

# **230-232 Carlton Street and 33 & 39 Aberdeen Avenue – Official Plan Amendment and Rental Housing Conversion Applications – Preliminary Report**

Date: January 29, 2021

To: Toronto and East York Community Council

From: Director, Community Planning, Toronto and East York District

Ward 13: Toronto Centre

**Planning Application Number:** 20 233830 STE 13 OZ

**Related Applications:** 20 233836 STE 13 RH; 20 234928 STE 13 CO;  
20 234934 STE 13 CO; 20 234938 STE 13 CO

**Current Use(s) on Site:** 3-storey semi-detached houses (230-232 Carlton St),  
2.5-storey semi-detached house (33 Aberdeen Ave), and 2.5-storey detached house  
(39 Aberdeen Ave)

## **SUMMARY**

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This report provides information and identifies preliminary issues regarding the Official Plan Amendment and Rental Housing Conversion applications for the lands at 230-232 Carlton Street and 33 & 39 Aberdeen Avenue.

The Toronto Community Housing Corporation (TCHC) is proposing to amend the Official Plan and requesting approval under Chapter 667 of the Toronto Municipal Code to permit the severance of the existing social housing property into three separate properties that could be conveyed to qualified non-profit housing agencies as part of the Tenants First initiative. Neither the eight existing rental dwelling units nor the 16 existing dwelling rooms on the property would be demolished or converted to a non-residential rental use, and none of the existing buildings would undergo any physical changes, as a result of the applications. Tenants would remain in their homes and would not experience any changes to their tenancies throughout the Official Plan Amendment and severance process.

Staff are currently reviewing the applications, which have been circulated to all appropriate agencies and City divisions for comment. Staff will proceed to schedule a community consultation meeting for the Official Plan Amendment application and a tenant consultation meeting for the Rental Housing Conversion application with the Ward Councillor.

## RECOMMENDATIONS

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The City Planning Division recommends that:

1. Staff schedule a community consultation meeting for the application located at 230-232 Carlton Street and 33 & 39 Aberdeen Avenue together with the Ward Councillor.
2. Notice for the community consultation meeting be given to landowners and residents within 120 metres of the application site, and to additional residents, institutions and owners to be determined in consultation with the Ward Councillor, with any additional mailing costs to be borne by the applicant.

## FINANCIAL IMPACT

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The City Planning Division confirms that there are no financial implications resulting from the recommendations included in the report in the current budget year or in future years.

## DECISION HISTORY

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On July 12, 2016, City Council adopted Tenants First: A Way Forward for Toronto Community Housing and Social Housing in Toronto and directed staff to develop an implementation plan.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.EX16.11>

On July 4, 2017, City Council adopted Tenants First Phase One Implementation Plan and directed staff to return to further develop the governance and service model of the Seniors Housing and Services Entity, report back on further financial analysis and the results of an REOI for the scattered portfolio.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2017.EX26.2>

On January 31, 2018, City Council adopted Implementing Tenants First - TCHC Scattered Portfolio Plan and an Interim Selection Process for Tenant Directors on the TCHC Board.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.EX30.2>

On April 16, 2019, City Council adopted Accelerating the City's Tenants First Project which included a proposed timeframe of recommendations coming forward in 2019 including a recommendations on governance, accountability and mandate for TCHC's key business areas.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.EX4.3>

On January 15, 2020, the Deputy Secretary-Treasurer of the Toronto and East York District Committee of Adjustment approved Consent application B0102/19TEY to authorize the severance of 234 and 236 Carlton Street from the subject property. This severance did not affect the number of dwelling units on-site and did not require an amendment to the same Official Plan policies as the current application.

<http://app.toronto.ca/AIC/index.do?folderRsn=hQHxq5ur5sb51TkNk8HCQg%3D%3D>

On October 27, 2020, City Council adopted Implementing Tenants First: 2020 Updates which provided an update and made recommendations with respect to an updated mandate for TCHC, and the transfer of TCHC's remaining 729-unit scattered house portfolio to the non-profit housing sector.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.EX17.2>

## ISSUE BACKGROUND

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### Application Description

This application proposes to amend the Official Plan [policies respecting land division of lands containing greater than 6 rental dwelling units \(Policy 3.2.1.8\)](#) for the lands at 230-232 Carlton Street and 33 & 39 Aberdeen Avenue to permit the severance of the existing social housing property into three separate lots that could be conveyed by TCHC to qualified non-profit housing agencies as part of the Tenants First initiative. Neither the eight existing rental dwelling units nor the 16 existing dwelling rooms on the property would be demolished or converted to a non-residential rental use, and none of the existing buildings would undergo any physical changes, as a result of the applications.

Detailed project information is found on the City's Application Information Centre at:

<https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachment 1 for the location map and Attachment 2 for the existing site plan drawing.

### Provincial Policy Statement and Provincial Plans

Land use planning in the Province of Ontario is a policy led system. Any decision of Council related to this application is required to be consistent with the Provincial Policy Statement (2020) (the "PPS"), and to conform with applicable Provincial Plans which, in the case of the City of Toronto, include: the Growth Plan for the Greater Golden Horseshoe (2020). The PPS and all Provincial Plans may be found on the Ministry of Municipal Affairs and Housing website.

### A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan (2020)") came into effect on August 28, 2020. This new plan replaces the previous Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the Planning Act that comprehensively applies the policies and schedules of the

Growth Plan, including the establishment of minimum density targets for and the delineation of strategic growth areas, the conversion of provincially significant employment zones, and others.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources and infrastructure to reduce sprawl, contribute to environmental sustainability and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space that better connect transit to where people live and work;
- Retaining viable lands designated as employment areas and ensuring redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the Greater Golden Horseshoe region. The policies of the Growth Plan (2020) take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.

In accordance with Section 3 of the *Planning Act*, all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

## **Toronto Official Plan**

The City of Toronto Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. Authority for the Official Plan derives from The Planning Act of Ontario. The PPS recognizes the Official Plan as the most important document for its implementation. Toronto Official Plan policies related to building complete communities, including heritage preservation and environmental stewardship may be applicable to any application.

Toronto Official Plan policies may be found at: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>

The application is located on lands within the Downtown and Central Waterfront area on Map 2, and the portion of the site fronting on Carlton Street is designated Mixed Use Areas and the portion of the site fronting on Aberdeen Avenue is designated Neighbourhoods on Map 18 of the Official Plan. Refer to Attachment 3 of this report for a map illustrating the Official Plan designation of the site.

## **Downtown Plan**

Official Plan Amendment 406 ("OPA 406" or the "Downtown Plan") is now in-force and effect. OPA 406 includes amendments to Section 2.2.1 and Map 6 of the Official Plan, as well as a new Downtown Secondary Plan. It applies to all applications deemed complete after June 5, 2019. The Plan – in conjunction with the associated infrastructure strategies that address water, energy, mobility, parks and public realm, and community services and facilities – provides a comprehensive and integrated policy framework to shape growth in Toronto's fast-growing Downtown over the next 25 years. It provides the City with a blueprint to align growth management with the provision of infrastructure, sustain liveability, achieve complete communities and ensure there is space for the economy to grow. The Plan area is generally bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north and the Don River to the east.

Map 41-3-C designates the Mixed Use Areas designated portion of the site along Carlton Street as Mixed Use Areas 3 - Main Street.

The in-force Downtown Plan can be found at:

<https://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-135953.pdf>

## **Zoning By-laws**

The portion of the site fronting on Carlton Street is zoned Commercial Residential CR 1.5 (c1.0; r1.0) SS1 and is subject to exceptions x1757 and x1884 under the City's harmonized Zoning By-law 569-2013. This zoning designation permits a variety of commercial and residential uses, with a maximum height of 12.0 metres and a maximum floor space index of 1.5 times the area of the lot.

The portion of the site fronting on Aberdeen Avenue is zoned Residential R (d1.0) and is subject to exception x881 under the City's Harmonized Zoning By-law 569-2013. This zoning designation permits a variety of residential uses, with a maximum height of 12.0 metres and a maximum floor space index of 1.0 times the area of the lot. Refer to Attachment 4 of this report for a map illustrating the zoning for the site.

The City's Zoning By-law 569-2013 may be found here: <https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/zoning-by-law-569-2013-2/>

The site is also subject to former City of Toronto Zoning By-law 438-86, under which it is zoned Commercial Residential CR T1.5 C1.0 R1.0 (H12.0) and Residential R3 Z1.0

(H12.0) which are substantially the same with respect to use, density, and height as the provisions under Zoning By-law 569-2013.

### **Site Plan Control**

The application is not subject to Site Plan Control.

### **Rental Housing Demolition and Conversion By-law**

Section 111 of the *City of Toronto Act, 2006* authorizes City Council to regulate the demolition and conversion of residential rental properties. Chapter 667 of the Toronto Municipal Code, the Rental Housing Demolition and Conversion Control By-law, implements Section 111. The By-law prohibits the conversion of any property containing six or more dwelling units, of which at least one is a rental unit, without obtaining a permit from the City and requires a decision by either City Council or, where delegated, the Chief Planner. Under the By-law, the conversion of a residential rental property includes conversion as a result of a consent to sever land under section 53 of the *Planning Act* if any parcel of land resulting from the severance would contain fewer than six rental units and the parcel contained at least one dwelling unit at the time of application.

The proposal for 230-232 Carlton Street and 33 & 39 Aberdeen Avenue requires Council approval under Chapter 667 of the Toronto Municipal Code because it involves the severance of a property containing eight rental dwelling units and each parcel resulting from the proposed severance would contain fewer than six rental units but at least one rental unit.

On December 24, 2020, an application for a Rental Housing Conversion permit was submitted under Chapter 667 of the Toronto Municipal Code to sever the existing rental property at 230-232 Carlton Street and 33 & 39 Aberdeen Avenue into three separate parcels of land. As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants and other rental housing matters.

## **COMMENTS**

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### **Reasons for the Applications**

The Official Plan Amendment application is required to modify Official Plan Policy 3.2.1.8 that restricts land division for buildings or groups of buildings that contain six or more rental housing units. The subject property contains 8 rental housing units and 16 dwelling rooms, and the proposed severances to re-establish separate title for each structure would result in fewer than 6 rental housing units on each property. This would have the effect of removing the protections provided to rental housing units in Section 3.2.1 of the Official Plan and Chapter 667 of the Toronto Municipal Code.

The Rental Housing Conversion application is required to permit approval of the proposed severances and to secure the rental tenure and affordability of the units on title for the resultant individual properties.

## **ISSUES TO BE RESOLVED**

The application has been circulated to City divisions and public agencies for comment. At this stage in the review, the following preliminary issues have been identified:

### **Provincial Policies and Plans Consistency/Conformity**

Section 2 of the Planning Act requires municipalities to have regard for matters of provincial interest, including: the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest; the appropriate location of growth and development; the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians; the adequate provision of a full range of housing, including affordable housing; and the promotion of a built form that is well designed, encourages a sense of place, and provides for public spaces that area of high quality, safe and accessible, attractive and vibrant.

The application will be evaluated against the PPS and the Growth Plan to establish the application's consistency with the PPS and conformity to the Growth Plan.

### **Official Plan Conformity**

Staff will evaluate this planning application to determine its conformity to the Official Plan, including the Downtown Plan. The Official Plan designates the site as Mixed Use Areas for the portion fronting on Carlton Street and Neighbourhoods for the portion fronting on Aberdeen Avenue. Chapter 3 of the Official Plan contains policies respecting housing, and specifically rental housing. These policies seek to ensure that applications for new development or land division do not negatively impact the supply of rental housing. Staff will be evaluating the proposed Official Plan Amendment to ensure that adequate protections would be maintained for the existing rental dwelling units on site following the severances of the land.

### **Housing**

Section 3.2.1 of the Official Plan contains policies pertaining to the provision, maintenance, and protection of rental housing.

Policy 3.2.1.8 prohibits the conversion and severance of any building or related group of buildings containing six or more rental housing units unless all of the units have rents that exceed mid-range rents at the time of application.

The lands at 230-232 Carlton Street and 33 & 39 Aberdeen Avenue are currently occupied by four residential buildings that form part of TCHC's "scattered housing" portfolio, which consists of 'Agency Houses', 'Rooming Houses', and 'Single Family Houses' (a full list of TCHC's "scattered housing" properties can be viewed here: <https://www.toronto.ca/legdocs/mmis/2018/ex/bgrd/backgroundfile-110924.pdf>). The two single-detached houses at 230-232 Carlton Street are both classified as 'Rooming Houses' while the semi-detached house at 33 Aberdeen Avenue and the fourplex at 39 Avenue are each classified as 'Single Family Houses'.

Based on information submitted by TCHC and confirmed by a site visit on October 30, 2019, the four existing buildings collectively contain eight rental dwelling units and 16 dwelling rooms, as follows:

| Address            | TCHC Scattered House Portfolio Type | Dwelling Rooms | Rental Dwelling Units |           |           |           |          |
|--------------------|-------------------------------------|----------------|-----------------------|-----------|-----------|-----------|----------|
|                    |                                     |                | Bachelor              | 1-Bedroom | 2-Bedroom | 3-bedroom | Total    |
| 230 Carlton Street | Rooming House                       | 8              | 1                     | 0         | 0         | 0         | 1        |
| 232 Carlton Street | Rooming House                       | 8              | 0                     | 1         | 0         | 0         | 1        |
| 33 Aberdeen Avenue | Single Family House                 | 0              | 0                     | 1         | 0         | 1         | 2        |
| 39 Aberdeen Avenue | Single Family House                 | 0              | 0                     | 2         | 2         | 0         | 4        |
| <b>Total</b>       |                                     | <b>16</b>      | <b>1</b>              | <b>4</b>  | <b>2</b>  | <b>1</b>  | <b>8</b> |

TCHC is proposing to sever the existing residential rental property into three separate parcels of land such that 230-232 Carlton Street would be its own property with 16 dwelling rooms and two rental dwelling units, 33 Aberdeen Avenue would be a second property with two rental dwelling units, and 39 Aberdeen Avenue would be a third property with four rental dwelling units. The proposed severance would enable TCHC to convey each of the three properties to qualified non-profit housing agencies with expertise in providing supports to vulnerable tenants, as per the Tenants First initiative.

Since the group of buildings at 230-232 Carlton Street and 33 & 39 Aberdeen Avenue collectively contain eight rental dwelling units, all of which are social housing units with rents that fall well below the City's affordable rent thresholds, and the proposed severance would reduce the number of rental units on each resulting parcel of land to fewer than six, Policy 3.2.1.8 applies to this proposal and an Official Plan Amendment is required to permit the proposed severance.

The applications confirm that neither the eight existing rental dwelling units nor the 16 existing dwelling rooms would be demolished or converted to a non-residential rental use, and that none of the existing buildings would undergo any physical changes, as a result of the proposed severances. The applications also acknowledge that any prospective owner and operator of any of the existing rental buildings would be required to enter into, and register on title to the lands, an agreement pursuant to Section 453.1 of the *City of Toronto Act, 2006* to protect the existing rental housing as social housing.



As the applications progress, City Planning staff will work with TCHC to organize a tenant consultation meeting to review the proposal and its impact on existing tenants.

### **Heritage Impact & Conservation**

The properties that comprise the site are designated under Part V of the Ontario Heritage Act as part of the Cabbagetown Northwest Heritage Conservation District. As no alterations to the properties are proposed as part of this application, Heritage Planning staff have not identified any concerns.

### **Other Matters**

Applications for Consent have been filed concurrently with the Committee of Adjustment. These would require approval of the Official Plan Amendment and Rental Housing Conversion applications to proceed as the proposed severances would result in fewer than six rental dwelling units on each of the resulting land parcels.

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

### **CONTACT**

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### **SIGNATURE**

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Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA  
Director, Community Planning,  
Toronto and East York District

## **ATTACHMENTS**

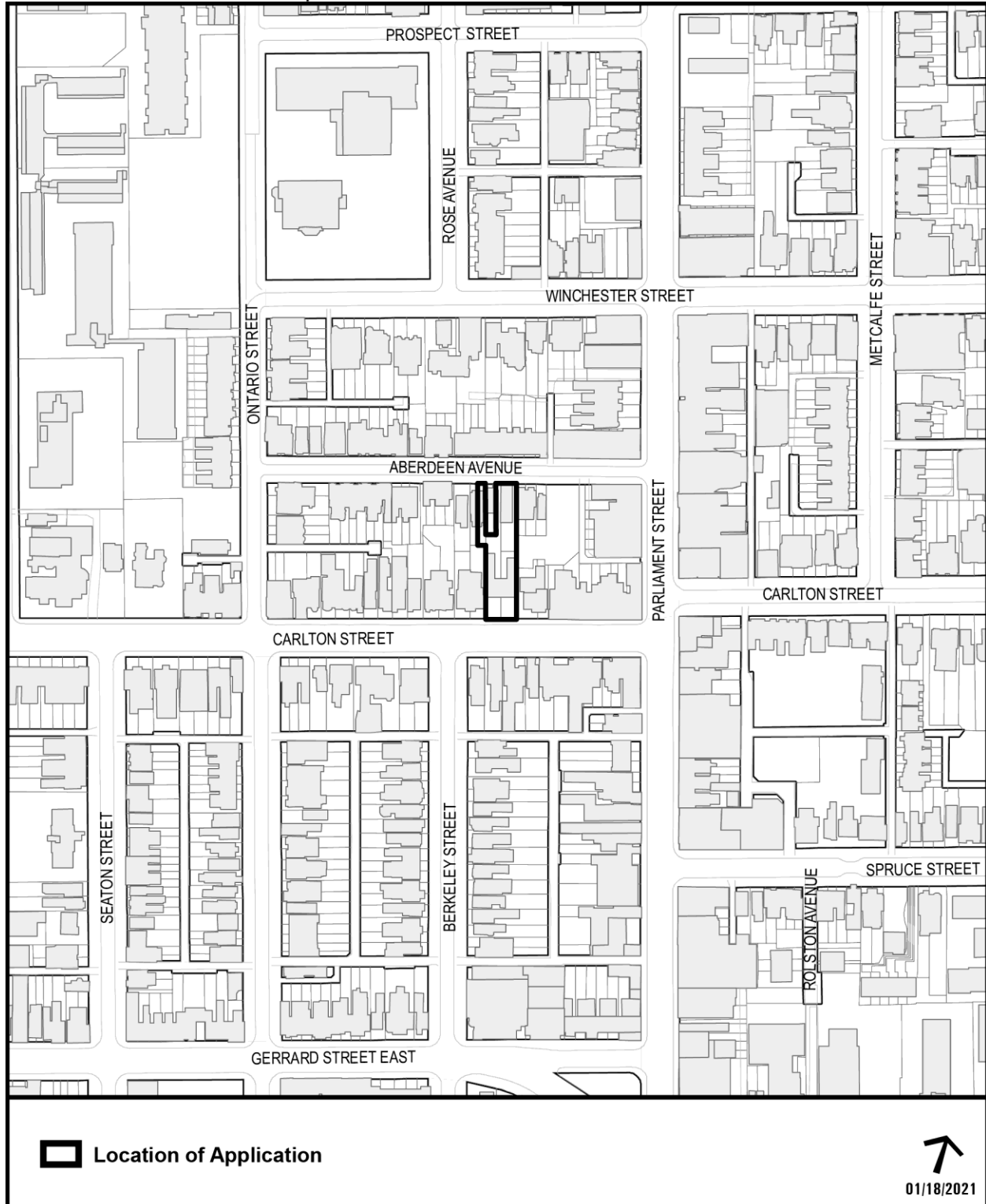
Attachment 1: Location Map

Attachment 2: Site Plan

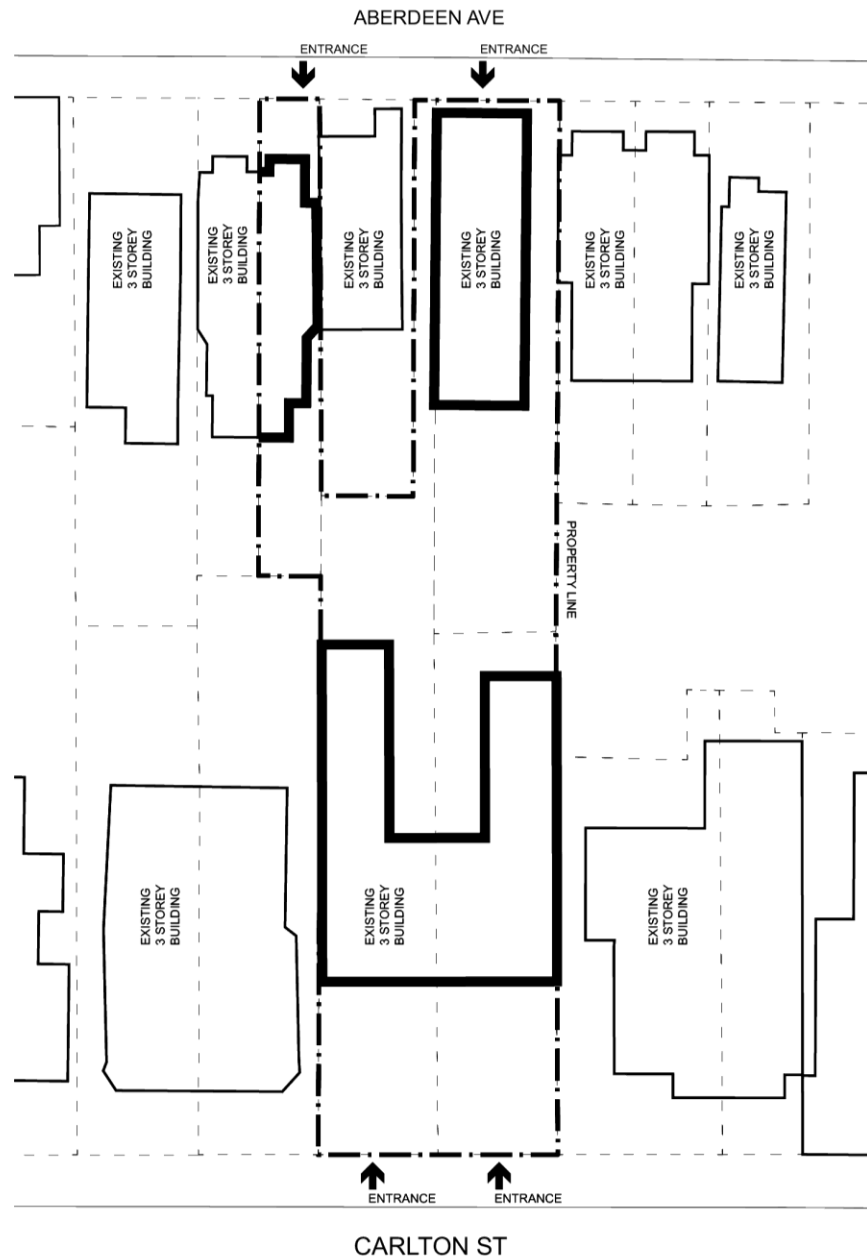
Attachment 3: Official Plan Map

Attachment 4: Zoning Map

## Attachment 1: Location Map



## Attachment 2: Site Plan



Site Plan



# Attachment 3: Official Plan Map



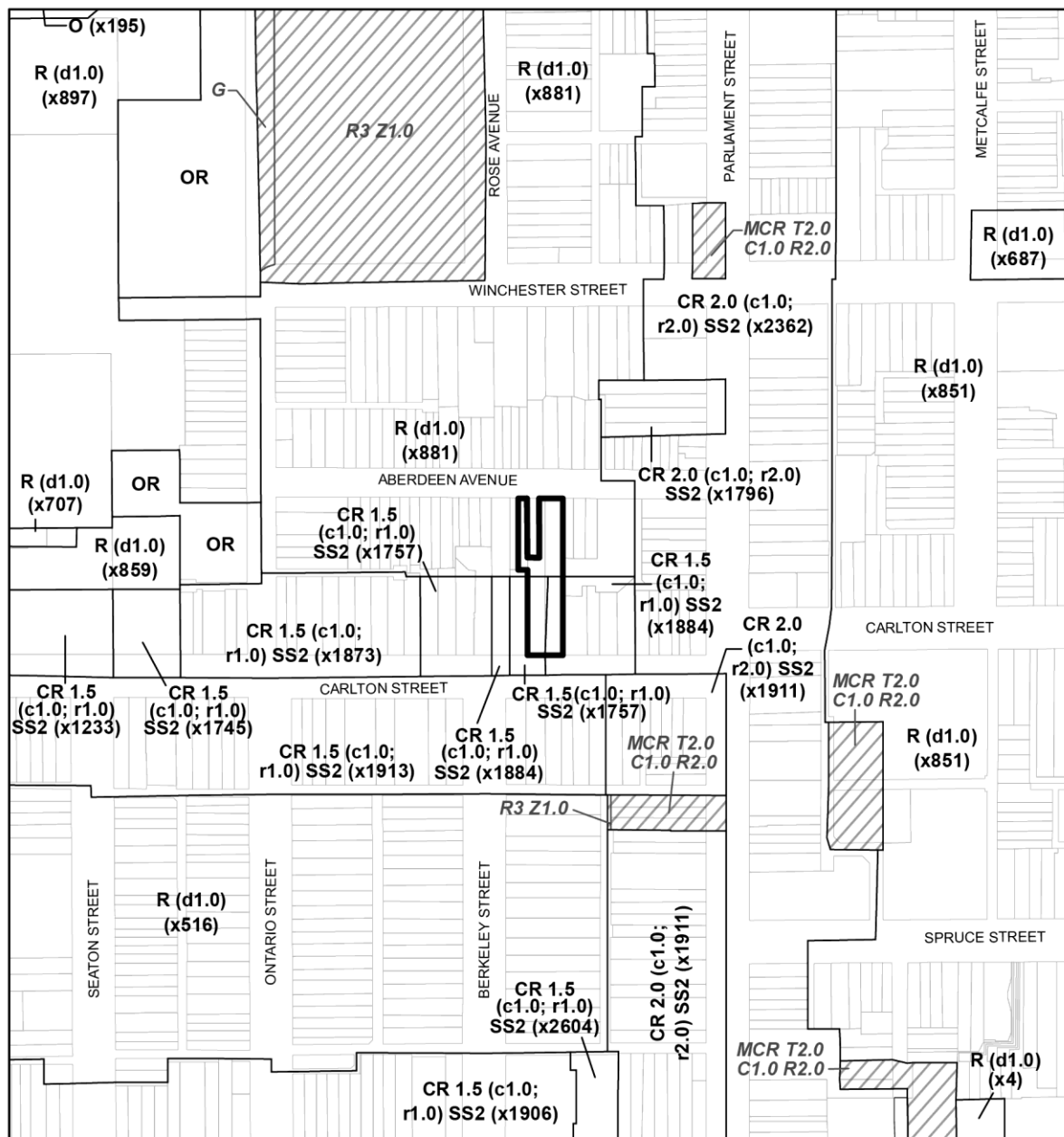
## Official Plan Land Use Map

230-232 Carlton Street and  
33 & 39 Aberdeen Avenue  
File # 20 233830 STE 13 0Z



↑  
Not to Scale  
01/20/2021

# Attachment 4: Zoning Map



230-232 Carlton Street and 33 & 39 Aberdeen Avenue

Zoning By-law 569-2013

File # 20 233830 STE 13 OZ



Location of Application

R

Residential  
Commercial Residential

O

Open Space  
Open Space Recreation



See Former City of Toronto By-law No. 438-86

R3

Residential District

MCR

Mixed-Use District

G

Parks District



Not to Scale  
Extracted: 01/20/2021