

## **Modular Housing Initiative: Phase Two - 175 Cummer Avenue - City Initiated Rezoning - Final Report**

**Date:** April 8, 2022

**To:** Planning and Housing Committee

**From:** Chief Planner and Executive Director, City Planning Division

**Wards:** Ward 18 - Willowdale

### **SUMMARY**

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Through this report, staff recommend approval of a City initiated Zoning By-law amendment for 175 Cummer Avenue to permit the development of a low rise residential apartment.

A municipal rezoning process was directed by City Council on March 9, 2022. Previously, City Council made a request to the Minister of Municipal Affairs and Housing to make a Ministerial Zoning Order to provide the necessary zoning relief to permit the development. At the time of writing of this report, the requested Ministerial Zoning Order had not yet been made.

This report contains a summary of the community engagement undertaken, changes made to the proposal since originally submitted, and presents the final recommended zoning by-law amendment to City of Toronto Zoning By-law 569-2013 to permit the proposed apartment. This report was prepared in consultation with the Housing Secretariat staff.

The 175 Cummer Avenue site has been identified as suitable for construction of modular housing to create new affordable rental housing. The creation of modular affordable rental housing with support services is a key element of the HousingTO 2020-2030 Action Plan. The City's HousingTO Plan has a target of approving 40,000 affordable rental homes over the next 10 years, including 18,000 supportive homes, at least 1,000 of which will be modular homes. Phase One of the Modular Housing Initiative was advanced in 2020 with approval and construction of 100 modular homes on two City owned sites: 11 Macey Avenue (Ward 20 - Scarborough Southwest) and 321 Dovercourt Road (formerly 150 Harrison Street (Ward 9 - Davenport)).

In response to the urgent need for providing affordable and supportive homes to the city's most vulnerable residents who are experiencing homelessness, and following City Council's request to prioritize building and planning approvals for these projects, City Council made a request to the Minister of Municipal Affairs and Housing in June of 2021

to make a Ministerial Zoning Order to provide the necessary relief to permit the construction of modular housing at this site. The *Planning Act* gives the Minister of Municipal Affairs and Housing the power, by order, in respect of any lands in Ontario, to exercise any of the powers conferred on Council to zone lands and modify the zoning regulations for a given site. A Ministerial Zoning Order would have enabled the City to more quickly implement this modular housing proposal.

There continues to be an urgent need to provide affordable and supportive housing for the city's most vulnerable residents who are experiencing homelessness. As the Ministerial Zoning Order has yet to be made, this report recommends that a City-initiated zoning by-law amendment be approved to provide the necessary zoning relief to permit the development.

## **RECOMMENDATIONS**

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The Chief Planner and Executive Director, City Planning recommends that:

1. City Council amend City of Toronto Zoning By-law No. 569-2013 with respect to the lands known as 175 Cummer Avenue substantially in accordance with the recommended Zoning By-law Amendment attached as Attachment No. 9 to this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the recommended Zoning By-law Amendment as may be required.

## **FINANCIAL IMPACT**

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

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact information.

## **EQUITY IMPACT**

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The Housing TO 2020-2030 Action Plan ("HousingTO Plan") envisions a city in which all residents have equal opportunity to develop to their full potential. It is centred on a human rights-based approach to housing which recognizes that housing essential to the inherent dignity and well-being of a person and to building inclusive, healthy, sustainable and livable communities. The actions in the HousingTO Plan also reflect and advance the City's commitment to the progressive realization to the right to adequate housing.

The Modular Housing Initiative advances a number of the City of Toronto's equity strategies and commitments, including: HousingTO 2020-2030 Action Plan, Poverty

Reduction Strategy, Strong Neighbourhood Strategy, Toronto Newcomer Strategy and the Toronto Seniors Strategy.

A key component of the Housing TO Plan is to increase the supply of permanent affordable rental and supportive housing. By implementing the Modular Housing Initiative, the City is creating permanent supportive housing solutions to help marginalized residents. All homes within this proposal would be rented at or below City-wide average market rents, and will provide people experiencing or at risk of homelessness with the opportunity to access safe, quality housing. A combination of housing supports and rental allowances will also be deployed to deepen the affordability of these homes and to ensure positive health and well-being outcomes for tenants.

## **DECISION HISTORY**

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At its meeting of March 9, 2022, City Council adopted Member Motion 31.13 directing staff to undertake a municipal rezoning process to provide the necessary relief to the in-force zoning regulations to permit the modular supportive housing development at 175 Cummer Avenue. The Decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2022.PH31.13>

At its meeting of June 8, 2021 City Council adopted report PH23.3 - Modular Housing Initiative: Phase Two - 175 Cummer Avenue - Final Report. This report presented a summary of engagement undertaken, changes made to the proposal, recommended that City Council request the Minister of Municipal Affairs and Housing make a Ministerial Zoning Order to provide relief from the in-force zoning regulations to permit the proposed development. The City Council Decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.PH23.3>

At its meeting of March 10, 2021 City Council adopted report PH21.1 - Modular Housing Initiative: Phase Two Sites - 175 Cummer Avenue and Trenton/Cedarvale Avenue. This report presented modular housing proposals for these two sites, summarized the proposed community engagement process and recommended that City Council endorse, in principle, a request to the Minister of Municipal Affairs and Housing to make a Ministerial Zoning Order to provide any necessary zoning relief to permit the developments. The Council Decision also requests that final recommendation reports for the sites not be brought forward until the scheduled community consultation meetings have taken place. The City Council Decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.PH21.1>

At its meeting of December 16, 2020 City Council adopted report PH19.11 - Emergency Housing Action which was a response to a request from Planning and Housing Committee for staff to report on a plan for the City to accelerate affordable housing opportunities. The report contained a number of recommendations requesting and authorizing matters related to achieving new affordable housing. The City Council Decision can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH19.11>

At its meeting of April 30, 2020, City Council adopted CC20.6 - Implementing the Toronto Modular Housing Initiative as an Urgent Response to the COVID-19 Pandemic, which identified Horizon North as the selected builder, established a process for selecting the builder for an additional 140 homes, and authorized CreateTO to act as the City's agent to submit all required planning approval applications, requested that city staff prioritize modular housing proposals by identifying ways to expedite the necessary building and planning approvals, and to develop design guidelines for subsequent phases of the modular housing initiative. The City Council Decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.CC20.6>

At its meeting of February 26, 2020, City Council adopted PH13.5 - Plan to Create Supportive Housing Opportunities, outlining plans to develop 600 supportive housing opportunities in 2020 and requested the Federal and Provincial Governments, as part of their 2020 Budgets, to commit capital and operating funding to support the creation of 1,800 new units of supportive housing annually, in order to reduce homelessness in Toronto. The City Council Decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.PH13.5>

At its meeting of December 17 and 18, 2019, City Council adopted report PH11.5 - HousingTO 2020-2030 Action Plan as the framework to address Toronto's housing and homelessness challenges by 2030. This Plan includes a number of actions and targets to address critical needs across the housing spectrum including emergency shelters and transitional housing, social and supportive housing, market and affordable rental housing and home ownership. The City Council Decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH11.5>

At its meeting of June 18 and 19, 2019, City Council adopted MM8.49 - Providing a Rapid Housing Response to Homelessness through a New Modular Supportive Housing Pilot Initiative. Council directed staff to report back on the development of a new modular supportive housing initiative. It called for interdivisional coordination to identify potential sites and to expedite the development of supporting housing. The City Council Decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.MM8.49>

At its meeting of January 30 and 31, 2019 City Council adopted MM2.9 - Expanding Supportive Housing in Toronto. This report called for an aggressive plan for building supportive and transitional housing. The City Council Decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.MM2.9>

At its meeting of March 26 and 27, 2018, City Council adopted CD26.5 - Emergency Shelter Services Update. Council set a target of creating 18,000 new units of supportive housing over the next 10 years, approximately 1,800 units per year. The City Council Decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.CD26.5>

## **Site Location and Proposal**

The property known as 175 Cummer Avenue is located east of Yonge Street at the southeast corner of Cummer Avenue and Willowdale Avenue. A portion of the site is

developed with a four-storey Toronto Community Housing senior's residence (Willowdale Manor).

Detached dwellings are located to the west and north of the site and a four-storey long term care facility (Cummer Lodge) is located to the immediate east. There is a shared driveway off of Cummer Avenue providing access and address to both Willowdale Manor and Cummer Lodge. Lands along the south boundary of the site are designated *Natural Areas* in the Official Plan reflecting the adjacent Newtonbrook Park trail and ravine. The Goulding Park and Mitchell Field community centres are located within the surrounding community and the North York Central public library is approximately 2.25 kilometres from the site. There are also community agencies providing programs and services in the community including Cummer Avenue United Church, Catholic Family Services Phoenix Program and University Settlement. There is a bus stop in front of the site which services the #42 Cummer bus which provides connection to Finch subway station. In addition, the #98 Willowdale-Senlac bus provides bus service along Willowdale Avenue (which abuts the site) to Sheppard subway station and the Sheppard subway line. Varied retail and services along Yonge Street, including pharmacies, cafes and banks, are less than a 10 minute walk away, with a major grocery store and several smaller food stores less than a 20 minute walk away.

The modular housing building is proposed to be located at the north end of the site and oriented east-west along Cummer Avenue. The building will be three storeys in height with much of the ground floor providing communal dining and lounge space, kitchen and laundry facilities, meeting rooms, administrative offices and tenant support services. An outdoor amenity area is to be located at the rear of the building with seating areas, a pergola and a combination of hard and soft landscaped areas. Bicycle parking is proposed to be located within an enclosed structure on the east side of the building. No additional vehicle parking is proposed, as vehicles will use the existing parking spaces on site.

## Planning Framework

Section 2 of the *Planning Act* sets out matters of provincial interest, which City Council shall have regard to in carrying out its responsibilities. By creating permanent affordable supportive housing within transit accessible neighbourhoods the modular housing proposals have regard to the following matters of provincial interest:

- (h) the orderly development of safe and healthy communities;
- (j) the adequate provision of a full range of housing, including affordable housing; and
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.

The Provincial Policy Statement (2020) (the "PPS") provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient use and management of land and infrastructure;

- ensuring the sufficient provision of housing to meet changing needs including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property and community resources by directing development away from natural or human-made hazards.

With respect to housing, the PPS 2020, Section 1.4 Housing, encourages the achievement of healthy, liveable and safe communities by accommodating an appropriate range and mix of housing options to meet housing needs, including affordable housing. The PPS also seeks to align the provision of housing to meet social, health, economic and well-being requirements of current and future residents through housing and homelessness plans.

The PPS is issued under Section 3 of the *Planning Act* and all decisions of City Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) came into effect on August 28, 2020. This was an amendment to the 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. 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. Policies not expressly linked to a MCR can be applied as part of the review process for 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; and
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and better connected transit to where people live and work;

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 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 or shall not conflict with the Growth Plan. Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform, or shall not conflict, with the Growth Plan.

Staff have reviewed the proposed development for consistency with the PPS (2020) and for conformity with the Growth Plan (2020). The outcome of staff analysis and review are summarized in the Comments section of this report.

## Official Plan

The 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. The vision of the City's Official Plan centres on the creation of an attractive and safe city that evokes pride, passion and a sense of belonging. A city where people of all ages and abilities can enjoy a good quality of life in vibrant neighbourhoods that are part of complete communities. The vision also outlines the importance of providing affordable housing choices across the City that meet the needs of everyone in their communities throughout their life.

Official Plan Section 3.2.1 Housing outlines that adequate and affordable housing is a basic requirement for everyone. Where we live and our housing security contribute to our well-being and connect us to our community. The City's quality of life, economic competitiveness, social cohesion, as well as its balance and diversity depend on it. Policy 3.2.1.1 directs that a full range of housing, in terms of form, tenure and affordability will be provided and maintained, across the City and within neighbourhoods, to meet the current and future needs of residents. A full range of housing includes affordable and supportive housing.

Section 3.1.2 of the Official Plan includes policies regarding built form. Regarding site organization, the policies direct buildings to be generally located parallel to streets, with shared vehicular accesses, and preserved mature trees where possible. Amenity spaces should be provided in multi-unit buildings and should be of high quality, located at or above grade, and include generous landscaped areas. Low-rise apartment buildings are discussed in section 3.1.3 building types, as being generally no taller than four storeys, providing entrances that have direct access to streets and visible from public streets, and providing daylight and privacy for ground floor units through measures such as appropriate facing distances.

Official Plan Section 4.1 Neighbourhoods considers lands designated *Neighbourhoods* as physically stable areas made up of residential uses with lower scale buildings, including interspersed walk-up apartments no higher than four storeys. Policy 4.1.1 recognizes the range of residential uses permitted as well as other uses such as low scale institutional. The Plan states that physical changes to *Neighbourhoods* must be sensitive and fit the existing physical character, but also recognizes that there are properties within *Neighbourhoods* that differ from prevailing lot patterns, size, configuration and orientation. In such instances, it is often not possible, or desirable, to replicate these same site characteristics and lot pattern within infill developments. Policy 4.1.9 contains development criteria for dealing with the integration of new development for these types of sites.

Policy 4.1.9 is applicable to development on sites in *Neighbourhoods* that vary from their context in terms of lot size, configuration and/or orientation. This policy provides development criteria for infill development on such sites, focussed on ensuring design that produces a good living environment that is compatible with its neighbourhood context. The development criteria require that infill development:

- have heights, massing and scale that are respectful of those permitted by zoning for nearby residential properties, while taking into account the existing form of development on the infill property;
- have setbacks from adjacent residential properties and public streets are proportionate to those permitted by zoning on adjacent residential properties, again while taking into account the existing form of development on the infill property;
- provide adequate privacy, sunlight and sky views by ensuring adequate distance and separation between buildings and using landscaping, planting and fencing to enhance privacy;
- front onto existing or new public streets and provide safe, accessible walkways from public streets; and
- locate, screen and wherever possible enclose service areas and garbage storage and parking.

## **Zoning**

The 175 Cummer Avenue site is zoned RM (f24.0; a1100; d0.75)(x38) under Zoning By-law 569-2013 which is a Residential Multiple Zone; there is a site specific exception limiting use permissions to a senior's home. The maximum permitted height for an apartment building on site is 12 metres.

The City's Zoning By-law 569-2013 can be found here:

<https://www.toronto.ca/city-government/planning-development/zoning-by-law-preliminary-zoning-reviews/>

See Attachments 1, 2 and 3 to this report for the Site Location, Official Plan Land Use Designation and Zoning.

## **Design Guidelines**

Based on the experience with the two modular housing sites advanced in Phase One of the Modular Housing Initiative, staff developed Modular Housing Urban Design Guidelines to provide clarity on urban design expectations. Key considerations of the Guidelines include:

- Site Organization - building placement and address, parking, loading and garbage collection, outdoor amenity space, tree protection and grade alteration;
- Building Design - exterior design, user-centred design, and lifecycle considerations to improve longevity;
- Public Realm - outdoor amenity space, streetscape and landscape design, sightlines and lighting, and bicycle parking and related storage; and
- Sustainability - to achieve more sustainable buildings and green site and building design.



## COMMENTS

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### Community Consultation

The City hosted two virtual community engagement meetings, on March 9th and April 6th respectively, and a meeting with residents of Willowdale Manor on March 9, 2021 with respect to the introduction of the proposed modular housing building. Staff provided the community with an overview of the modular housing proposal, the general zoning by-law relief sought and also informed the community that the City was planning on requesting a Ministerial Zoning Order to permit the development of the site.

Approximately 160 people attended the March 9th meeting and approximately 172 people attended the April 6th meeting. Questions were raised at each meeting seeking further information and clarification on the planning approval process and how the development would be operated and managed. A summary of engagement activities and the feedback received through the City's engagement consultant is included in Attachment 7. This summary report can also be accessed at [www.toronto.ca/175cummer](http://www.toronto.ca/175cummer).

Information on the future operator will be provided at [www.toronto.ca/175cummer](http://www.toronto.ca/175cummer).

Revisions to the proposal based on feedback from the community engagement and from staff's evaluation of the site plan application are summarized below.

An additional community meeting was held on August 12, 2021, after City Council had requested the Minister of Municipal Affairs and Housing to make a Ministerial Zoning Order. The purpose of this meeting was to provide updates on progress on the proposal and to discuss future operations and support services at the site, as well as to offer the public an opportunity to hear from supportive housing project operators. That meeting was attended by approximately 125 people.

Following City Council's direction to undertake a municipal rezoning process, a virtual community meeting was held on April 4, 2022. Approximately 220 people attended the meeting. The purpose of this meeting was to provide an overview of the project and planning framework, inform the public that the MZO had not yet been made and that a municipal rezoning process was underway, and to receive comments and answer questions of attendees. Revisions to the proposal were made following public input from previous consultations, and no additional changes were made as a result of the April 4, 2022 meeting. A consultation summary is included as Attachment 8.

### Revisions to the Proposal

Based on the feedback received through community engagement and the detailed review of the Site Plan application by City staff and agencies, a number of refinements have been made to the proposal. These include:

- reducing the unit count from 64 to 60;
- increasing the size of the dining and lounge area;
- increasing the size of the tenant support area;

- integrating waste storage into the building and increasing its size to support tidy operations;
- the retention of one additional mature tree by adjusting the siting of underground utilities;
- increased lighting along site walkways and within the outdoor amenity space;
- application of Toronto Green Standard requirements (e.g. bird-friendly glazing);
- increasing the width of the adjacent sidewalk to 2.1 metres;
- extending concrete bus platforms on Cummer Avenue and Willowdale Avenue to the standard 16 metres and state of good repair to these platforms;
- improvements to building cladding design for the east and west modules;
- the addition of cedar cladding on the east and west elevations;
- the addition of coloured window coverings;
- relocating bicycle parking to the north-east portion of the site;
- improvements to circulation throughout site with upgrades for on-site accessibility;
- additional landscape areas along the west side of the building adjacent to the open space;
- landscape improvements along the north-south pedestrian walkway;
- reconfiguration of the wood fence along the south side of the site so that two clusters of spruce trees will be located on the outside of the fence; and
- the addition of seating areas at the building entrance along Cummer Avenue and reinstatement of benches along the north-south pedestrian walkway.

The revised site plan is included as Attachment 4 to this report; a Rendering/Elevation is also included which reflects changes. These drawings and renderings are the most recent to date, but may not yet reflect all of the agreed-upon changes to the proposal. Further revisions may be made at the site plan stage.

Staff are also discussing the opportunity for public art on site, however this component will be addressed once the building is constructed on site.

## **Provincial Policy Statement and Growth Plan**

The prioritized review and approval process for the modular housing proposal supports provincial and municipal objectives by providing affordable housing and improving social equity and overall quality of life in our communities. Staff are of the opinion that the proposal is consistent with the PPS (2020) and does not conflict with the Growth Plan (2020).

## **Official Plan Conformity**

The site is a large site developed with a low scale (four storey) seniors residence in a landscaped setting substantially setback from the street and nearby residential properties to the west. The site is oriented to Cummer Avenue, which has a 20 metre right-of-way width. The abutting residential properties to the west front onto Willowdale Avenue; there are also residential properties across and facing Cummer Avenue to the north opposite the site. Given that the size of the site and configuration of the site varies from that of nearby residential properties, and the orientation of the site is onto a public

street with a right-of-way width greater than the nearby residential streets, this proposed infill modular housing is being reviewed under Policy 4.1.9.

The building is proposed to be located at the north end of the site oriented east-west along the Cummer Avenue frontage. The front yard setback to Cummer Avenue is proposed to be approximately 6 metres, and the proposed setback to Willowdale Avenue to the west is approximately 35 metres which will enable much of the existing treed and landscaped space at the northwest corner of the site to be retained.

At three storeys and approximately 10.5 metres in height, the proposed building would be slightly greater than the 10 metre height regulation of the zoning on nearby residential properties and within the four storey maximum height set by the Official Plan for the *Neighbourhoods* land use designation. The scale and massing of the proposed building would be less than that of the four storey senior's residence on the site.

Revisions to the proposal have been made to address impact on existing trees. The outdoor amenity area location and design, along with the existing treed setting within which the development will be situated provide separation and privacy for residents of the development and from adjacent buildings.

The development is being built to Tier 2 of the Toronto Green Standard which is a higher level of sustainability than is required of private development. Components of the building design, including requirements for reduced greenhouse gas intensity, exceed Tier 2 and are close to Tier 4 (Passive House) design levels.

The proposed modular housing development supports the City's vision as a place where all people have housing choice and can have access to a good quality of life. As proposed, the development would meet the intent of Policy 4.1.9 to achieve infill development in accordance with the development criteria in order to achieve a good living environment.

It is the opinion of Staff that the city-initiated rezoning conforms to the general policies of the Official Plan that require the provision of a broad range of housing throughout the City, and that the application conforms with the neighbourhood policies of the Official Plan.

## **Zoning**

This report recommends that City Council amend City of Toronto Zoning By-law 569-2013 for 175 Cummer Avenue in order to provide the zoning relief necessary to advance the modular housing proposal at this location.

The relief sought includes a reduced requirement for:

- front yard setbacks (6 metres where 42 metres are required);
- parking (0 spaces where 6 are required); and
- accessible parking (0 spaces where 1 is required).

The relief sought also includes:

- the apartment dwelling use (only seniors apartments are presently permitted on site);
- the width of staircases encroaching into a required setback (3.6 metre width versus a 2 metre limit);
- the location of a pergola (proposed in front, whereas they are presently only permitted in the rear);
- bicycle parking dimensions; and
- the provision of loading spaces.

This relief will allow the City to achieve its objective of providing new affordable housing units on site. The draft zoning by-law is available in Attachment 9.

City Council has the authority to zone and re-zone lands through its powers under Section 34 of the *Planning Act*. However, Section 47(1) of the *Planning Act* gives the Minister of Municipal Affairs and Housing the authority to zone property in the Province through a Minister's Zoning Order. City Council requested that the Minister make a Minister's Zoning Order to provide the necessary zoning relief in June of 2021. At the time of writing of this report, no Ministerial Zoning Order has been made for the site. Staff have since been directed by City Council to undertake a municipal rezoning process through which City Council can re-zone the lands through its powers under Section 34. Advancement through Section 34 was considered previously, but a Minister's Zoning Order was requested as it can be the fastest way to achieve zoning relief.

A Ministerial Zoning Order and a zoning by-law amendment are different methods for achieving relief to the regulations in a zoning by-law. The outcome related to the proposed development at 175 Cummer Avenue is, however, intended to be the same: to provide the necessary zoning relief to permit the modular supportive housing proposal discussed with the community, and as described in this report.

### **Site Plan Application**

A revised submission, reflecting the refinements summarized above has been submitted and has been reviewed City staff. The revised submission reflects the zoning regulations that are being recommended. Site Plan approval is delegated, as is the City's standard practice, to the Chief Planner and Executive Director, City Planning. Zoning compliance is required in order to issue Site Plan Approval.

## **CONCLUSIONS**

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The proposal was subject to an introductory report to Planning and Housing Committee to describe the site and proposal, present the relevant planning framework and identify the intent to recommend that zoning relief be provided through a Ministerial Zoning Order. A subsequent final report to Planning and Housing Committee described the multi-faceted community engagement process, which was undertaken to share information, answer questions and seek feedback from the local community. The community engagement process resulted in refinements to the proposal that are

reflected in the revised site plan. The final report also described these changes made to the proposal, and included a draft Ministerial Zoning Order to provide the necessary relief to permit the proposal.

In response to the urgent need for providing affordable and supportive homes to the City's most vulnerable residents who are experiencing homelessness, and following City Council's request to advance a municipal rezoning process in the absence of a Ministerial Zoning Order, this report recommends that City Council amend City of Toronto Zoning By-law 569-2013 to provide the zoning relief necessary to implement the modular housing proposal at 175 Cummer Avenue. It remains open that the Minister of Municipal Affairs and Housing could make a Ministerial Zoning Order, as requested, at any time.

The City's modular housing webpage at [www.toronto.ca/175cummer](http://www.toronto.ca/175cummer) will be updated regularly to provide information on construction status, the future operator and occupancy, and a Community Liaison Committee will continue the engagement process. The proposal conforms to the provincial policy framework and the Official Plan.

## **CONTACT**

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## **SIGNATURE**

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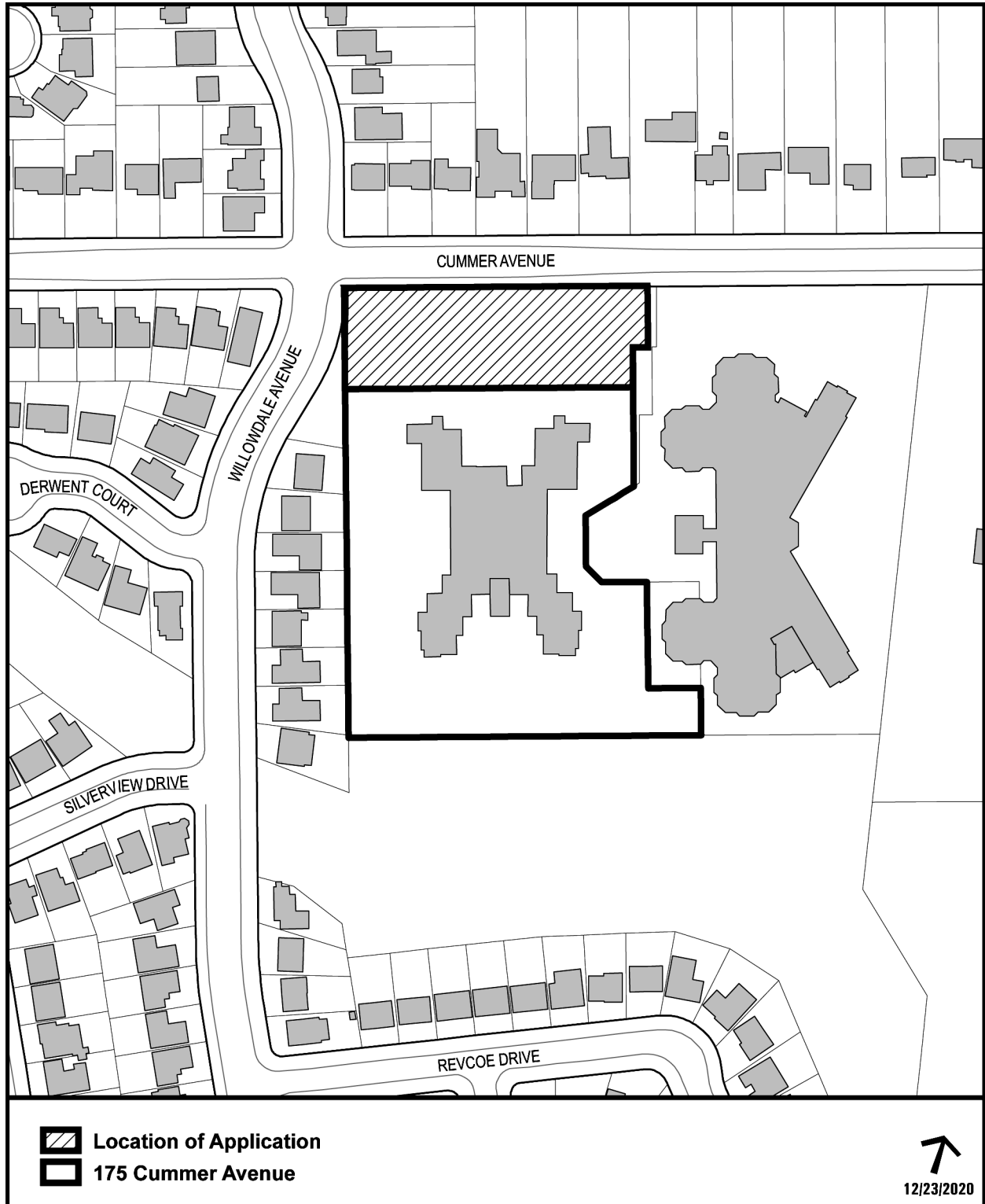
Gregg Lintern, MCIP, RPP  
Chief Planner and Executive Director  
City Planning Division

## **ATTACHMENTS**

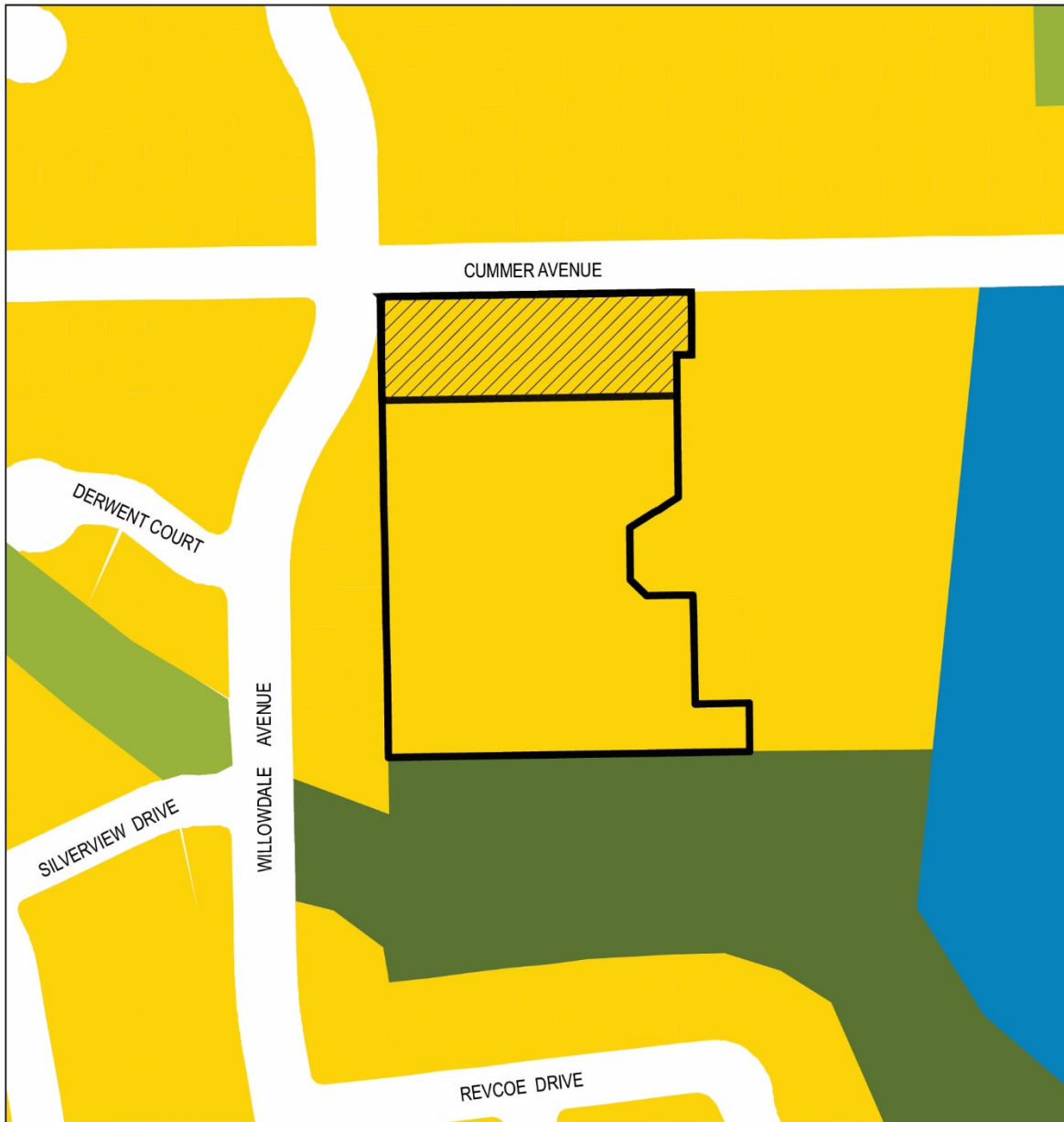
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Attachment 1: Location Map - 175 Cummer Avenue  
Attachment 2: Official Plan Land Use Map - 175 Cummer Avenue  
Attachment 3: Zoning Map - 175 Cummer Avenue  
Attachment 4: Site Plan Map - 175 Cummer Avenue  
Attachment 5: Elevations and Rendering - 175 Cummer Avenue  
Attachment 6: 3D Massing - 175 Cummer Avenue  
Attachment 7: Community Engagement Summary Report (provided separately)  
Attachment 8: April 4, 2022 Community Meeting Summary (provided separately)  
Attachment 9: Draft Zoning By-law Amendment (provided separately)

## Attachment 1: Location Map - 175 Cummer Avenue



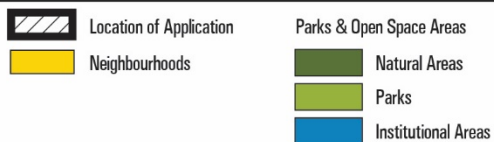
## Attachment 2: Official Plan Land Use Designation - 175 Cummer Avenue



175 Cummer Avenue

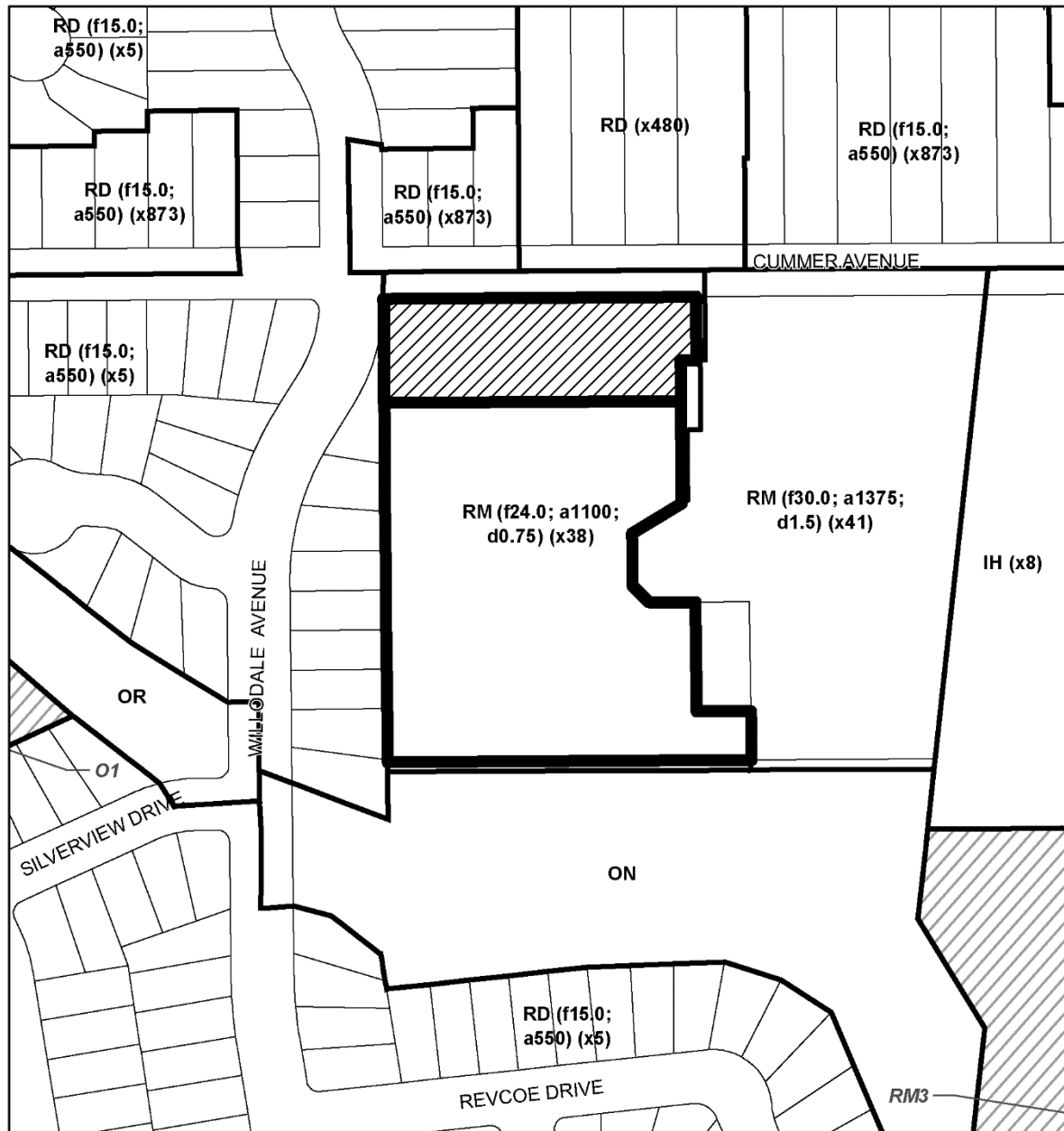
### Official Plan Land Use Map #16

File # 21 123656 NNY 18 SA



↑  
Not to Scale  
12/23/2020

# Attachment 3: Zoning Map - 175 Cummer Avenue



Zoning By-law 569-2013

175 Cummer Avenue

File # 21 123656 NNY 18 SA



Location of Application

RD Residential Detached  
RM Residential Multiple

IH Institutional Hospital  
ON Open Space Natural  
OR Open Space Recreation



See Former City of North York By-law No. 7625

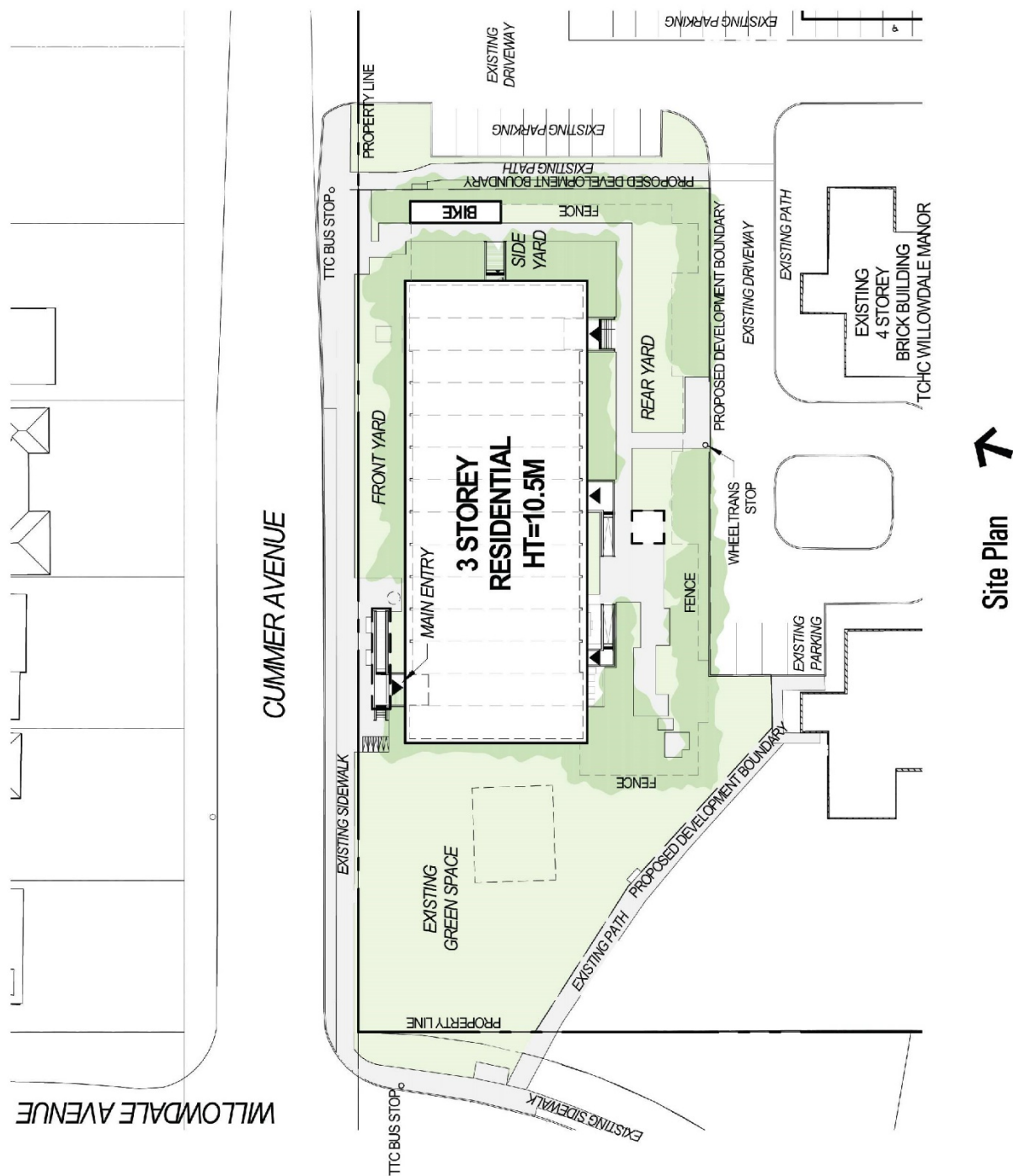
RM3 Multiple-Family Dwellings Third Density Zone  
O1 Open Space Zone



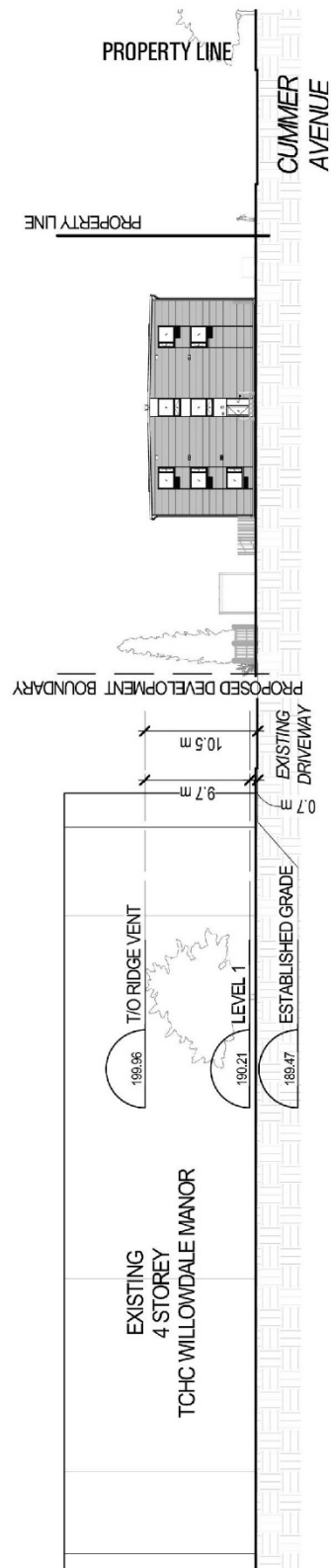
Not to Scale  
Extracted: 12/23/2020



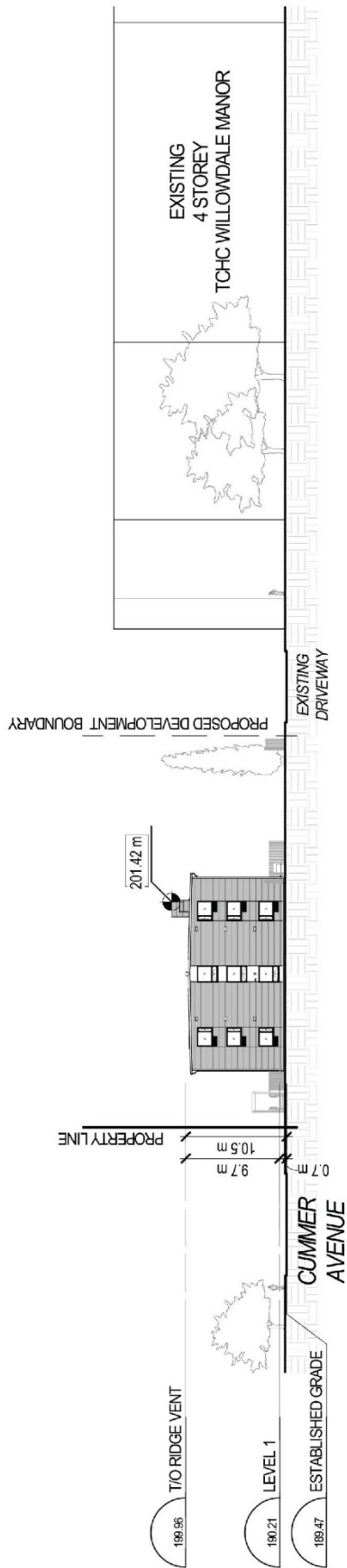
Attachment 4: Site Plan Map - 175 Cummer Avenue



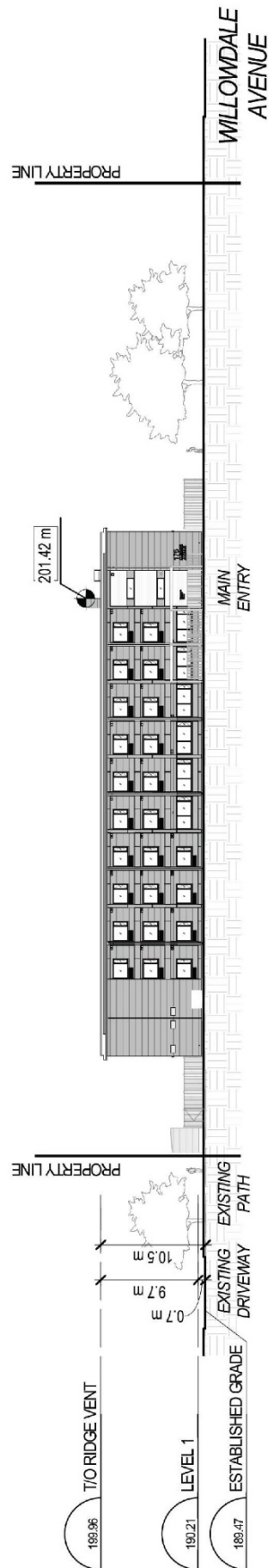
## Attachment 5: Elevations and Rendering - 175 Cummer Avenue



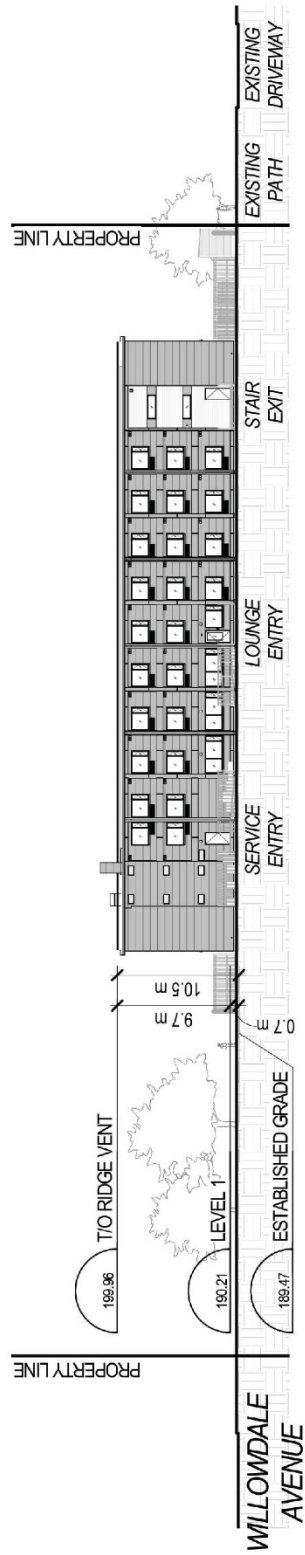
East Elevation



## West Elevation

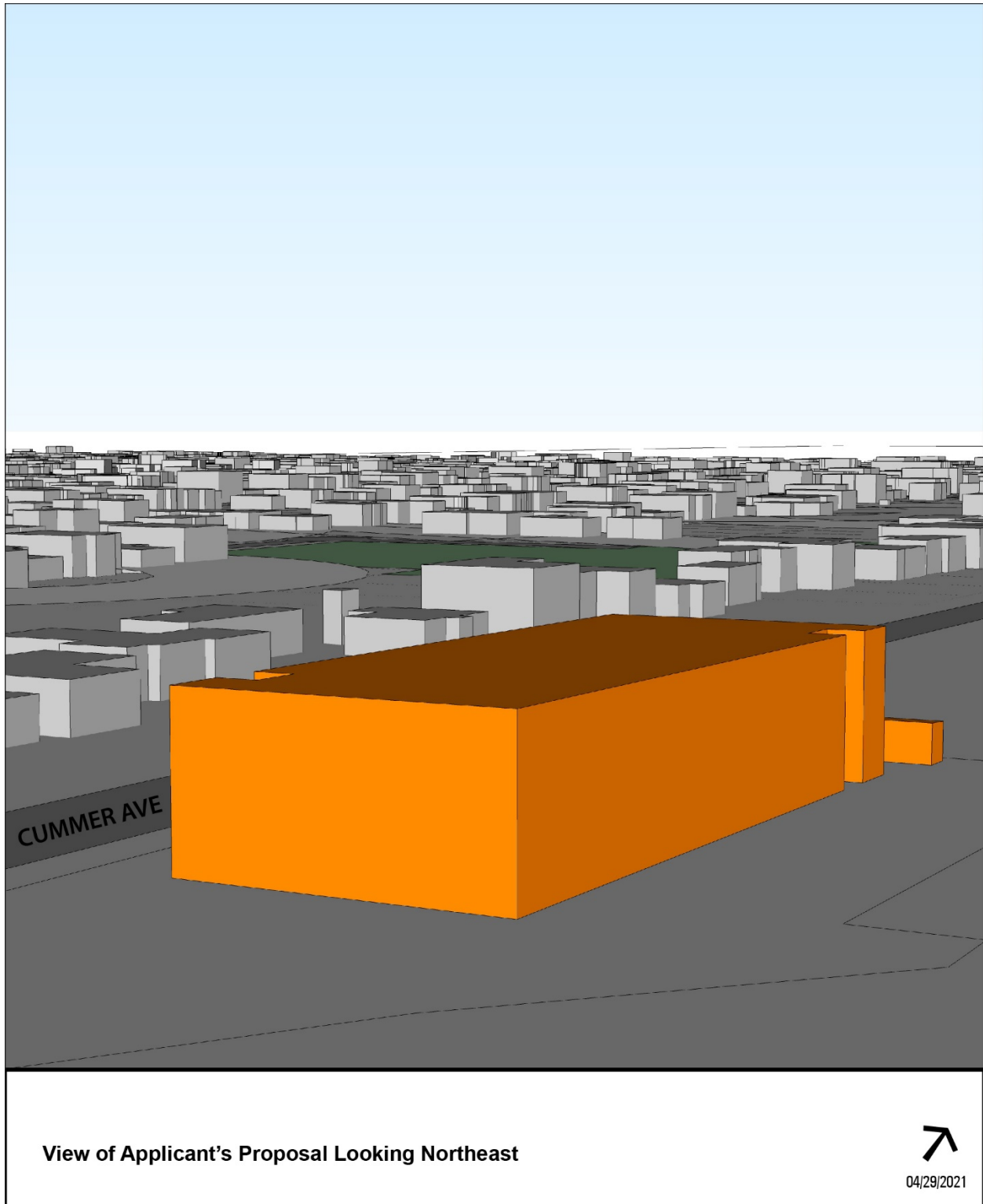


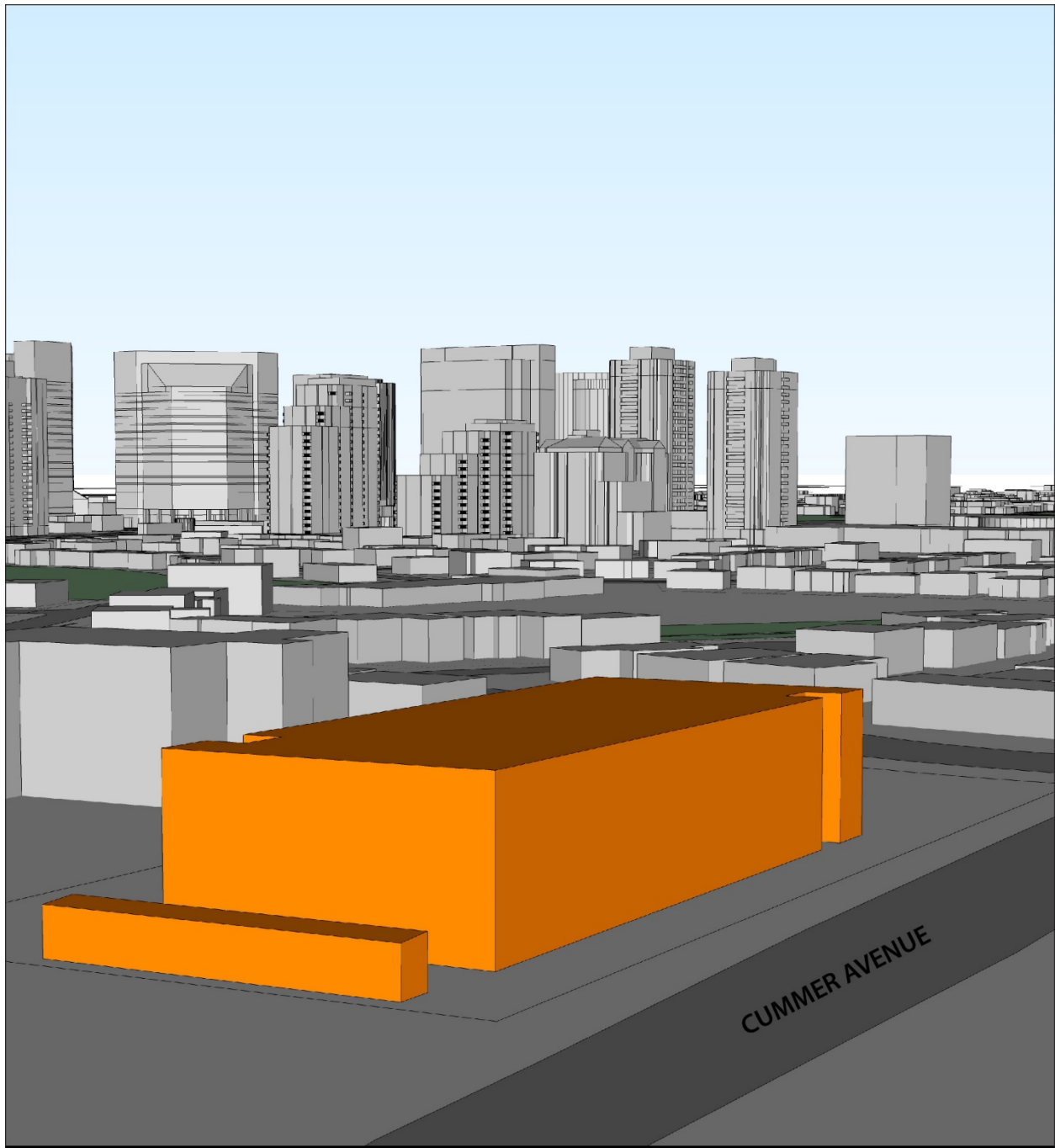
North Elevation



South Elevation

## Attachment 6: 3D Massing - 175 Cummer Avenue





**View of Applicant's Proposal Looking Southwest**



04/29/2021

## **Attachment 7: Community Engagement Summary Report**

Provided separately



## **Attachment 8: April 22, 2022 Community Meeting Summary**

Provided separately

## **Attachment 9: Draft Zoning By-law Amendment**

Provided separately