

**Planning Rationale for
Leaside Property Owners' Association (LPOA)
Appeal of the Portion of Toronto's Official Plan Amendment 253 which
Would Permit Townhouse Development on the South Side of
Eglinton Avenue East, West of Hanna Road**

Section 3 of Toronto Official Plan Amendment 253 introduces a site and area specific policy to permit townhouse development on a strip of properties located on the south side of Eglinton Avenue East, West of Hanna Road. The section states:

"3. Chapter 7, Site and Area Specific Policies including Map 28, is amended by adding Site and Area Specific Policy No. 475 as follows:

475. Certain Lands on the South Side of Eglinton Avenue East west of Hanna Road

- a) Notwithstanding Chapter 4.1 of the Official Plan of the City of Toronto, townhouses are a permitted building type.
- b) Future development on the lands shall
 - i. not exceed 4 storeys in height;
 - ii. for properties fronting on to Eglinton Avenue East, servicing, loading, and vehicle access will be taken from Hanna Road by means of a public laneway at the rear;
 - iii. for dwellings fronting on Eglinton Avenue East generally maintain front setbacks in keeping with the front setbacks of dwellings on Eglinton Avenue East between Hanna Road and Sutherland Drive or, for dwellings fronting on Hanna Road generally maintain front setbacks in keeping with the front setbacks of dwellings on Hanna Road south of Eglinton Avenue East; and
 - iv. generally implement the Infill Townhouse Guidelines".

The City's reasons for this site and area specific policy are set out on page 7 of the **Eglinton Connects Planning Study – Phase 1 (Part 1) Implementation Report, May 22, 2014** namely:

“Permission to Build Townhouses in Leaside

The properties fronting onto Eglinton Avenue in the Leaside area between Bayview Avenue and Sutherland Drive are currently designated Neighbourhoods. The existing built form context in this area limits any redevelopment to single-detached homes. This report recommends a Site and Area Specific Policy be implemented on the south side of Eglinton Avenue, for the one block west of Hanna Road, to permit townhouses with access and servicing from a rear laneway to be constructed. The land use designation would remain Neighbourhoods.

This block of houses does not form an integral part of the neighbourhood, and moving multiple curb cuts and driveway access from Eglinton Avenue to a rear laneway would improve the pedestrian environment on the sidewalk. The impact

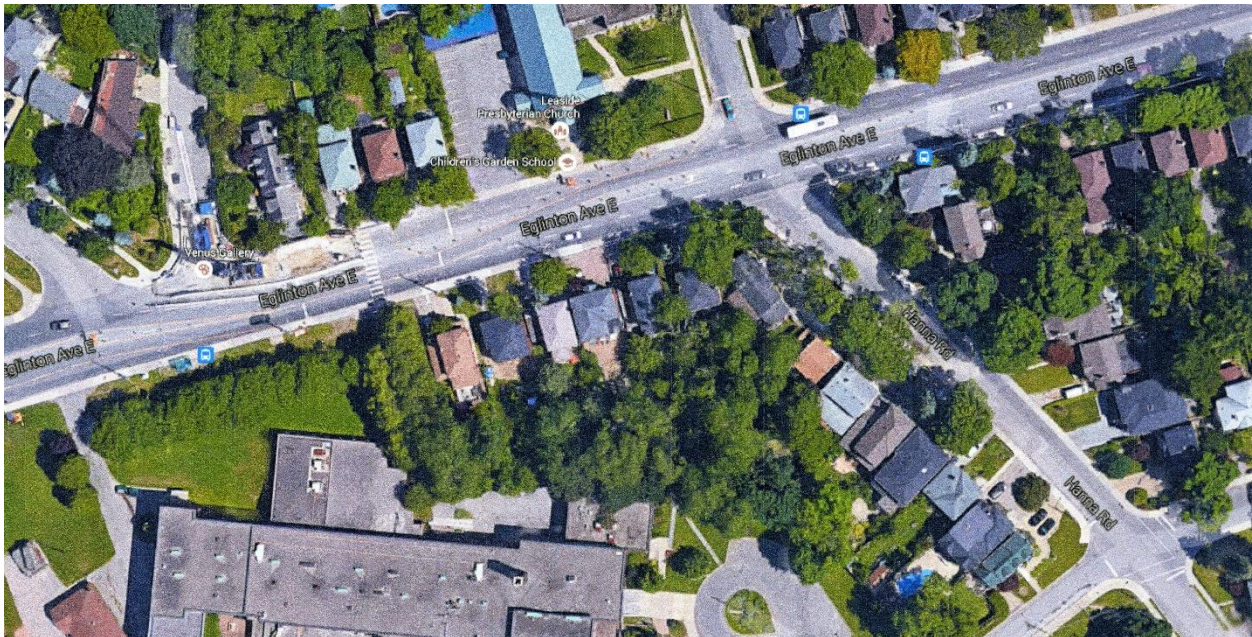
of any redevelopment occurring here is limited by the fact that the properties abut a school site at the rear.”

LPOA objects to the proposed amendment on the basis that the planning rationale provided by the City does not reasonably justify the creation of a site and area specific policy within the “Neighbourhoods” policy of the Official Plan for the subject strip of lots.

The seven single family detached dwellings which currently make-up the subject strip (see Figure 1) **are an integral part of the existing low density (two storey) residential neighbourhood along this part of Eglinton Avenue East.**

Figure 1

Subject Strip and Neighbouring Properties (from Google Earth)



The City has provided no compelling planning argument to justify an exception to the existing Neighbourhood policies. On the contrary, many of the Official Plan’s Neighbourhoods policies specifically discourage the type of development contemplated. Pertinent Neighbourhood policies include:

“4.1 Neighbourhoods

-
- 4.1.5 Development in established Neighbourhoods will respect and reinforce the existing physical character of the neighbourhood, including in particular:**
- a) patterns of streets, blocks and lanes, parks and public building sites;*
 - b) size and configuration of lots;*
 - c) heights, massing, scale and dwelling type of nearby residential properties;*

- d) prevailing building type(s);
- e) setbacks of buildings from the street or streets;
- f) prevailing patterns of rear and side yard setbacks and landscaped open space;
- g) continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and
- h) conservation of heritage buildings, structures and landscapes.

No changes will be made through rezoning, minor variance, consent or other public action that are out of keeping with the physical character of the neighbourhood.

The prevailing building type will be the predominant form of development in the neighbourhood. Some Neighbourhoods will have more than one prevailing building type. In such cases, a prevailing building type in one neighbourhood will not be considered when determining the prevailing building type in another neighbourhood.

.....
4.1.7 Proposals for intensification of land on major streets in Neighbourhoods are not encouraged by the policies of this Plan. Where a more intense form of residential development than that permitted by existing zoning on a major street in a Neighbourhood is proposed, the application will be reviewed in accordance with Policy 5, having regard to both the form of development along the street and its relationship to adjacent development in the Neighbourhood.

4.1.8. Zoning by-laws will contain numerical site standards for matters such as building type and height, density, lot sizes, lot depths, lot frontages, parking, building setbacks from lot lines, landscaped open space and any other performance standards to ensure that new development will be compatible with the physical character of established residential Neighbourhoods”.

1. Non-conformity to character and functioning of area

The proposed official plan amendment runs completely counter to many of the Neighbourhoods policies noted above:

- the size and configuration of lots would change,
- the height and dwelling type would change and
- the prevailing building type would change.

Proposals for intensification of land on major streets in Neighbourhoods are not encouraged by the policies of the Official Plan. The replacement of the existing dwellings with four storey townhouse development would be completely out of character with the surrounding residential development. This is not an infill site as defined by the Official Plan. It is not a property with a derelict building or an isolated strip of lots with rundown dwellings, it is a strip of well-maintained, primarily two storey dwellings which are very similar to those on neighbouring lots.

2. Precedent While the proposed Site and Area Specific Policy applies only to the subject strip, there is also concern that approval of such a policy would lead to pressure for land use change in the blocks across and along Eglinton to the east, creating potential instability for a much larger stretch of lands designated Neighbourhoods.

3. Inconsequential density impact

This is not a proposal which is essential to the economic viability of the Eglinton Crosstown Light Rail System. Massive new residential proposals are currently before the City for the Eglinton-Bayview intersection (Rio-Can 426 units) and the Eglinton-Brentcliffe Intersection (Diamond Corporation 1500 units). The City is also seeking to permit mid-rise development on both sides of Eglinton between Sutherland and Laird. Additional development proposals are before the City for lands along Bayview (Brown Group) and along Laird (VIVA Retirement Communities) both in close proximity to Eglinton Avenue East. It is also expected that large scale development proposals will eventually be forthcoming for other lands within the Bayview Focus Area and for the existing “Canadian Tire commercial strip” at the southeast corner of Eglinton and Laird.

4. Undesirable laneway impacts

While development of townhousing on the subject strip would remove curb cuts and possibly make a marginal improvement in pedestrian safety, such development would be dependent on the acquisition of 220 Hanna Road to provide laneway access and the acquisition of enough abutting lots to make townhouse development feasible.

The construction of a rear laneway would require the removal of a significant number of mature trees (see Figure 1) in contravention of the policies of section 3.1.2.1.d) of the Official Plan.

The proposed laneway would meet Hanna at a point where vehicles proceeding east along Eglinton and turning south on Hanna are often moving at a considerable rate of speed. Hanna does not intersect Eglinton at a right angle. This could actually be more dangerous than the existing individual driveways which are at least reasonably visible.

5. Erosion of Character Area and Heritage

The subject strip of properties on Eglinton and on Hanna, which are occupied by original, largely unaltered houses constructed in the 1940's (see Figures 2 and 3) is included in the Leaside “area of character” that was identified in the Eglinton Crosstown Study “Heritage Analysis – The Metropolitan Avenue” report by ERA Architects, October 2013. As such the wholesale demolition and reconstruction of the built form is contrary to Study Recommendation 21: Implement Additional Performance Standards to Support Local Character Areas and Heritage.

Figure 2

Southside of Eglinton Ave East, West of Hanna Road



Figure 3

Southwest Corner of Eglinton Avenue East and Hanna Road



In addition, the subject strip of properties is within the area approved by North York Community Council (May 13, 2014) for nomination as a proposed Heritage Conservation District. The City's apparent support for demolition and re-construction within the future HCD area could potentially undermine the intent of the proposed HCD and create a problematic precedent.

July 29, 2015