

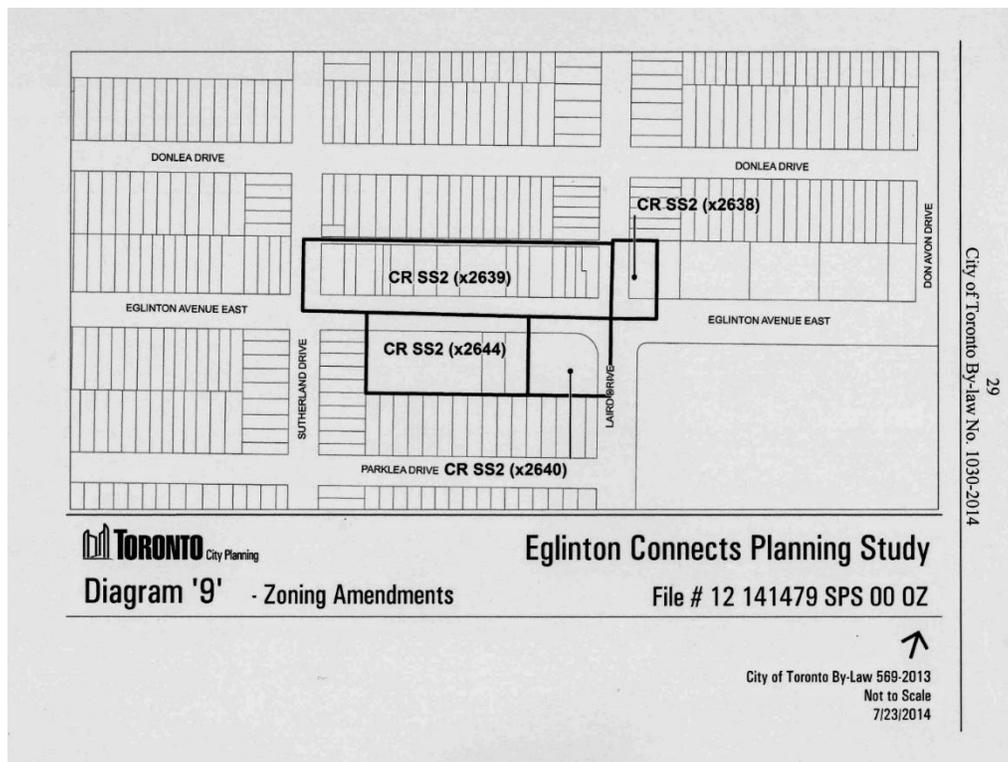
Planning Rationale for Leaside Property Owners' Association (LPOA) Appeal of Portions of City of Toronto Zoning By-law No. 1030-2014

Zoning By-law No. 1030-2014 was adopted by the City of Toronto to introduce site specific provisions for a number of areas along Eglinton Avenue West and East. Within the Leaside community, such provisions were introduced for four areas (see Figure 1):

- the northeast corner of Laird and Eglinton Avenue East (Exception CR 2638),
- the north side of Eglinton Avenue East between Sutherland Drive and Laird Drive (Exception CR 2639),
- the southwest corner of Laird and Eglinton (Exception CR 2640) and
- the portion of the south side of Eglinton Avenue East between Sutherland Drive and Laird Drive occupied by the Toronto Finnish Canadian Seniors Centre (Suomi Koti) and two abutting low-rise apartment buildings to the east (Exception CR 2644).

All four areas within the Leaside community are designated Mixed Use Areas in the Toronto Official Plan.

Figure 1
Diagram 9 – City of Toronto Zoning By-law No. 1030 - 2014



LPOA objects to the proposed zoning changes in City of Toronto Zoning By-law No. 1030-2014 dealing with the following:

- **the northeast corner of Laird Drive and Eglinton Avenue East (Exception CR 2638) (see Figure 2),**
- **the north side of Eglinton Avenue East between Sutherland Drive and Laird Drive (Exception CR 2639) (see Figure 3),**
- **the southwest corner of Laird Drive and Eglinton Avenue East (Exception CR 2640) (see Figure 4) and**
- **the two low-rise apartment buildings immediately east of the Finnish Canadian Senior Centre (Part of Exception 2644)**

on the basis that the proposed zoning does not conform with either the wording or intent of the City of Toronto Official Plan and that insufficient planning analysis was undertaken by the City to justify as-of-right zoning for the subject areas.

Figure 2

Northeast Corner of Laird Drive and Eglinton Ave East



Figure 3

North Side of Eglinton Avenue East Between Sutherland Drive and Laird Drive



Figure 4

Southwest Corner of Laird Drive and Eglinton Avenue East



LPOA does not object to the proposed zoning on the portion of the south side of Eglinton Avenue East between Sutherland Drive and Laird Drive occupied by the Finnish Canadian Senior Centre (Part of Exception CR 2644) as the proposed zoning on this parcel appears intended to set updated standards for a senior's residence and associated facilities that have been in place for many years and pre-date the current City of Toronto Official Plan.

It is understood that the City proposed the four zoning exceptions in question to permit mid-rise development as-of-right on the four subject areas; this move being part of a larger effort to intensify development along the Eglinton Crosstown Light Rail route.

Official Plan Conformity

Section 2.2.2 of the Toronto Official Plan states:

“2 Growth will be directed to the Centres, Avenues, Employment Areas and the Downtown as shown on Map 2 in order to

Recommendation 15 of the Eglinton Connects Planning Study – Final Directions Report, which was adopted by Council May 6, 7 and 8, 2014, reads:

“Study Recommendation 15 – Encourage Mid-Rise Buildings on Eglinton Avenue through As-of-Right Zoning Permissions. New buildings should be predominantly mid-rise in scale for the portions of Eglinton Avenue that are identified as an Avenue in the Official Plan. As-of-right zoning permissions should be adopted to encourage mid-rise development for these locations.”

Based on section 2.2.2 of the Toronto Official Plan and recommendation 15 of the Eglinton Connects Planning Study – Final Directions Report, it is clear that if growth is to be directed to Mixed Use Areas, it is to be directed to Mixed Use Areas which are also identified as Avenues. **None of the areas of concern are identified as Avenues in the Official Plan.**

As the Eglinton frontage between Sutherland and Laird was not designated as an Avenue in the Official Plan, pre-zoning it to allow 7 or 8 storey buildings as-of-right is basically saying to any owner of a property designated Mixed Use near Eglinton that they are entitled to a 7 or 8 storey structure and this is clearly not the intent of the Official Plan.

By pre-zoning the subject strip, the City is not reflecting the intent of the Mixed Use policies of the Official Plan. As the by-law would permit 7 and 8 storey residential buildings as-of-right, the City would lose the ability to work with developers to ensure that these areas are truly mixed use as intended by the Official Plan.

Insufficient Planning Analysis

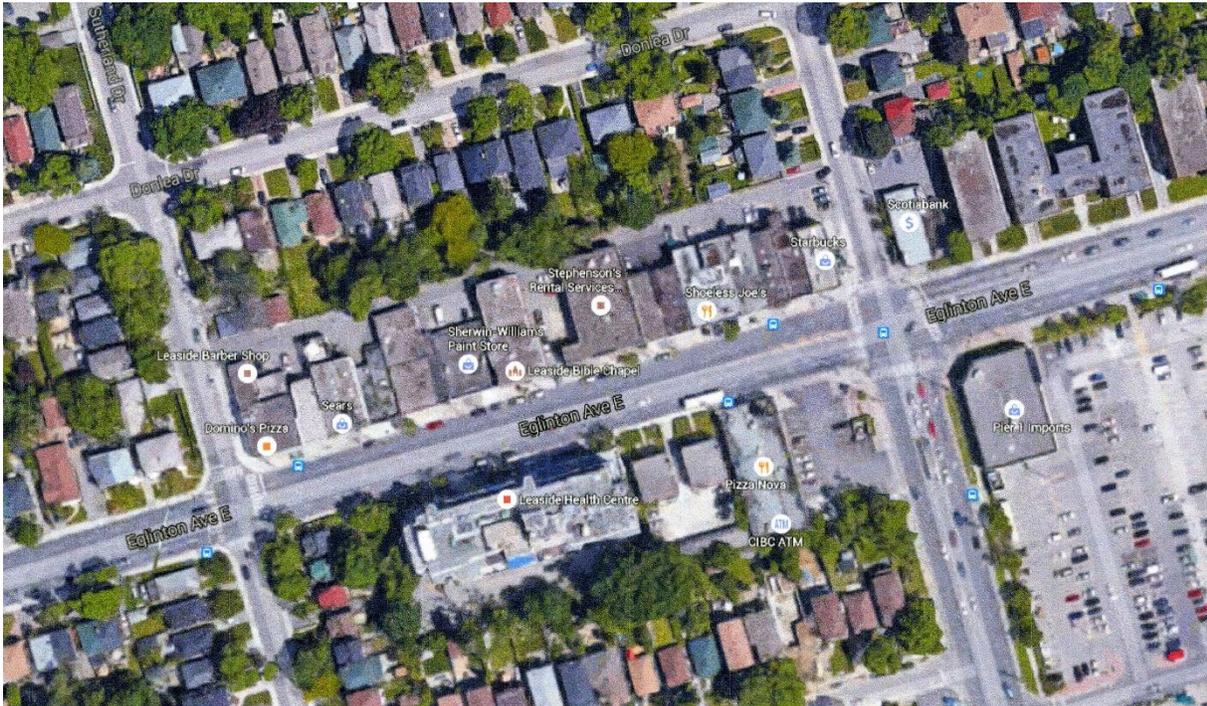
It is understood that the City did not undertake, at least in any detail, the various studies set out in its “Toronto Development Guide” for Zoning By-law Amendment Applications -

- Planning Rationale,
- Pedestrian Level Wind Study,
- Sun/Shadow Study,
- Housing Issues Report,
- Environmental Impact Study,
- Arborists Tree Preservation Report,
- Noise Impact Study,
- Vibration Study,
- Geotechnical Study,
- Servicing and Stormwater Management Report,
- Transportation Impact Study,
- Parking Study,
- Loading Study,
- Traffic Operations Assessment, etc.

to examine and address any negative impacts mid-rise development permitted by the by-law would have on neighbouring properties (see Figure 5), particularly on single detached homes fronting on Donlea Drive, the first street north of Eglinton.

Figure 5

Aerial View of Neighbouring Properties (from Google Earth)



Eglinton Connects Planning Study – Phase 1 (Part 2) Implementation Report. Page 5, Paragraph 6 reads:

“Some members of the public expressed general concerns with the proposed height and scale of mid-rise development in the corridor, expressing a preference for lower-scale development. Concerns included the traffic impact to Eglinton Avenue and the local streets in the surrounding communities created by additional residents, as well as the impact on infrastructure and community services”.

While it is appreciated that not all resident concerns have merit, the pre-zoning of the Sutherland to Laird strip with minimal public input (for example affected owners were not individually advised, and none of the public meetings were held in Leaside), removes the right of neighbouring and affected property owners to have their legitimate concerns addressed.

Part of the area located at the southwest corner of Laird Drive and Eglinton Avenue East (Exception CR 2640) (see Figure 4) is the site of the main Laird Station on the Eglinton Crosstown Light Rail system. Metrolinx information made available to the community has suggested that the main Laird Station will take the form of a separate low rise building. The proposed zoning on this area would allow midrise development. The public should know what form of development is actually proposed for this site and what impacts it may have on neighbouring uses.

Eglinton Connects Planning Study – Phase 1 (Part 2) Implementation Report. Page 67, states:

“3.1 Identified Character Areas

The Avenues and Mid-Rise Building Study identified Character Areas that are reinforced in the Eglinton Connects Planning Study. The areas are:

.....
9) Leaside

.....
The design of new buildings, setbacks and landscapes in these areas should refer to Volume 1, Appendix A (Heritage) of the Eglinton Connects Planning Study, as well as conduct a thorough review of local conditions and context.”

The pre-zoning of the four areas in question removes the ability to address any concerns identified.

Additional Comments:

While not a planning matter of concern to the Ontario Municipal Board, it should be noted that in its August 6, 2014 letter to the Chair of Planning and Growth Management Committee re PG35.3 Eglinton Connects Planning Study – Phase 1 (Part 2), LPOA requested

“that PGMC recommend to City Council that another round of community consultation be arranged through the local councillor and report back to PGMC in 2015”

In its decision on Eglinton Connects Planning Study – Phase 1 (Part 2) Implementation Report, Council adopted the following:

“3. City Council request that an additional round of community consultation be arranged through the local Councillor for Ward 26 for report back to the Planning and Growth Management Committee in 2015”.

It would appear that zoning by-law 1030-2014 was adopted without the further consultation in Ward 26 directed by Council.

July 29, 2015