounding Area**

The site is located on the northwest corner of Eglinton Avenue West and Sanderstead Avenue. The closest major intersection is Eglinton Avenue West and Caledonia Road. The site has an area of 1,050 m<sup>2</sup>, with 33.5 m fronting on Eglinton Avenue West and 33.5 m frontage on Sanderstead Avenue. The site is comprised of two properties, one containing a two storey commercial building and the other is a vacant site used for at grade parking.

The site is in close proximity to the future Caledonia LRT station on the Eglinton-Scarborough Crosstown line to the west.

Land uses surrounding the subject site include:

North: Single-detached dwellings directly to the north with an employment area further north of Bowie Avenue.

East: Commercial and retail uses fronting Eglinton Avenue West in two-storey buildings.

West: A one-storey restaurant directly abuts the site. Further to the west is a two-storey commercial building, the proposed Caledonia Eglinton-Scarborough Crosstown LRT station, commercial uses and a shopping plaza.

South: There is a pharmacy directly to the south on Eglinton Avenue West. Further south is a mix of residential uses, including single-detached dwellings and three (3) storey walk-up apartments, and commercial uses.

## **Provincial Policy Statement and Provincial Plans**

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation.

City Council's planning decisions are required by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

## **Official Plan**

The Official Plan designates the subject site as *Mixed Use Areas*. *Mixed Use Areas* are made up of a broad range of commercial, residential and institutional uses in single use or mixed use buildings. The objective of this designation is to allow residents to live, work and shop in the same area and to reduce dependency on private automobiles. The Official Plan includes development criteria in *Mixed Use Areas*. Generally, it is the intent that development will:

- create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community;
- provide for new jobs and homes for Toronto's growing population on underutilized lands;
- locate and mass new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of the Plan, through means such as providing appropriate setbacks and/or a stepping down of heights, particularly towards lower scale *Neighbourhoods*;
- locate and mass buildings so as to adequately limit shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes;

- locate and mass buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- provide an attractive, comfortable and safe pedestrian environment;
- have access to schools, parks, community centres, libraries and childcare;
- take advantage of nearby transit services;
- provide good site access and circulation and an adequate supply of parking for residents and visitors;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

This portion of Eglinton Avenue West is an *Avenue* as set out on Map 2. *Avenues* are where reurbanization is expected and encouraged to occur to generate new housing and job opportunities while improving the look of the street, shopping opportunities, transit and the pedestrian environment. Development in *Mixed Use Areas* on *Avenues* prior to an *Avenue* Study has the potential to set a precedent for the form and scale of reurbanization along the *Avenue*. An *Avenue* Segment Study is required to demonstrate that subsequent development of the *Avenue* segment will not have any adverse impacts within the context and parameters of the review.

The Official Plan contains policies which are intended to be applied in conjunction with the land use policies to determine conformity of any given proposal to the Plan. These policies include, among other matters, built form and public realm.

### **Avenues and Mid-rise Building Study**

At its meeting on July 8, 2010, City Council adopted, with modifications, the recommendations as set out in the staff report prepared by City Planning entitled "Avenues and Mid-Rise Buildings Study". The primary objective of the study is to encourage future intensification along *Avenues* that is compatible with the adjacent neighbourhoods through appropriately scaled and designed mid-rise buildings. The study establishes a set of performance standards for new mid-rise buildings and identifies areas where the performance standards should be applied.

The Performance Standards are intended to be used as tools to implement the Official Plan's *Avenues* policies, retaining a balance between reurbanization and stability. The Performance Standards give guidance about the size, shape and quality of mid-rise buildings and are intended to respect and protect adjacent *Neighbourhood* designations.

The application has been reviewed against the Performance Standards contained within the Avenues and Mid-Rise Buildings Study.

## **Eglinton Connects Study**

In 2008 Metrolinx identified Eglinton Avenue as an "intensification corridor" in the Regional Transportation Plan. These corridors are areas that will have upgraded transit services sufficient to accommodate growth and development. In November 2009, City Council approved a Transit Project Assessment Study for the proposed LRT along Eglinton Avenue from Pearson Airport to Kennedy Road. In November 2011, Planning and Growth Management Committee adopted recommendations calling for the portions of the LRT between Jane Street and Eglinton Avenue West and McCowan Road and Ellesmere Road to be endorsed for an *Avenue* Study, to be completed by the first quarter of 2014. The Eglinton Connects Study is complementary to Metrolinx's work. The Study is about evaluating options to take advantage of new transit infrastructure along Eglinton. As a part of this, the large scale *Avenue* Study for Eglinton Avenue is being conducted and is currently underway. The following is the link to the website for this study: <http://www.toronto.ca/planning/eglinton/eglintonplanningstudy.htm>

## **Zoning**

The subject site is currently zoned Main Street Commercial/Residential (MCR) in the former City of York Zoning By-law No. 1-83. The maximum height and density permitted is eight storeys or 24 metres, whichever is the lower, and an FSI of 2.5. Additionally, the maximum height of any portion of a building shall not be greater than 70% of the horizontal distance of that portion of the building from an R1 or R2 District, when these zones are adjacent to the rear lot line of the property. The provision applies since the subject site abuts a property zoned R2 to the north. The MCR zone permits townhouses, apartment houses, nursing homes, home occupations, retail stores, offices, restaurants, hotels, recreational uses, theatres, funeral parlours, institutional uses (with exceptions), commercial schools, public garages and any use accessory to these uses.

## **Site Plan Control**

A Site Plan Control Application has been submitted and is being reviewed concurrently with the subject application.

## **Reasons for Application**

Several amendments to the provisions in the Zoning By-law are requested to permit the proposed 7 storey mid-rise building, including density, setbacks and parking supply. The proposal would result in an MCR zone with site specific exceptions.

## **Community Consultation**

A Community Consultation Meeting was held on January 10, 2013 at Maria A Schuka Library. The meeting was attended by the Ward Councillor, City Planning staff, the property owner, the applicant and approximately 15 members of the public.

The issues raised by area residents, which have been considered in the review of the application are as follows:

- Added traffic and parking to the local area; and
- Shadow impacts on surrounding properties.

## **Agency Circulation**

The application was circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate by-law standards.

## **COMMENTS**

### **Provincial Policy Statement and Provincial Plans**

The proposal is consistent with the Provincial Policy Statement (PPS) and conforms and does not conflict with the Growth Plan for the Greater Golden Horseshoe. Both the PPS and the Growth Plan encourage intensification and redevelopment in urban areas which provide a healthy, liveable and safe community.

### **Avenue Segment Study**

In response to the Avenue Policies contained within the Official Plan, primarily Policy 2.2.3.3, the applicant submitted an Avenue Segment Study on November 30, 2012 in support of their rezoning application. The review includes properties fronting on Eglinton Avenue West between the railway tracks to the west and Chamberlin Avenue/Nairn Avenue to the east.

The Avenue Segment Study provides a background review of relevant policies, an inventory of existing built form, and a community services and facilities assessment, which helps to inform the impacts that incremental development may have on the Avenue. The review identified that due to the requirement to assemble parcels in order to create development sites, there are limited soft sites available in the study area.

The Study indicates the sites would benefit from the future Eglinton Crosstown LRT, as the stops would be in close proximity to the sites, and is well served with respect to community services and facilities. The Study concludes the existing community facilities and services and existing and proposed transportation infrastructure would be sufficient to support the additional population generated from the small scale mixed use developments anticipated along the segment.

The Avenue Segment Study identifies six (6) soft sites along the segment that may be redeveloped in the near or long-term. The review applied a massing model to the soft sites that included a 45 degree angular plane from any property line abutting lands designated *Neighbourhoods*. The review also provided for ground floor retail and commercial uses with upper floor residential uses to implement the intent of the *Mixed Use Areas* land use designation along the *Avenue*.

The Avenue Segment Study identifies two of the 6 sites as likely to redevelop in the near (5-10 years) future. The remaining four sites would likely redevelop in 10 or 15 plus years. The Avenue Segment study indicates that two soft sites would have heights, storeys and densities similar to the proposed development. The remaining soft sites would have similar heights and number of storeys but the densities would range from approximately 2.6 times the area of the lot to 5.3 times the area of the lot.

As discussed further in this report, staff find the height and density of the proposed development acceptable. Staff do not, however, accept the conclusions of the *Avenue Segment Study*. As part of the Eglinton Connects Planning Study, a larger scale *Avenue Study* is currently underway along Eglinton Avenue. Accordingly any future development applications will be evaluated in the context of the approved Eglinton Connects Study. In the event that the Eglinton Connects Study is not approved, at the time of submission, future development applications will be evaluated on their own merits having the benefit of reviewing a full and detailed application submission, including a new *Avenue Segment Study*.

## **Land Use**

The *Mixed Use Areas* Policies speak to creating a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community. The proposed mid-rise residential building with commercial at grade is provided for in the *Mixed Use Areas* designation and the non-residential space at grade is in keeping with the character of the *Avenue*. Staff have determined that the proposed mid-rise development is appropriate for this site and conforms with *Mixed Use Areas* policies contained within the Official Plan.

## **Density, Height, Massing**

Development in *Mixed Use Areas* will locate and mass new buildings to provide transition between areas of different development intensity and scale and to adequately limit shadow impacts on adjacent *Neighbourhoods*. New buildings in *Mixed Use Areas* will be located and massed to frame the edges of streets, maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets. New development in *Mixed Use Areas* will also provide ground floor uses that have views and access to adjacent streets and locate main building entrances so they are clearly visible and directly accessible from the public sidewalk.

The proposed mid-rise building is massed to frame Eglinton Avenue West and Sanderstead Avenue by locating the main walls of the development parallel to the street edge. The massing and materials would provide a dynamic element to the apartment building and a wrap-around corner treatment and fenestration helps to break up the flanking wall along Sanderstead Avenue. The ground floor with a proposed height of 4.5 metres, and wrap-around glazing provides animation to both street frontages and facilitates retail uses at grade. The retail uses and residential lobby would be weather protected and directly accessible to the Eglinton Avenue West sidewalk.

The Mid-rise Buildings Performance Standards recommend that the maximum allowable height of buildings on the *Avenues* be no taller than the width of the *Avenue* right-of-way, up to a maximum mid-rise height of 11 storeys (36 metres). In this case, the proposed building height is 23.3 metres (7-storeys), which is less than the 27-metre width of the Eglinton Avenue West at this location.

To create an appropriate built form transition to abutting lower scale *Neighbourhoods*, the Official Plan speaks to buildings in *Mixed Use Areas* providing appropriate step-backs and setbacks. Under the City of York Zoning By-law 1-83, the maximum height of any portion of a building shall be no greater than 70% of the horizontal distance of that portion of the building from an R1 or R2 District, when these zones are adjacent to the rear lot line of the property. The Mid-rise Building Performance Standards also recommend that a minimum rear yard setback of 7.5 metres and a 45-degree angular plane from a height of 10.5 metres above the 7.5 metre setback line.

It is staff's opinion that it is appropriate to review the application in the context of the Mid-rise Performance Standards, as it reflects the most current Council policy. The rear of the building would step back at the sixth floor and further step back at the seventh floor with a proposed rear yard setback of 13 metres. The proposal generally meets the standard, however a portion of the elevation circulation core on the sixth storey, elevator overrun on the seventh floor and the parapet on the seventh storey pierce the angular plane. The proposed building has been designed to fit on a shallow site, which necessitates that the circulation core located at the rear (north) side of the building, to allow for a single-loaded corridor. The proposed location and massing of the building minimizes shadow, privacy and overlook impacts and provides an appropriate transition to the abutting lands designated *Neighbourhoods* to the north and is acceptable.

The existing MCR zoning permits a maximum density of 2.5 F.S.I. (2,625 m<sup>2</sup>), while the requested density is 3.0 F.S.I. (3,156 m<sup>2</sup>). In view of the above, the 531 m<sup>2</sup> of additional density can be supported as the application generally conforms with the Mid-rise Performance Standards.

### **Sun and Shadow**

A sun and shadow study submitted for the proposed development found the shadowing of the project on adjacent properties to be minimal. In particular, stepping the building from the rear property line and reducing the height of the core circulation and elevator overrun has minimized the shadow impacts on the adjacent properties to the north designated *Neighbourhoods*. In addition, the proposed development would also allow for a minimum of 5 hours of sunlight on the opposite sidewalk of Eglinton Avenue West during the spring and fall equinoxes, allowing for maximum sunlight and comfortable pedestrian conditions. The findings of this analysis have been accepted by City Planning staff.

### **Streetscape**

The development supports the public realm objectives of the Official Plan to achieve an aesthetically pleasing streetscape with ground floor uses including retail and street-oriented uses along Eglinton Avenue West which are directly accessible from the public sidewalk. The building incorporates architectural elements, including articulated balconies to create appropriate scale and visual interest. A total of 4 trees will be planted in beds within the Eglinton Avenue West frontage, located between the curb and the sidewalk. There will also be 6 outdoor bicycle racks located in front of the at-grade



commercial use. The proposed development has been reviewed in the context of the public realm policies of the Official Plan and conforms with these policies.

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

The Traffic Impact and Parking Study submitted by the applicant indicates that the additional traffic generated by this proposed development can accommodate existing local road network. Transportation Services staff have reviewed the study and concur with the study's findings.

The application proposes to take vehicular access off the flanking street, Sanderstead Avenue. There are 14 proposed at-grade parking spaces with 11 residents spaces, 2 for visitors and one for retail. The subject site qualifies for permit parking on Sanderstead Avenue and there are four off-site Green P angled parking spaces immediately north of Eglinton Avenue West on the west side of Sanderstead Avenue. Transportation Services staff are satisfied with the proposed access and parking supply.

The proposal includes 29 total bicycle parking spaces, 18 of which are for residents and are secured inside the building; 5 are dedicated for visitors and are located at the rear of the site and 6 are for the retail component and are located directly in front of the building. Transportation Services staff are satisfied with the proposed bicycle parking supply. The bicycle parking supply meets the requirements Tier 1 of the Toronto Green Standards and have been secured in the Zoning By-law.

### **Road Widening**

Transportation Services staff advise that a 3.44m road widening along the 2270 Eglinton Avenue West frontage and a 0.4m road widening along the 2280 Eglinton Avenue West frontage are required. The future road allowances are shown on the site plan and will be secured as a condition of Site Plan approval.

### **Servicing**

The applicant has submitted a Site Servicing and Grading Plan and a Functional Servicing Report in support of the application. The report concludes that the existing municipal infrastructure is adequate to service the proposed development. Engineering and Construction Services staff have reviewed the report and have accepted its findings subject to minor revisions which will be addressed by the owner as part of the Site Plan Control application process.

### **Open Space/Parkland**

The Official Plan contains policies to ensure that Toronto's system of parks and open spaces are maintained, enhanced and expanded. Map 8B of the Toronto Official Plan shows local parkland provisions across the City. The lands which are the subject of this application are in an area with 0.43-0.79 hectares of parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is identified as an Avenue within the Urban Structure Map 2 of the Official Plan and is in a parkland

priority area. The proposed site is subject to the alternative parkland dedication rate through the City Wide Parkland Dedication By-law 1020-2010.

The application proposes 29 residential units on a net site area of 0.1050 ha/1,050.23 m<sup>2</sup>. At the alternative rate of 0.4 hectares per 300 units, the parkland dedication requirement is 0.04 ha/400 m<sup>2</sup> or 39% of the net site area. However for sites less than 1hectare in size, a cap of 10% is applied to the residential portion while the commercial use is subject to 2% parkland dedication. The resulting parkland dedication is 0.0102 ha/102 m<sup>2</sup>.

Parks, Forestry and Recreation Division (PFR) staff has requested the parkland dedication be satisfied by cash in-lieu. PFR has advised that this is appropriate as the required dedication would not generate a substantial park area and the site is in close proximity to Eglinton Park. The actual amount of cash-in-lieu to be paid will be determined at the time of issuance of the building permit. This parkland payment is required under Section 42 of the *Planning Act*, and is required as a condition of the building permit application process.

### **Amenity Space**

The proposed development would provide 247 m<sup>2</sup> of outdoor amenity space in the form of balconies or terraces for each unit and 52 m<sup>2</sup> of indoor amenity space in the form of a multi-purpose room on the ground floor. Planning staff are satisfied that the proposed amenity space is sufficient to meet the needs of future residents. These matters have been secured in the Zoning By-law.

### **Toronto Green Standard**

On October 27, 2009 City Council adopted the two-tiered Toronto Green Standard (TGS). The TGS is a set of performance measures for green development. Tier 1 is required for new development. Tier 2 is a voluntary, higher level of performance with financial incentives. Achieving the Toronto Green Standard will improve air and water quality, reduce green house gas emissions and enhance the natural environment.

The applicant is required to meet Tier 1 of the TGS.

The site specific zoning by-law will secure Automobile Infrastructure and Cycling Infrastructure.

## **Site Plan**

The site plan application is currently being reviewed by City staff to address issues of architectural detailing, building materials, landscaping, stormwater management as well as other TGS performance measures including: Urban Heat Island Reduction, Tree Growth, Design Features for Migratory Birds, Light Pollution and Storage and Collection of Recycling and Organic Waste.

## **CONTACT**

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## **SIGNATURE**

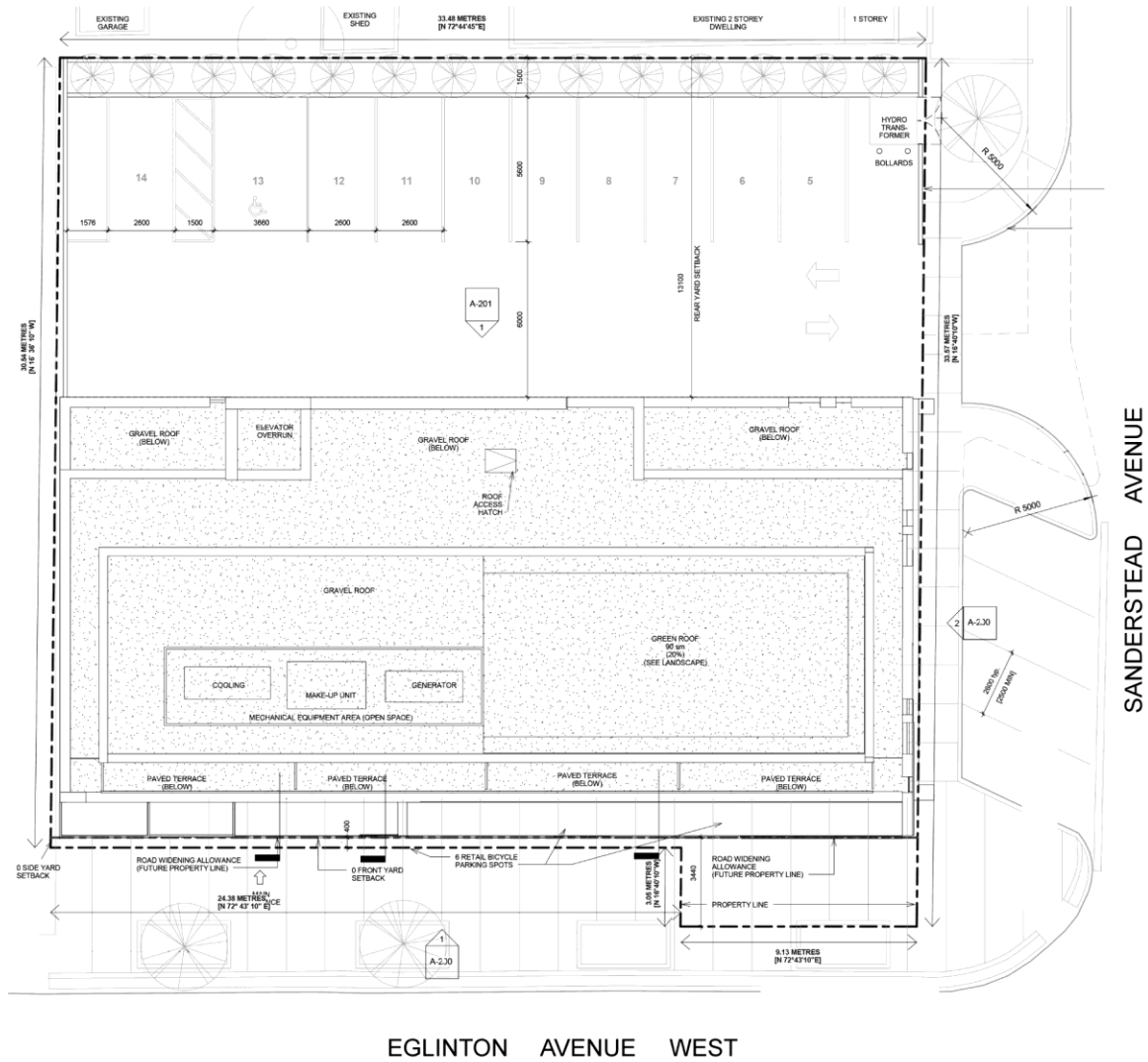
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Allen Appleby, Director  
Community Planning, North York District

## **ATTACHMENTS**

Attachment 1: Site Plan  
Attachment 2: Elevations  
Attachment 3: Zoning  
Attachment 4: Application Data Sheet  
Attachment 5: Draft Zoning By-law Amendment

# Attachment 1: Site Plan



## Site Plan

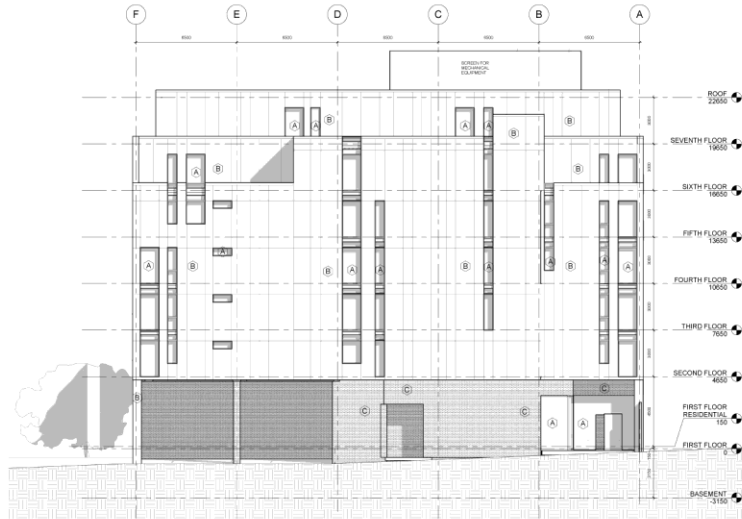
2270-2280 Eglinton Avenue West

Applicant's Submitted Drawing

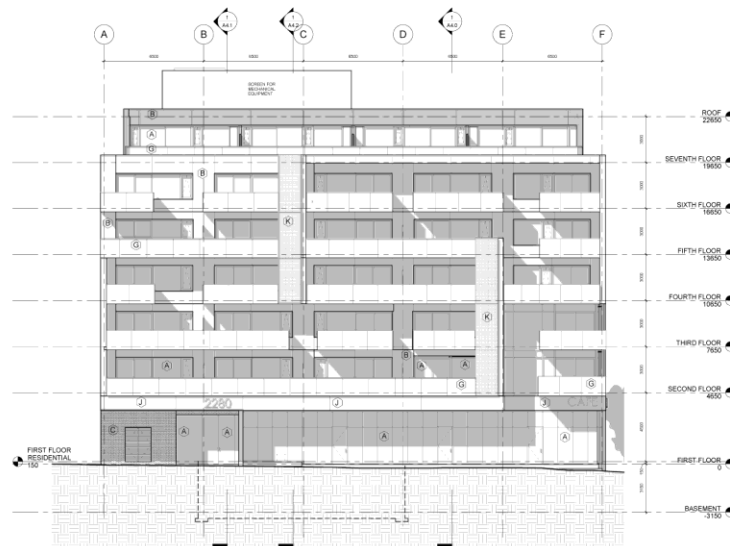
Not to Scale  
05/16/2013

File # 12 233124 NNY 15 0Z

## Attachment 2: Elevations



**NORTH ELEVATION**



**SOUTH ELEVATION**

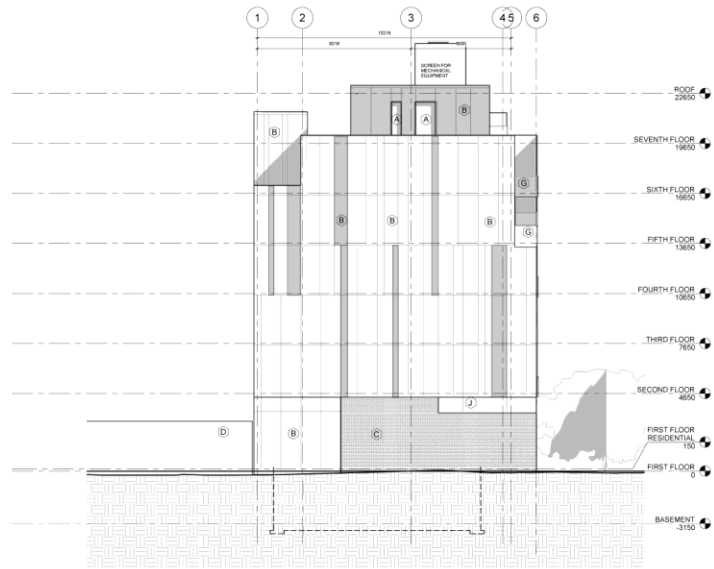
### Elevations

Applicant's Submitted Drawing

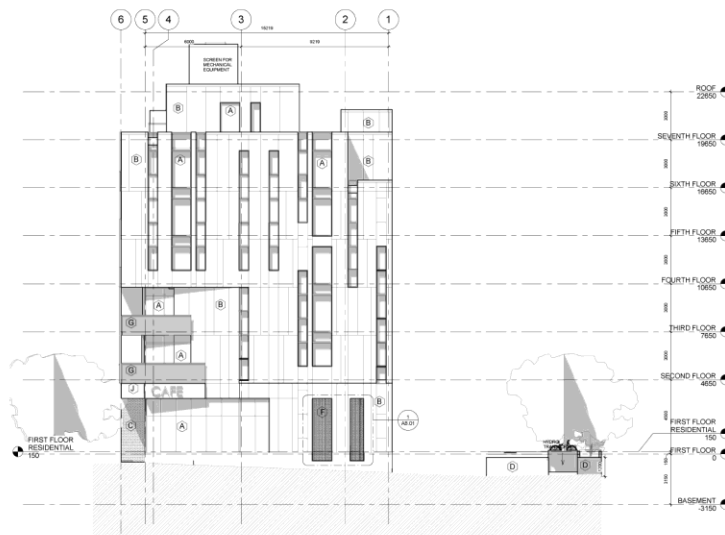
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2270-2280 Eglinton Avenue West

File # 12 233124 NNY 15 0Z



WEST ELEVATION



EAST ELEVATION

## Elevations

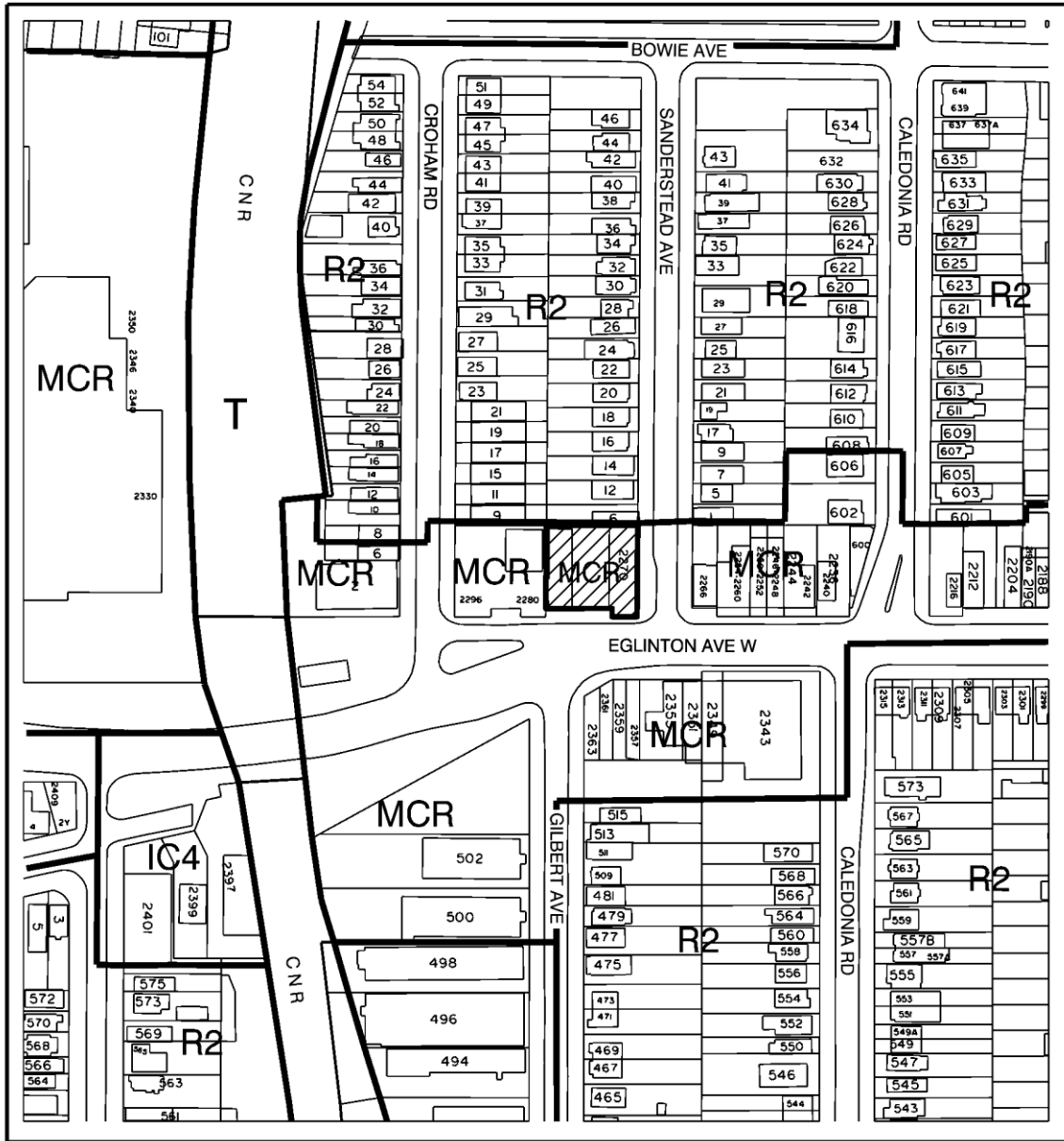
2270-2280 Eglinton Avenue West

Applicant's Submitted Drawing

Not to Scale  
05/16/2013

File # 12 233124 NNY 15 0Z

### Attachment 3: Zoning



2270-2280 Eglinton Avenue  
 File # 12 233124 NNY 15 0Z

- R2 Residential Zone
- MCR Mixed Commercial Residential
- T Transportation & Utilities

NOTE: Numbers in Brackets Denote Exceptions to the Zoning Category

↑  
 Not to Scale  
 Former York Zoning By-law 1-83  
 Extracted 09/19/2012

## Attachment 4: Application Data Sheet

Application Type	Rezoning	Application Number:	12 233124 NNY 15 OZ
Details	Rezoning, Standard	Application Date:	August 21, 2012

Municipal Address: 2270-2280 EGLINTON AVE W  
 Location Description: PLAN 1700 LOT 54 PT LOT 55 \*\*GRID N1505  
 Project Description: Proposing to construct a seven (7) storey mid-rise apartment building with 29 residential units and a small commercial component with parking at grade.

<b>Applicant:</b>	<b>Agent:</b>	<b>Architect:</b>	<b>Owner:</b>
THE BIGLIERI GROUP LTD			2270-2280 EGLINTON AVENUE WEST GP INC

### PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	MCR	Historical Status:
Height Limit (m):		Site Plan Control Area:

### PROJECT INFORMATION

Site Area (sq. m):	1050.23	Height:	Storeys:	7	
Frontage (m):	33.51		Metres:	23	
Depth (m):	33.57				
Total Ground Floor Area (sq. m):	421.1				<b>Total</b>
Total Residential GFA (sq. m):	2951.5		Parking Spaces:	14	
Total Non-Residential GFA (sq. m):	156.9		Loading Docks	0	
Total GFA (sq. m):	3429.41				
Lot Coverage Ratio (%):	40				
Floor Space Index:	3.0				

### DWELLING UNITS

Tenure Type:	Rental
Rooms:	0
Bachelor:	0
1 Bedroom:	8
2 Bedroom:	21
3 + Bedroom:	0
Total Units:	29

### FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	2951.5	0
Retail GFA (sq. m):	156.9	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

**CONTACT: PLANNER NAME: Emily Rossini, Planner**  
**TELEPHONE: 416-395-7172**



## Attachment 5: Draft Zoning By-law Amendment

### CITY OF TORONTO

#### BY-LAW No. ~~20~~

#### To amend the former City of York Zoning By-law No. 1-83, as amended, with respect to lands municipally known as 2270-2280 Eglinton Avenue West.

WHEREAS authority is given to Council by Section 34 of the *Planning Act, R.S.O. 1990, c.P13, as amended*, to pass this by-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and had held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACT as follows:

1. Section 16 of By-law No. 1-83 is amended by adding the following subsection:

#### **16(444) LANDS – 2270-2280 EGLINTON AVENUE WEST**

1. Except as otherwise provided herein, the provisions of the By-law No. 1-83, as amended, shall continue to apply to the lot.
2. Notwithstanding the provisions of Subsection 3.2.1(i), Subsection 3.3.1(a), Subsection 3.4.7(a) and the provisions of Subsection 12.3 of this By-law, the lands municipally known as 2270-2280 Eglinton Avenue West, as shown on Schedule “1” to this By-law and to this Subsection may be used for the purpose of erecting a seven storey apartment house, with grade related commercial uses, subject to the following conditions:
  - a. The maximum gross floor area erected on the lot shall not exceed 3,200 square metres, which is exclusive of mechanical/electrical and telecommunications purposes, and storage and parking of bicycles;
  - b. The maximum number of units permitted on site shall be 29;
  - c. Maximum non-residential gross floor area shall not exceed 210 square metres;
  - d. The following non-residential uses are permitted on the ground floor:
    - retail store;
    - office;
    - restaurant, excluding a licensed restaurant;
    - take-out establishment, bake-shop;

- bank or financial institution;
  - pharmacy;
  - performing arts studio;
  - public or private art gallery;
  - artist or photographer's studio;
  - dry-cleaning shop; and
  - any accessory to any of the foregoing uses.
- e. No person shall erect or use a building or structure above established grade on the lot having a greater height of building in metres than the height of building in metres specified by the numbers following the symbol H on the attached Map 2, subject to the following:
- i. parapets, terrace guards and dividers, planters, railings, decorative screens, window washing equipment, green roof features, ornamental architectural features, stairs, stair enclosures, ladders, wheel chair ramps, vents, and landscape features which may extend beyond the height limit shown on the attached Map 2 to maximum of 1.8 metres;
  - ii. mechanical equipment and associated screening may extend beyond the height limit for the seventh storey height limit of 23.3 metres to a maximum of 3.5 metres;
  - iii. elevator circulation core and elevator overrun shall be located only in the hatched area on Map 2.
- f. Every part of a required yard shall be open from its lowest point to the sky unobstructed except for:
- i. any permitted accessory buildings and structures, raised platforms less than 0.3 metres in height and the ordinary projections of 0.6 metres or less of sills, masonry course, chimneys, ornaments, cornices and other architectural features;
  - ii. maximum projections of 1.4 metres for balconies, terraces and canopies in the required south and east yards only.
- g. In addition to the height of building restrictions shown in Map 2 herein, the maximum height of building of the apartment-house shall be 7 storeys;

- h. A total of 14 parking spaces shall be provided and maintained on the lot in accordance with the following:
- i. Resident Parking: a minimum of 12 parking spaces
  - Residential Visitor Parking: a minimum of 1 parking space
  - Non-residential Parking: a minimum of 1 parking space
  - ii. Required parking for non-residential uses may be shared with visitor parking for the apartment-house.
  - iii. Inclusive of the above, a minimum of 1 accessible parking space shall be provided on the lot.
  - iv. One car-share parking space may be provided on the lot.
- i. The minimum dimensions of a parking space, accessed by a drive aisle having a width of 6.0 metres measured at the entrance of the parking space, shall be:
- length 5.6 metres
  - height 2.0 metres
  - width 2.6 metres
- except that the minimum required width of a parking space shall be increased by 0.3 metres for each side of the parking space that is obstructed.
- j. The minimum dimensions of an accessible parking space, accessed by a drive aisle having a width of 6.0 metres measured at the entrance of the parking space, shall be 3.66 metres wide and 5.6 metres long.
- k. Amenity space shall be provided on the site as follows:
- i. A minimum of 8 square metres per dwelling unit of outdoor amenity space shall be provided and maintained on the lot within the building and located on individual balconies and terraces;
  - ii. A minimum of 1.8 square metres per dwelling unit of indoor amenity space shall be provided and maintained on the lot within the building and located in a multi-purpose room on the ground floor.
- l. Any balcony or terrace can extend a maximum of 1.4 metres from any building wall located adjacent to a public street provided it is wholly located within the lot.

- m. Bicycle parking spaces shall be provided and maintained on the lot as shown on Map 2 attached hereto for use without charge by the residents and visitors to the building in accordance with the following standards:
  - i. A maximum of 18 bicycle parking space-occupant; and
  - ii. A minimum of 11 bicycle parking spaces – visitor.
- n. Where a lot abuts a R2 zone, a green landscape open space strip of no less than 1.5 metres from the lot line, and running the full length of the lot line abutting the residential zone.
- o. Where a lot abuts a R2 zone, a 1.8 metre in height fence runs the full lengths of the lot line that abuts the R2 zone.

### 3. Definitions:

- (1) For the purposes of this By-law the following definitions shall apply:
  - (a) **Bicycle Parking Space - Occupant** - means an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles for residents, and
    - i. where the bicycles are to be parked on a horizontal surface, has horizontal dimensions of at least 0.6 metres by 1.8 metres and a vertical dimension of at least 1.9 metres, and
    - ii. where the bicycles are to be parked in a vertical position, has horizontal dimensions of at least 0.6 metres by 1.2 metres and a vertical dimension of at least 1.9 metres;
  - (b) **Bicycle Parking Space - Visitor** - means an area that is equipped with a bicycle rack for the purpose of parking and securing bicycles and may be located outdoors or indoors but not within a secured room, enclosure or bicycle locker;
  - (c) **Car-share** - shall mean the practice where a number of people share the use of one or more cars that are owned by a profit or non-profit car-sharing organization and where such organization may require that use of cars be reserved in advance, charge fees based on time and/or kilometres driven, and set membership requirements of the car-sharing organization, including the payment of membership fee that may or may not be refundable;
  - (d) **Car-share Parking Space** - shall mean a parking space that is exclusively reserved and actively used for car-sharing;

- (e) **Established Grade** - shall mean 158.6 metres Canadian Geodetic Datum;
  - (f) **Height of Building** - shall mean the vertical height of the building measured from established grade to the top of the roof structure; and
4. Despite any existing or future severance, partition, or division of the lot, the provisions of this By-law shall continue to apply to the whole of the lot as if no severance, partition, or division occurred included, but not limited to the future widening on Eglinton Avenue West.

ENACTED AND PASSED this xxth day of July, A.D. 2013.

ROB FORD,  
Mayor  
(Corporate Seal)

ULLI S. WATKISS  
City Clerk

