



February 2, 2023

Project No: 20328

Hon. Steve Clark, MPP, Minister
Ministry of Municipal Affairs and Housing
Municipal Services Office – Central Ontario
777 Bay Street – 13th Floor
Toronto, ON M7A 2J3

Attn: Jennifer Le

Dear Minister Clark:

***Re: Request to Modify City of Toronto OPA 570 Prior to Ministerial Approval ERO
File No. 019-5937
537-543 Eglinton Avenue East and 59 and 61 Hoyle Avenue***

Introduction

We are writing on behalf of 545 Eglinton Realty Inc., the owner of the lands municipally known as 537-547 Eglinton Avenue East and 59 and 61 Hoyle Avenue (the “subject site”).

The subject site forms part of the Leaside Protected Major Transit Station Area (“PMTSA”) as delineated by Site and Area Specific Policy (“SASP”) 681 of Official Plan Amendment (“OPA”) 570, which was adopted by City Council on July 21, 2022.

On Map 2 of SASP 681, the subject site together with other lands designated *Mixed Use Areas* and *Apartment Neighbourhoods* surrounding Leaside Station have a proposed minimum density of 2.0 floor space index (“FSI”). In our opinion, this minimum density is artificially low and is inconsistent with the existing policy framework, which encourages an integrated approach to transportation and land use planning, promotes the development of complete communities, and supports the optimization and efficient use of land and infrastructure within the built-up areas that are well served by municipal infrastructure, including higher-order public transit.

In particular, a minimum density of 2.0 FSI as identified for the subject site, is significantly lower than the proposed density of 10.6 FSI, which would result from the proposed redevelopment of the site with a 25-storey Mixed Use building. The proposed Mixed Use building will provide an increased residential population that supports transit ridership on

the Eglinton Crosstown LRT and allow residents to take advantage of the shops, services, restaurants and other facilities in the surrounding area.

Further, the minimum density of 2.0 FSI proposed for the subject site and other lands designated *Mixed Use Areas* and *Apartment Neighbourhoods* surrounding Leaside Station are significantly lower than recently proposed and approved densities within the Leaside PMTSA, as listed in **Table 1** below.

Accordingly, we are writing to request that the Ministry of Municipal Affairs and Housing modify OPA 570 as follows:

- **Revise SASP 681 Map 2 – “Minimum Densities, Leaside Protected Major Transit Station” to increase the minimum densities from 2.0 FSI and 2.5 FSI to 3.5 FSI and 8.0 FSI, as indicated on Figure 1 below and as attached to this letter as Attachment A.**

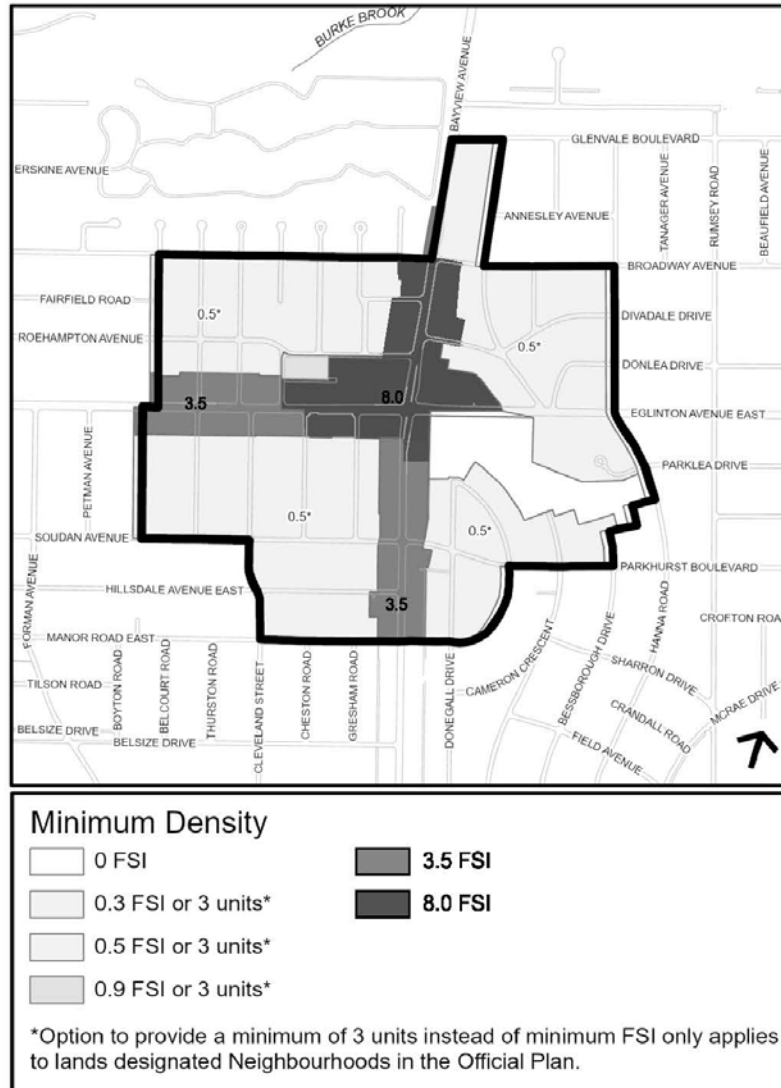
For the reasons outlined in this letter, it is our opinion that the minimum density should be increased from 2.0 FSI and 2.5 FSI to 8.0 FSI within the *Mixed-Use Areas* and *Apartment Neighbourhoods* designated properties along Eglinton Avenue East and Bayview Avenue within 250 metres of the Leaside Station, including the subject site, which would be consistent with the province's policy framework to optimize significant public infrastructure along the Eglinton Avenue Corridor. To provide appropriate transitions from the immediate area surrounding Leaside Station, it is our opinion that the minimum density for the surrounding *Mixed Use Areas* and *Apartment Neighbourhoods* designated lands along Eglinton Avenue and Bayview Avenue within the Leaside PMTSA should be increased from 2.0 FSI to 3.5 FSI.

Figure 1 – Requested modification to Map 2 of SASP 681

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City of Toronto By-law -2021

Map 2 – Minimum Densities, Leaside Protected Major Transit Station Area



Application History & Development Proposal

An Official Plan Amendment and Zoning By-law Amendment Applications were resubmitted in September 2022, to permit the redevelopment of the subject site with a 25-storey mixed use building including 300 residential units and a total Gross Floor of 21,688 square metres, resulting in a density of 10.6 FSI. The applications have been appealed to the Ontario Land Tribunal.

Site and Surroundings

The subject site is a consolidation of eight properties: 537 – 545 and 547 Eglinton Avenue East, as well as 59 and 61 Hoyle Avenue. The properties include the following:

- 541 Eglinton Avenue East contains a single-storey detached residential dwelling;
- 543 Eglinton Avenue East contain a single-storey detached residential dwelling;
- 545 Eglinton Avenue East contains a single-storey detached residential dwelling;
- 547 Eglinton Avenue East contains a single-storey detached dwelling that is currently being used as a health clinic;
- 61 Hoyle Avenue contains a single-storey detached dwelling with private parking in the rear. The private east-west laneway, which is incorporated into the subject site, provides vehicular access to 59 Hoyle Avenue, as well as 61 Hoyle Avenue. The property is currently owner occupied; and
- 59 Hoyle Avenue contains a two-storey, owner-occupied detached residential dwelling. Access to the rear yard and surface parking area is from the private east-west laneway.

To the immediate east, at 551 Eglinton Avenue East is a 9-storey residential apartment building which frames the southwest corner of Eglinton Avenue East and Mann Avenue. Further east at the southwest corner of Eglinton Avenue East and Bayview Avenue is an L-shaped 6-storey mixed-use building (1750 Bayview Avenue) and east of that, at the northeast corner of Eglinton Avenue East and Bayview Avenue, 660 Eglinton Avenue East is under construction for two mixed-use buildings of 16 and 11-storeys including retail and office uses on the first and second floors.

To the immediate south of the subject site, the east (between 1-61 Hoyle Avenue) and west sides of Hoyle Avenue (between 2-80 Hoyle Avenue) consist of a low-rise residential neighbourhood characterized by a variety of dwelling types including 2-storey multi-unit dwellings in semi-detached building forms with some rear yard garages interspersed and private driveways. The low-rise residential neighbourhood-built form continues further south of the subject site.

To the immediate west of the subject site, on the west side of Hoyle Avenue is a 9-storey mid-rise apartment building (525 Eglinton Avenue East). Moving west along Eglinton Avenue East is the Eglinton Avenue Gospel Hall (503 Eglinton Avenue East) and a 3-storey detached building that is currently being used as Growth and Wellness Therapy

Centre (501 Eglinton Avenue East). Moving further west, west of Cleveland street, the properties with frontages on Eglinton Avenue East includes an 11-storey apartment building with surface parking and soft landscaping (485 Eglinton Avenue East), a 9-storey mid-rise residential building (445 Eglinton Avenue East), a 12-storey mid-rise apartment building (435 Eglinton Avenue East).

To the immediate north of the subject site, the block on the north side of Eglinton is occupied with a four-storey office building (562 Eglinton Avenue East) and an eight-storey office building with retail uses at grade (586 Eglinton Avenue East, which is proposed to be redeveloped with a 32-storey mixed use building). Moving east on the same block, is a five-storey residential apartment building that is built to the lot line (600 Eglinton Avenue East). Further east, the northwest corner of Eglinton Avenue East and Bayview Avenue is occupied with a single-storey commercial retail plaza (609 & 656 Eglinton Avenue East). To the immediate east of the retail plaza is an expansive surface parking lot with a gas station at the southwest corner of Roehampton Avenue and Bayview Avenue (1800 Bayview Avenue). At the northwest corner of Eglinton Avenue East and Bayview Avenue, the secondary entrance to Leaside station on the Eglinton Crosstown LRT is under construction.

Policy and Regulatory Framework

Provincial Policies

The Provincial Policy Statement, 2020 (“PPS”) provides policy direction on matters of provincial interest related to land use planning and development. The subject site is also subject to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended by Amendment No. 1 in 2020 (“the Growth Plan”), which sets out regional growth management policies for the Greater Golden Horseshoe area.

With respect to the PPS, one of the key policy directions expressed in the PPS is to build strong communities by promoting efficient development and land use patterns. To that end, Part V of the PPS contains a number of policies that promote intensification, redevelopment and compact built form, particularly in areas well served by public transit. Specifically, Policy 1.1.3.2 supports densities and a mix of land uses which efficiently use land, resources, infrastructure and public service facilities and which are transit-supportive, where transit is planned, exists or may be developed. Policy 1.1.3.3 directs planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment, where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities.

The Growth Plan policies emphasize the importance of integrating land use and infrastructure planning, and the need to optimize the use of the land supply and

infrastructure. Key objectives in the Growth Plan support the development of complete communities and promote transit-supportive development adjacent to existing and planned higher order transit. This is further emphasized in Section 2.1 of the Plan:

“To support the achievement of complete communities that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH need to be made carefully. Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields. Concentrating new development in these areas provides a focus for investments in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options... It is important that we maximize the benefits of land use planning as well as existing and future investments in infrastructure so that our communities are well-positioned to leverage economic change.”

The subject site is located within a “strategic growth area” pursuant to the Growth Plan (i.e. a focus for accommodating intensification and higher-density mixed uses in a more compact built form). “Strategic growth areas” include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields.

In this respect, the subject site is located within a “major transit station area” as defined by the Growth Plan, as it is located within the Leaside Protected Major Transit Station Area.

Planning for major transit station areas is addressed in Section 2.2.4. Policy 2.2.4(2) requires the City of Toronto to delineate the boundaries of “major transit station areas” on priority transit corridors or subway lines “in a transit supportive manner that maximizes the size of the area and the number of potential transit users that are within walking distance of the station”. Policy 2.2.4(3)(b) goes on to require that “major transit station areas” priority transit corridors or subway lines will be planned for a minimum density target of 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit”.

With regard to targets, Policy 5.2.5(1) provides that the minimum intensification and density targets are minimum standards and municipalities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of the Growth Plan, the PPS or any other provincial plan.

Policy 2.2.1(4) states that applying the policies of the Growth Plan will support the achievement of complete communities that, among other things, feature a diverse mix of land uses including residential and employment uses, and convenient access to local stores, services, and public service facilities; expand convenient access to a range of transportation options and public service facilities; and provide for a more compact built form.

With respect to forecasted growth, Schedule 3 of the Growth Plan, as amended by Growth Plan Amendment No. 1, forecasts a population of 3,650,000 and 1,980,000 jobs for the City of Toronto by 2051. The 2016 Census data indicates that population growth in Toronto is continuing to fall short of the past and updated Growth Plan forecasts. The City's population growth from 2001 to the 2016 population of 2,822,902 (adjusted for net Census undercoverage) represents only 73.2% of the growth that would be necessary on an annualized basis to achieve the population forecast of 3,650,000 by 2051.

OPA 405 – Yonge and Eglinton Secondary Plan

On July 27, 2018, the City of Toronto Council enacted By-law 1284-2018, adopting Official Plan Amendment (OPA) 405, which included a new Yonge-Eglinton Secondary Plan and associated amendments to Section 2.2.2 and Maps 3 and 17 of the Official Plan. Lands within the Secondary Plan area are identified as being within one of 22-character areas in five categories: Apartment High Streets, Midtown Apartment Neighbourhoods, Midtown Villages, Midtown Cores and Midtown Special Places. The subject site is within the Eglinton East Character Area.

With respect to building height, Policy 5.4.3 provides that the anticipated height range in the Eglinton East Character Area will be 8-12 storeys, with the exception of lands within approximately 250 metres of the Mount Pleasant LRT station, within which heights of generally 15 to 20 storeys are anticipated (5.4.3 c).

Lands immediately north (north side of Eglinton Avenue East) and east (east of Mann Avenue) are within the Bayview Focus Area Character Area, which anticipates a height range of 20 to 35 storeys.

As it pertains to transit, Map 21-3 of the Secondary Plan identifies the Midtown Transit Station Areas and their respective boundaries, which include areas within 250 to 500 metres radii of stations with the intention of maximizing the size of the area and the number of potential transit users within walking distance of each station. The Midtown Transit Station Areas will be planned to accommodate higher density development to optimize return on investment and increase the efficiency and viability of existing and planned transit service levels (Policy 2.4.1). Policy 2.4.1.3 provides that the highest density of development shall be located in close proximity to existing or proposed higher order transit stations.

In this regard, the properties are also located within the Eglinton East Character Area (Map 21-2: Midtown Character Areas) of the Apartment High Streets category and are located in the "Secondary Zone" within the Leaside Station Transit Node, as shown on Map 21-3 (Midtown Transit Station Areas) of the Secondary Plan. The subject site is within 250 metres of Leaside Station.

OPA 570

At its meeting on July 21, 2022, City Council adopted OPA No. 570, which included the delineations of 57 PMTSAs throughout the City and introduced new SASPs for the 57 PMTSAs.

As it relates to the subject site, OPA 570 introduced SASP 681, which applies to the Leaside PMTSA, and encompasses the Subject site. SASP 681 specifies a minimum population and employment target of 200 residents and jobs combined per hectare, with a minimum density of 2.0 FSI specified for the Subject site.

Zoning

The City-wide Zoning By-law 569-2013, as amended, zones the subject site R (Residential) (d2.0) (x943), with a maximum height of 18 metres. Similar to the in-force Zoning By-law 438-86, the maximum permitted gross floor area is 2.0 times the area of the lot. Residential uses in the form of dwelling units are the only permitted use on site.

Exception R 943 states that the site is subject to the following Site-Specific Provisions, Prevailing By-laws and Prevailing Sections:

Site Specific Provisions

- Any addition or extension above the first storey of a lawfully existing detached house must comply with the minimum building setbacks required by this By-law (TO: 438-86; 12(2) 193]
- The lands must comply with exception 900.2.10.(7);
- An office is permitted; and [TO: 438-86; 6(1)(f)(b)(iv)]
- The minimum lot frontage for a lot for a detached house is 7.5 metres [TO: 438-86 6(3), Part VII, 1. (i) and Appendix 'B']

Exception 900.11.10(7) further provides that a nursing home, retirement home and religious residence is permitted if they comply with specific conditions set out for each use within the exception.

By-law 438-86, as amended, zones the subject site R4A Z2.0, with a maximum height of 18.0 metres. The R4A zoning permits the broadest range of residential uses including (but not limited to) an apartment building, duplex, semi-detached duplex, semi-detached triplex and a limited number of non-residential uses including (but not limited to) a clinic, private academic, philanthropic or religious school. The maximum density is 2.0 times the lot area.

Planning Opinion

The PPS, Growth Plan and City of Toronto Official Plan all support intensification on sites well-served by municipal infrastructure, and in particularly higher-order transit. In this regard, it is our opinion that the area surrounding Leaside Station, at the intersection of Eglinton Avenue East and Bayview Avenue are appropriate for intensification that achieves transit-supportive densities to support and optimize the investment in transit.

From an urban structure perspective, densities typically peak on sites that are located adjacent to higher-order transit stations, including LRT stations, and decrease away from the stations. In our opinion, a higher density for the lands surrounding the intersection of Eglinton Avenue East and Bayview Avenue, is desirable and appropriate within the existing and planned context of Leaside Station. The Official Plan and in particular the Secondary Plan directs the highest density of development to be located in close proximity to existing or proposed higher order transit stations. Accordingly, the properties with the greatest achievable densities are to be located on *Mixed Use Areas* and *Apartment Neighbourhoods* designated lands along Eglinton Avenue East and Bayview Avenue within 250 metres of Leaside Station, including the Subject Site.

The highest minimum density included in SASP 673 is 2.5 FSI, including the lands immediately adjacent to and integrated with Leaside Station. This area is identified by the Secondary Plan as the Station Area Core zone, where the highest densities of development are planned to be located. It is our opinion that the minimum density of 2.5 FSI is artificially low and not reflective of the policy directions intended for PMTSAs. Furthermore, given the area's immediate adjacency to higher-order transit, this low minimum density would not achieve the level of intensification envisioned by the applicable policy framework and will likely be challenged to exceed the minimum growth targets for MTSA's.

Further, the Secondary Zone is identified in the Secondary Plan for the lands immediately surrounding the Station Area Core zone, including the subject site. This zone is intended to provide the appropriate transitions from the highest densities in the Leaside Station Core Area. *Apartment Neighbourhoods* and *Mixed Use Areas* designated properties along Eglinton Avenue and Bayview Avenue in the Secondary zone of the PMTSA, that are within 250 metres of Leaside Station should be considered as part of the Station Area Core and have a corresponding minimum density of 8.0 FSI, including the subject site. The areas along Eglinton Avenue East and Bayview Avenue extending out from the 250 metres radii of Leaside Station should have a minimum density of 3.5 FSI. In our opinion, the minimum density of 0.5 given to the surrounding *Neighbourhood* designated properties located within the PMTSA are appropriate.

In our opinion, greater intensification within the Station Area Core zone and Secondary zone of the Leaside Station PMTSA, in particular the area within a 250 metre radius of Leaside Station, are desirable and appropriate. As such, we believe that the minimum densities should be increased to reflect the existing and planned urban structure of the Leaside PMTSA, and support the policy framework, including policy objectives within Provincial Plans,

the Official Plan and Secondary Plan to support the optimization and efficient use of land and infrastructure within MTSAs.

Table 1 below summarizes planned and approved densities in in proximity to the Leaside Station. Recently approved and planned densities within the Leaside PMTSA range from approximately 3.45 FSI to 14.75 FSI, which is significantly higher than the highest minimum densities contained in SASP 681.

Address	Proposed Minimum Densities (SASP 681)	Approved/Proposed FSI	Status	Approved/Proposed Building Heights (storeys)	Land Use Designation
660 Eglinton	2.5	3.45	Approved	13 and 19	Mixed Use Areas
1779-1787 Bayview Avenue	2.5/2.0	8.83	Proposed	35	Mixed Use Areas/ Neighbourhoods
586 Eglinton Avenue	2.5	13.13	Proposed	32	Mixed Use Areas
589 Eglinton Avenue	2.5	13.42	Proposed	35	Mixed Use Areas
1837 Bayview Avenue	2	8.7	Proposed	25	Mixed Use Areas
2 Glazenbrook Avenue	2	13.78	Proposed	34	Mixed Use Areas
1840 Bayview Avenue	2	14.75	Proposed	34	Mixed Use Areas
537-547 Eglinton Avenue East and 59 and 61 Hoyle Avenue	2	10.61	Proposed	25	Apartment Neighbourhoods
503 Eglinton Avenue	2	6.57	Proposed	12	Apartment Neighbourhoods
1710 Bayview Avenue	2	4.14	Approved	9	Mixed Use Areas
701 Soudan Avenue	2	3.53	Approved	8	Mixed Use Areas
492 Eglinton Avenue	2	4.8	Approved	10	Apartment Neighbourhoods

Table 1
–
Planned and

Approved Densities within the Bayview Character Area

Given the current planning framework, the planned densities in the Leaside PMTSA, and the planned and approved densities within the PMTSA , we are writing to request that the Minister

increase the minimum densities for the Station Area Core and Secondary zones within the Leaside PMTSA to the minimum densities illustrated on **Figure 1** above and **Attachment A**.

In our opinion, the suggested minimum densities would be consistent with the planned context of the Leaside PMTSA and would support the broader policy goals of the PPS, Growth Plan and the Official Plan by furthering the integration of land use and transportation planning within an identified intensification area. In our view, the proposed modification to OPA 570 would assist in facilitating improvements to the Eglinton Avenue corridor and the optimization of the existing and planned infrastructure and investment in the area. Increasing the minimum densities would help ensure that new developments achieve the forecasts in the Growth Plan, the Official Plan, the Yonge and Eglinton Secondary Plan and the Metrolinx Regional Transportation Plan.

Given the policy context as set out above, it is our opinion that optimizing the use of land and infrastructure on the subject site would be consistent with both good planning practice and the overarching Provincial and City policy directions, subject to achieving appropriate built form relationships. In this respect, to “optimize” means to make something “as fully perfect, functional, or effective as possible”.

We trust that you will find the above satisfactory and we ask to be notified of any decision made by the Minister in connection with this matter.

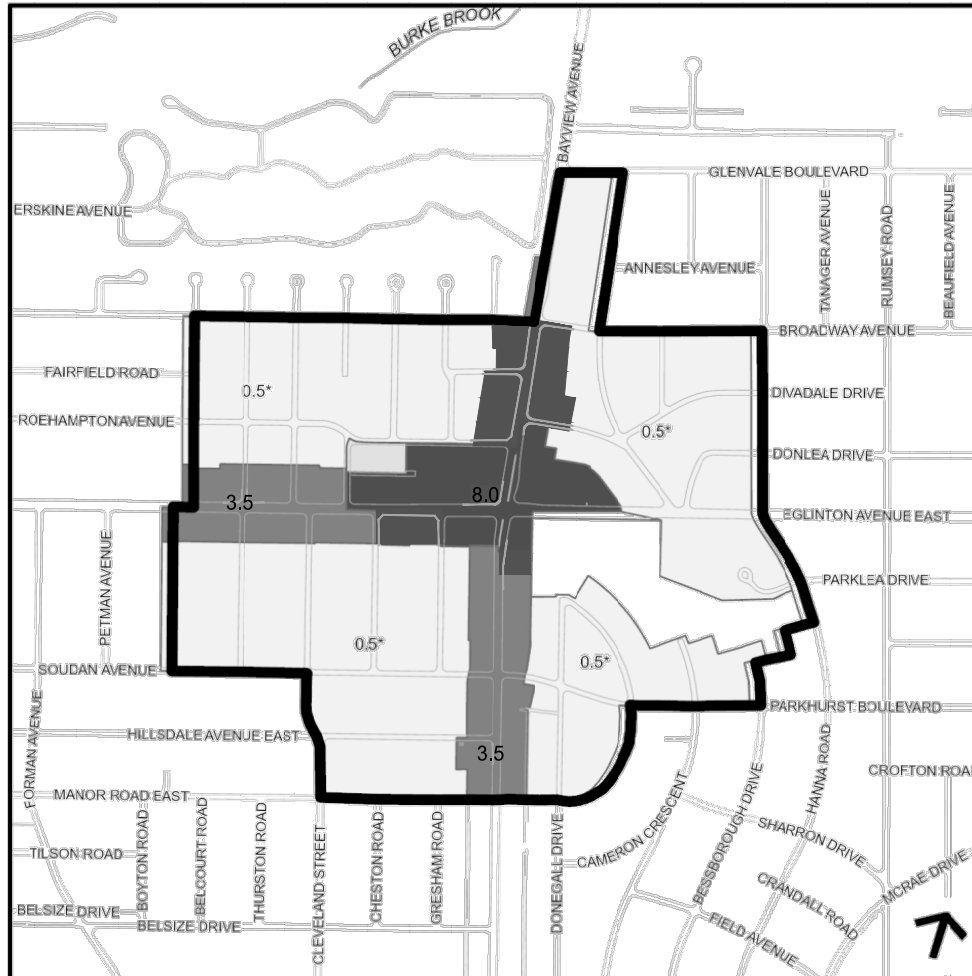
Yours truly,
Bousfields Inc.









David Charezenko, MCIP, RPP

cc: 545 Eglinton Realty Inc.,

att. Revise SASP 681 Map 2 – “Minimum Densities, Leaside Protected Major Transit Station”

Map 2 – Minimum Densities, Leaside Protected Major Transit Station Area**Minimum Density**

 0 FSI	 3.5 FSI
 0.3 FSI or 3 units*	 8.0 FSI
 0.5 FSI or 3 units*	
 0.9 FSI or 3 units*	

*Option to provide a minimum of 3 units instead of minimum FSI only applies to lands designated Neighbourhoods in the Official Plan.