

**1185 Eglinton Avenue East - Zoning Amendment
Application - Preliminary Report**

Date:	September 16, 2011
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 26 – Don Valley West
Reference Number:	08 111649 NNY 26 OZ

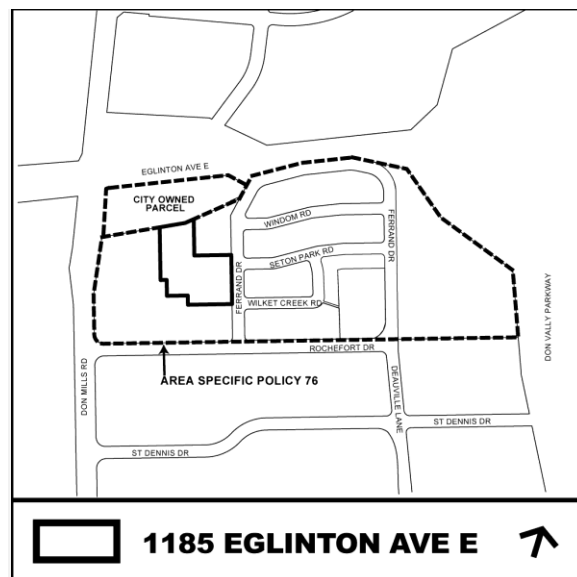
SUMMARY

At its meeting of July 17, 2008 City Council deferred an application for a zoning amendment to permit a mixed use office/retail/residential development at 1185 Eglinton Avenue East. The application was deferred pending a study of Area Specific Policy 76 which provides for a mix of residential, office, open space and institutional uses with a maximum Floor Space Index (FSI) of 1.8. In June 2011 the new owners of the subject property filed a zoning amendment application for two residential towers of 34 and 31 storeys in height and 77 townhouses for a total of 757 units and an FSI of 5.0. The existing office tower has been demolished. This report provides preliminary information on the revised application and on the study of Area Specific Policy 76 and seeks Community Council’s directions on further processing of the application and on the community consultation process respecting the application and the area study.

RECOMMENDATIONS

The City Planning Division recommends that:

1. The density and built form proposed for the application at 1185 Eglinton Avenue East be evaluated through the study of appropriate density and built form underway for Area Specific Policy 76.



2. The City owned parcel at the south east corner of Eglinton Avenue East and Don Mills Road be included in the study of Area Specific Policy 76.
3. Staff be directed to schedule a community consultation meeting for the lands at 1185 Eglinton Avenue East and on the study of Area Specific Policy 76 together with the Ward Councillor.
4. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
5. Notice for the public meeting under the *Planning Act* be given according to the regulations under the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

An application for a zoning amendment to permit a mixed use development at 1185 Eglinton Avenue East was filed in February 2008. At the meeting of July 17, 2008 the application was deferred by City Council pending a study on appropriate built form for lands within Site and Area Specific Policy 76. A copy of City Council's decision and background information is available at:

<http://www.toronto.ca/legdocs/mmis/2008/cc/decisions/2008-07-15-cc23-dd.pdf>

Pre-Application Consultation

Pre-application meetings were held with the applicant to discuss the proposal. Staff advised the proposed height and density needed to respect the adjacent low scale neighbourhood, and the two other tall buildings on the block and that the amount of development respect the Official Plan growth hierarchy. Other issues raised by Staff for this proposal included; meeting the Tall Building Guidelines, pedestrian circulation, provision of open space and amenity, proposed parking beneath a new public street and community benefits based on the proposed increase in density. Staff also asked that a context plan be prepared which showed how existing and potential future developments in the large block could achieve better access and street address through the introduction of public streets.

ISSUE BACKGROUND

Proposal

The proposal is for two residential towers 34 and 31 storeys and 77 townhouses. The existing office building at 1185 Eglinton Avenue East has been demolished. The buildings will be located on two development parcels to be created through the introduction of a new east-west public street through the site.

A 34-storey (108 metre) residential building with a 750 square metre floorplate is proposed for the north parcel. It would have a 3 storey base and a 31 storey tower element and 13 grade-related townhouse units.

A 31-storey (99 metre) residential building is proposed directly to the south of the 34-storey building. The building has a 3 storey base and a 28-storey tower element and a 750 square metre floor plate. Two, 4-storey stacked townhouse blocks, containing 64 units are proposed on the present surface parking lot.

A new east-west public street across the centre of the subject site provides an address for the residential buildings and also provides access for the adjoining properties to the west to Ferrand Drive. Those properties and the subject site currently share a 15 metre (50 ft) wide private right-of-way located along the subject property south boundary for access to Ferrand Drive which is proposed to be eliminated. The entrance to the below grade parking garage and loading area serving both parcels is proposed at the southwest corner of the south parcel. The entrance is accessed by a driveway from Foresters Lane and the driveway ends in a stub on the subject property. Foresters Lane is a north-south driveway which extends from Rochforte Drive in the south to the centre of the large block. Foresters Lane is a private right of way owned by “The Independent Order of Foresters” with easements for access in favour of adjoining properties on the block.

The proposed FSI is 5.0 and the total number of dwelling units is 757. A total of 935 underground parking spaces for the apartment buildings and the townhouses are proposed on three levels of underground parking. The site plan is shown on Attachment 1 and elevations are shown on Attachment 2. The Application Data Sheet containing site statistics is shown on Attachment 3.

The block containing the subject application is bounded by Eglinton Avenue to the north, Ferrand Drive to the east, Rochefort Drive to the south and Don Mills Road to the west. It is 4.5 ha (11 acres) in area and presently lacks internal streets and adequate access to the surrounding road network. Staff asked the applicant to prepare a context plan which shows how smaller development blocks can be created along with new public streets instead of shared driveways. This will result in a more urban pattern of streets and blocks, provide better access to properties and better integrate the block with adjacent uses. The applicant’s Context Plan is shown on Attachment 4. In addition to the new east-west street, a 9.25 metre wide north-south lane is proposed along the west boundary of the subject property which would allow Foresters Lane to be extended northerly. The lane would provide the opportunity for future connections through the large block and would require road dedications from surrounding properties in the event they redevelop in the future.

Comparison with Previous Proposal

At its meeting of July 17, 2008, a Refusal and Directions Report prepared for the previous proposal was considered and deferred by City Council pending a study of Area

Specific Policy 76. The proposed density was approximately 4.7 FSI on the severed site and staff recommended refusal on the basis that the proposal did not provide an appropriate transition to the low rise neighbourhood to the east.

The current proposal has been revised from the previous proposal as follows and as shown on the table below:

- The current proposal demolishes the existing office building (address 1185 Eglinton Avenue East) and uses all of the lands for redevelopment;
- The proposed density is higher than the previous proposal;
- A new east-west public street is proposed whereas the previous proposal maintained the existing private right-of-way at the south end of the subject property

Comparison of Previous and Current Proposals

	Previous Proposal Feb 2008	Current Proposal June 2011
Lot Area	1.15 ha (2.8 ac) 11,499 m ² 5,267m ² (development lands)	1.15 ha (2.8 ac) 11,499 m ² 11,499m ² (development lands)
Density	3.3 FSI (total incl office bldg) 4.7 FSI (excl office bldg)	5.0 FSI
Gross Floor Area	24,880 m ² residential 12,176 m ² office <u>586 m² retail</u> 37,642 m ² Total	57,492 m ² residential 0 m ² office <u>0 m² retail</u> 57,492 m ² Total
Number of Buildings	2 (1 + existing office bldg)	4
Building Height	28 storeys 87 metres	34 st 100 m 31 st 91 m
Dwelling Units	282 Apts	680 Apts 77 Townhouses 757 Total
Parking Spaces	561 (incl office)	935 (incl 1 for each T-H unit)

Site and Surrounding Area

The site is located to the south of Eglinton Avenue East and east of Don Mills Road and has frontage on Ferrand Drive. It is an 'L' shaped property 1.15 hectares (2.83 acres) in area. The surrounding uses are:

North: a former right of way to Eglinton Avenue East now a surface parking lot owned by the City of Toronto, Eglinton Avenue East and Celestica office and manufacturing, big box grocery store and 8 and 9 storey office buildings

East: The Don Valley Parkway

South: townhouses, 4 and 9 storey apartment buildings in the Flemingdon neighbourhood

West: Don Mills Road and the Ontario Science Centre

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

Area Specific Policy 76

The subject site is located within Area Specific Policy 76 which applies to the area bounded by Don Mills Road to the west, Eglinton Avenue to the north, the Don Valley Parkway to the east and Rochefort Drive to the south. The east and west portions are designated *Mixed Use Areas* and the central portion is designated *Neighbourhoods and Park*. The boundaries of Area Specific Policy 76 and the Official Plan designations are shown on Attachment 6. A maximum density of 1.8 Floor Space Index is permitted for all the lands within Area Specific Policy 76. Higher densities and massing are to be generally concentrated adjacent to Eglinton Avenue and the Don Valley Parkway.

The *Mixed Use Areas* designation provides for a broad range of commercial, residential and institutional uses, in single use or mixed use buildings. Development criteria for *Mixed Use Areas* includes creating a balance of uses that reduces auto dependency, provides a transition in intensity and scale to adjacent lower scale uses, limits shadow impacts, frames the edges of streets, provides an attractive, comfortable and safe

pedestrian environment, provides good site access and circulation and minimizes the impact of service areas on adjacent streets and residences. Lands that are designated *Mixed Use Areas* in the Official Plan have the potential for accommodating population and employment growth and the Plan states that not all *Mixed Use Areas* will experience the same scale or intensity of development.

The *Neighbourhoods* designation provides for residential uses in lower scale buildings such as detached and semi-detached houses, duplexes, townhouses and interspersed walk up apartments that are no higher than four storeys. *Neighbourhoods* are considered to be physically stable areas where significant growth is not anticipated. The Official Plan contains policies which provide that intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. New development adjacent to *Neighbourhoods* will be located and massed to provide a transition between areas of different development intensity and scale through means such as providing appropriate setbacks and/or a stepping down of heights and will limit shadow impacts on lands designated *Neighbourhoods*.

Eglinton Avenue East and Don Mills Road bound the north and west sides of the Area Specific Policy 76 and are identified as Higher Order Transit Corridors in the Official Plan.

Zoning

The subject site is zoned M2 (Industrial Zone Two) and MO(11) Industrial-Office Business Park Zone. The M2 zone permits a range of industrial uses including manufacturing, certain commercial uses, auto repair and sales and office uses and applies to the southerly portion of the site. The MO(11) zone is a business park zone and permits a range of uses including offices, certain commercial uses, manufacturing and car rental agencies and applies to the northerly portion which contained the previous office building. Zoning is shown on Attachment 7.

Plan of Subdivision

An application for subdivision approval to provide for a new public road is required and has not been submitted.

Site Plan Control

An application for site plan control is required and has not been submitted.

Reasons for the Application

The proposal requires an amendment to the Zoning By-law to permit the proposed residential uses as well as to provide new development standards. A plan of subdivision is required to accommodate a new public street.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Planning Rationale Report
- Sun/Shadow Study and Wind Study
- Tree Preservation Plan
- Green Development Standards Checklist
- Traffic Impact Study
- Functional Servicing Report

Issues to be Resolved

The intensification of this site is to be balanced with a respect for the existing site conditions and the adjacent lands uses. On a preliminary basis, the following issues have been identified:

- building heights of 34 and 31 storeys need to be considered in the context of the larger block and area
- amount of density proposed
- providing an appropriate transition to the low density neighbourhood to the east
- proposed parking garage beneath the new public street which is contrary to City practice
- consideration of the Tall Building Guidelines
- Infill Townhouse Guidelines including setback of the townhouses from Ferrand Drive
- provision of streetscape improvements
- review of applicant's Context Plan including street and block pattern, pedestrian circulation, open space and amenity
- Section 37 community benefits to be provided

The proposed density is 5.0 FSI. This amount of density on this site is a significant issue and could be grounds for recommending refusal of the application if it is not addressed through revisions to the proposal. The density proposed is an issue with respect to the growth hierarchy of the Official Plan, the review that is presently underway of Area Specific Policy 76, compatibility of the proposal with adjacent uses, the ability to provide open space and the suitability of the site for the amount of density proposed. As well, gaps in existing community services and facilities have been identified and inappropriately high densities will likely exacerbate this problem. Staff will be encouraging the applicant to resolve the issues identified in this report.

Additional issues may be identified through the review of the application, agency comments and the community consultation process.

Open Space/Parkland

The subject site lies within a Parkland Acquisition Priority Area and is subject to By-law 1420-2007 the Alternate Rate Parkland Dedication By-law.

Toronto Green Standard

The Toronto Green Standard (TGS) is a tool to implement the broader environmental policies of the Official Plan. Several of the natural environment policies of the Official Plan encourage green development. These policies are intended to reduce the negative impacts of development on the natural environment through practices such as improved stormwater management, water and energy efficiency, and waste reduction and recycling. These policies also promote development that enhances the natural environment and support green industry. Environmental performance standards are ranked in tiers with Tier 1 being mandatory and Tier 2 featuring a voluntary higher level of environmental performance. The TGS Checklist has been submitted by the applicant and is currently under review by City staff for compliance with the Tier 1 performance measures.

STUDY OF AREA SPECIFIC POLICY 76

Background

In 1993, North York City Council adopted an area study and Official Plan Amendment which provided for the introduction of residential uses in an office area and permitted an FSI of 1.75. In 1997 an Official Plan Amendment was adopted which permitted an FSI of 1.8 which was carried forward as Site and Area Specific Policy 76 in the new Official Plan. In 1998, a zoning amendment was adopted for a portion of Site and Area Specific Policy 76 which permitted a development consisting of 148 semi-detached houses and 47 townhomes.

Purpose of the Study

An application for 1185 Eglinton Avenue East to permit a 28 storey building with an FSI of approximately 4.7 was filed in February 2008. At its meeting of July 17, 2008 City Council deferred the application because the proposed building did not provide an appropriate transition to the neighbourhood of semi-detached and townhomes to the east and requested staff to undertake a study of Area Specific Policy 76.

For purposes of this study, Area Specific Policy 76 has been divided into three parcels as shown on Attachment 5. This report recommends that the City owned parcel at the south east corner of Eglinton Avenue and Don Mills be included in the study and incorporated into Area Specific Policy 76.

Existing Planning Permissions

Area Specific Policy 76 permits a density of 1.8 FSI over the whole of the lands. This density permission anticipated mid-rise and townhouse development based on an application filed at that time for the central portion of Area Specific Policy 76 shown on Attachment 8. When the neighbourhood of semi-detached homes and townhouses was developed instead at an FSI of 0.5, Area Specific Policy 76 was not reviewed to determine whether the existing 1.8 FSI density permission was still appropriate. As a result, Area Specific Policy 76 does not provide sufficient guidance concerning appropriate built form and the distribution of density over the 16 hectare area. Consequently, applicants for development sites within Area Specific Policy 76 may seek inappropriate shares of the remaining density permission.

As shown in the chart below, existing development over the whole Area Specific Policy 76 is 0.9 FSI leaving 0.9 FSI as unbuilt density. The currently permitted overall density is 1.8 FSI.

Proposed Site and Area Specific Policy Area Density Provisions
(all figures on gross basis)

	Study Area	West Parcel	Central Parcel	East Parcel
Area	16.2 ha	4.6 ha	7.1 ha	4.5 ha
Permitted FSI	1.8	1.8	1.8	1.8
Existing FSI	0.9	1.5	0.5	0.9
Remaining FSI	0.9	0.3	1.3	0.9

The West Parcel has an FSI of 1.5 for existing development with 0.3 FSI unbuilt density. The East Parcel has an existing FSI of 0.9 with a remaining FSI of 0.9. The Central Parcel consists of a neighbourhood of 195 semi-detached and townhouse units with an FSI of 0.5.

Summary of Work To Date

A study is underway to determine the appropriate density for lands within Area Specific Policy 76, including 1185 Eglinton Avenue East and to recommend built form principles to guide future development. A review of the context and planning framework and a built form analysis of individual properties has been undertaken.

The Context and Planning Framework

Area Specific Policy 76 is located at the south east quadrant of Eglinton Avenue East and Don Mills Road and a Light Rail Transit line known as the “Eglinton Crosstown” is proposed to be constructed between Black Creek and Kennedy Road. This will improve access to transit for properties in proximity to Eglinton Avenue.

The local context includes lands designated *Employment* to the north and northwest containing Celestica Information Technology, other office uses and a big box grocery store. The Ontario Science Centre is located to the west and is designated *Institutional*. The employment uses and the Ontario Science Centre will benefit from the higher order transit planned for Eglinton Avenue. *Employment Areas* and *Institutional Areas* are designations where future growth is to be directed.

The Flemingdon Park neighbourhood is located to the south and consists of both low rise *Neighbourhoods* and *Apartment Neighbourhoods* where future and abutting development is required to fit harmoniously with the built form character of the residential uses. Gaps in existing community facilities and services for Flemingdon Park have been identified. The surrounding uses are shown on Attachment 9.

Area Specific Policy 76 is 16 hectares (40 acres) in size and for purposes of this study has been divided into three parcels; East, West and Central as shown on Attachment 5. The City owned parcel at the south east corner of Eglinton Avenue and Don Mills Road is also recommended to be included in the study and in Area Specific Policy 76 and is also shown on Attachment 5.

The Official Plan designations within Area Specific Policy 76 were described earlier in this report and are shown on Attachment 6. The West and East Parcels contain office buildings and one residential condominium (west parcel). Within the West and East Parcels there are potential development sites in the form of vacant land and surface parking lots. The present block and street pattern of the West Parcel does not provide direct pedestrian access to the various properties and open spaces are dominated by auto use.

The Central Parcel is a neighbourhood comprised of 148 semi-detached and 47 townhomes and three local through streets. Unlike the West and East Mixed Use Parcels, the Central Parcel does not have vacant lands, or redevelopment potential other than what is permitted in the Official Plan for lands designated *Neighbourhoods*. The Central Parcel also contains Ferrand Drive Park which is 1.3 hectares in area.

While not part of Area Specific Policy 76, a 1.5 hectare parcel, located at the south east corner of Eglinton Avenue East and Don Mills Road will be included in the current study. The parcel, owned by the City of Toronto, is adjacent to Area Specific Policy 76 and is recommended to be included in Area Specific Policy 76. It is presently used for surface parking and is under consideration for development/sale by Build Toronto, an agency of the City which reviews city owned lands and facilities. The lands are designated *Mixed Use Areas*.

Built Form Analysis

Two categories of sites within the study area, each with a different degree of development potential are identified as follows:

1. Redevelopment sites which have potential for new mixed use or residential development. These sites are located in the Mixed Use Parcels and include existing office buildings with large surface parking lots, parking structures or vacant open space and an existing Place of Worship.
2. Stable sites which include one apartment building on a small property in the West Mixed Use Parcel with little or no likely redevelopment potential and the neighbourhood of semi-detached dwellings and townhomes occupying the Central Parcel in which small scale, incremental change that is in keeping with the existing character is permitted.

Redevelopment sites identified in category 1 above are being analysed with respect to: built form which provides an appropriate relationship and limits impacts to abutting building sites; the ability to provide publicly accessible grade related open space; can be massed to fit harmoniously into its context; meets the 45 degree angular plane for adjacent residential uses, provides adequate space for the public realm and servicing and meets other Council approved built form guidelines including Tall Buildings and Infill Townhouses. Appropriate densities for the sites in category 1 will vary depending on a number of factors including the size of the site, proximity to stable residential areas and on the particular development scheme.

NEXT STEPS

A community consultation meeting is to be held to obtain public input on the development application for 1185 Eglinton Avenue East and the work done to date on the study of Area Specific Policy 76. The study is to be completed with recommendations on appropriate built form and distribution of density within Area Specific Policy 76. The study will inform the evaluation of the 1185 Eglinton Avenue East development application.

CONTACT

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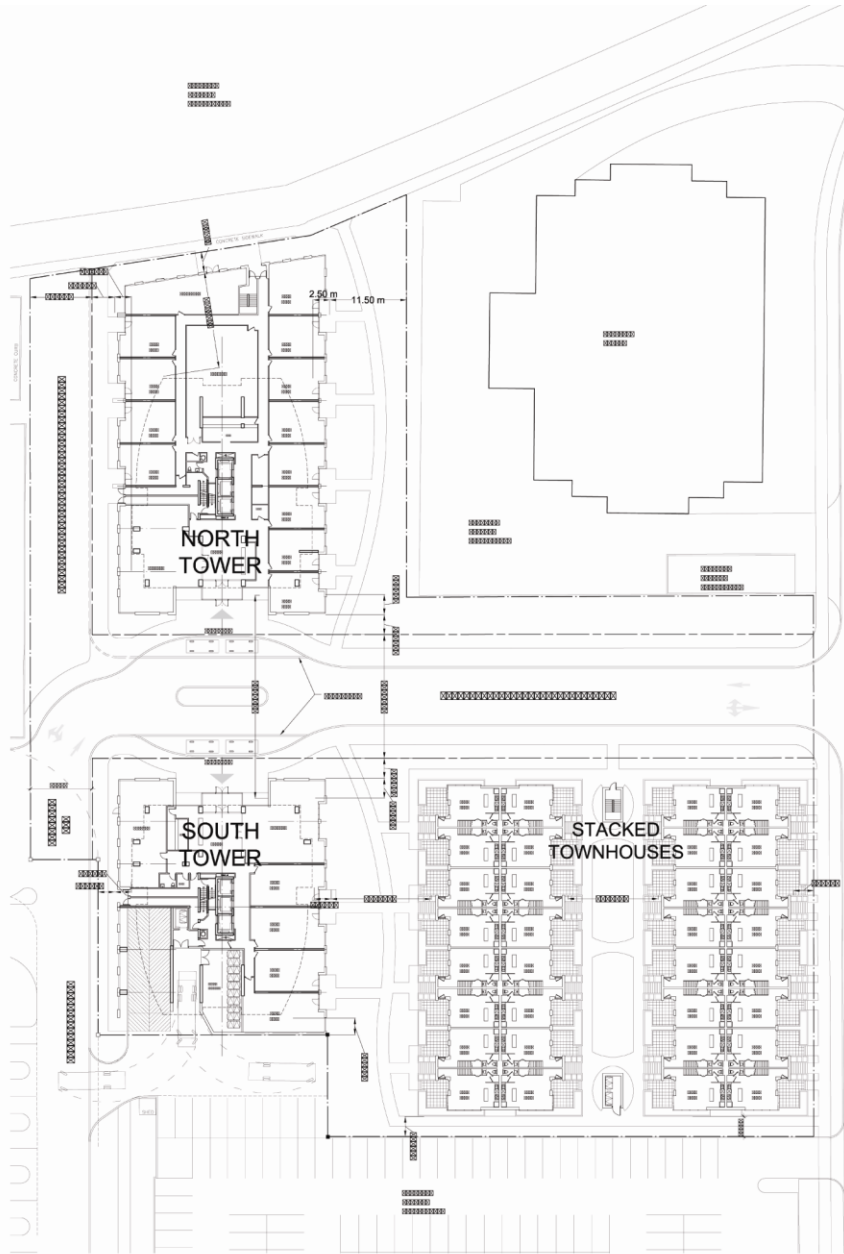
SIGNATURE

Allen Appleby, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2a: Elevations (Tower)
Attachment 2b: Elevations (Townhouses)
Attachment 3: Application Data Sheet
Attachment 4: Applicant's Context Plan
Attachment 5: East West and Central Parcels of Area Specific Policy 76 and City owned Parcel
Attachment 6: Official Plan
Attachment 7: Zoning
Attachment 8: Neighbourhood of semi-detached houses and townhomes
Attachment 9: Area Specific Policy 76 and Surrounding Uses

Attachment 1: Site Plan



Site Plan

1185 Eglinton Avenue East

Applicant's Submitted Drawing

Not to Scale
08/02/2011



File # 08_111649

Attachment 2: Elevations



Elevations West

Applicant's Submitted Drawing

Not to Scale
08/02/2011

1185 Eglinton Avenue East

File # 08_111649

Attachment 2: Elevations



Elevations (Town Houses)

Applicant's Submitted Drawing

Not to Scale
08/02/2011

1185 Eglinton Ave East

File # 08_111649

ATTACHMENT 3: APPLICATION DATA SHEET

Application Type	Rezoning	Application Number:	08 111649 NNY 26 OZ
Details	Rezoning, Standard	Application Date:	June 29, 2011
Municipal Address:	1185 EGLINTON AVE E		
Location Description:	RP 66R7408 PART 1 TO 9 **GRID N2606		
Project Description:	To permit the development of 34 and 31-storey building and 64 townhouses		

Applicant:	Agent:	Architect:	Owner:
Sherman Brown Dryer Karol Gold Lebow		Page + Steele	Bannockburn Lands Ltd

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	Site & Area Policy 76
Zoning:	M2 and MO(11)	Historical Status:	No
Height Limit (m):		Site Plan Control Area:	Yes

PROJECT INFORMATION

Site Area (sq. m):	11499	Height:	Storeys:	34 & 31
Frontage (m):	85.1		Metres:	108 & 99
Depth (m):	128.2			
Total Ground Floor Area (sq. m):	2628			Total
Total Residential GFA (sq. m):	57,492		Parking Spaces:	935
Total Non-Residential GFA (sq. m):	0		Loading Docks	
Total GFA (sq. m):	57,492			
Lot Coverage Ratio (%):	41			
Floor Space Index:	5.0			

DWELLING UNITS

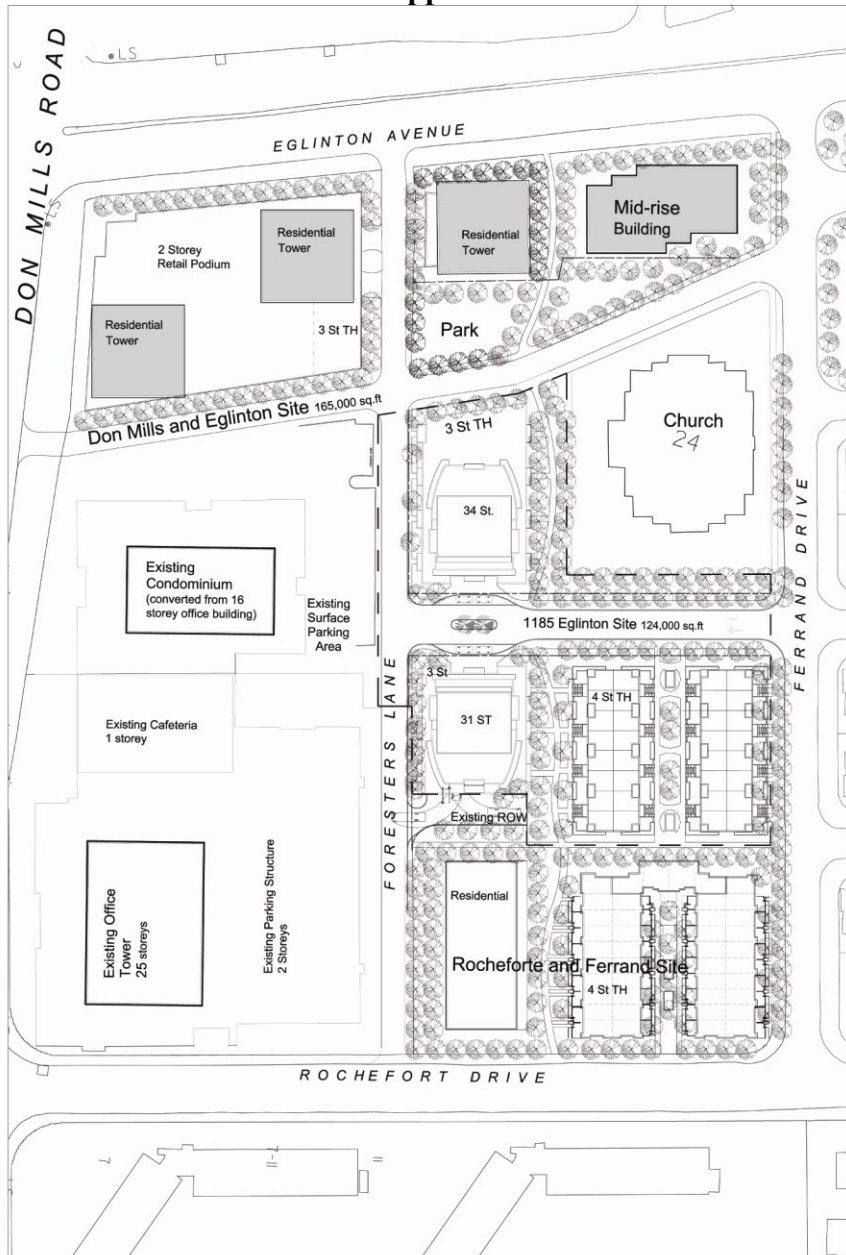
Tenure Type:	Condo
Rooms:	0
Bachelor:	0
1 Bedroom:	303
2 Bedroom:	363
3 + Bedroom:	91
Total Units:	757

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	57,492	0
Retail GFA (sq. m):		0
Office GFA (sq. m):		0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

CONTACT:	PLANNER NAME:	Lynn Poole, Senior Planner
	TELEPHONE:	(416) 395-7136

Attachment 4: Applicant's Context Plan



Context Plan

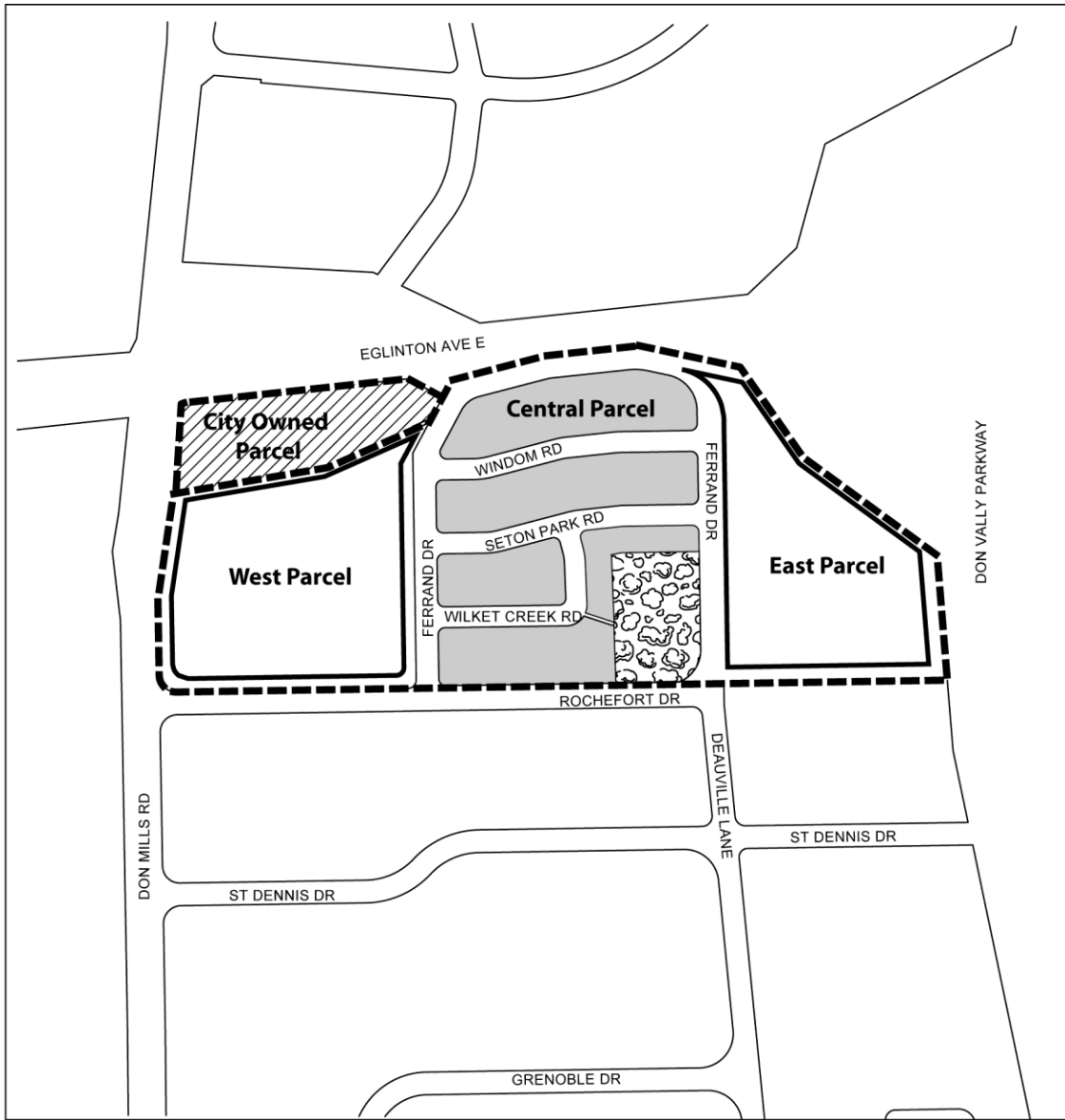
1185 Eglinton Avenue East

Applicant's Submitted Drawing

Not to Scale 08/02/2011

File # 08_111649

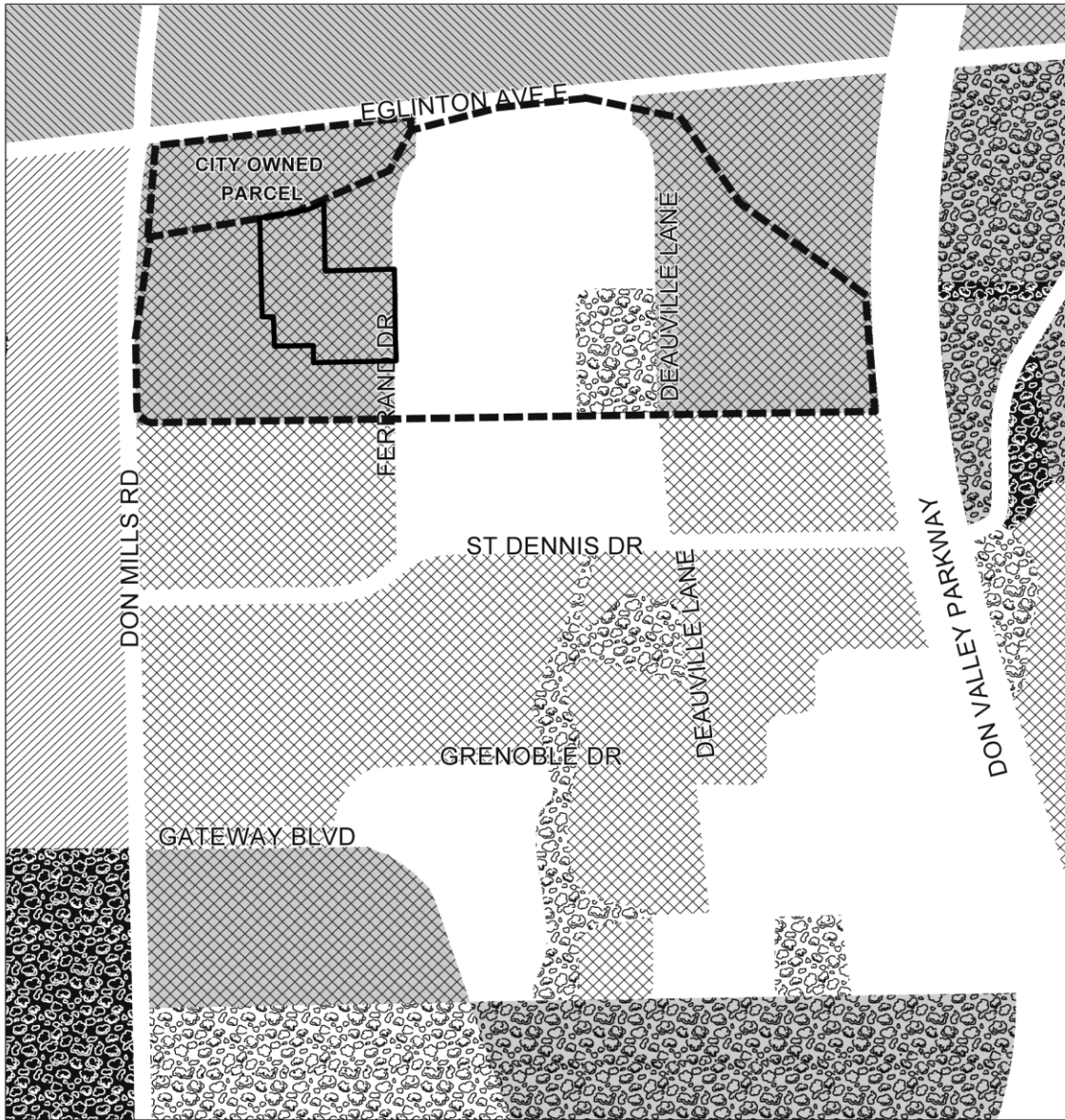
**Attachment 5: East West and Central Parcels
of Area Specific Policy 76 and City Owned Parcel**



-  Area Specific Policy 76
-  Parcels
-  City-Owned Parcel


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Attachment 6: Official Plan



TORONTO City Planning

Official Plan for Site & Area Specific Policy No.76

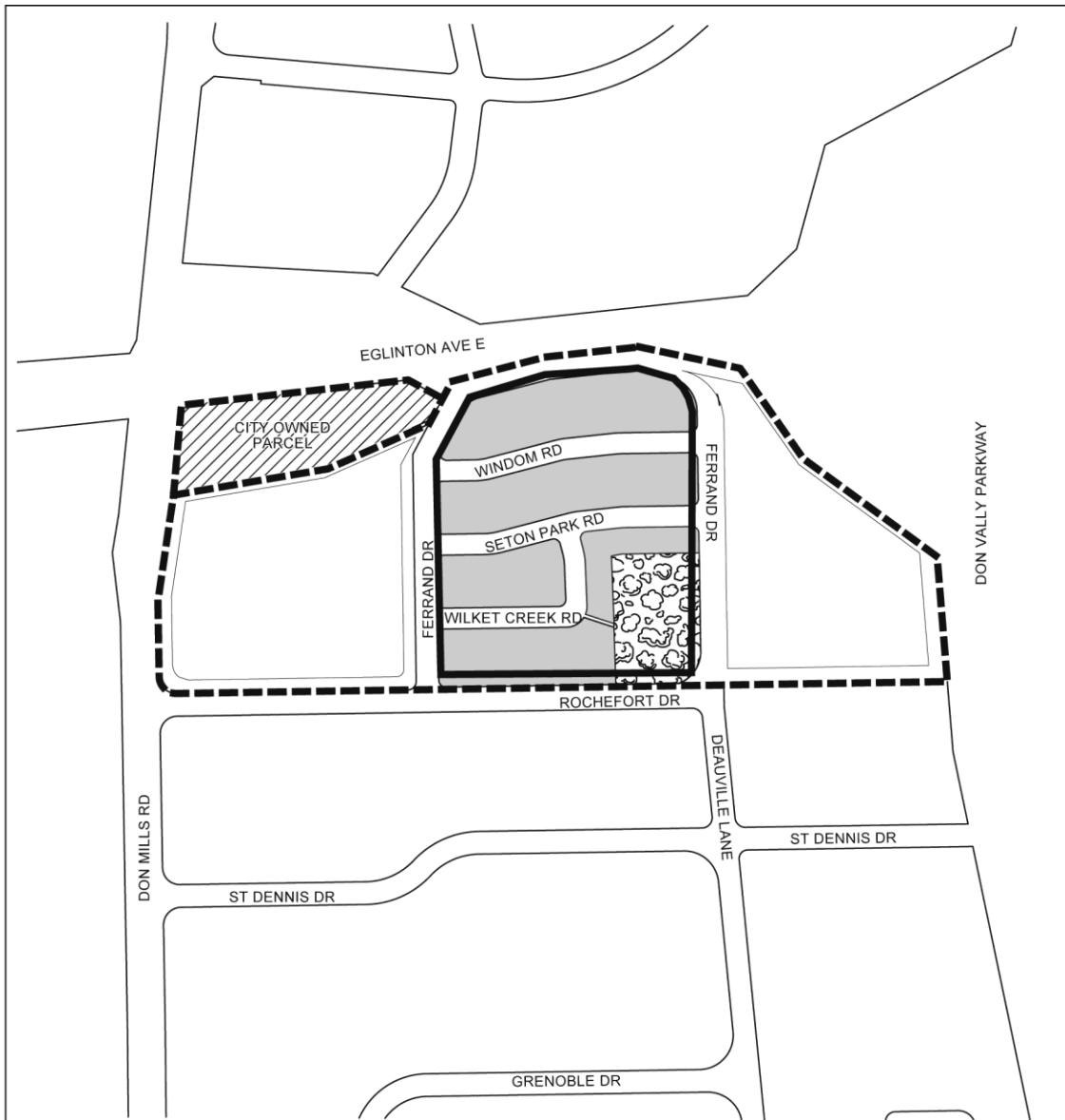
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Study Area	Mixed Use Areas	Parks & Open Spaces Areas
Subject Site	Institutional Areas	Parks
Neighbourhoods	Employment Areas	Other Open Space Areas
Apartment Neighbourhoods		

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Attachment 8: Subdivision of semi-detached houses and townhomes



Site and Area Specific Policy No:76

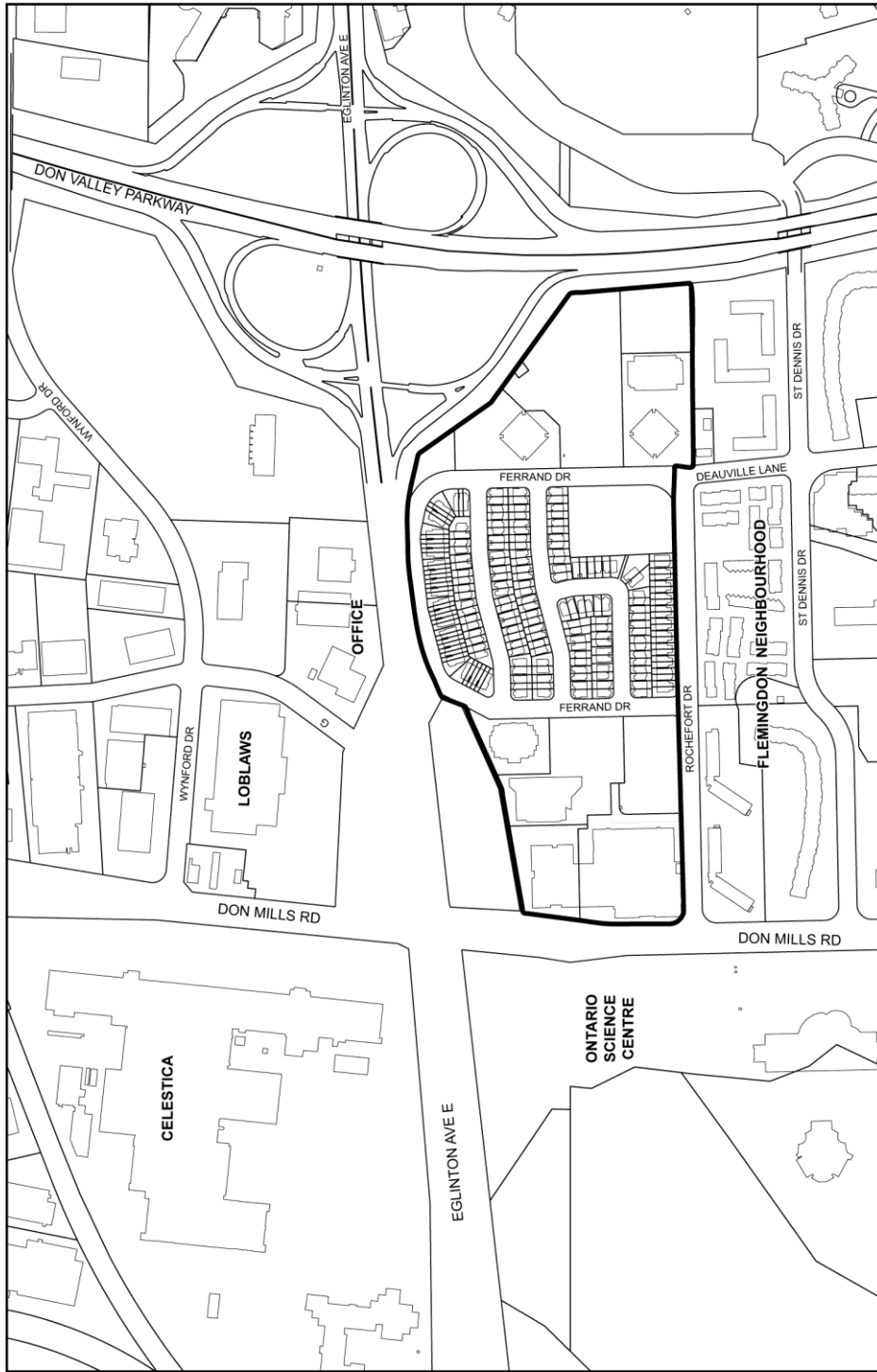
1185 Eglinton Avenue East

File # 08_111649

-  Study Area
-  Location of Semi-Detached Houses & Townhouses
-  City-Owned Parcel

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Attachment 9: Area Specific Policy and Surrounding Uses



1185 Eglinton Ave E

Area Specific Policy 76 & Surrounding Uses

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09/09/2011

File # 08 111649 MNY 26

