

## **190-200 Soudan Avenue and 18 Brownlow Avenue – Zoning Amendment and Rental Housing Demolition Applications – Request for Directions Report**

Date: December 10, 2021

To: Toronto and East York Community Council

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

Ward: Toronto-St. Paul's - Ward 12

**Planning Application Number:** 20 230438 STE 12 OZ

**Related Applications:** 20 230473 STE 12 RH

### **SUMMARY**

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On December 18, 2020, a Zoning By-law Amendment application was submitted for a new 21-storey apartment building with 167 units at 190-200 Soudan Avenue and 18 Brownlow Avenue. The existing 19-storey rental apartment building at 18 Brownlow Avenue would be retained and the existing six houses at 190-200 Soudan Avenue would be demolished. A Rental Housing Demolition application has been submitted to permit the demolition of one existing residential rental unit located at 192 Soudan Avenue.

On May 27, 2021, the Applicant appealed the application to the Ontario Land Tribunal ("OLT") due to Council not making a decision within the 90-day time frame in the Planning Act.

This report recommends that the City Solicitor with the appropriate City staff attend the OLT hearing to oppose the application in its current form and to continue discussions with the Applicant to resolve outstanding issues.

### **RECOMMENDATIONS**

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The City Planning Division recommends that:

1. City Council direct the City Solicitor and appropriate City staff to attend the Ontario Land Tribunal in opposition to the current Application regarding the Zoning By-law Amendment appeal for the lands at 190-200 Soudan Avenue and 18 Brownlow Avenue

and to continue discussions with the Applicant in an attempt to resolve outstanding issues.

2. In the event that the Ontario Land Tribunal allows the appeal in whole or in part, City Council authorize the City Solicitor to request that the issuance of any final Orders be withheld until such time as the City Solicitor advises that:

a) the final form and content of the draft Zoning By-laws are to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning;

b) the owner has provided confirmation of water, sanitary and stormwater capacity to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, or the determination of whether holding provisions are required in the Zoning By-law amendment;

c) the existing rental dwelling units, needed improvements to the existing rental housing, a Construction Mitigation and Tenant Communication Plan, and any other rental housing matters in conformity with Policy 3.2.1.5 of the Official Plan, have been secured to the satisfaction of the Chief Planner and Executive Director, City Planning;

d) the Chief Planner and Executive Director, City Planning, under delegated authority, has approved the Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the *City of Toronto Act, 2006* to demolish one (1) existing rental dwelling units at 192 Soudan Avenue; and

e) community benefits and other matters in support of the development are secured in a Section 37 Agreement executed by the owner and registered on title to the satisfaction of the Chief Planner and Executive Director, City Planning and the City Solicitor.

3. City Council authorizes the City Solicitor and City staff to take any necessary steps to implement City Council's decision.

## **FINANCIAL IMPACT**

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

## DECISION HISTORY

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On November 4, 2015, a Zoning By-law Amendment Application was submitted for two residential towers of 25 and 20 storeys at 18 Brownlow Avenue, 71-73 Redpath Avenue and 174-200 Soudan Avenue. The existing 19-storey tower at 18 Brownlow Avenue would be retained the houses along Redpath Avenue and Soudan Avenue would be demolished.

On March 10, 2016, City Council required an on-site parkland dedication pursuant to Section 42 of the Planning Act in the event of any approval. The report can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE14.31>

On June 20, 2016, the applicant appealed the Application to the Ontario Municipal Board due to Council not making a decision within the time frame in the Planning Act.

On October 5, 2016, City Council adopted a Request for Directions Report directing the City Solicitor, together with appropriate staff, to attend the Ontario Municipal Board hearing to oppose the proposal. The report can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.TE18.9>

On September 13, 2017, the proposal was revised by removing the properties at 18 Brownlow Avenue and 190-200 Soudan Avenue from the application, and proposing a single 24-storey residential building at 174-188 Soudan Avenue and 71-73 Redpath Avenue.

On April 24, 2018, City Council accepted a settlement offer for the site at 74-188 Soudan Avenue and 71-73 Redpath Avenue for a 21-storey residential building and a 225 square metre on-site park. The report can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.MM39.33>

On June 18, 2019, the Local Planning Appeal Tribunal (formerly the Ontario Municipal Board) approved the revised Zoning By-law Amendment Application for the 21-storey residential rental building.

On December 18, 2020, a Zoning By-law Amendment application was submitted for a new 21-storey apartment building at 190-200 Soudan Avenue and 18 Brownlow Avenue. A Preliminary Report, was adopted by Toronto and East York Community Council on April 21, 2021. A Motion requiring the applicant to provide an on-site Parkland dedication was also adopted. The decision of the Toronto and East York Community Council can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE24.30>

## SITE AND SURROUNDING AREA

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**Site Description and Dimensions:** The site is located at the northwest corner of Soudan Avenue and Brownlow Avenue. The irregular shaped site is 5,831 square metres in size, and has a frontage of 45 metres on Soudan Avenue and 103 metres on Brownlow Avenue.

**Existing Uses:** Six detached houses are located along Soudan Avenue and a 19-storey apartment building is located at 18 Brownlow Avenue.

### **Surrounding uses include:**

North: of the site, along Brownlow Avenue is a row of 12 semi-detached, 3-storey houses (54-76 Brownlow Avenue). Northwest of the site, along Redpath Avenue are five 3-storey row townhouses (81-75 Redpath Avenue) and a 21-storey condominium tower fronting onto Redpath Avenue (83 Redpath Avenue).

West: of the site is the approved 21-storey tower at 174-188 Soudan Avenue and 71-73 Redpath Avenue. Further west, at the northwest corner of Soudan Avenue and Redpath Avenue, is a row of 4-storey townhouses.

South: of the site, along the south side of Soudan Avenue between Redpath Avenue and Brownlow Avenue, is a collection of 2 and 3-storey semi-detached and detached houses.

East: east of the site is a 15-storey rental apartment building (55 Brownlow Avenue). South of this building are 2 semi-detached 2-storey houses (21 and 19 Brownlow Avenue). Further east, on the north side of Soudan Avenue and east of Brownlow Avenue are a series of 1 and 2-storey houses subject to a development application for a 21-storey residential building currently under appeal at the Ontario Land Tribunal (File No. 17 257139 STE 22 OZ).

## THE APPLICATION

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### **Description**

**Height:** A 21-storey residential rental building (70.5 metres to the top of the mechanical penthouse) with a 4-storey base building.

**Density (Floor Space Index):** 4.5 times the area of the lot.

**Unit count:** 167 dwelling units (17 studio units (10%), 81 one-bedroom units (49%), 49 two-bedroom units (29%), and 20 three-bedroom units (12%)).

### **Additional Information**

**See Attachments** 1-5 of this report for a location map, Application Data sheet, three dimensional representations of the project in context, and a site plan of the proposal. The Application Data sheet contains additional details of the proposal including: site area and dimensions; floor area; unit breakdowns; and parking counts.

All plans and reports submitted as part of the application can be found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

### **Reasons for the Application**

The Zoning By-law Amendment application proposes to amend Zoning By-laws 438-86 and 569- 2013 to vary performance standards including: building height; building setbacks; floor space index; amenity space and parking space requirements.

The Rental Housing Demolition application proposes to demolish the studio apartment located in the basement of 192 Soudan Avenue.

### **Site Plan Control**

The proposal is subject to Site Plan Control. A Site Plan Control application has not been submitted but will be required.

## **POLICY CONSIDERATIONS**

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**Official Plan Designation:** The site is located on lands designated *Apartment Neighbourhoods* on Map 17 of the Official Plan. The site is also located within the Yonge-Eglinton Secondary Plan area. The Secondary Plan designates the site as *Apartment Neighbourhoods*. It is located within the Soudan Apartment Neighbourhoods Character Area. The anticipated height range for buildings in the Soudan Apartment Neighbourhoods Character Area is 20 to 35 storeys, with heights generally decreasing from north to south and from west to east. The site is also located in the Secondary Zone of the Transit Node associated with the Eglinton Subway Station and the Mount Pleasant LRT Station.

**Official Plan Housing Policy:** The Official Plan states that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development will secure as rental housing, the existing rental housing units which have affordable and mid-range rents should secure needed improvements and

renovations to the existing rental housing to extend the life of the building(s) that are to remain and to improve amenities, without pass-through costs to tenants.

**Zoning:** The site is zoned R(d0.6) (x914), under Zoning By-law 569-2013 and R2 Z0.6 under Zoning By-law 438-86; both of which permit a variety of residential uses including apartment buildings and have a maximum density of 0.6 times the area of the site. The maximum building heights are 14.0 metres on the Soudan Avenue properties and 38 metres on the 18 Brownlow Avenue site. The existing 19-storey apartment building is permitted under site specific Zoning By-law 1280-2007.

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

Section 111 of the *City of Toronto Act, 2006* authorizes the City to regulate the demolition of residential rental properties. Chapter 667 of the Toronto Municipal Code, the Residential Rental Property Demolition and Conversion Control By-law, implements Section 111. The By-law prohibits the demolition of rental housing in any building or related group of buildings containing six or more residential 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. Decisions by City Council and the Chief Planner under Chapter 667 are final and not appealable to the LPAT.

**Additional information:** See Attachment 6 for applicable policy documents and implementation guidelines.

## **COMMUNITY CONSULTATION**

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A Virtual Community Consultation Meeting was hosted by City staff on April 22, 2021. Following a presentation by City staff and the Applicant, the following comments and issues were raised:

- the site is not large enough to accommodate a tower;
- need for more affordable housing on the site;
- need more 3 and 4-bedroom units in the proposal;
- access to sunlight for the 5 townhouses on Redpath Avenue;
- shadow impacts on the 19-storey apartment building at 18 Brownlow Avenue;
- need for community facilities and greenspace in the area to accommodate the growth in population;
- too many trees are proposed to be removed;
- there is a need for more density on the site;
- a park on this site would be too small and not needed in this area;
- wind impacts on the adjacent streets and open spaces;
- too much traffic will be generated as a result of the proposed development; and
- construction impacts on the surrounding area.

## **COMMENTS**

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### **Provincial Framework**

Staff's review of this application has had regard for the relevant matters of provincial interest set out in the Planning Act. Staff has reviewed the current proposal for consistency with the Provincial Policy Statement (PPS), and conformity with the Growth Plan. Staff find the proposal to be consistent with the PPS and in conformity with the Growth Plan. All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS, and shall conform to provincial plans.

### **Height, Massing and Tower Separation**

The proposed tall building does not provide an adequate separation distance to the adjacent apartment building to the north at 18 Brownlow Avenue. At 6.9 metres, the proposed tower separation is significantly less than the 25 metres recommended in the Tall Building Design Guidelines.

The proposed development and site design has not demonstrated that the site can accommodate a tall building and achieve the objectives for the site including tower separation, the provision of on-site parkland, public realm objectives and fit within the existing and planned context, as required by the Official Plan, Yonge-Eglinton Secondary Plan, the Motion for on-site parkland adopted by Toronto and East York Community Council, and the Tall Building Design Guidelines.

### **Shadow Impacts**

The Yonge-Eglinton Secondary Plan states "Development will be located and designed to provide adequate sunlight on parks and open spaces have regarding to the varied nature of these areas. The height ranges and other policy directions established in this Plan result in acceptable shadow impacts. Additional attention to the massing and stepbacks of buildings may be required to ensure an adequate amount of sunlight on parks and open spaces".

The applicant submitted a shadow study which shows the proposed building's shadows on March 21st. New shadows from the proposal would fall within the block until approximately 2:00 pm when the building would begin shadowing Brownlow Avenue. No parks or open spaces are shadowed as a result of the proposed development.

Given the policies in the Yonge-Eglinton Secondary Plan for appropriate building heights and acceptable shadow impacts described above, the shadow impacts of the Settlement Offer conform to the Yonge-Eglinton Secondary Plan.

## **Wind**

A Pedestrian Level Wind Assessment was prepared by RWDI, dated November 20, 2020. The Assessment concludes that conditions on sidewalks and other public areas on and around the proposed buildings are expected to be comfortable for sitting or strolling in the summer, and for strolling or walking in the winter, and are considered appropriate for the intended pedestrian use. Wind conditions at the main entrances are expected to be comfortable for sitting or standing throughout the year. These conditions are similar to those experienced in the area at present. Wind speeds on the terraces are expected to be slightly higher than desired for passive activities.

If the application is approved in some form, the applicant will be required to provide a more detailed Pedestrian Level Wind Study as part of the Site Plan application to confirm the findings of the report and recommend potential strategies to mitigate wind impact.

## **Streetscape**

Brownlow Avenue is identified as a Midtown Greenway in the Yonge-Eglinton Secondary Plan. The Secondary Plan states that landscaped setbacks in the Midtown Greenways will be planted with high-branching deciduous trees and understory plantings. The location and design of underground facilities, such as parking, on properties abutting the Midtown Greenways will provide sufficient space and soil depth to maintain a permanent, high branching tree canopy.

The application proposes a first floor setback on Brownlow Avenue with the building cantilevering above, limiting opportunities for the planting of high-branching deciduous trees. Staff will continue to work with the applicant to identify opportunities to increase the number of high branching deciduous trees along the Brownlow Avenue and achieve the objectives of Midtown Greenway policies.

## **Servicing**

A Functional Servicing and Stormwater Management Report and associated plans have been submitted for the site and are currently under review by Engineering and Construction Services.

In the event that the OLT allows the Zoning By-law Amendment appeal in whole or in part, staff recommend that the final Order be withheld, pending the confirmation of water, sanitary and stormwater capacity from the Chief Engineer and Executive Director, Engineering and Construction Services, or the determination of whether holding provisions are required in the Zoning By-law amendment.

## **Parkland**

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced and expanded. The site is in a parkland acquisition priority area, pursuant to Chapter 415, Article III of the Toronto Municipal Code.

In accordance with the Motion adopted by Toronto and East York Community Council on April 21, 2021, the applicant is to provide an on-site Parkland dedication. The applicant has not revised the plans to show an on-site park.

## **Parking and Loading**

A total of 102 parking spaces are proposed in a three level underground garage with 97 spaces for residents and 5 spaces for visitors. The proposed vehicular access to the underground parking garage would be located off-site through the 71 Redpath Avenue development currently under construction. Vehicular access to the proposed parking garage would be secured by an easement through the 71 Redpath Avenue property. No vehicular access is proposed between the new development and the existing underground garage at 18 Brownlow Avenue.

There are no new on-site loading spaces proposed. The applicant is proposing to share the existing type-G loading space at 71 Redpath Avenue. Transportation Services have reviewed the application and find the proposed parking spaces, vehicular access and the shared loading space acceptable.

## **Unit Mix and Size**

The Yonge-Eglinton Secondary Plan requires a minimum of 15 per cent of the total number of units as 2-bedroom units, a minimum of 10 per cent of the total number of units as 3-bedroom units and an additional 15 per cent of the total number of units will be a combination of 2- bedroom and 3-bedroom units, or units that can be converted to 2-bedroom and 3-bedroom units through the use of adaptable design measures.

The proposal contains 81 (49%) two-bedroom units and 20 (12%) three bedroom units conforms to the Yonge Eglinton Secondary Plan.

## **Rental Housing**

The subject site contains 186 existing rental dwelling units (58 studio units, 92 one-bedroom units, and 36 two-bedroom units). One (1) existing studio unit at 192 Soudan Ave is proposed to be demolished, resulting in 185 existing rental units that would be retained.

The Housing Issues Report does not propose to provide tenants of the retained rental building with access to shared indoor and outdoor amenity space in the proposed new residential building. Instead, past improvements to the retained rental building at 18 Brownlow Avenue are proposed as sufficient improvements.

The proposed development will result in the loss of outdoor green space for the residents of the retained rental building. Further, the submitted shadow study demonstrates that the existing outdoor amenity areas of the retained rental building will be subject to additional shadowing, impacting its usability. The proposed new amenity space is sufficient for the new residents of the site. However, the existing tenants of the site should enjoy shared access to the new indoor and outdoor amenity space with no pass-through cost.

City staff will continue discussions with the applicant on the provision of rental housing improvements, which would be provided without pass-through of costs to tenants and secured as a legal convenience through the Section 37 agreement and Zoning By-law Amendment, if the proposed development were approved in any form.

Pursuant to Policy 3.2.1.5 of the Official Plan, City Planning staff will need to secure the rental tenure of the building to be retained at 18 Brownlow Ave, as well as needed improvements and renovations to extend the life of the building and/or to improve amenities for the building's residents.

All housing matters to be provided pursuant to Official Plan Policies 3.2.1.5 will need to be secured through agreements registered on title to the lands pursuant to Section 111 of the *City of Toronto Act, 2006* and Section 37 of the *Planning Act*.

### **Amenity Area**

Zoning By-law 438-86 requires a minimum of 2.0 square metres per unit each of indoor and outdoor amenity space, and Zoning By-law 569-2013 requires a combined amenity space of 4.0 square metres per unit. The proposal includes 375.6 square metres of indoor amenity area (2.25 square metres per unit) and 387.2 square metres of outdoor amenity area (2.31 square metres per unit). The proposed amenity space meets the by-law requirements and is acceptable.

### **Section 37**

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the Planning Act.

Section 37 benefits have not been discussed in the absence of an agreement on the built form proposed by this application. Should this proposal be approved in some form by the OLT, City Planning staff recommends that staff be authorized to negotiate an appropriate agreement for Section 37 community benefits with the applicant, in consultation with the Ward Councillor.

## **Further Issues**

City Planning continues to receive additional information regarding this application as a result of ongoing review by City commenting divisions and agencies, materials submitted in support of the proposal and through deputation made by members of the public to Community Council. Staff may also be required to evaluate supplementary or revised plans and supporting materials submitted by the applicant after the date of this report. As a result, Planning staff may continue to identify further issues or supplement the reasons for the recommendations made in this report. Where substantive changes to the proposal are made by the applicant, Staff may report back to City Council, as necessary.

## **Conclusion**

The application has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), the Official Plan, the Yonge-Eglinton Secondary Plan, and applicable City guidelines intended to implement Official Plan policies. As currently proposed, the application does not conform to the Official Plan and the Yonge-Eglinton Secondary Plan, and does not meet the intent of the Tall Building Design Guidelines.

This report recommends that the City Solicitor, with appropriate staff, attend the OLT in opposition to the Application in its current form and to continue discussions with the applicant in an attempt to resolve outstanding issues.

## **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**

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Attachment 1: Location Map

Attachment 2: Application Data Sheet

Attachment 3: 3D Model of Proposal in Context Looking Southwest

Attachment 4: 3D Model of Proposal in Context Looking Northeast

Attachment 5: Site Plan

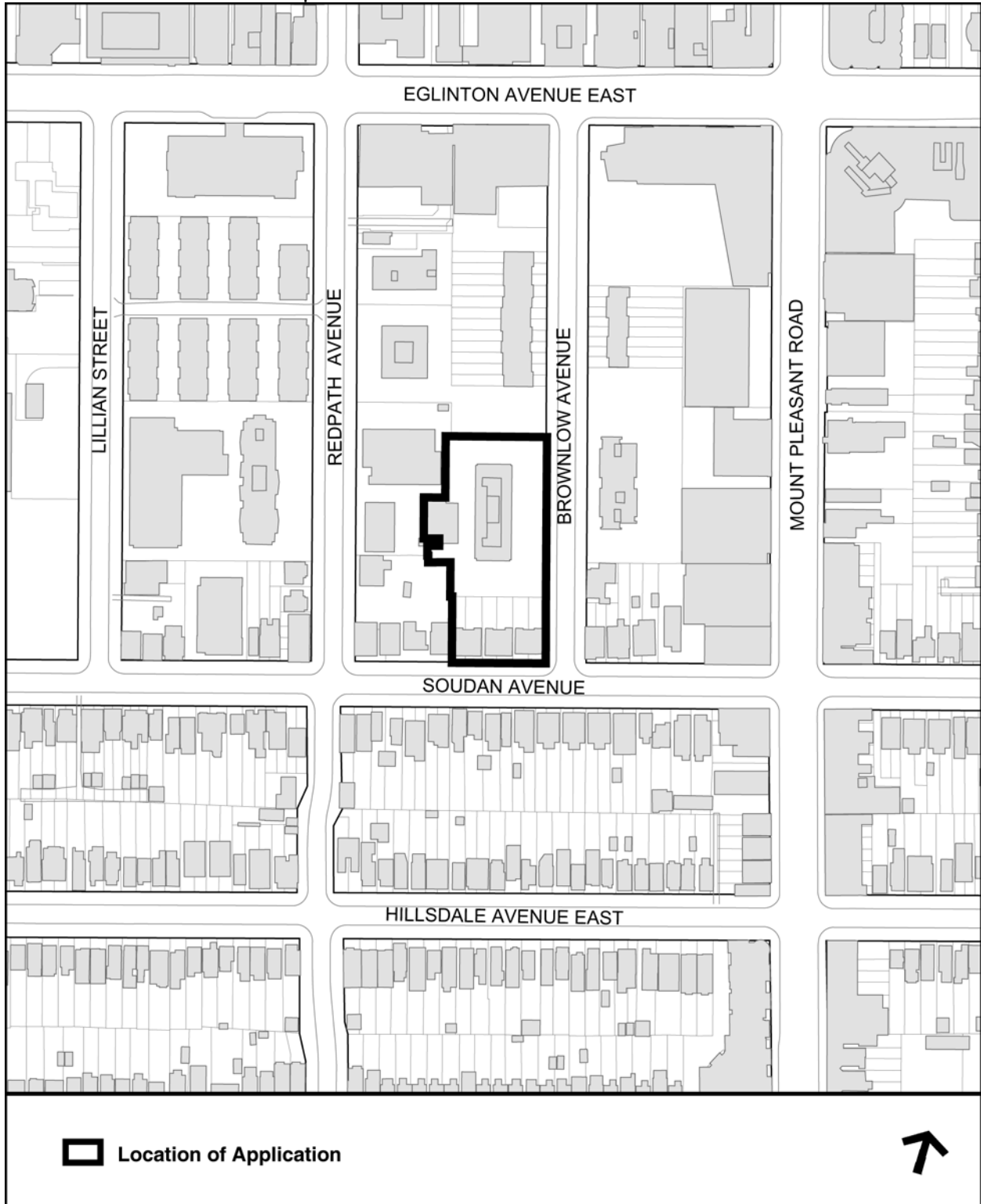
Attachment 6: Policy Considerations

Attachment 7: Official Plan Land Use Map

Attachment 8: Yonge-Eglinton Secondary Plan Character Areas Map :

Attachment 9: Zoning By-law Map

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 190-200 Soudan Ave and 18 Brownlow Ave Date Received: December 18, 2020

Application Number: 20 230438 STE 12 OZ

Application Type: Rezoning

Project Description: A 21-storey apartment building with 167 rental units. The existing 19-storey rental apartment building located on the northerly portion of the subject site, known as 18 Brownlow Avenue, would be retained. The existing semi-detached houses at 190-200 Soudan Avenue would be demolished.

Applicant	Agent	Architect	Owner
Malen Capital Corp	Malen Capital Corp	NEUF Architect(e)s	18 Brownlow Holding Limited

EXISTING PLANNING CONTROLS

Official Plan Designation:	Apartment Neighbourhood	Site Specific Provision:	N
Zoning:	R(d0.6) (x914)	Heritage Designation:	N
Height Limit (m):	14, 38	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m): 5,831 Frontage (m): 45 Depth (m): 103

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	NA	All	847	847
Residential GFA (sq m):	13,057	13,057	13,163	26,220
Non-Residential GFA (sq m):	0	0	0	0
Total GFA (sq m):	13,057	13,057	13,163	26,220
Height - Storeys:	19	19	21	21
Height - Metres:			69.3	69.3

Lot Coverage Ratio (%): 14.52 Floor Space Index: 4.5

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	26,218	
Retail GFA:		
Office GFA:		
Industrial GFA:		
Institutional/Other GFA:		

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	185	185	167	352
Freehold:				
Condominium:				
Other:				
Total Units:	185	185	167	352

#### Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:		57	92	36	
Proposed:		17	81	49	20
Total Units:		74	173	85	20

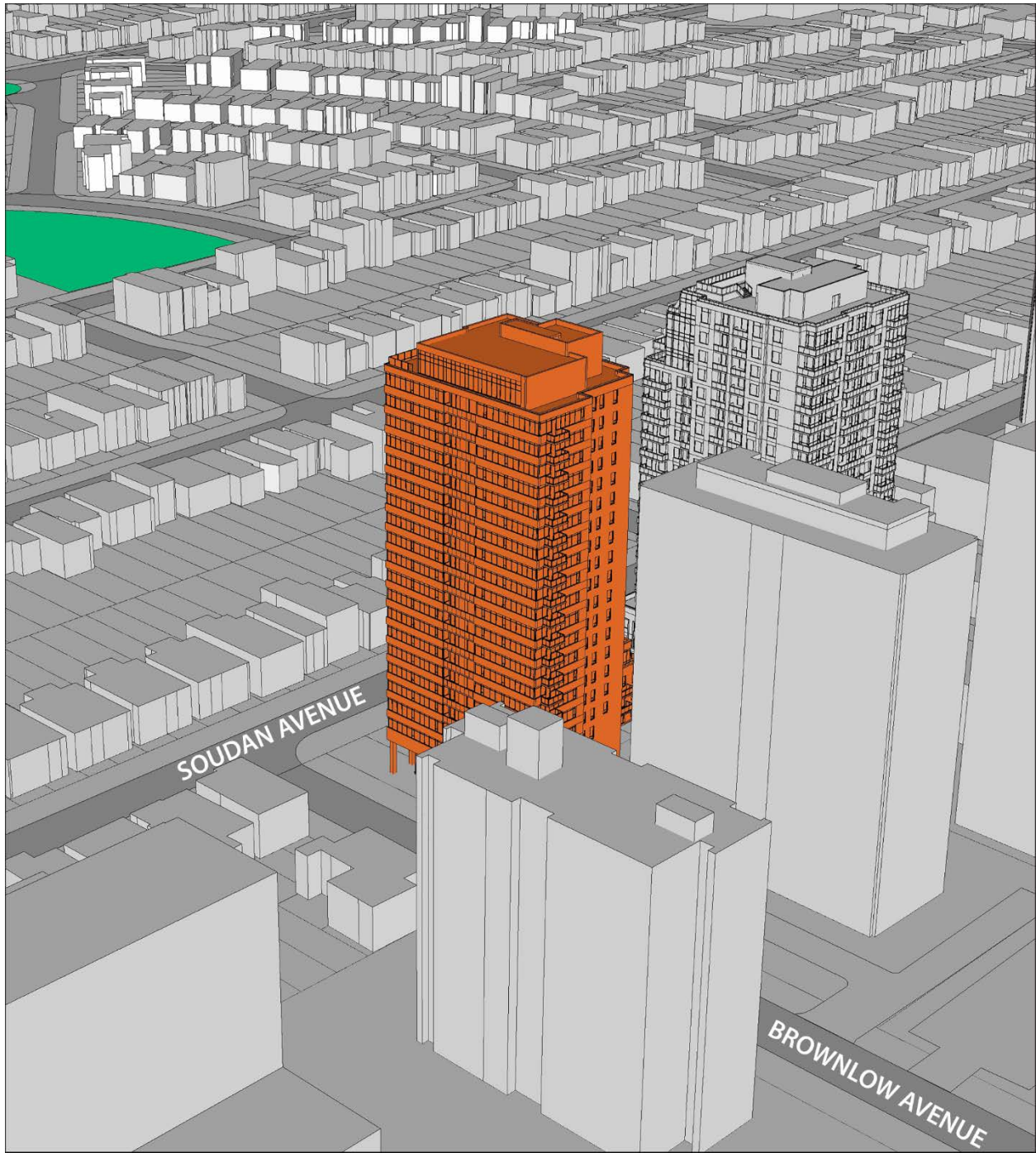
#### Parking and Loading

Parking Spaces:	234	Bicycle Parking Spaces:	176	Loading Docks:	1
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#### CONTACT:

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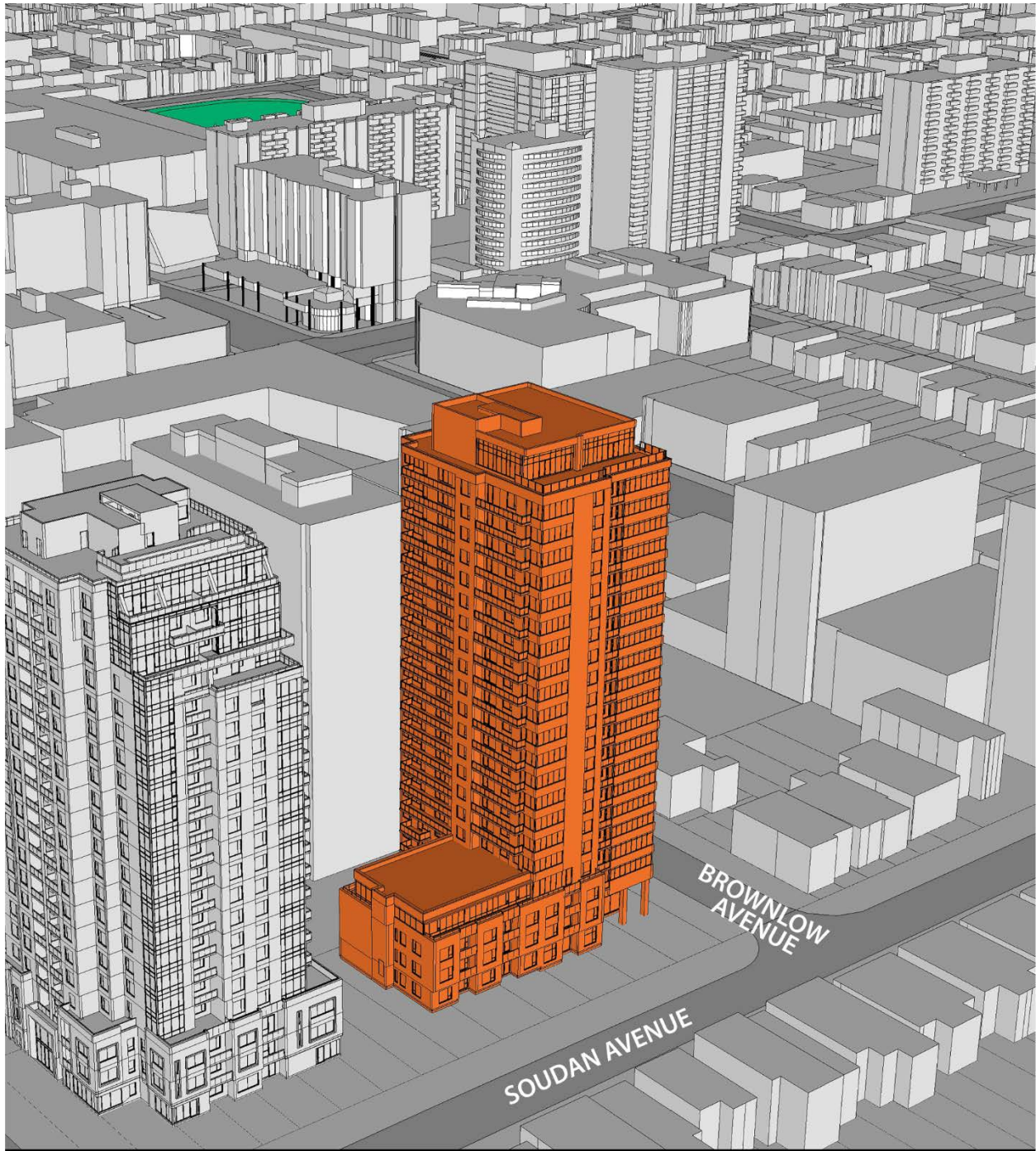
Attachment 3: 3D Model of Proposal in Context Looking Southwest



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

  
MO/DA/2019

Attachment 4: 3D Model of Proposal in Context Looking Northeast

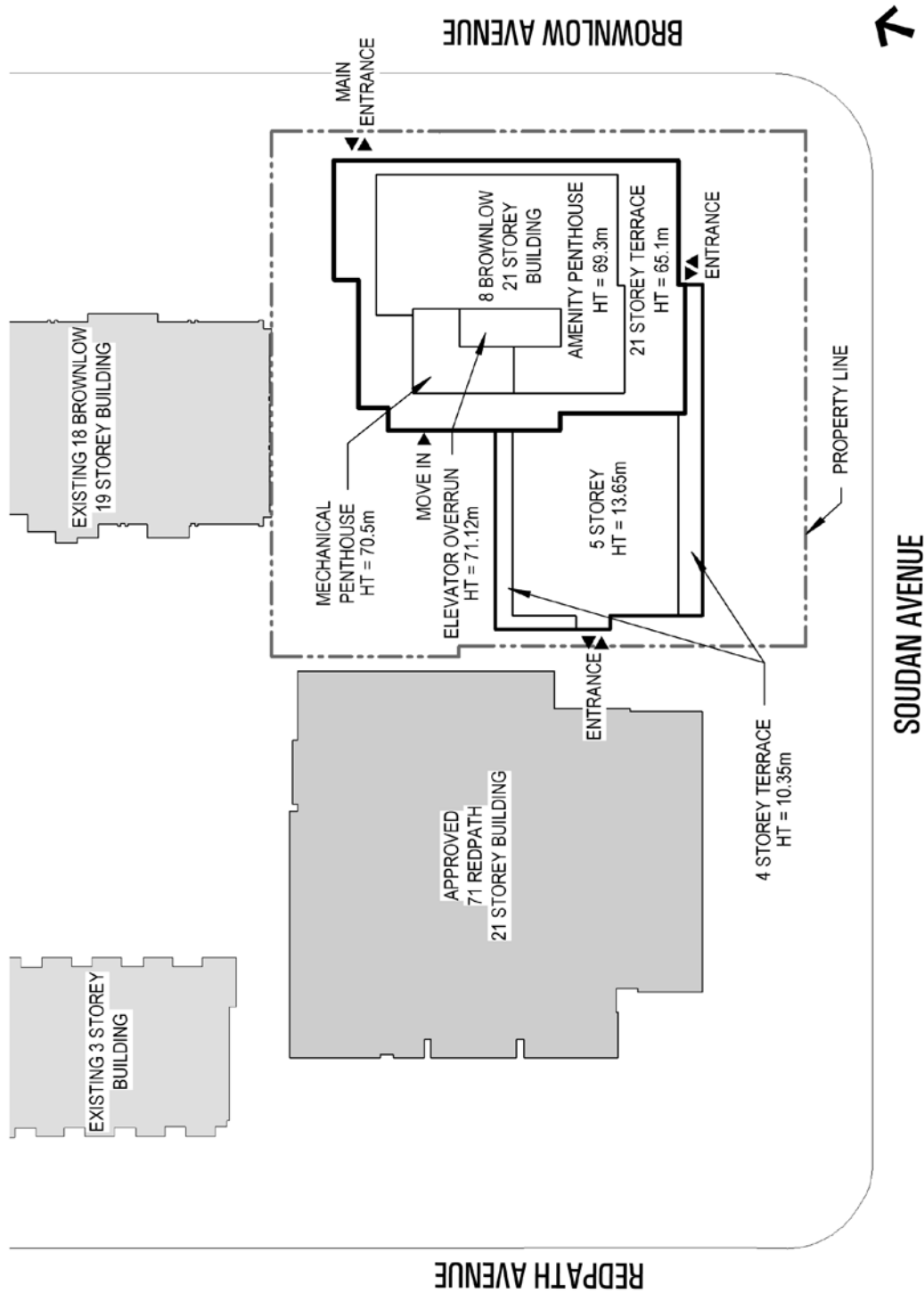


**View of Applicant's Proposal Looking Northeast**



MO/DA/2019

Attachment 5: Site Plan



## Attachment 6: Policy Considerations

### **Provincial Land-Use Policies: Provincial Policy Statement and Provincial Plans**

Provincial Policy Statements and geographically specific Provincial Plans, along with municipal Official Plans, provide a policy framework for planning and development in the Province. This framework is implemented through a range of land use controls such as zoning by-laws, plans of subdivision and site plans.

#### **The Provincial Policy Statement (2020)**

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.

The provincial policy-led planning system recognizes and addresses the complex inter-relationships among environmental, economic and social factors in land use planning. The PPS supports a comprehensive, integrated and long-term approach to planning, and recognizes linkages among policy areas.

The PPS is issued under Section 3 of the Planning Act and all decisions of 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.

The PPS recognizes and acknowledges the Official Plan as an important document for implementing the policies within the PPS. The PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

#### **Provincial Plans**

Provincial Plans are intended to be read in their entirety and relevant policies are to be applied to each situation. The policies of the Plans represent minimum standards. Council may go beyond these minimum standards to address matters of local importance, unless doing so would conflict with any policies of the Plans.

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS and shall conform with Provincial Plans. All comments, submissions or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS and conform with Provincial Plans.

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

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 region, of which the City forms an integral part. The Growth Plan (2020), 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 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, and better connected 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 (2020), builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH 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 (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan (2020).

## **Planning for Major Transit Station Areas**

The Growth Plan (2020) contains policies pertaining to population and employment densities that should be planned for in major transit station areas (MTSAs) along priority transit corridors or subway lines. MTSAs are generally defined as the area within an approximately 500 to 800 metre radius of a transit station, representing about a 10-minute walk. The Growth Plan (2020) requires that, at the time of the next MCR, the City update its Official Plan to delineate MTSA boundaries and demonstrate how the MTSAs plan for the prescribed densities.

## **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 Official Plan contains policies related to building complete communities, heritage preservation, community services, transportation, and environmental stewardship. The Official Plan also provides for the use of Section 37 of the Planning Act to pass by-laws for increases in height and/or density not otherwise permitted by the Zoning By-law in return for the provision of community benefits in the form of capital facilities.

The site is designated *Apartment Neighbourhoods* on Map 17 of the Official Plan. See Attachment 7 of this report for the Official Plan Land Use Map.

## **Housing**

The Official Plan contain policies stating that the existing housing stock will be maintained, improved and replenished, and that the supply of new housing will be encouraged through intensification and infill that is consistent with the Official Plan.

The Official Plan states that significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development, will secure as rental housing, the existing rental housing units which have affordable and mid-range rents; and, should secure needed improvements and renovations to the existing rental housing to extend the life of the building(s) that are to remain and to improve amenities, without pass-through costs to tenants.

## **Yonge-Eglinton Secondary Plan**

The application is also located within the Yonge-Eglinton Secondary Plan area. On July 23, 2018, City Council adopted Official Plan Amendment ("OPA 405") to replace in its entirety the former Yonge-Eglinton Secondary Plan. The Minister of Municipal Affairs and Housing modified and approved OPA 405 on June 5, 2019.

The Secondary Plan designates the site as *Apartment Neighbourhoods* and is located within the Soudan Apartment Neighbourhoods Character Area and Secondary Zones of the Transit Node associated with the Eglinton Subway Station and the Mount Pleasant LRT Station.

The Soudan Apartment Neighbourhood is characterized by apartment buildings of a consistent height located within an open space setting. New development will be compatible with this character, coupled with new mid-rise buildings and appropriate spacing between tall buildings. A series of parks along Soudan Avenue will provide sunny community spaces in the centre of Midtown.

Base buildings of tall buildings will generally not exceed a maximum height of four storeys in the Apartment Neighbourhood Character Areas. The anticipated height range for buildings in the Soudan Apartment Neighbourhoods is 20 to 35 storeys, with heights generally decreasing from north to south and from west to east.

The site is within the Greenways Public Realm Move as identified in the Yonge-Eglinton Secondary Plan. A reasonable setback at grade and above established grade will be provided on all Greenway street frontages in *Mixed Use Areas* and *Apartment Neighbourhoods*. The landscaped setbacks along Brownlow Avenue and Soudan Avenue will provide a range of publicly-accessible spaces such as entry forecourts, gardens, and other forms of landscaped space. The landscaped setbacks will be planted with high-branching deciduous trees and understory plantings. The location and design of underground facilities, such as parking, on properties abutting the Midtown Greenways will provide sufficient space and soil depth to maintain a permanent, high branching tree canopy.

The Yonge-Eglinton Secondary Plan (OPA 405) can be found here:  
[https://www.toronto.ca/wp-content/uploads/2019/07/96a5-CityPlanning\\_OPA405.pdf](https://www.toronto.ca/wp-content/uploads/2019/07/96a5-CityPlanning_OPA405.pdf)

### **Zoning By-laws**

The site is zoned R(d0.6) (x914), under Zoning By-law 569-2013 and R2 Z0.6 under Zoning By-law 438-86; both of which permit a variety of residential uses including apartment buildings and have a maximum density of 0.6 times the area of the lot. The maximum building heights are 14.0 metres on the Soudan Avenue properties and 38 metres on the 18 Brownlow Avenue site. The existing 19-storey apartment building is permitted under site specific Zoning By-law 1280-2007.

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/zoning-by-law-569-2013-2/>

See Attachment 9 of this report for the existing Zoning By-law Map.

### **Midtown Zoning Review**

As part of the approval of The Yonge-Eglinton Secondary Plan (OPA 405), City Planning staff was directed by Council to initiate a zoning review for the 22 defined Character Areas to implement the directions of the Secondary Plan. The intent of the zoning review is to establish specific heights in the Zoning By-law as set out in Policy

5.4.3 of the Secondary Plan. It will also provide clarity on the location, scale and form of appropriate development within each Character Area and implement other policy directions within the approved Secondary Plan.

Such a review, as provided for in Policy 2.3.1.4 of the Official Plan, will be used to create an area specific zoning by-law. Further study will determine whether specific built form standards will apply to the Character Area in which this site is located.

### **Urban Forestry**

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813 Articles II (Street Trees By-law) and III (Private Tree By-law). City staff will work with the applicant to preserve as many trees as possible and find opportunities to increase the tree canopy on this site.

### **Design Guidelines**

The following design guidelines will be used in the evaluation of this application:

- Tall Building Design Guidelines
- Growing Up Guidelines Planning for Children in New Vertical Communities
- Pet Friendly Design Guidelines; and
- Bird Friendly Guidelines

The City's Design Guidelines can be found here:

<https://www.toronto.ca/citygovernment/planning-development/official-plan-guidelines/design-guidelines/>

### **Tall Building Design Guidelines**

City Council has adopted city-wide Tall Building Design Guidelines and directed City Planning staff to use these Guidelines in the evaluation of tall building development Applications. The Guidelines establish a unified set of performance measures for the evaluation of tall building proposals to ensure they fit within their context and minimize their local impacts. The link to the guidelines may be found here:

<https://www.toronto.ca/legdocs/mmis/2013/pg/bgrd/backgroundfile-57177.pdf>.

### **Growing Up Guidelines: Planning for Children in New Vertical Communities**

In July 2020, City Council adopted updated Growing Up Urban Design Guidelines, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of new and under review multi-unit residential development proposals greater than 20 residential units and future city-wide and area-based planning frameworks. The objective of the Growing Up Urban Design Guidelines is that developments deliver tangible outcomes to increase liveability for larger households, including families with children, at the neighbourhood, building and unit scale.

The link to the guidelines may be found here:

<https://www.toronto.ca/citygovernment/planning-development/planning-studies/initiatives/growing-up-planning-forchildren-in-new-vertical-communities/>

### **Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings**

The purpose of the Pet Friendly Design Guidelines is to guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities.

The link to the guidelines may be found here:

[https://www.toronto.ca/citygovernment/planning-development/planning-studies-initiatives/pet-friendly-designguidelines-for-high-density-communities/](https://www.toronto.ca/citygovernment/planning-development/planning-studies/initiatives/pet-friendly-designguidelines-for-high-density-communities/)

### **Toronto Green Standard**

Council has adopted the four-tier Toronto Green Standard ("TGS"). The TGS is a set of performance measures for green development. Applications for Zoning By-law Amendments, Draft Plans of Subdivision and Site Plan Control are required to meet and demonstrate compliance with Tier 1 of the Toronto Green Standard. Tiers 2, 3 and 4 are voluntary, higher levels of performance with financial incentives intended to advance the City's objectives for resilience and to achieve net-zero emissions by 2050 or sooner. Tier 1 performance measures are secured on site plan drawings and through a Site Plan Agreement or Registered Plan of Subdivision.

Applications must use the documentation required for the version of the TGS in effect at the time of the initial application. TGS Version 3.0 applies to new applications submitted on or after May 1, 2018.

The TGS can be found here:

<https://www.toronto.ca/city-government/planningdevelopment/official-plan-guidelines/toronto-green-standard/tier-1-planning-applicationrequirements/>

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

The applicant submitted an application on December 18, 2020 for a Section 111 permit pursuant to Chapter 667 of the City of Toronto Municipal Code for the demolition of the existing rental housing unit, as the lands subject to the application contain six or more residential units, of which at least one is rental. As per Chapter 667-14, a tenant consultation meeting will be held to review the impact of the proposal on tenants of the residential rental property and matters under Section 111.

As there are less than six rental units proposed to be demolished, replacement of the existing rental unit is not required according to Official Plan Policy 3.2.1.6.a. Official Plan Policy 3.2.1.12 requires that new development resulting in the loss of one or more rental units or dwelling rooms will secure an acceptable tenant relocation and

assistance plan to lessen hardship for existing tenants. City Council adopted Policy 3.2.1.12 at its meeting on June 18 and 19, 2019. The policy is not yet in force and effect. The report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH6.1>





Attachment 7: Official Plan Land Use Map



Official Plan Land Use Map #17

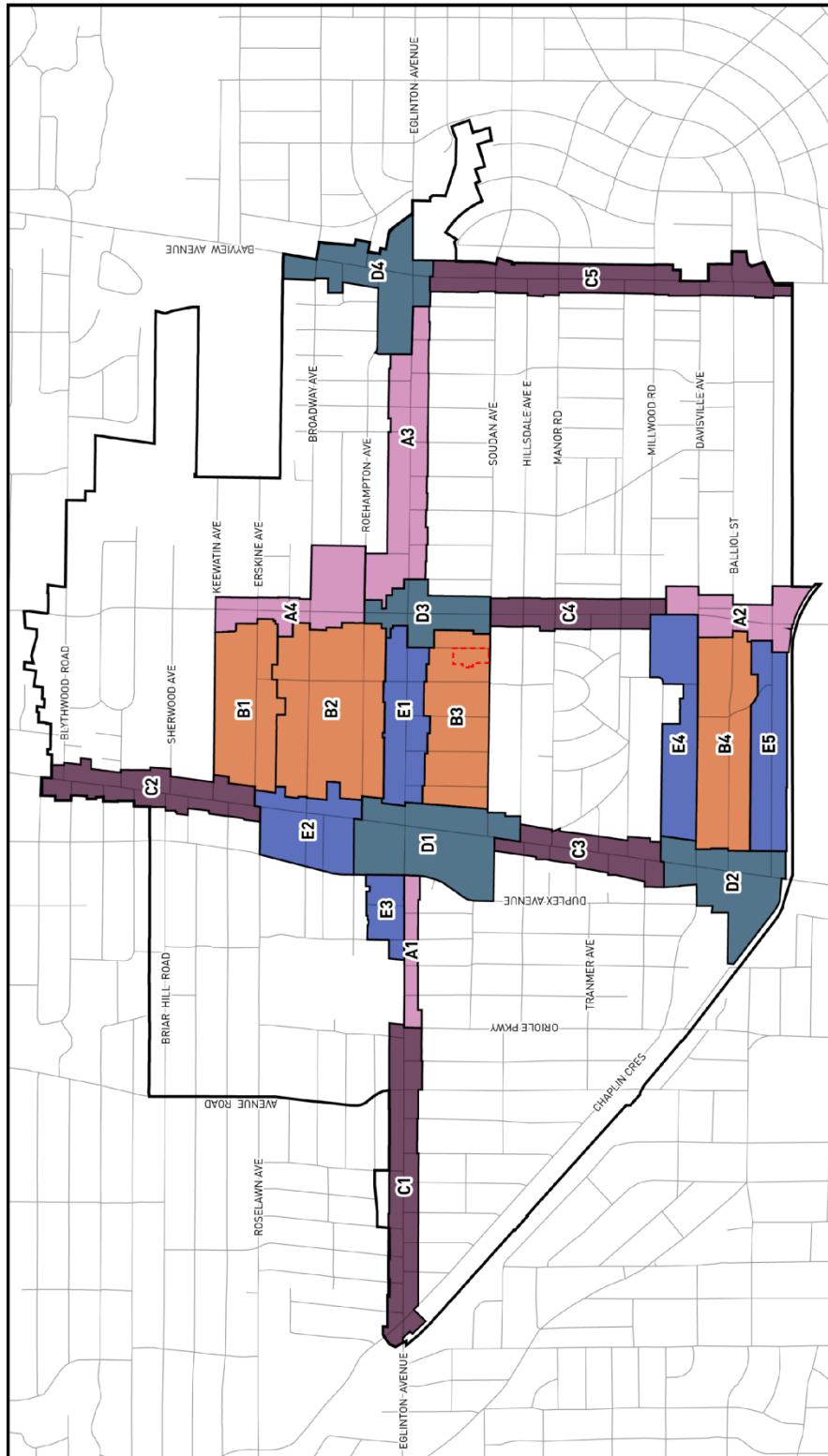
190-200 Soudan Avenue And 18 Brownlow Avenue

File # 20 230438 STE 12 0Z

-  Location of Application
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas

  
 Not to Scale  
 Extracted: 03/09/2021

# Attachment 8: Yonge-Eglinton Secondary Plan Character Areas Map



## Yonge-Eglinton Secondary Plan

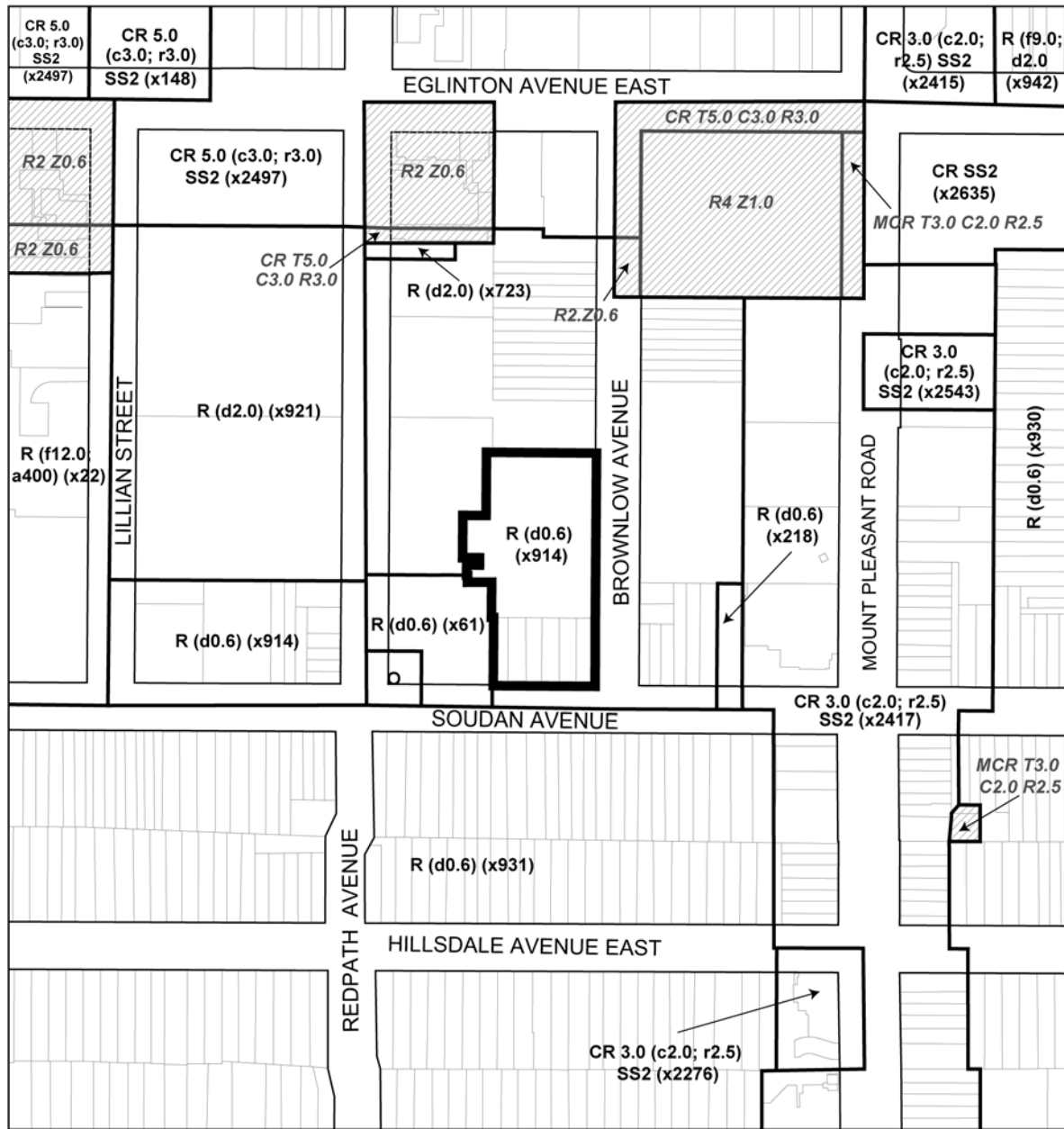
MAP 21-2 Midtown Character Areas

- Secondary Plan Boundary**
- Apartment High Streets**
  - A1 Eglinton Park
  - A2 Mount Pleasant Gateway
  - A3 Eglinton East
  - A4 Mount Pleasant North
- Apartment Neighbourhoods**
  - B1 Erskine and Keewatin
  - B2 Redpath Park Street Loop
  - B3 Soudan
  - B4 Davisville
- Villages**
  - C1 Eglinton Way
  - C2 Yonge Street North
  - C3 Yonge Street South
  - C4 Mount Pleasant South
  - C5 Bayview-Leaside
- Cores**
  - D1 Yonge-Eglinton Crossroads
  - D2 Davisville Station
  - D3 Mount Pleasant Station
  - D4 Bayview Focus Area
- Special Places**
  - E1 Eglinton Greenline
  - E2 Montgomery Square
  - E3 Henning
  - E4 Davisville Community Street
  - E5 Merton Street

Not to Scale

March 29, 2018

# Attachment 9: Zoning By-law Map




190-200 Soudan Avenue And 18 Brownlow Avenue

Zoning By-law 569-2013

File # 20 230438 STE 12 0Z

-  Location of Application
- R** Residential
- CR** Commercial Residential
- O** Open Space

-  See Former City of Toronto By-law No. 438-86
- R2** Residential District
- R4** Residential District
- CR** Mixed-Use District
- MCR** Mixed-Use District



Not to Scale  
Extracted: 03/09/2021