



PLANNING AND URBAN DESIGN

3 February 2023

Ministry of Municipal Affairs and Housing
777 Bay Street, 17th floor
Toronto, ON M7A 2J3

Attention: **Honourable Steve Clark**
Minister of Ministry of Municipal Affairs and Housing

Dear Minister Clark,

RE: **ERO Item 019-5937**
 Ministry Reference Number 20-OP-227259
 Approval to Amend a Municipality's Official Plan
 City of Toronto Official Plan Amendment No. 570
 Fairbank Protected Major Transit Station Area
 1875-1901 Eglinton Avenue West, 137 Kirknewton Road & 156 Dynevor Road;
 1886 - 1920 Eglinton Avenue West and 5-7 Fairbank Avenue
 Comment Submission
 WND File No.: 22.502

WND Associates Limited has been retained by CB Eglinton Phase 3 Ltd. as the planning consultant with respect to the lands municipally known as 1875-1901 Eglinton Avenue West, 137 Kirknewton Road & 156 Dynevor Road in the City of Toronto ("South Parcel").

Our clients, along with 1924 Eglinton Ltd., CB Eglinton Properties Ltd. and 1886 Eglinton West Ltd., also own the properties located immediately north of the South Parcel, municipally known as 1886 - 1928 Eglinton Avenue West & 5 - 7 Fairbank Avenue ("North Parcel" and together with the South Parcel, the "Lands").

Subject Lands

Located within the Caledonia-Fairbank Neighbourhood of the City of Toronto (Ward 9 – Davenport), the South Parcel is comprised of 12 properties, extending from Dynevor Road (east) to Kirknewton Road (west), along the south side of Eglinton Avenue West. The South Parcel is generally rectangular in shape and approximately 2,500 square metres in area. Along Eglinton Avenue West, the South Parcel has a frontage of approximately 75 metres, with a varied depth of 38 metres to 43 metres. The properties located at 1883-1885 Eglinton Avenue West currently contains a 2-storey mixed use building with retail at grade. The remaining properties along the south side of Eglinton Avenue West currently contain multiple single storey commercial buildings that are occupied by several businesses including restaurants, furniture store, food market, and a bank. A residential bungalow is located on each of the properties located at 137 Kirknewton Road and 156 Dynevor Road.

The North Parcel is rectangular in shape and is comprised of 11 properties, extending from Shortt Street (east) to Fairbank Avenue (west), along the north side of Eglinton Avenue West. The North Parcel is approximately 2,900 square metres in area, with a frontage of approximately 50 metres along Eglinton Avenue West and a depth of 35 metres. The properties located at 1886-1920 Eglinton Avenue West currently contain 1- to 2-storey mixed use buildings that are occupied by several businesses including a restaurant, pharmacy, and a bank. The remaining lands, located at 1924-1928 Eglinton Avenue West and 5-7 Fairbank Avenue, are currently under construction.

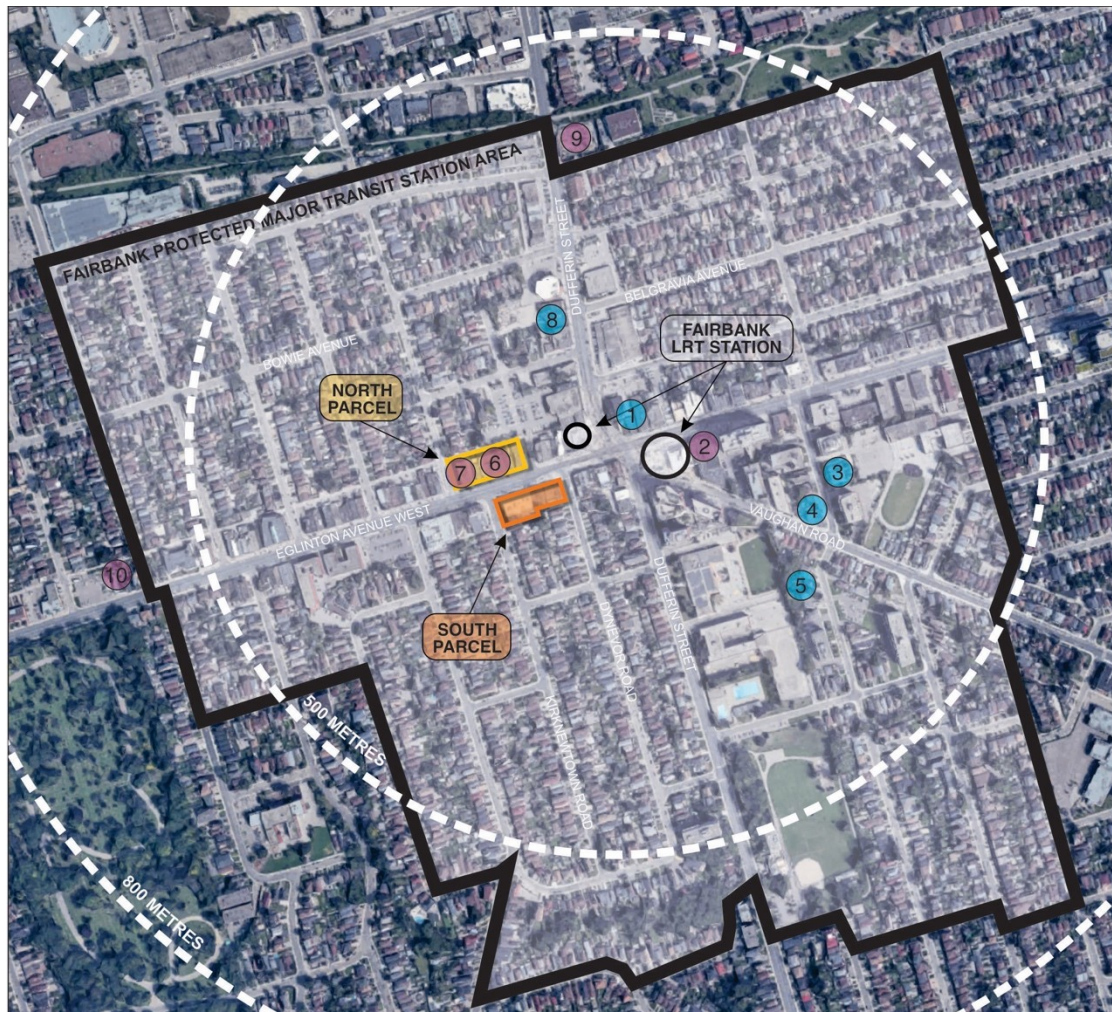
Both the North Parcel and the South Parcel are located immediately west of the Eglinton Avenue West and Dufferin Street intersection, which has been identified by the City of Toronto for intensification in anticipation of the future Eglinton Crosstown Light Rail Transit (“LRT”) and LRT stations. The Lands are situated approximately 95 metres (or an approximate 1 minute walk) west of the future Fairbank LRT Station, which is currently under construction at the southeast and northwest corners of the Eglinton Avenue West and Dufferin Street intersection. Refer to **Figure 1**.



Figure 1: Area Context

Surrounding Developments

Anticipated to begin operation in 2023, the Eglinton Crosstown LRT will significantly increase the accessibility of the area and create the prospect for multiple development opportunities. Notably, recently approved or active development applications within the immediate area of the future Fairbank LRT Station include a mix of 8- to 41-storey mixed use buildings with densities ranging from 4.74 to 16.40 FSI. Refer to **Figure 2**.



Surrounding Developments (Proposed and Approved)

- | | |
|---|--|
| ① 1812 - 1818 Eglinton Avenue West (35-storeys; FSI 10.69) | ⑥ 1886 - 1920 Eglinton Avenue West (9-storeys; FSI 5.88) |
| ② 1801 - 1807 Eglinton Avenue West (41-storeys; FSI 16.4) | ⑦ 1924 - 1928 Eglinton Avenue West & 5 - 7 Fairbank Avenue (8-storeys; FSI 4.75) |
| ③ 645 - 655 Northcliffe Boulevard (15-storeys; FSI 10.3) | ⑧ 2402 - 2418 Dufferin Street & 4 - 10 Ramsden Road (24-storeys; FSI 7.25) |
| ④ 775 Vaughan Road - 783 & 672 - 680 Northcliffe Boulevard (36-storeys; FSI 13.7) | ⑨ 2433 Dufferin Street (8-storeys; FSI 4.8) |
| ⑤ 632 - 652 Northcliffe Boulevard (36-storeys; FSI 11.0) | ⑩ 2116 Eglinton Avenue West (8-storeys; FSI 5.01) |
- Applications Under Review
 ● Approved Applications (Zoning By-law Amendment or Minor Variance)

Figure 2: Surrounding Development Applications (Proposed and Approved)

Potential Development

Although a planning application has not yet been submitted with the City of Toronto for the South Parcel, our client has prepared a preliminary concept plan to establish the development potential of the site. The preliminary concept demonstrates that the South Parcel can accommodate a 19-storey mixed use building and deliver approximately 300 residential units (with a density of 7.5 FSI), providing for a substantial amount of new housing within walking distance of the future Fairbank LRT Station.

A Site Plan Application for the east portion of the North Parcel (1886-1920 Eglinton Avenue West) was submitted to the City of Toronto in 2020 to permit a 9-storey mixed use building (with a proposed FSI of 5.88 and 194 units) and is currently under review by the City of Toronto. Final approval of the Site Plan Application submitted for the west portion of the North Parcel (1924-1928 Eglinton Avenue West and 5-7 Fairbank Avenue) was issued by the City in November 2021 for an 8-storey mixed use building (with an FSI of 4.75 and 27 units). The North Parcel has the capacity to accommodate a higher density built form that would be more consistent with the proposed and recently approved tall building built forms in the immediate context, and increase the growth and intensification in proximity to the future Fairbank LRT Station. In particular, a minimum density of 9.0 FSI on the east portion of the North Parcel would deliver approximately an additional 294 units, further contributing to the supply of new housing within walking distance to the Fairbank LRT Station.

Policy Context

The Lands are designated *Mixed Use Areas* in the City of Toronto Official Plan, and are located along an identified *Avenue* in the City of Toronto. The Official Plan describes *Avenues* as areas where the City of Toronto anticipates intensification to occur in the form of new mixed-use buildings that correspond to associated road right-of-way widths and other design parameters.

Under the Toronto Zoning By-law 569-2013, as amended, the South Parcel is zoned *Commercial Residential* CR SS2 (x2643), and the North Parcel is zoned *Commercial Residential* CR SS2 (x2629).

The Lands are also located within the boundary of the proposed Fairbank Protected Major Transit Station Area, as identified by Site and Area Specific Policy No. 675 (“SASP 675”) of Official Plan Amendment (“OPA”) 570, which the City has allocated a minimum population and employment target of 160 residents and jobs combined per hectare. More specifically, SASP 675 assigns a minimum density of 2.0 FSI to the Lands, as identified on Map 2 of SASP 675. Refer to **Figure 3**.

The intent of the proposed Protected Major Transit Station Area (“PMTSA”) is to recognize and encourage growth within the delineated major transit stations areas, as directed by the Provincial Policy Statement 2020 and the Growth Plan for the Greater Golden Horseshoe 2019 (“Growth Plan”).

Specifically, the Provincial Policy Statement, 2020 (“PPS”) provides direction for efficient and resilient development of urban areas.

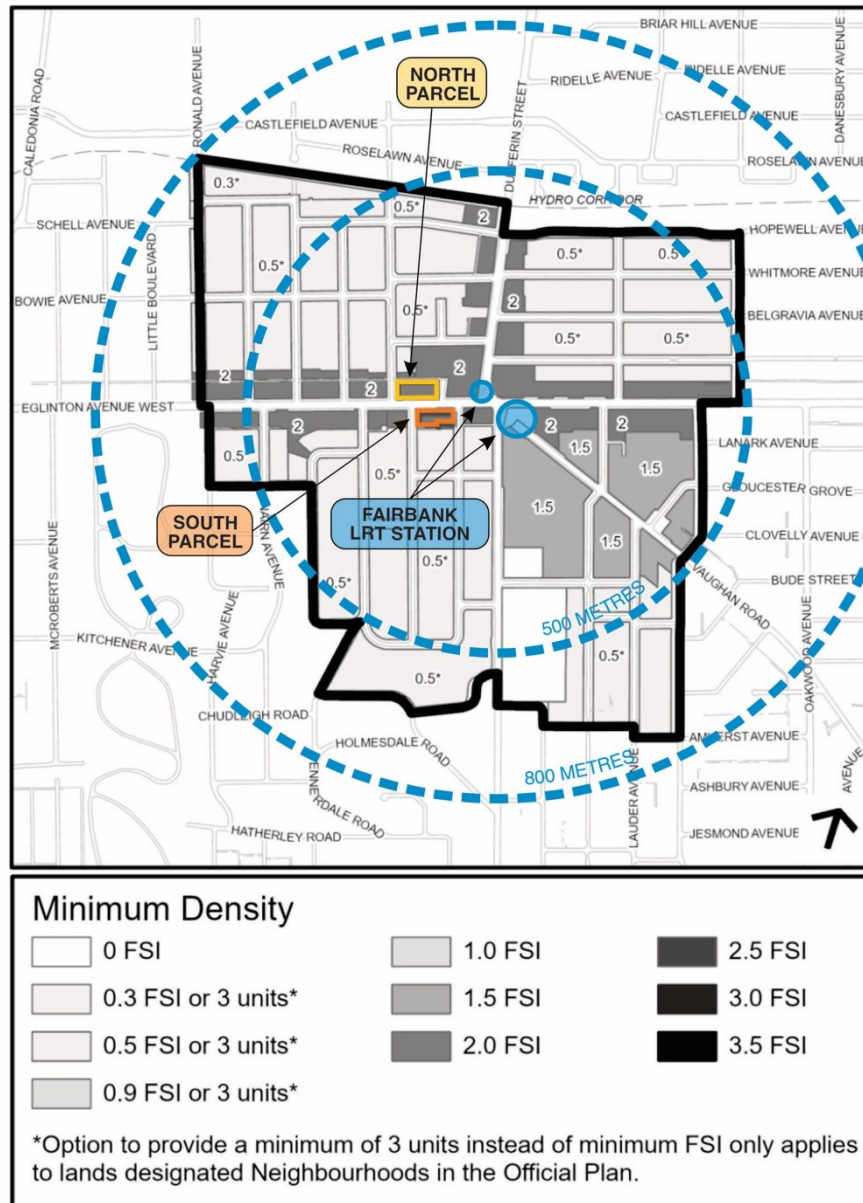


Figure 3: Site and Area Specific Policy No. 675, Fairbank Protected Major Transit Station Area, Map 2 – Minimum Densities

Part III of the PPS indicates that:

“Within the framework of the provincial policy-led planning system, **planning authorities and decision-makers may go beyond these minimum standards** to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Policy Statement.” [Emphasis added]

Section 1.1.1 of the PPS states that:

“healthy, liveable and safe communities are sustained by:

(e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs”

Policy 1.1.3.2 of the PPS further provides that:

“land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources [and] are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available”.

The Growth Plan for the Greater Golden Horseshoe, 2019 (“Growth Plan”) a framework for the development and environmental protection of the municipalities located within the Greater Horseshoe Area, including minimum intensification and density targets which “municipalities are encouraged to go beyond”, where appropriate.

Section 1.2.1 indicates that municipalities should:

“prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.”

In addition, Section 2.1 states that:

“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.”

And:

“To optimize provincial investments in higher order transit, this Plan also identifies priority transit corridors and the Province expects municipalities to complete detailed planning for major transit station areas on these corridors to support planned service levels.”

Policy 2.2.4.1 of the Growth Plan provides that:

“planning will be prioritized for major transit station areas on priority transit corridors, including zoning in a manner that implements the policies of this Plan.”

Under Policy 2.2.4.2, it is noted that:

“For major transit station areas on priority transit corridors or subway lines, upper- and single-tier municipalities, in consultation with lower-tier municipalities, will delineate the boundaries of major transit station areas 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 5.2.5.1 also states that:

*“The minimum intensification and density targets in this Plan, including any alternative targets that have been permitted by the Minister, 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 this Plan, the PPS or any other provincial plan.”* [Emphasis added]

The Growth Plan defines Major Transit Station Areas as:

“The area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk.”

Comments

The City of Toronto Final Report (June 20, 2022) pertaining to the delineation of the proposed Major Transit Station Area/Protected Major Transit Station Areas noted that the area boundaries:

“are based on existing Council-approved development frameworks, including: in effect Official Plan land use designations within the identified areas; as-of-right zoning by-law permissions, density permissions included in secondary plans; and approved developments that have not yet been built.”

Based on **Figure 2**, it is apparent that the exercise/intensification strategy competed by the City of Toronto, to identify the minimum density within the Fairbank PMTSA, does not conform with the existing Provincial policy direction to significantly intensify Major Transit Station Areas or reflect the proposed/approved context of the area. It is our opinion that the minimum density set in SASP 675 is artificially low. The densities of existing approved and proposed developments along both sides of the Eglinton Avenue West already exceed 2.0 FSI.

An increased minimum FSI greater than 2.0 would support an intensity and scale of development that is consistent with the planned and proposed tall building built forms in the Lands immediate context, and would create opportunities for intensification which align with Provincial Policy. Increasing the Lands and surrounding area's minimum density will allow growth to contribute to the efficient use of land to achieve a desired urban form and density which appropriately leverages investment in existing and new infrastructure such as municipal services, community facilities, roads, and transit.

Therefore, it is our recommendation that the Minister consider increasing the densities at the intersection of Eglinton Avenue West and Dufferin Street, nearest to the future Fairbank LRT Station, with an appropriate transition across the adjacent *Mixed Use Area* designations to recognize the current planning work being completed along Eglinton Avenue West and Dufferin Street.

Figure 4 provides our suggested revisions to the minimum density mapping for Site and Area Specific Policy 675.



Figure 4: Suggested Minimum Densities

Should you have any questions or require further information pertaining to the above, please do not hesitate to contact the undersigned.

We also request that notification of any decision(s) by the Minister be forwarded to the undersigned.

Yours very truly,

WND associates

planning + urban design

A handwritten signature in black ink, appearing to read 'A Ferancik', with a stylized flourish at the end.

Andrew Ferancik, MCIP, RPP
Principal