

55-75 Brownlow Avenue – Zoning By-law Amendment and Rental Housing Demolition Applications – Decision Report – Approval

Date: May 24, 2024

To: Toronto and East York Community Council

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

Ward: 12 - Toronto-St. Paul's

Planning Application Number: 21 203868 STE 12 OZ

Rental Housing Demolition Application Number: 22 214672 STE 12 RH

SUMMARY

This report reviews and recommends approval of the application to amend the Zoning By-law to permit two residential buildings at 59 and 55-streets, with 1,374 dwelling units at 55-75 Brownlow Avenue. This report also reviews and recommends approval of the Rental Housing Demolition Application which includes 121 replacement rental units and a Tenant Relocation and Assistance Plan to assist tenants with moving to the replacement housing.

This application proposes to construct the development in two phases. Phase 1 will see the construction of the north tower (Tower 'A') which is to include the 121 rental replacement units. Tower 'A' is to be constructed prior to the existing rental housing being demolished, allowing existing tenants the opportunity to move directly to replacement housing. Phase 2 will see the demolition of the existing rental building and the construction of the south tower (Tower 'B') which includes a 929-square metre child care facility. The child care facility is proposed to be conveyed to the city as an in-kind community benefits contribution pursuant to subsection 37(6) of the Planning Act.

The proposal also includes a new 571-square metre public park along the north property line, fronting onto Brownlow Avenue, and provides a pedestrian walkway that will form a future mid-block connection between Brownlow Avenue and Mount Pleasant Road.

RECOMMENDATIONS

The Director, Community Planning, Toronto and East York District, recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 55-75 Brownlow Avenue substantially in accordance with the draft Zoning By-law Amendment included as Attachment 6 to this report.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
3. City Council approve that in accordance with Section 42 of the Planning Act prior to the first above grade building permit, the owner shall convey to the City, an on-site parkland dedication, having a minimum size of 571 square metres, to the satisfaction of the General Manager, Parks, Forestry and Recreation and the City Solicitor.
4. City Council approve the acceptance of on-site parkland dedication, subject to the owner transferring the parkland to the City free and clear, above and below grade, of all easements, encumbrances, and encroachments, in an acceptable environmental condition; the owner may propose the exception of encumbrances of tiebacks, where such an encumbrance is deemed acceptable by the General Manager, Parks, Forestry and Recreation, in consultation with the City Solicitor; and such an encumbrance will be subject to the payment of compensation to the City, in an amount as determined by the General Manager, Parks, Forestry and Recreation and the Executive Director, Corporate Real Estate Management.
5. City Council approve a development charge credit against the Parks and Recreation component of the Development Charges for the design and construction by the owner of the Above Base Park Improvements to the satisfaction of the General Manager, Parks, Forestry & Recreation (PFR). The development charge credit shall be in an amount that is the lesser of the cost to the owner of designing and constructing the Above Base Park Improvements, as approved by the General Manager, PFR, and the Parks and Recreation component of development charges payable for the development in accordance with the City's Development Charges By-law, as may be amended from time to time.
6. City Council approve the Rental Housing Demolition Application (File Number 22 214672 STE 12 RH) in accordance with Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006 which allows for the demolition of 121 existing rental dwelling units at 55 Brownlow Avenue, subject to the following conditions:
 - a. The owner shall provide and maintain 121 replacement rental dwelling units on the subject site for a period of at least 20 years beginning from the date that each replacement rental dwelling unit is first occupied. During such time, no application may be submitted to the City for condominium registration, or for any other conversion to a non-rental housing purpose, or for demolition without providing for replacement. The 121 replacement rental dwelling units shall be comprised of 15 studio units, 76 one-bedroom units and 30 two-bedroom units, and shall collectively have a gross floor area of at least 7,445.9 square metres as generally illustrated in the plans submitted to the City Planning Division dated May 13, 2024, with any revision to these plans being to the satisfaction of the Chief Planner and Executive Director, City Planning Division;

b. the owner shall, as part of the 121 replacement rental dwelling units required in Recommendation 6.a above, provide at least 1 two-bedroom unit at affordable rents, 6 studio units and 34 one-bedroom units at mid-range (affordable) rents, and 9 studio units, 42 one-bedroom units and 29 two-bedroom units at mid-range (moderate) rents, as currently defined in the Toronto Official Plan, all for a period of at least 10 years beginning from the date of first occupancy of each unit. Rents shall not include additional charges for laundry or air conditioning;

c. the owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants addressing the right to occupy one of the replacement rental dwelling units at similar rents and other assistance to lessen hardship. The Tenant Relocation and Assistance Plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning Division;

d. the owner shall provide tenants of all 121 replacement rental dwelling units with access to indoor and outdoor amenity space for the exclusive use of the tenants of the rental replacement units and equal access to outdoor amenities on the ground floor in the proposed development at no additional charge, and on the same terms and conditions as any other resident of the development, without the need to prebook or pay a fee unless specifically required as a customary practice for private bookings;

e. the owner shall provide ensuite laundry in each replacement rental dwelling unit within the proposed development;

f. the owner shall provide central air conditioning in each replacement rental dwelling unit within the proposed development;

g. of the storage lockers allocated to the rental replacement units, the owner shall provide and make available storage lockers firstly to returning tenants whose lease agreements for the existing units include access to storage lockers on the same terms as such tenants previously paid, secondly to remaining returning tenants, and thirdly to new tenants of the replacement rental units. Terms and conditions for storage lockers for tenants who did not previously have a locker will be the same as any other resident of the development;

h. of the parking allocated to the rental replacement units, the owner shall provide and make available parking to returning tenants whose lease agreements for the existing units include parking on the same terms as tenants previously paid, secondly to remaining returning tenants, and thirdly to new tenants of the replacement rental units. Terms and conditions for parking for tenants who did not previously have parking will be the same as any other resident of the development;

i. the owner shall provide tenants of the replacement rental dwelling units with access to all bicycle and visitor vehicular parking at no charge and on the same terms and conditions as any other resident of the development;

j. the replacement rental dwelling units required in Recommendation 6.a. above shall be made ready and available for occupancy no later than the date by which 70% of the new dwelling units in the proposed building, exclusive of the replacement rental units, are made available and ready for occupancy, subject to any revisions to the satisfaction of the Chief Planner and Executive Director, City Planning Division; and,

k. the owner shall enter into and register on title to the lands at 55-75 Brownlow Avenue, an agreement pursuant to Section 111 of the City of Toronto Act, 2006 to secure the conditions outlined in Recommendation 6.a. through 6.j. above, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning Division.

7. City Council authorize the Chief Planner and Executive Director, City Planning to issue Preliminary Approval of the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code pursuant to Section 111 of the City of Toronto Act, 2006 for the demolition 121 rental dwelling units at 55 Brownlow Avenue after all the following have occurred:

a. all conditions in Recommendation 6 above have been fully satisfied and secured;

b. the replacement rental units are available and ready for occupancy; and

c. the owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant.

8. City Council authorize the Chief Building Official and Executive Director, Toronto Building Division to issue a Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code after the Chief Planner and Executive Director, City Planning has given the Preliminary Approval referred to in Recommendation 7 above.

9. City Council authorize the Chief Building Official and Executive Director, Toronto Building Division to issue a Residential Demolition Permit under Section 33 of the Planning Act and Chapter 363 of the Toronto Municipal Code for 55 Brownlow Avenue after the Chief Planner and Executive Director, City Planning Division has given the Preliminary Approval referred to in Recommendation 7 above, which may be included in the Rental Housing Demolition Permit under Chapter 667 pursuant to section 6.2 of Chapter 363, on condition that:

a. the owner removes all debris and rubble from the site immediately after demolition.

b. the owner erects solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building.

10. Before introducing the necessary Bills to City Council for enactment, require the owner to:

a. submit a revised Functional Servicing Report for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

b. enter into a financially secured agreement for the construction of any improvements to the municipal infrastructure, should it be determined that upgrades and road improvements are required to support the development, according to the transportation report accepted by the General Manager, Transportation Services, and the Functional Servicing Report accepted by the Chief Engineer and Executive Director, Engineering and Construction Services.

c. submit a revised Arborist Report to the satisfaction of Urban Forestry, on behalf of the General Manager of Parks, Forestry and Recreation.

11. City Council allow the owner of 55-75 Brownlow Avenue to construct, finish, furnish, equip and convey to the City a non-profit licensed child care facility (the 'Child Care Facility') to the satisfaction of the Chief Planner and Executive Director, City Planning and the General Manager, Children's Services as part of the development, as an in-kind contribution pursuant to subsection 37(6) of the Planning Act, in accordance with the following terms:

a. the Child Care Facility will accommodate a minimum of 62 children, including infants, toddlers and preschoolers;

b. the Child Care Facility will be comprised of an approximately 929 square metre (10,000 square feet) indoor area located on the ground floor of the proposed development and an approximately 344 square metre (3,704 square feet) outdoor area, located on the ground floor adjacent to the indoor area. The Child Care Facility shall be designed, constructed and delivered in accordance with the Child Care Early Years Act, 2014 and City of Toronto Child Care Design & Technical Guideline R1 (2016); and

c. the Child Care Facility will be provided in accordance with the terms to be set out in the In-Kind Contribution Agreement identified in Recommendation 13 below to the satisfaction of the Chief Planner and Executive Director, City Planning, the General Manager, Children's Services, and the City Solicitor.

12. City Council attribute a value to the in-kind contribution set out in Recommendation 7 above equal to 100 percent of 4 percent of the value of the land (net of any exclusions or exemptions authorized under the Community Benefits Charge By-law), as determined the day before the day the building permit is issued in respect of the development.

13. City Council authorize the Chief Planner and Executive Director, City Planning to enter into an agreement pursuant to subsection 37(7.1) of the Planning Act (the "In-kind Contribution Agreement") to address the provision of the in-kind contribution identified in Recommendation 11 above to the satisfaction of the Chief Planner and Executive

Director, City Planning, the General Manager, Children's Services, and the City Solicitor, including that:

- a. The owner will provide a letter of credit in an amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and handover of the Child Care Facility, to the satisfaction of the General Manager, Children's Services and the Chief Financial Officer and Treasurer, and will be provided to the City prior to the issuance of the first above grade building permit for the development, to secure the Child Care Facility. Upon handover of the Child Care Centre to the City, the letter of credit shall be returned to the owner of 55-75 Brownlow Avenue.

with such agreement to be registered on title to the Site, which agreement shall be evidence of arrangements for the provision of the in-kind contribution that are satisfactory to City Council.

14. As part of Phase 1, City Council require the owner to provide a Letter of Credit in an amount equivalent to the Community Benefits Charge that would have been payable for the value of the land proceeding as a first phase as determined the day before the day the first building permit is issued in respect of the development. This letter of credit will be returned to the owner only if and at the time the owner has provided, to the City the letter of credit, secured by the In-Kind Contribution Agreement, in an amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and handover of the Child Care Facility.

15. City Council authorize the appropriate City officials to take such actions as are necessary to implement City Council's decision, including execution of the Section 111 agreement and other related agreements.

FINANCIAL IMPACT

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.

This report requests Council approval of a Community Benefits Charge (CBC) in-kind contribution for a Child Care Facility in 2024. The CBC in-kind contribution, if approved, will provide, through conveyance, a 929-square metre Child Care Facility to the City. The estimated value of the CBC in-kind proposed is 100% of the 4% of the value of the land that is the subject of the development in accordance with the CBC By-Law. The percentage ascribed to the in-kind contribution will not be a direct CBC payment to the City.

The Deputy City Manager and Chief Financial Officer have reviewed this report and agree with the information as presented in the Financial Impact Section.

THE SITE

Description: The site is rectangular in shape, with an approximate frontage of 125.8 metres on Brownlow Avenue. The lot is approximately 45.7 metres in depth, and has a total area of approximately 5,751.9 square metres. The site is being redeveloped in its entirety.

Existing Use: The northern portion of the site is occupied by a row of eight three-storey owner-occupied townhouses. A 15-storey rental apartment building containing 121 dwelling units (municipally known as 55 Brownlow Avenue) is located at the southern portion of the site.

Existing Rental Dwelling Units: According to the plans provided by the applicant and a site visit conducted by City Planning staff on December 4, 2023, the existing rental dwelling units are comprised of the following unit types and rent classifications:

Table 1: Existing Rental Dwelling Unit Summary

Unit Type	Affordable Rent	Mid-Range (Affordable)	Mid-Range (Moderate)	Total
Studio	0	6	9	15
One-Bedroom	0	34	42	76
Two-Bedroom	1	0	29	30
Total	1	40	80	121

At the time of this report, 116 of the existing rental dwelling units proposed to be demolished are occupied, 91 of these are occupied by eligible tenants.

THE APPLICATION

Description: Two residential buildings, 189.6 and 177.5 metres (59-storeys - Tower 'A', and 55-storeys - Tower 'B', respectively) in height. The development is proposed to be constructed in two phases, with Tower 'A' to be constructed in Phase 1.

Density: Approximately 96,926.6 square metres of gross floor area is proposed, resulting in a floor space index of 16.85 times the area of the lot.

Dwelling Units: The proposal includes 1,253 dwelling units (excluding 121 rental replacement units) consisting of 49 studio (3.9%), 890 one-bedroom (71%), 188 two-bedroom (15%), and 126 three-bedroom units (10.1%).

Rental Replacement Units: The 121 replacement rental units represent full replacement of the existing rental housing by unit type, size and overall gross floor area.

The 121 rental units will be replaced prior to the existing units being demolished. The replacement rental units will be located in Tower 'A'. The replacement units will consist of 15 studio, 76 one-bedroom and 30 two-bedroom units. Rents for the replacement units will be set at the same affordability level as the existing units, comprising 1 two-bedroom unit at affordable rents, 6 studio units and 34 one-bedroom units at mid-range (affordable) rents, and 9 studio units, 42 one-bedroom units and 29 two-bedroom units at mid-range (moderate) rents as currently defined in the Official Plan.

All replacement rental units will include balconies and will be provided with ensuite laundry facilities and central air conditioning.

There are currently 39 rented parking spaces and 41 storage lockers in use for the existing rental units. Tenants who currently have parking and storage lockers included in their lease will have access to parking and storage lockers on the same terms as they previously had. Opportunities to expand access to storage lockers will be sought as part of the site plan process.

Tenant Relocation and Assistance Plan:

The Tenant Relocation and Assistance Plan would assist tenants in relocating to a replacement unit and assistance for the move to the replacement rental unit. As part of this plan, all eligible tenants would receive:

- The right to move directly to a replacement rental dwelling unit in the new building at similar rents;
- At least six months' notice before having to vacate their rental unit, inclusive of notice required under the Residential Tenancies Act;
- A moving allowance to move directly to a replacement rental dwelling unit; and
- Special needs assistance as determined by the Chief Planner and Executive Director, City Planning.

Post-application tenants that moved in after the application was submitted and signed a lease addendum informing them of the application receive extended six months' notice, three months' rent as per the Residential Tenancies Act, and Special Needs Assistance if eligible.

Non-Residential Component: A 929-square metre Child Care Facility with a 344 square metre contiguous outdoor area, within the base building of Tower 'B'.

Amenity Space: 2,956.9 square metres of amenity space (2.15 square metres per unit) is proposed, consisting of 1,704 square metres of indoor amenity space (1.24 square metres per unit) and 1,184.5 square metres of outdoor amenity space (0.86 square metres per unit).

Tenants of the replacement units will have exclusive access to the proposed second floor outdoor and indoor amenity spaces, located in Tower 'A', as well as outdoor amenity space at the ground floor.

Access, Parking, and Loading: Both residential lobbies for Tower 'A' and 'B' are accessed from Brownlow Avenue. Pedestrian access to the Child Care Facility will also

be located from Brownlow Avenue. A shared central driveway will provide access to separate site servicing areas at ground level. A ramp at the base of Tower 'A' will access a consolidated 2-level underground parking garage. The proposal includes a total of 230 parking spaces, 1,374 bicycle parking spaces (including 138 short term spaces), and 2 internal Type 'G', and 1 external Type 'C' loading spaces at-grade.

Park: A new 571-square-metre park is proposed along the northern property line.

Mid-block Connection: A new east-west 3.0-metre-wide pedestrian walkway is proposed from Brownlow Avenue and provides for a future connection to Mount Pleasant Road.

Revisions: The current proposal incorporates revisions from the original application as summarized below:

- Expanded site to include 55 Brownlow Avenue with number of towers increasing from 1, to 3;
- A further reduction to a two-tower scheme, where previously three were proposed;
- A two-phased development to include:
 - rental replacement in Phase 1 of construction at 61-75 Brownlow Avenue (Tower 'A'), eliminating displacement and reducing hardship for residents of 55 Brownlow Avenue;
 - a child-care facility in Phase 2 (Tower 'B'); and
 - relocation of unencumbered 571-square metre park to the northern portion of the site, from between the towers.
- Removal of a portion of the base building to facilitate a shared driveway between both towers;
- A 3.0-metre pedestrian midblock connection with future access to Mount Pleasant Road; and
- Increased building setbacks to improve streetscaping opportunities;

Additional Information: See attachments No. 1, 2, 7, 8 and 9 of this report for the Location Map, Application Data Sheet, Site Plan, Elevations, and three-dimensional representation of the proposal. Detailed project information including all plans and reports submitted as part of the application can be found on the City's Application Information Centre at: www.toronto.ca/55Brownlow.

Reasons for Application: The Zoning By-law Amendment application proposes to amend Zoning By-law 569-2013 to vary performance standards including: building height, gross floor area, building depth, building orientation, setbacks, amenity space, landscaping, loading, vehicular and bicycle parking requirements.

Since the development site contains six or more residential units, of which at least one unit is rental housing, an application is required under Chapter 667 of the City's Municipal Code, the Rental Housing Demolition and Conversion By-law.

POLICY CONSIDERATIONS

Provincial Land-Use Policies

All decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the Provincial Policy Statement, and shall conform to provincial plans.

Rental Housing Demolition and Conversion

This application involves the demolition of rental housing units. Under Chapter 667 of the City of Toronto Municipal Code, an applicant is required to obtain a Rental Housing Demolition and Conversion Permit from the City to demolish existing rental housing units if a site contains six or more residential units, of which at least one unit is rental housing. The City may impose conditions that must be satisfied prior to obtaining a demolition permit.

Official Plan

The land use designation of the site is Apartment Neighbourhoods. See Attachment No. 3 of this report for the Official Plan Land Use Map.

Official Plan Policy 3.2.1.6 requires new development that would result in the loss of six or more rental dwelling units, to replace at least the same number, size, and type of rental units at similar rents to those in effect at the time of application. The policy also requires the provision of an acceptable tenant relocation and assistance plan, addressing the right of existing tenants to return to the replacement units at similar rents and other assistance to lessen hardship.

Yonge-Eglinton Secondary Plan

The Yonge-Eglinton Secondary Plan designates the site as Apartment Neighbourhoods and is within the Mount Pleasant Transit Station node, and the Midtown Transit Station Area Core, with an anticipated height range of 20-35 storeys. See Attachment 4.

Zoning

The site is zoned Residential (R (d0.6) (x914) under Zoning By-law 569-2013. The zoning category permits a wide range of residential dwelling types including apartment buildings. The site is subject to a maximum permitted building height of 38.0 metres, with a maximum permitted density of 0.6 times the area of the lot.

See Attachment 5 of this report for the existing Zoning By-law Map.

Design Guidelines

The following design guidelines have been used in the evaluation of this application:

- Tall Building Design Guidelines
- Growing Up Guidelines for Children in Vertical Communities

- Pet Friendly Design Guidelines for High Density Communities

Toronto Green Standard

The Toronto Green Standard (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.

COMMUNITY CONSULTATION

A virtual Community Consultation Meeting was hosted by City staff on November 30, 2022, where presentations were given by City staff and the applicant. Approximately 42 people attended, as well as a representative from the local Councillor's office. The following comments were provided by participants:

- Location, timing and arrangements for rental replacement units;
- Building height and massing as it relates to wind impact, privacy, view protection, character and proximity to the neighbouring school site;
- Inquiry of the construction timing, and concerns about the impact to the area;
- Desire for proposed park to be unencumbered and city-owned;
- Desire for construction monitoring and mitigation;
- Development on this city block should be harmonized;
- A pet relief area should be provided on-site, to remove use of school playground;
- Reduction of parking supply given proximity to transit station;
- Relocation of parkland to reduce shadow impact from proposed towers;
- Shadow impact on school playground during school hours;
- Impact of construction in the forms of noise and traffic; and
- Affordable housing.

Tenant Consultation

A tenant meeting hosted by the City Planning division was held on April 9, 2024. The purpose of the meeting was to review the City's housing policies, the impact of the proposed demolition on existing tenants, and the proposed Tenant Relocation and Assistance Plan. The meeting was held in person and attended by approximately 45 tenants, representatives of the applicant (including the applicant's planning consultant and architect), City Planning staff, and the local Councillor and their staff. Tenants were provided with copies of the presentation prior to the meeting.

During the meeting, tenants asked questions and expressed concerns about:

- Building amenities including parking, storage lockers and their availability, building entrance and access to amenities and availability of visitor parking;
- Unit features and layouts, including the information on laundry and appliances, closet space, balconies, windows, and if units will accommodate pets;
- Rent levels, how utilities will be calculated, and access to internet services;

- The right to return process, including timelines, seniority, and how moving costs will be addressed; and
- Noise impact and mitigation of construction impacts for tenants and where to call for support during construction.

A further tenant meeting was held on May 1, 2024 to discuss specific matters raised by tenants. This included:

- Tenant moving costs, including additional support for those with special needs including older adults and residents with existing medical conditions as well as tenants with young families;
- Notice to return including extended notice and translation of notices for tenants;
- Consideration for post-application tenants and the right to return;
- Features for replacement units including in-unit storage and balconies;
- Waiving provincial rent increases;
- Replacement parking; and
- Air and noise pollution during the construction period and rent forgiveness for 12 months to mitigate the impacts.

The applicant has agreed to consider any requests that are beyond the scope the City's rental replacement framework as the redevelopment proceeds.

Statutory Public Meeting Comments

In making their decision with regard to this application, Council members have an opportunity to review submissions made at the statutory public meeting held by the Toronto and East York Community Council for this application. These submissions are broadcast live over the internet and recorded for review.

COMMENTS

Provincial Policy Statement and Provincial Plans

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 (2020) and conformity with the Growth Plan (2020). Staff find the proposal to be consistent with the PPS and conforms with the Growth Plan.

Construction Phasing

Staff have engaged with the applicant and residents of 55 Brownlow Avenue on several occasions to understand issues raised and to explore meaningful alternatives to reduce the impacts of displacement resulting from the demolition of the existing 15-storey rental building. The revised proposal phases the construction, facilitating the construction of the building containing the rental replacement units, prior to the demolition of the

existing rental building. This phased approach avoids the temporary displacement of existing tenants.

Phase 1 includes the construction of the rental replacement units within Tower 'A', and requires these units to be completed, and occupied by the existing tenants of 55 Brownlow Avenue, prior to the commencement of Phase 2 of the project.

Phase 2 includes the construction of Tower 'B' and the 929-square metre Child Care Facility at ground level. The Child Care Facility will be conveyed to the City as an in-kind community benefit contribution.

Rental Housing Demolition and Replacement

Staff are satisfied with the proposed replacement of the 121 existing rental housing units. The units will be replaced in the first phase of the development, enabling tenants to move directly to a replacement rental unit. All units will be replaced by their respective bedroom type and at rents similar to those in effect at the time of application.

Replacement rental units are proposed to be located on floors 2 to 5 and 7 to 12 in Tower 'A' of the new development. The total gross floor area (GFA) of the replacement rental units is 7,445.9 square metres, which is 104% of the GFA of the existing rental units proposed to be demolished. All the replacement rental units are the same size or larger than the existing rental units.

Tenants of the replacement rental units will have access to indoor and outdoor amenity space that is dedicated for the tenants of the replacement rental units and access to outdoor amenities on the ground floor on the same terms and conditions as the residents of the rest of the building.

The replacement rental building is proposed to have a separate entrance than the market units in Tower 'A'. The provision of separate entrances is not in line with City practices when securing replacement rental units or new affordable housing. Staff will continue to assess the lobby locations through the site plan process.

The applicant has confirmed that tenants would reserve the right to move directly to a replacement rental unit of a similar unit type and size at similar rent, and that rents for replacement rental units without returning tenants would not exceed the applicable affordable, mid-range (affordable) or mid-range (moderate) rent thresholds for a period of at least 10 years. Tenants who return to replacement rental units would be subject to rent increases capped by the provincial rent increase Guideline, irrespective of whether such Guideline applied to those units under the Residential Tenancies Act, 2006, until their tenancies end.

All replacement rental dwelling units will be secured as rental tenure within the proposed development for a period of at least 20 years, beginning on the date that each replacement rental dwelling unit is first occupied.

Tenant Assistance Plan

Staff are satisfied with the applicant's proposed Tenant Relocation and Assistance Plan, as it will appropriately address and lessen hardship experienced by tenants. The tenant assistance matters will be secured through an agreement with the City and be to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Land Use

The proposed residential use is acceptable as it is consistent with the Apartment Neighbourhoods designation within the Official Plan and the Yonge-Eglinton Secondary Plan.

Site Organization

The proposed site organization is appropriate and integrates into the surrounding context. The primary residential entrances to both buildings are located off of Brownlow Avenue and vehicular access is from a shared, central driveway. Each building is planned to function independently of one another in terms of residential lobbies, some amenity areas and solid waste storage. The underground parking garage is consolidated and spans the entire site.

The proposed Zoning By-law Amendment reflects this configuration. The proposed development will include a 571-square metre public park to the north, and a 3.0-metre wide pedestrian connection from Brownlow Avenue, to a future connection extending to Mount Pleasant Road. A Child Care Facility pick-up and drop-off area will be required along the public boulevard, in close proximity to the main entrance. If located at below-grade parking, the area must be in close proximity to an elevator that accesses the main entrance of the Child Care Facility.

The design and configuration of the Child Care Facility pick-up and drop-off area, along with residential lobbies and pedestrian access from Brownlow Avenue will be finalized through the site plan process.

Built Form

City Planning staff finds that the proposal conforms with the applicable Official Plan policies with respect to built form and massing. Furthermore, the proposal meets the intent of the Tall Building Design Guidelines and Yonge-Eglinton Secondary Plan.

Massing - Tower component

The proposed building heights of 189.6 and 177.5 metres (59 and 55-storeys, excluding mechanical floor) are appropriate given the area context, including the proximity to Eglinton subway station, and the future Eglinton Crosstown LRT Mount Pleasant station. The surrounding existing and planned context includes multiple tall buildings to the north, west and south of the site. Tower floor plates are proposed at 912 square metres. However, a significant reduction in perceived massing is achieved by reducing the number of proposed towers from 3, to 2, resulting in a reduction in overall massing, achieving appropriate tower setbacks, acceptable separation distances between the two

towers as well as to adjacent sites and, the introduction of a new public park next to the school playground at Eglinton Junior Public School.

Massing - Base Building component

Each building proposes a base building with a streetwall height of approximately 21.65 metres (5-storeys) on Brownlow Avenue. The base buildings for each tower are appropriate as they frame the street with good proportion and fit within the existing and planned context.

The proposal would provide for an appropriate setback from the public realm along Brownlow Avenue, along with the new public park providing adequate separation from the adjacent school playground and proposed buildings, achieving the public realm concept as envisioned in the Yonge-Eglinton Secondary Plan.

Unit Mix

The Yonge-Eglinton Secondary Plan, requires the provision of 10% of all units as three-bedroom units, 15% as two-bedroom units and an additional 15% of units as a combination of two- and three-bedroom units or units that can be converted to larger units. The application satisfies unit mix requirements and will be secured in the Zoning By-law Amendment.

Amenity Space

Amenity space for building residents is proposed on the ground, second and sixth floor in Tower 'A', and on the ground and sixth floor in Tower 'B'. A pet relief area is proposed at ground level along the east property line in the vicinity of the proposed mid-block connection. The proposed total of approximately 1,553.3 square metres and 1,096.1 square metres of indoor and outdoor amenity space, respectively, is acceptable.

The proposal includes distinct amenity areas for sole use by the tenants of the rental replacement units within Tower 'A' and equal access to outdoor amenity space on the ground floor on the same terms and conditions as the residents of the rest of the building.

Public Realm

The proposal conforms with the public realm policies of the Official Plan and the Yonge-Eglinton Secondary Plan.

The proposed building is set back 6.0 metres from the lot line along Brownlow Avenue, resulting in a minimum 11.2-metre setback from building face to curb. The increased setback will allow for a sidewalk width of 5.2 metres along Brownlow Avenue and provide a public boulevard that can include soft and hard landscaping as planned for in the Yonge-Eglinton Secondary Plan. A total of 9 new City-owned trees are proposed along the public boulevard, in addition to 2 City-owned trees proposed for retention.

Also proposed is a 3.0-metre wide pedestrian walkway from Brownlow Avenue, that will form a future mid-block connection extending east through the adjacent site to Mount

Pleasant Road. This achieves the Mid-Block Connection as identified in the Yonge-Eglinton Secondary Plan.

The public realm will also be enhanced through the proposed public park, that will have frontage along Brownlow Avenue, and will be adjacent to the existing playground at Eglinton Junior Public School.

Parkland

In accordance with Section 42 of the Planning Act, the applicable alternative rate for on-site parkland dedication is 1 hectare per 600 net residential units to a cap of 10 percent of the development site as the site is less than five (5) hectares, with the non-residential uses subject to a 2 percent parkland dedication. The total parkland dedication requirement is 571 square metres.

The owner is required to satisfy the parkland dedication requirement through an on-site dedication. The park is to be located on the north property boundary, next to the school playground, with 12.6 metres of frontage along Brownlow Avenue, is 575.3 square metre in size and complies with Policy 3.2.3.8 of the Official Plan.

In accordance with Section 42 of the Planning Act, the owner shall convey the on-site parkland park to the City prior to the first above grade building permit.

Shadow Impact

The proposed buildings will cast limited shadow on the Eglinton Avenue East right-of-way and adjacent buildings northwest of the development site primarily before 11:18 a.m. on the spring and fall equinox. Shadow from the proposal will also fall on the Eglinton Junior School to the north primarily between 1:18 and 2:18 p.m. during the same equinox periods.

The Eglinton Greenline will also experience shadow throughout the spring, summer and autumn equinox between 12:18 and 3:18 p.m., with no shadow after 3:18 p.m.

The proposed buildings have been massed, located and articulated, with appropriate separation distance, to limit shadow impacts on surrounding areas and maintain sky view in accordance with the intent of the Official Plan Built Form policies and Tall Building Design Guidelines. The resulting shadows are acceptable.

Wind

A Pedestrian Level Wind Study predicts some increase in wind conditions in some areas within the proposed context, with conditions remaining either unchanged or improved in others.

Along Brownlow Avenue, in the immediate vicinity of the site, conditions along the public realm will be within a suitable range for walking or standing throughout the year, with areas internal to the site's Brownlow Avenue frontage being primarily suitable for sitting

and standing, conditions along the driveway between Towers 'A' and 'B' being suitable for walking through most of the year.

The wind study recommends Mitigation plans that include landscaping within the public boulevard, as well as for the proposed Park area, mitigation measures at-grade Outdoor Amenity Space to the east of Tower 'A' and the 2nd and 6th level outdoor amenity spaces, with anticipated conditions improving from walking and standing, to sitting throughout portions of the year. Outdoor Child Care Facility amenity space in the proposed context is predicted to have suitable sitting conditions throughout most of the seasons.

Predicted wind conditions for the Eglinton Junior Public School Yard will be suitable for walking in the winter, spring and fall seasons, with improved summer conditions comfortable for sitting, with further improvement anticipated with added landscaping elements.

Soudan Avenue is predicted to experience conditions suitable for walking in the winter, and comfortable sitting or standing conditions throughout the remainder of the year while conditions for surrounding areas such as Eglinton Avenue East remain unchanged, with conditions being suitable for standing throughout most of the year, maintaining comfortable conditions with the area setting.

Mount Pleasant Road is predicted to experience conditions suitable for standing during the summer and fall seasons, with predicted improvement resulting in conditions fit for sitting along the public boulevard, maintaining comfortable conditions for the Mount Pleasant Road Public Realm throughout the year.

Preparation of appropriate mitigation plans for abovementioned spaces will happen through the Park design and Site Plan processes to improve the overall comfort of site conditions.

Tree Preservation

An arborist report proposes the removal of 7 private trees, of which 4 are identified as on the subject site and not suitable for preservation, requiring a permit under the City of Toronto Municipal Code, Chapter 813, the Tree Protection By-law.

There are 6 city-owned trees that are proposed for removal and replacement through a permit application. An updated Arborist report is required to reflect the proposed replanting plan.

All trees proposed for preservation will be protected in accordance with the Private Tree By-Law and the City of Toronto Tree Protection Policy and Specifications for Construction Near Trees.

Traffic Impact, Access, Parking, and Loading

A Transportation Impact Study was submitted to assess the traffic impact, access, parking and loading arrangements. Transportation Services staff has reviewed the study

and accepted its methodology and conclusions, subject to the proposed parking rates that have been included in the Zoning By-law Amendment.

Loading requirements related to vehicle maneuvering require further revisions to comply with City standards, and satisfy Transportation Services staff.

Transportation Services staff have also identified potential Transportation Demand Management measures that would promote alternate modes of transportation.

Servicing

Engineering and Construction Services staff has reviewed the submitted materials reflecting the proposed servicing. There are outstanding matters required to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services. Staff recommend that these matters be addressed prior to the enactment of Bills for the draft Zoning By-law Amendment.

Community Services and Facilities

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods, foundational to creating complete communities and include matters such as recreation, libraries, childcare, schools, public health, and human and cultural services. Providing for a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

The applicant has proposed to provide a 62_-children (929-square metre) Child Care Facility as an in-kind Community Benefits Charge contribution. The Child Care Facility will be conveyed in a fully finished condition to the City in phase two of the development, before first residential occupancy and any registration of a Condominium under the Condominium Act, 1998_.

Toronto Green Standard

The applicant is required to meet Tier 1 of the TGS. The site-specific Zoning By-law, and future site plan agreement, will secure performance measures for various development features. The applicant is encouraged to achieve Tier 2 or higher to advance the objectives of the City for resilience and to achieve net-zero emissions by 2040 or sooner.

CONTACT

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SIGNATURE

Oren Tamir
Director, Community Planning
Toronto and East York District

ATTACHMENTS

Attachment 1: Application Data Sheet
Attachment 2: Location Map
Attachment 3: Official Plan Land Use Map
Attachment 4: Yonge-Eglinton Secondary Plan Land Use Map
Attachment 5: Existing Zoning By-law Map
Attachment 6: Draft Zoning By-law Amendment
Attachment 7: Site Plan
Attachment 8: Elevations and/or Ground Floor Plan
Attachment 9: 3D Massing Model

Attachment 1: Application Data Sheet

Municipal Address: 55 - 75 Brownlow Avenue **Date Received:** August 25, 2021

Application Number: 21 203868 STE 12 OZ and
22 214672 STE 12 RH

Application Type: Zoning By-law Amendment; Rental Housing Demolition

Project Description: 59 and 55-storey residential building

Applicant

Menkes Brownlow Inc.

Architect

Turner Fleischer

Owner

Menkes Brownlow Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation: Apartment
Neighbourhoods

Site Specific Provision: OPA 405

Zoning: R (d0.6) (x914)

Heritage Designation: N

Height Limit (m): 38

Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 5,751.3 **Frontage (m):** 125.8 **Depth (m):** 45.7

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	N/A	0	1,590.1	1,590.1
Residential GFA (sq m):	7,445.9	0	95,997.6	95,997.6
Non-Residential GFA (sq m):	N/A	0	929.0	929.0
Total GFA (sq m):	7,298.0	0	96,926.6	96,926.6
Height - Storeys:	15	0	59 + 55	59 + 55
Height - Metres:	N/A	N/A	188.6+176.5	188.6+176.5
Lot Coverage Ratio (%): 54	Floor Space Index:		16.85	

Floor Area Breakdown Above Grade (sq m) Below Grade (sq m)

Residential GFA: 95,997.6 284.2

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	121	0	121	121
Condominium:	0	0	1,253	1,253
Total Units:		0	1,374	1,374

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:		0	0	0	0
Proposed:		49+15	890+76	188+30	126
Total Units:		64	966	218	126

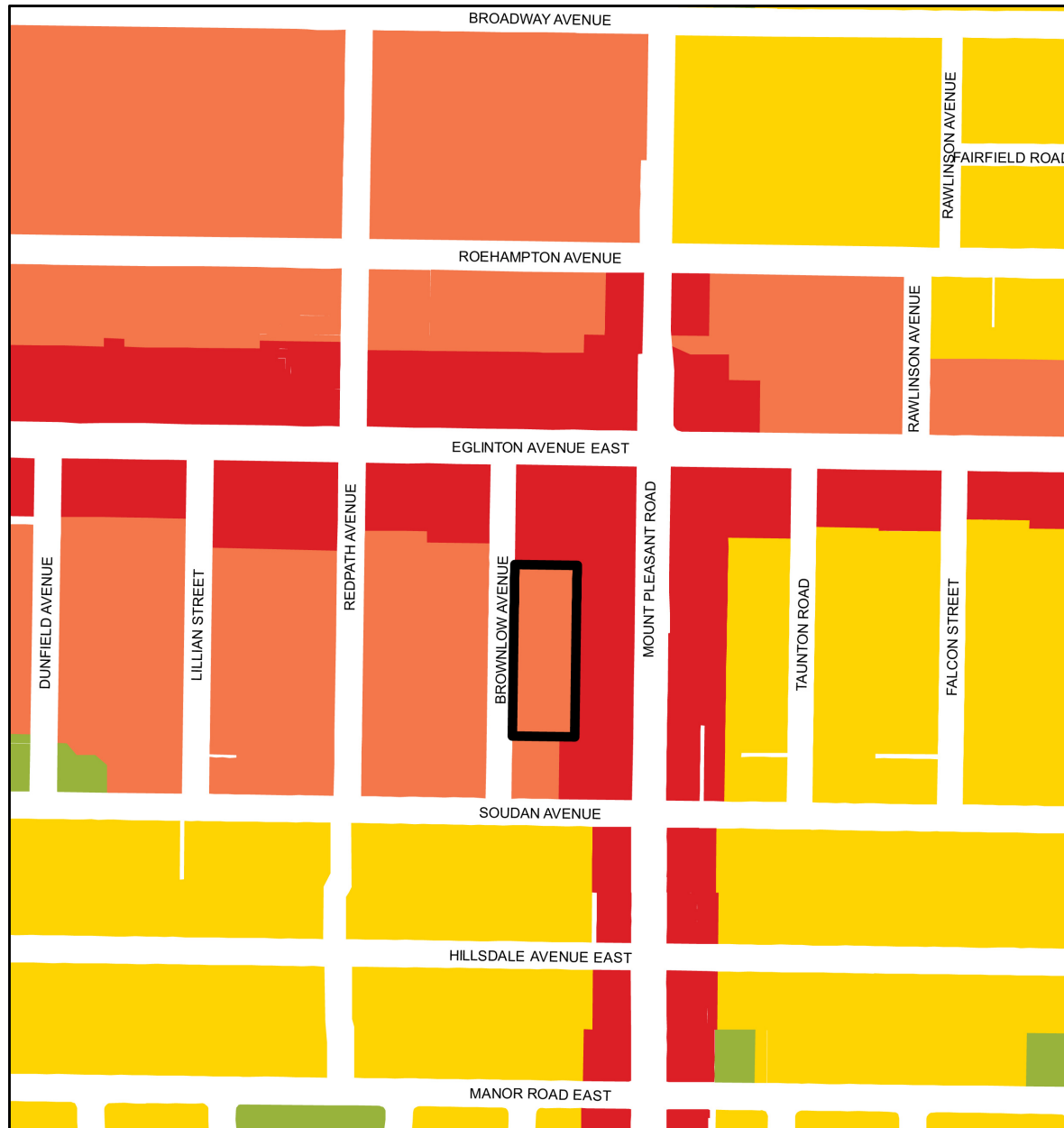
Parking and Loading

Parking Spaces:	235	Bicycle Parking Spaces:	1,374	Loading Docks:	3
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Attachment 2: Location Map



Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map # 17

55-75 Brownlow Avenue

File # 21 203868 STE 12 0Z



Location of Application



Neighbourhoods



Apartment Neighbourhoods



Mixed Use Areas



Parks



Not to Scale
Extracted: 05/08/2024

Attachment 4: Yonge-Eglinton Secondary Plan Land Use Map



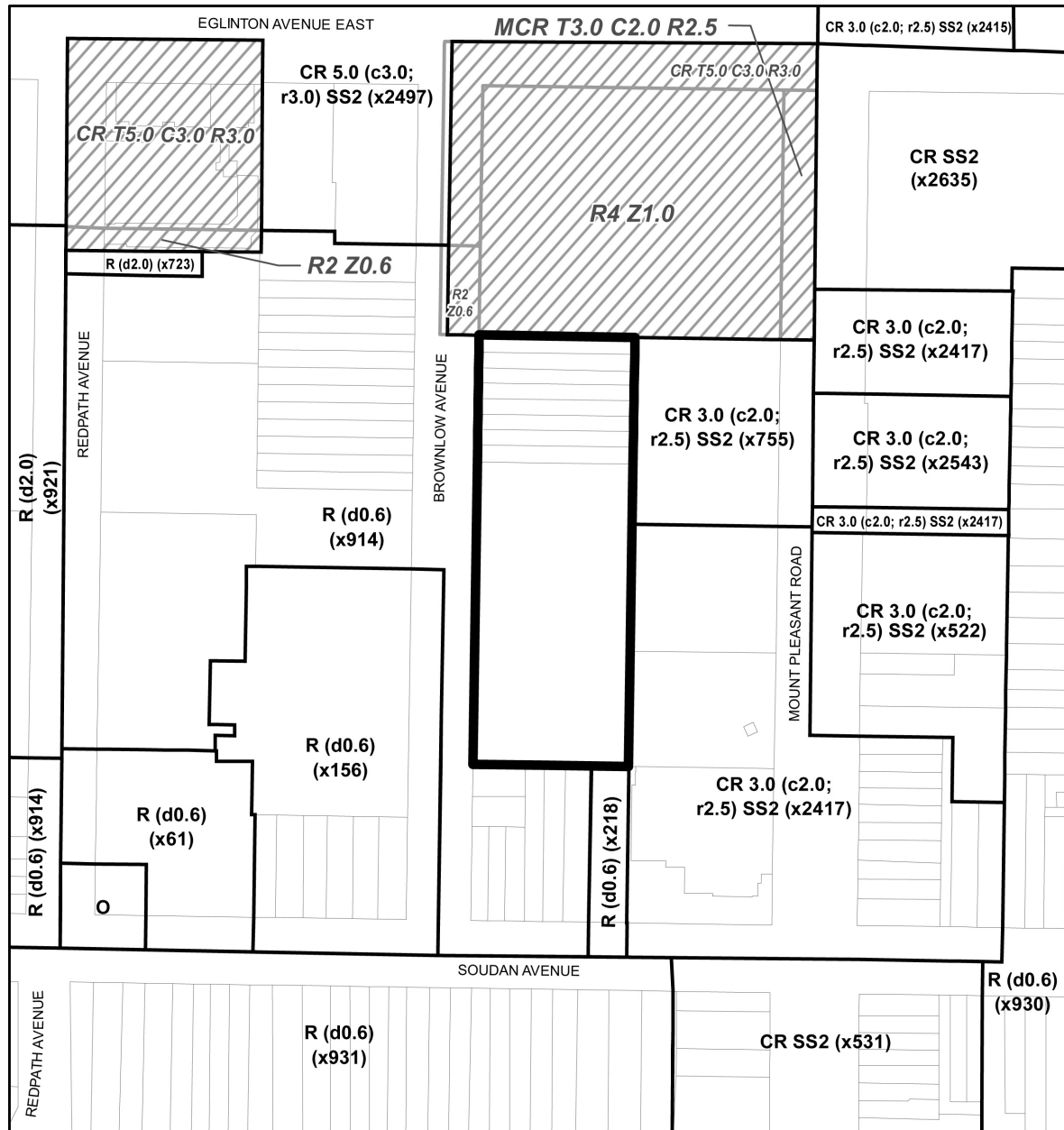
Toronto Yonge-Eglinton Secondary Plan
MAP 21-4 Land Use Plan

55-75 Brownlow Ave
File # 21 203868 STE 12 02

- | | | |
|---------------------------|--------------------------------------|---|
| — Secondary Plan Boundary | ■ Apartment Neighbourhoods | ■ Land Use Designations per the Official Plan |
| ■ Mixed Use Areas "A" | ■ Neighbourhoods "A" | ★ Location of Application |
| ■ Mixed Use Areas "B" | ■ Neighbourhoods "B" | |
| ■ Mixed Use Areas "C" | ■ Parks and Open Space Areas - Parks | |

↑
Not to Scale
03/14/2024

Attachment 5: Existing Zoning By-law Map



Zoning By-law 569-2013

55-75 Brownlow Avenue

File # 21 203868 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

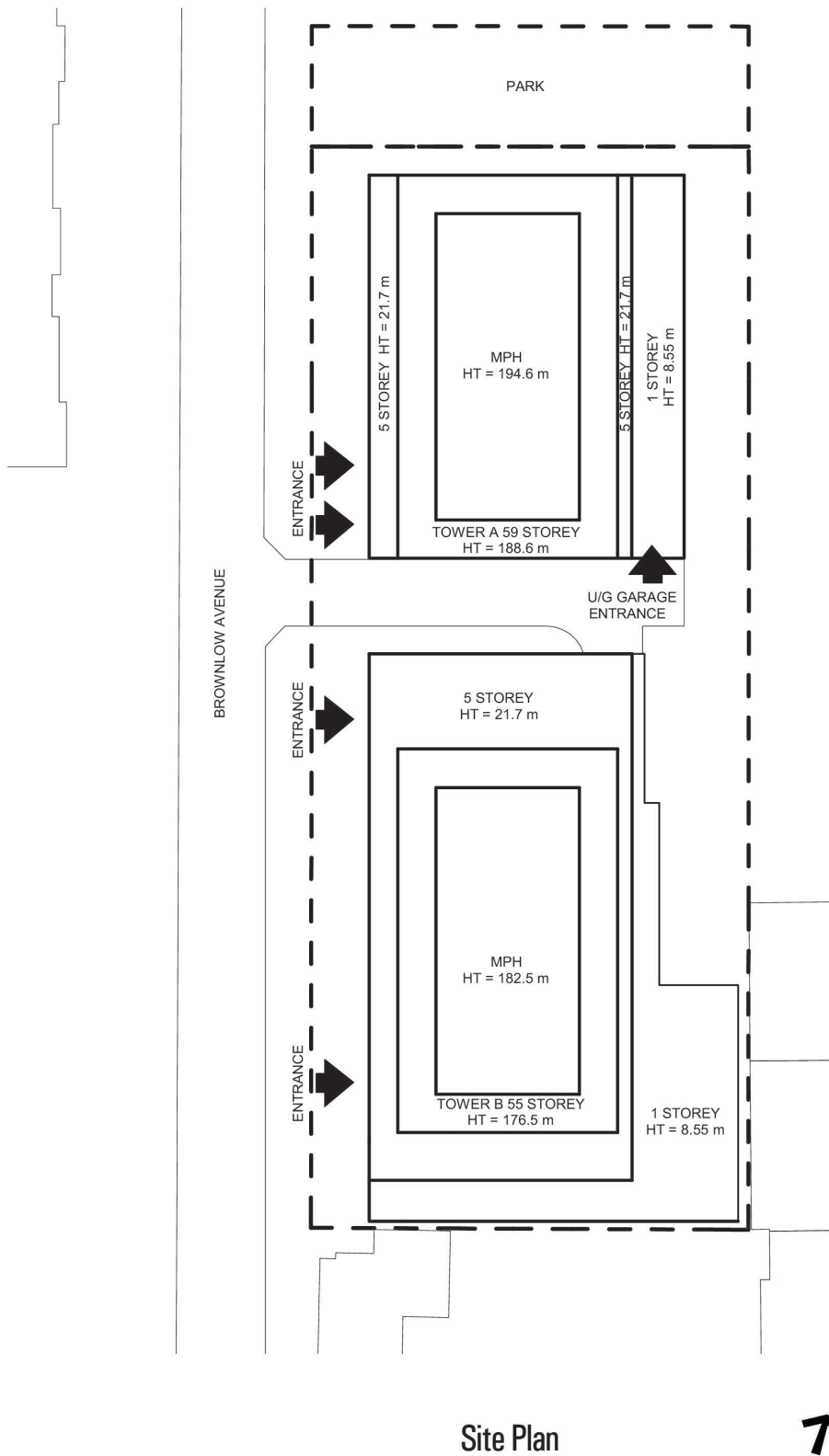


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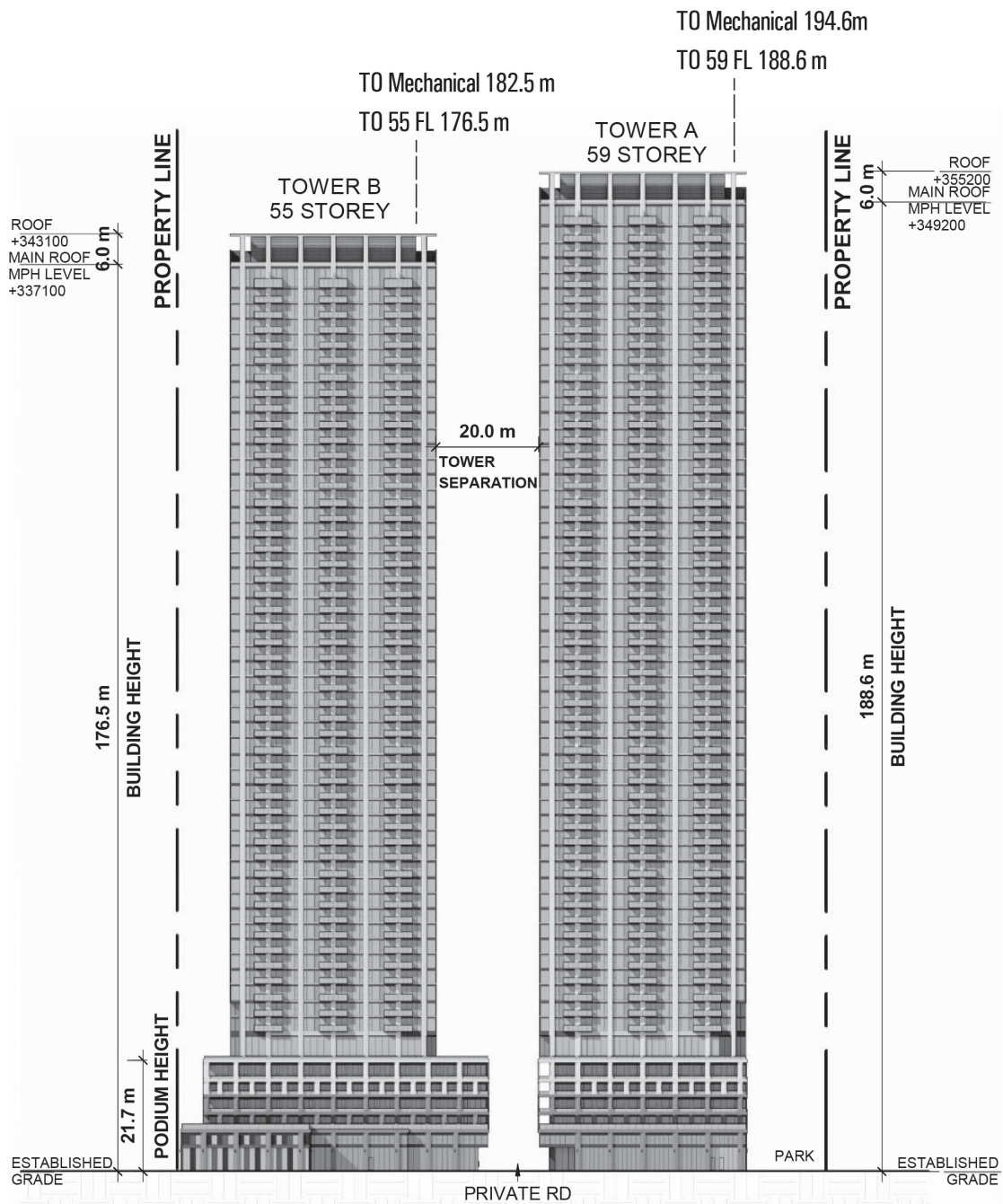
Attachment 6: Draft Zoning By-law Amendment

To be available prior to the June 11, 2024 Toronto and East York Community Council Meeting.

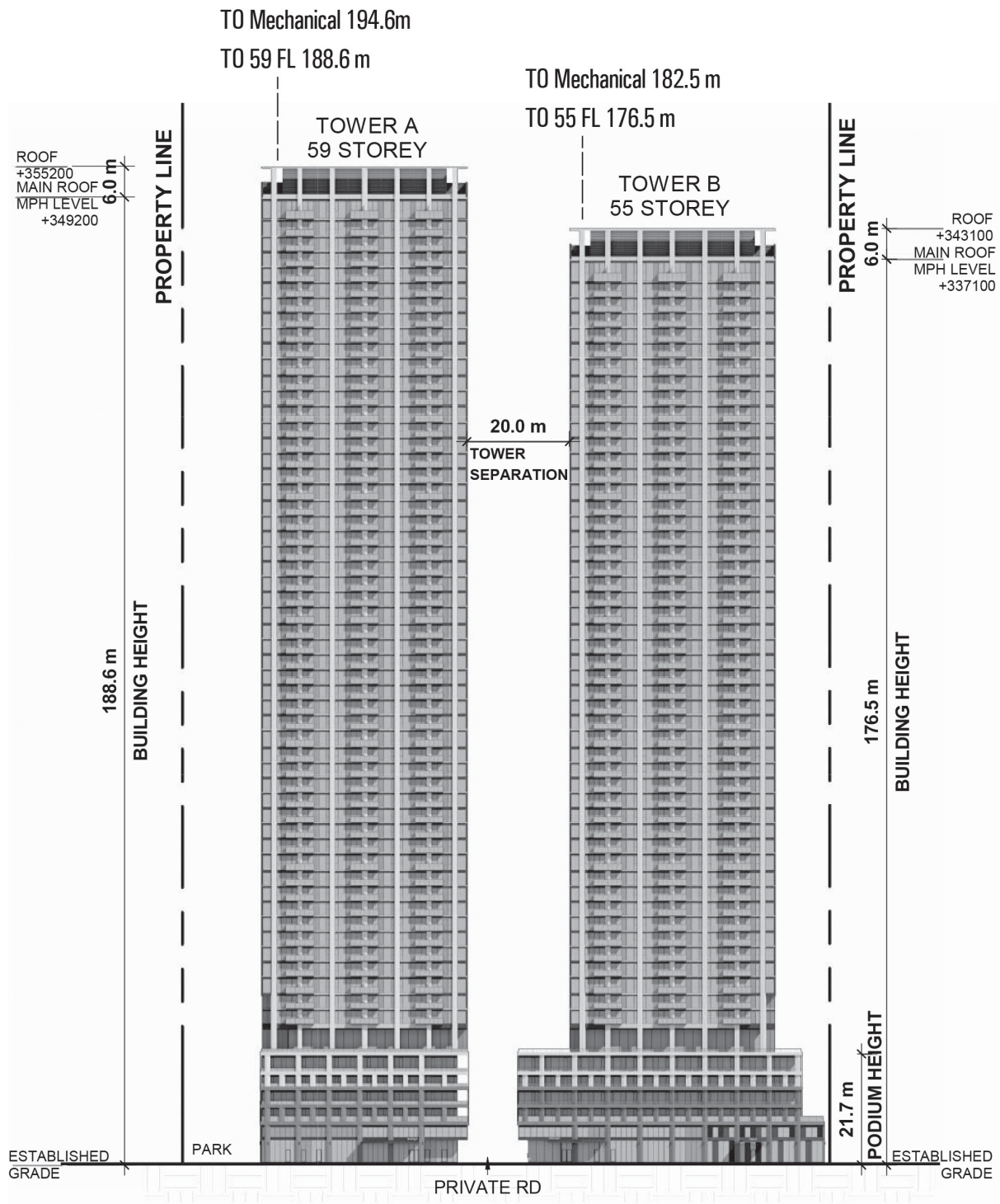
Attachment 7: Site Plan



Attachment 8: Elevations



East Elevation



West Elevation

Attachment 9: 3D Massing Models

