

**36-44 Eglinton Avenue West – Rezoning Application
Preliminary Report**

Date:	October 19, 2009
To:	North York Community Council
From:	Director, Community Planning, North York District
Wards:	Ward 16 – Eglinton-Lawrence
Reference Number:	09 148228 NNY 16 OZ

SUMMARY

This application was made on June 10, 2009 and is subject to the new provisions of the *Planning Act* and the *City of Toronto Act, 2006*.

This application proposes to amend Zoning By-law 438-86 of the former City of Toronto to permit the construction of a 53 storey apartment building with ground floor retail uses at 36-44 Eglinton Avenue West.

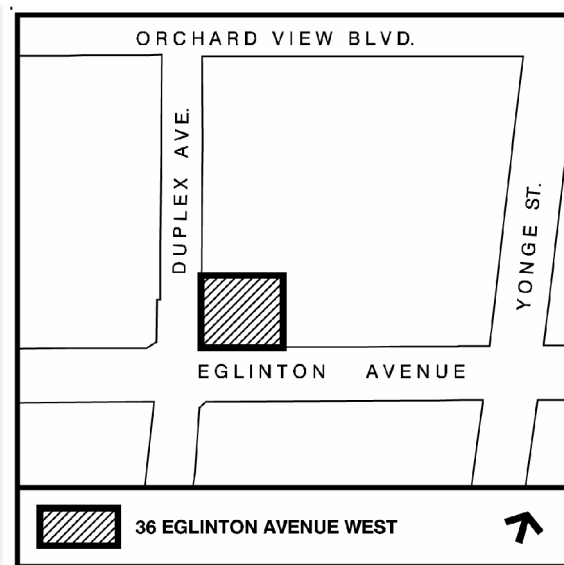
This report provides preliminary information on the above-noted application and seeks Community Council's directions on further processing of the application and on the community consultation process.

It is intended that a community consultation meeting be scheduled by staff in consultation with the Ward Councillor.

RECOMMENDATIONS

The City Planning Division recommends that:

1. Staff be directed to schedule a community consultation meeting together with the Ward Councillor.



2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
3. Notice for the public meeting under the *Planning Act* be given according to the regulations of the *Planning Act*.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

Pre-Application Consultation

A pre-application consultation meeting was held with the applicant to discuss complete application submission requirements.

ISSUE BACKGROUND

Proposal

The application proposes to amend the Zoning By-law to permit the construction of a 53 storey (160m), 458-unit residential apartment building with 228m² of ground floor retail space. The gross floor area of the proposal is 42,432m² which results in a proposed density of 30.9 times the area of the lot.

A three storey base building is proposed covering the entirety of the site having a pedestrian colonnade along the Eglinton Avenue West façade. Above the third storey, the tower element of the proposal is a curvilinear form that is set back from the north and south property lines but has a 0m setback from the east and west property lines. The proposed tower floor plate of 875m² is uniform from the 4th to 47th storey and tapers to 688m² at the 48th floor and again to 521m² at the 51st floor. Indoor residential amenity space is provided on the second and third floors with outdoor amenity space proposed to be provided in rooftop gardens at the 48th and 51st floors.

Vehicular and service access is proposed from Duplex Avenue. A total of 135 parking stalls are proposed within a 5 storey below-grade parking structure. Approximately 123 of these stalls are to be equipped with a mechanical stacker that provides two spaces per stall. The entire garage including stacker operations will be a valet service and the applicant proposes that this method will provide 257 parking spaces for resident parking. No on-site residential visitor or commercial vehicular parking is proposed. In addition to vehicular parking, the applicant is proposing 200 bicycle parking spaces (40 for visitors and 160 for residents).

Please refer to Attachment 6 for the Application Data Sheet.

Site and Surrounding Area

The site is located on the north side of Eglinton Avenue West where it intersects with Duplex Avenue. The site has a frontage of 40m on Eglinton Avenue West and a depth of 35m comprising an area of 1,403m². The existing development on site consists of a 7 storey commercial building containing office and retail uses constructed in 1957. The existing building has a floor area of 8,306m² resulting in a density of 5.72 times the area of the lot. Site servicing and vehicular access to the site is taken from Duplex Avenue. A total of 54 parking spaces exist on site, of which 46 are provided in a below grade parking structure. The building was refurbished in 1988 with reflective glass cladding.

Land Uses surrounding the site are as follows:

North: A 22 storey, 455 unit apartment building at 411 Duplex Avenue, one of two residential buildings forming part of the RioCan Yonge-Eglinton Centre.

East: A 24 storey commercial office building, one of two commercial towers forming part of the RioCan Yonge-Eglinton Centre. The Yonge-Eglinton Centre also contains a multi-level retail concourse with direct below grade connections to the Eglinton subway station.

South: Across Eglinton Avenue West, the TTC bus facilities including the abandoned Eglinton bus barns, east of the bus barns is a two tower, 17 storey office and retail complex known as Canada Square.

In March of this year, City Council adopted recommendations regarding the “City-Initiated Official Plan Amendment and Zoning By-law Amendments, Yonge-Eglinton Centre Focussed Review” which included amendments to the Yonge-Eglinton Secondary Plan (OPA 63) and amendments to the former City of Toronto Zoning By-law (236-2009). These amendments apply only to the southwest quadrant of the Yonge-Eglinton Centre which is bounded by Eglinton Avenue West, Yonge Street, Berwick Avenue and Duplex Avenue and are not yet in force and effect as the instruments remain subject to various appeals before the Ontario Municipal Board. The applicant is one of the appellants and has party status on this matter before the Municipal Board.

West: Across Duplex Avenue, a Hydro substation complex with 30m of frontage on Eglinton Avenue West and 100m frontage on Duplex Avenue. The southern third of these lands are designated *Mixed Use Areas* with the northern-most portion of the lands designated *Neighbourhoods*.

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 to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Staff will review the proposed development for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The subject lands are located within the *Yonge-Eglinton Centre* as identified by Map 2 of the Official Plan. The City's four *Centres*, along with *Avenues*, *Employment Districts* and the *Downtown*, are key components in the Official Plan's growth management strategy.

The Official Plan provides for growth to be directed to *Centres* in order to use municipal land, infrastructure and services more efficiently and concentrate jobs and people in areas well served by surface transit and rapid transit stations. Section 2.2.2 of the Official Plan states that the *Yonge-Eglinton Centre* is limited to the four corners of its key intersection and has potential for infill and redevelopment of key sites. The Plan provides that a priority for managing growth in the City is the establishment of vibrant and transit supportive mixed-use *Centres* via the use of Secondary Plans. The Plan also provides for the potential for growth within the *Centre* while protecting adjacent *Neighbourhoods* from encroachment of larger scale development by establishing firm boundaries for the development area, ensuring an appropriate transition in scale and intensity of activity from within the *Centre* to surrounding *Neighbourhoods* and connecting the *Centre* with the surrounding City fabric.

Section 3.1.2 of the Official Plan contains Built Form policies intended to guide development in terms of individual site and program impacts as well as how new buildings fit within the context of the neighbourhood and the City. These policies guide new development to be located and organized to fit with its existing and/or planned context. Vehicular and service areas are to be integrated and consolidated in such a way to minimize their impact on the properties and its surroundings to improve the safety and attractiveness of adjacent streets. New development is to be massed to fit harmoniously into its existing and/or planned context by creating appropriate transitions in scale to existing or planned buildings as well as adequately limiting the resulting shadowing and uncomfortable wind conditions on neighbouring streets, properties and open spaces. Similar built form policy objectives are found in Section 3.1.3 as they specifically relate to tall buildings.

Lands to the northwest of the subject site are designated *Neighbourhoods*. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings. Low scale institutions are also provided for. Development in

established *Neighbourhoods* will reinforce and respect the existing physical character of the neighbourhood as it relates to lot pattern, height, massing and scale.

Yonge-Eglinton Secondary Plan

The Yonge-Eglinton Secondary Plan designates the subject lands *Mixed Use Area “A”*. The Secondary Plan directs the highest concentration of retail, service commercial, office and residential uses to the intersection of Yonge Street and Eglinton Avenue with its proximity to the subway. The boundary of *Mixed Use Area “A”* on Map 21-1 approximates the boundary of the *Yonge-Eglinton Centre* and the designation recognizes the intersection’s role as the transportation and commercial focal point of the local community.

This is reinforced by policies within the *Mixed Use Area “A”* designation stipulating that development within this area will have a height, density and scale greater than anywhere else in the Secondary Plan area. It is a primary objective of the Secondary Plan to maintain and reinforce the stability of *Neighbourhoods* and to minimize conflict among uses in *Mixed Use Areas, Neighbourhoods, Apartment Neighbourhoods* and *Parks and Open Space Areas* in terms of land use, scale and vehicular movement.

Zoning

The block bounded by Yonge Street, Eglinton Avenue West, Duplex Avenue and Orchard View Boulevard which includes the subject lands is zoned CR T5.0 C4.0 R3.0 by Zoning By-law 438-86 of the former City of Toronto. The maximum building height permitted is 61m. The CR zoning permits a wide range of commercial, office, hotel and retail uses with a density of 4 times the area of the lot. Residential uses are also permitted at a density of 3 times the area of the lot. Mixed use developments having commercial and residential components are permitted to a maximum density of 5.0 times the area of the lot (provided the commercial or residential components do not exceed their maximum density).

Site Plan Control

A Site Plan Control application is required but has not been submitted by the applicant.

Reasons for the Application

An application to amend the Zoning By-law is required to permit the proposed height, density and coverage, as well as establish appropriate zoning standards to facilitate the proposal.

COMMENTS

Application Submission

The following reports/studies were submitted with the application:

- Survey and Existing Site Plan
- Architectural Plans and Elevations
- Sun/Shadow Analysis
- Traffic Impact Study and Parking Study
- Initial Pedestrian Comfort Study
- Community Services & Facilities Study
- Planning Rationale Report
- Preliminary Servicing and Stormwater Management Report
- Noise/Vibration Report
- Arborist Report

A Notification of Complete Application was issued on June 25, 2009.

Issues to be Resolved

On a preliminary basis, the following issues have been identified:

1. The appropriateness of the height, density and massing of the proposal;
2. Built form as it relates to:
 - a. Tall Building Official Plan policies and the Design Guidelines for Tall Buildings;
 - b. Appropriate transition in scale from the *Centre* to the low scale residential context to the northwest of the subject site with respect to shadow and other possible impacts;
3. The adequacy and appropriateness of proposed indoor and outdoor amenity space;
4. The appropriateness the proposed reduced parking supply based on the proximity to the Eglinton subway station and the appropriateness of the proposed mechanical stackers to meet this reduced standard;
5. The possibility of integrating the subject site into development on adjacent parcels for access and servicing as well as direct connections into the existing and proposed transit infrastructure; and
6. The applicability of Section 37 of the *Planning Act* to secure appropriate community benefits should the application be recommended for approval.

The applicant has been advised to review sustainable development opportunities as outlined in the Toronto Green Standard, adopted by City Council in July 2006.

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

CONTACT

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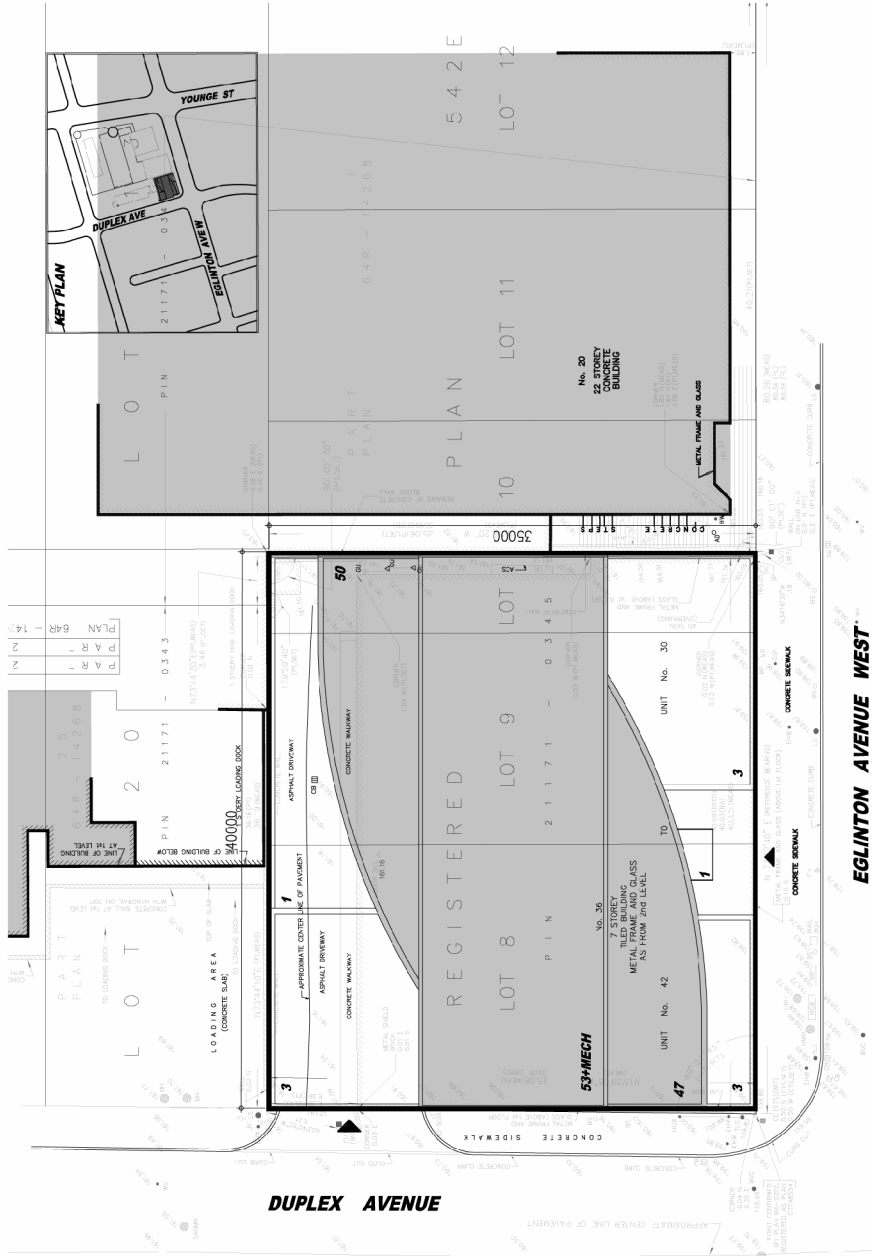
SIGNATURE

Thomas C. Keefe, Director
Community Planning, North York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: South Elevation
Attachment 3: West Elevation
Attachment 4: North Elevation
Attachment 5: Zoning
Attachment 6: Application Data Sheet

Attachment 1: Site Plan



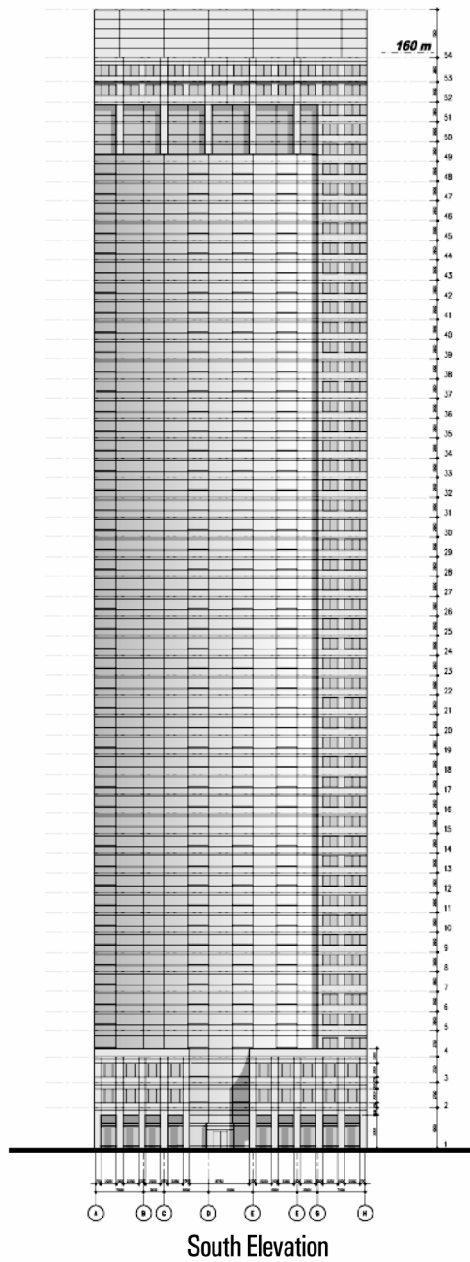
Context Plan

Applicant's Submitted Drawing

Not to Scale
09/04/2009

File # 09_148228

Attachment 2: South Elevation



Elevations

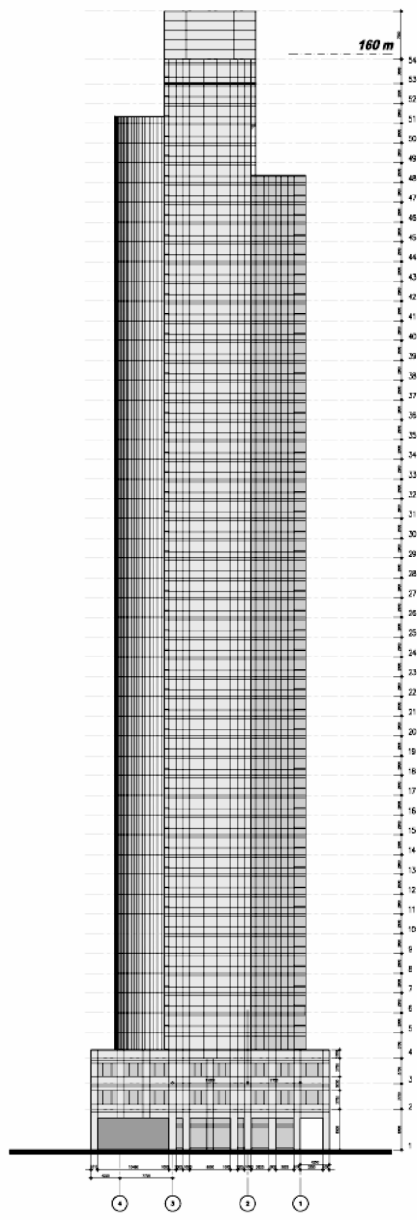
Applicant's Submitted Drawing

Not to Scale
08/04/2009

36 Eglinton Avenue West

File # 09_148228

Attachment 3: West Elevation



West Elevation

Elevations

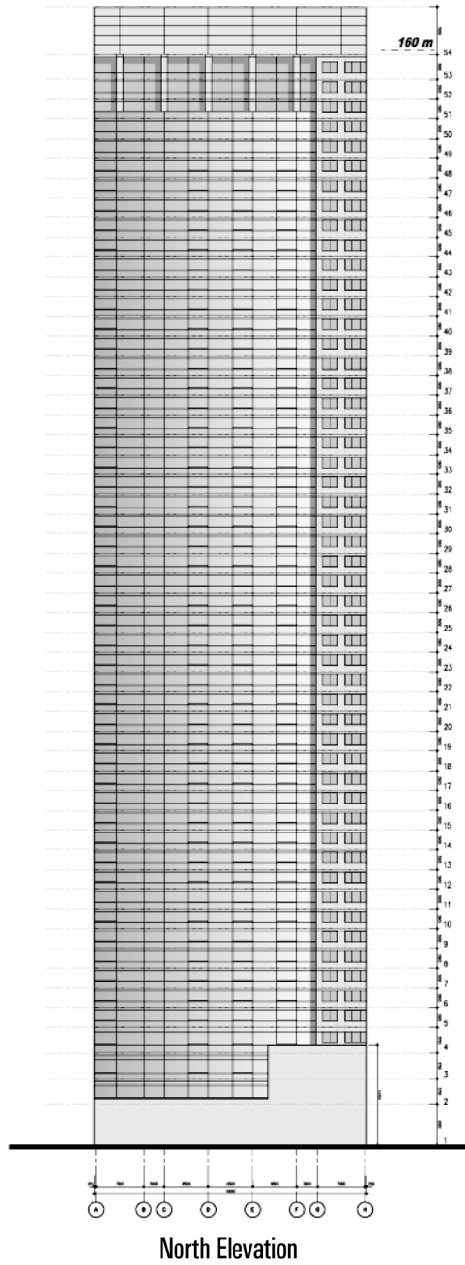
Applicant's Submitted Drawing

Not to Scale
08/04/2009

36 Eglinton Avenue West

File # 09_148228

Attachment 4: North Elevation



Elevations

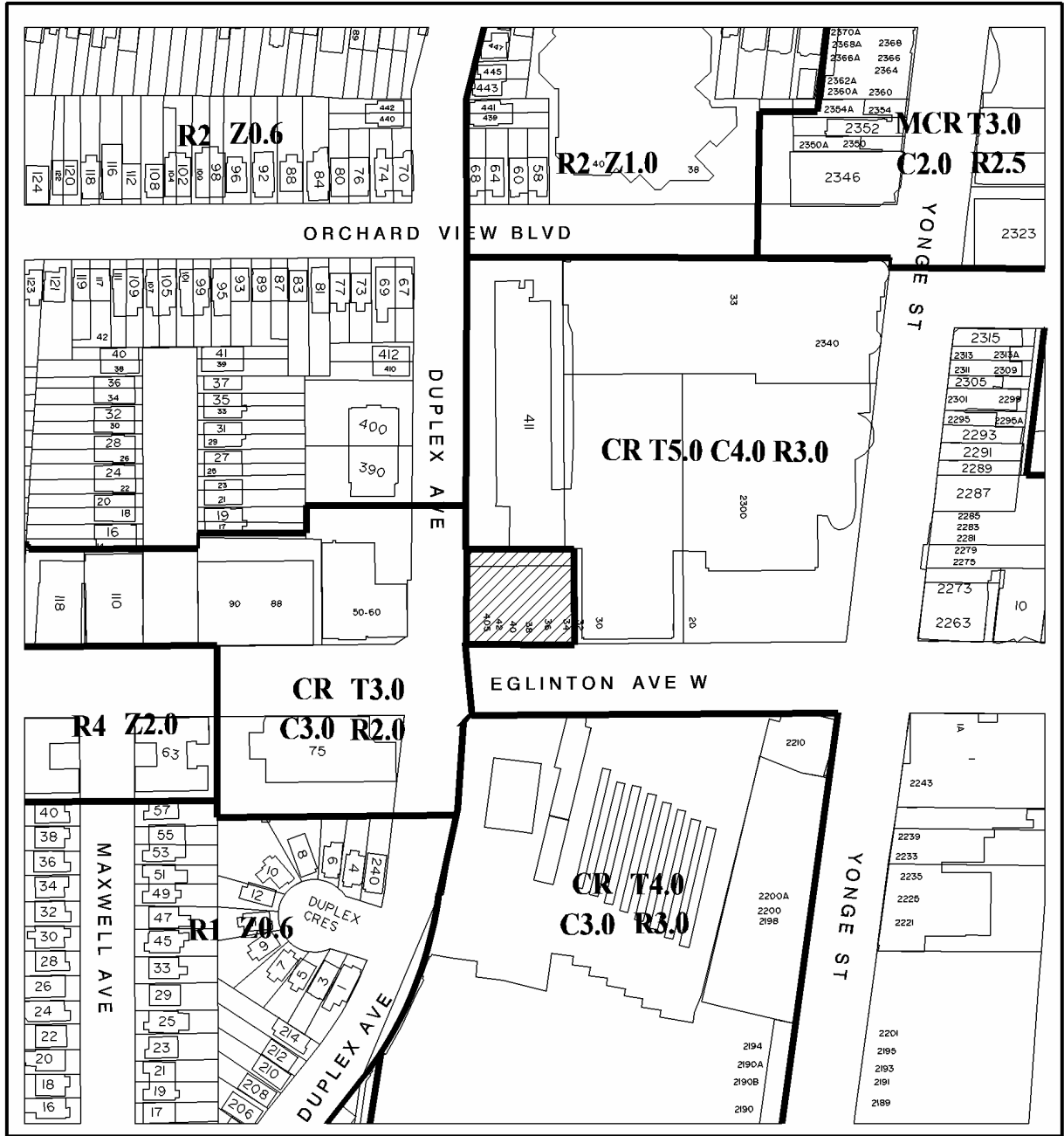
Applicant's Submitted Drawing

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36 Eglinton Avenue West

File # 09_148228

Attachment 5: Zoning



36 Eglinton Avenue West

File # 09_148228

- R1 Residential District
- R2 Residential District
- R4 Residential District
- MCR Mixed Use District
- CR Mixed Use District



Not to Scale
Zoning By-law 438-86 As Amended
Extracted 08/04/2009

Attachment 6: Application Data Sheet

Application Type	Rezoning	Application Number:	09 148228 NNY 16 OZ
Details	Rezoning, Standard	Application Date:	June 10, 2009

Municipal Address: 36-44 EGLINTON AVE W
 Location Description: PL E542 LTS 8 & 9 PT LT10 **GRID N1606
 Project Description: Proposed 53 stories mixed-use building with condominium and ground floor retail

Applicant:	Agent:	Architect:	Owner:
WEIR FOULDS, LLP			PREMIUM PROPERTIES LTD

PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:
Zoning:	CR T5.0 C4.0 R3.0	Historical Status:
Height Limit (m):		Site Plan Control Area: N

PROJECT INFORMATION

Site Area (sq. m):	1403.6	Height:	Storeys:	53
Frontage (m):	35.08		Metres:	160
Depth (m):	40.05			
Total Ground Floor Area (sq. m):	819			Total
Total Residential GFA (sq. m):	42204		Parking Spaces:	257
Total Non-Residential GFA (sq. m):	228		Loading Docks	1
Total GFA (sq. m):	42432			
Lot Coverage Ratio (%):	58.4			
Floor Space Index:	30.23			

DWELLING UNITS

Tenure Type:	Condo
Rooms:	0
Bachelor:	46
1 Bedroom:	264
2 Bedroom:	166
3 + Bedroom:	0
Total Units:	458

FLOOR AREA BREAKDOWN (upon project completion)

	Above Grade	Below Grade
Residential GFA (sq. m):	42204	0
Retail GFA (sq. m):	228	0
Office GFA (sq. m):	0	0
Industrial GFA (sq. m):	0	0
Institutional/Other GFA (sq. m):	0	0

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