

1050-1060 Eastern Avenue (Formerly 1555-1575 Queen Street East) – Extension of Part Lot Control Exemption Application – Approval

Date: June 19, 2024

To: Toronto and East York Community Council

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

Ward: 14 - Toronto-Danforth

Planning Application Number: 24 139413 STE 14 PL

SUMMARY

In 2020, an application was submitted to permit an exemption from Part Lot Control for the lands known as 1555-1575 Queen Street East, now known as 1050-1060 Eastern Avenue, to facilitate the implementation of the approved development. The development revitalizes a Toronto Community Housing Corporation (TCHC) site, including a 10-storey residential building (the “TCHC Building”), and a 17-storey and a 15-storey mixed-use building (the “Market Building”). Collectively, the development contains 771 residential units with a variety of housing tenures, including rent-geared-to-income, affordable rental, market rental, and condominiums.

On July 28, 2020, City Council enacted By-law 833-2020 exempting these lands from the Part Lot Control provisions of the Planning Act for a period of 4 years to facilitate the severance of the lands into various components to implement the necessary land transactions. This report reviews and recommends that exemption from Part Lot Control be extended for an additional 2 years for the “Market Site”, consisting of the Market Condominium parcel; the Market Rental parcel, the Retail parcel; and the City parcel (which includes 6 townhouse units and 26 rental units on Levels 1 and 3 and components of the shared facilities) to allow for the completion of the project and associated transactions.

RECOMMENDATIONS

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

1. City Council amend By-law 833-2020 to extend Part Lot Control Exemption for the lands municipally known as 1050-1060 Eastern Avenue for an additional 2 year period from the date of the enactment of the By-Law, substantially in accordance with the Draft Part Lot Control Exemption By-law in Attachment 3 to this report from the Director, Community Planning, Toronto and East York District, to be prepared to the satisfaction of the City Solicitor.
2. City Council require the owner to provide proof of payment of all current property taxes for the subject lands to the satisfaction of the City Solicitor, prior to the enactment of the Part Lot Control Exemption By-law.
3. City Council authorize and direct the City Solicitor to register the Part Lot Control Exemption By-law on title.
4. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Part Lot Control Exemption By-law as may be required.
5. City Council authorize the City Solicitor to take the necessary steps to release the Section 118 Restriction under the Land Titles Act from title upon the expiry or repeal of the Part Lot Control Exemption By-law.

FINANCIAL IMPACT

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

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the information as presented in the Financial Impact Section.

DECISION HISTORY

On October 31, 2019, the City entered into a Memorandum of Understanding with the Toronto Community Housing Corporation and Context (Summerville) Inc. on terms and conditions with respect to redevelopment of the site. Council's decision is available on the City's website at:
<https://secure.toronto.ca/council/agenda-item.do?item=2019.PH7.4>

On July 28, 2020, City Council adopted the Final Report on an Official Plan and Zoning By-law Amendments, Part Lot Control Exemption By-law 833-2020, and Rental Housing Demolition and Conversion for the lands. Council's decision is available on the City's website at: <https://secure.toronto.ca/council/agenda-item.do?item=2020.TE16.5>

On June 8, 2021, City Council authorized staff to enter into an Agreement of Purchase and Sale with RC Ashbridge Inc. to acquire 32 units at 1050-1060 Eastern Avenue (formerly 1555-1575 Queen Street East), for the purpose of providing permanently affordable rental housing operated by a non-profit co-operative housing provider. Council's decision is available on the City's website at: <https://secure.toronto.ca/council/agenda-item.do?item=2021.PH23.8>

PROPOSAL

The applicant is requesting an extension to the "Market Site" of Part Lot Control Exemption By-law 833-2020, enacted by Council on July 28, 2020, to facilitate the mixed-use development proposed on the lands through the division of the lands described as the "Market Site" and the "TCHC Component". The "Market Site" consists of the Market Condominium parcel; the Market Rental parcel, the Retail parcel; and the City parcel (which includes 6 townhouse units and 26 rental units on Levels 1 and 3 and components of the shared facilities).

The Toronto Community Housing Corporation (TCHC) has confirmed that the creation of the "TCHC Component" (1070 Eastern Avenue) has been completed and no further transactions are required. Accordingly, an extension for the "TCHC Component" of the Part Lot Control Exemption By-law 833-2020 is not required.

Currently under construction, the buildings on the "Market Site" consists of a 17 storey and a 15 storey mixed-use building atop an 8 storey shared podium, with a residential gross floor area of 46,034 square metres and non-residential gross floor area of 1,544 square metres. A total of 532 residential dwelling units, comprised of 367 condominium units, 183 market rental units, 32 City-owned affordable rental units, and 50 developer-owned affordable rental units will be provided.

The Part Lot Control Exemption will apply to the "Market Site" as shown in the site plan in Attachment 2.

Reasons for Application

The extension to Part Lot Control Exemption is requested as the existing Part Lot Control By-law 833-2020 will expire on October 9, 2024, and does not provide sufficient time for the completion of the project and the associated transactions. An extension to the Part Lot Control Exemption would facilitate the implementation of the development proposal including the transfers of easements that remain outstanding.

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.

City of Toronto Official Plan: The site is designated as Mixed Use Areas through Official Plan Amendment No. 504. The site is within Site and Area Specific Policy (SASP) No. 587. SASP 587 established the policy framework to guide the comprehensive redevelopment of the lands.

Former Zoning By-law 438-86 and Zoning By-law 569-2013: The site is zoned Commercial Residential (CR).

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the Provincial Policy Statement (2020) and the Growth Plan (2020). Staff have determined that the proposal is consistent with the Provincial Policy Statement and conforms with the Growth Plan (2020).

Land Division

Section 50(7) of the Planning Act, R.S.O. 1990, as amended, authorizes City Council to adopt a by-law exempting lands within a registered plan of subdivision from Part Lot Control. The subject lands are within a registered plan of subdivision. Section 50(7.4) of the Planning Act, R.S.O. 1990, as amended, authorizes Council to amend a Part Lot Control Exemption by-law to extend the time period specified for the exemption at any time prior to the expiration of the by-law.

To ensure that the Part Lot Control Exemption does not remain open indefinitely, it is recommended that the By-law contain an expiration date. In this case, the By-law should expire two years following enactment by City Council. The applicant has advised that the requested extension to the Part Lot Control Exemption will allow the additional time needed to implement the transactions necessary per the intent of the Memorandum of Understanding with TCHC, and the Council approved development of the lands.

A Section 118 Restriction is currently registered on title for the lands that are the subject of the Part Lot Control exemption request. In accordance with the Land Titles Act, a Section 118 Restriction prohibits the transfer or charge of any of the lands without prior written consent of the Chief Planner or their designate. This restriction enables the City to ensure that the Part Lot Control exemption is not unlimited and that appropriate mechanisms are secured to support the

development. The registered Restriction will remain on title for the duration of the two year period.

Conclusion

Planning staff consider the request for the extension of the Part Lot Control Exemption appropriate for the orderly development of the land. Staff recommend that Council extend the term of the Part Lot Control Exemption By-law for an additional two year period on the Market Lands. This time frame is expected to provide sufficient time for the completion of the proposed development and associated transactions.

CONTACT

Doris Ho, MCIP, RPP
Planner, Community Planning
Telephone: 416-338-1264
E-mail: Doris.Ho@toronto.ca

SIGNATURE

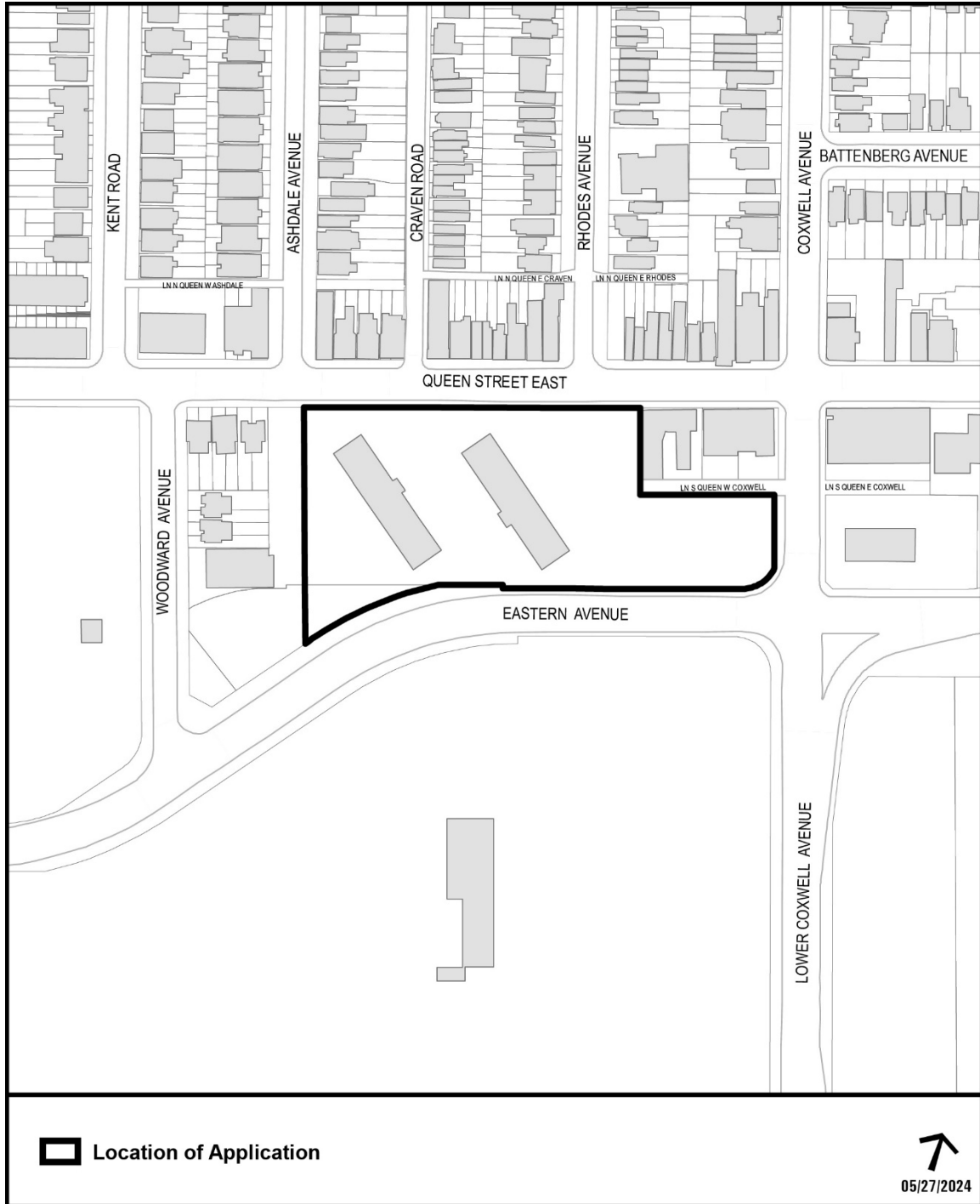
A handwritten signature in black ink, appearing to read 'Carly R', with a long horizontal flourish extending to the right.

Carly Bowman, MSc.PI., MCIP, RPP
Director, Community Planning
Toronto and East York District

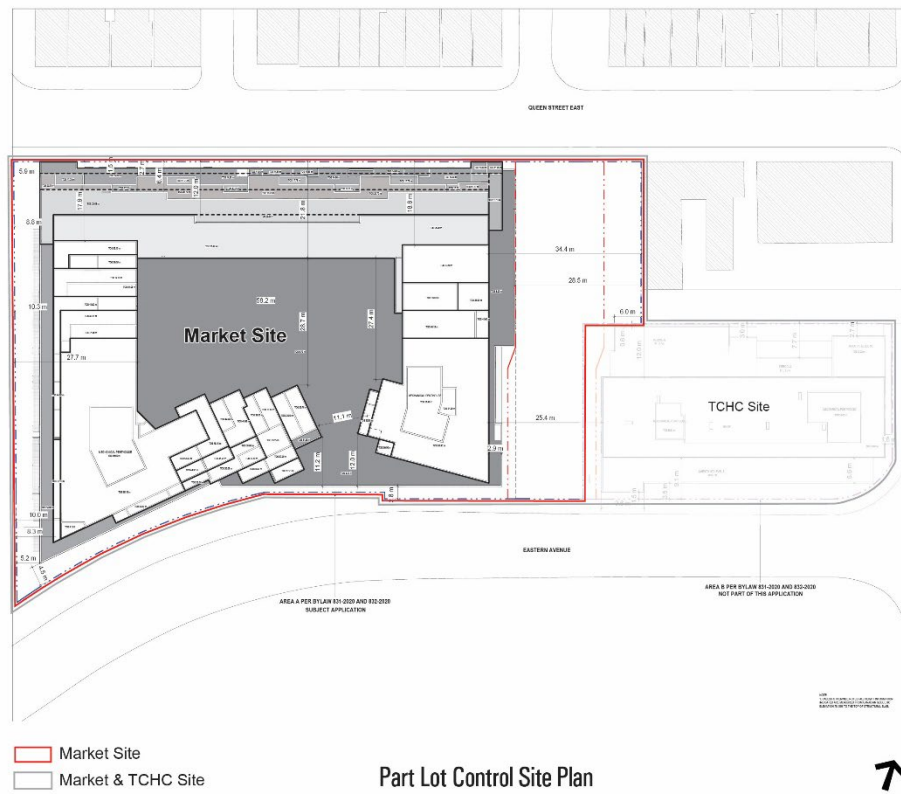
ATTACHMENTS

Attachment 1:	Location Map
Attachment 2:	Site Plan
Attachment 3:	Draft Part Lot Control Exemption By-law

Attachment 1: Location Map



Attachment 2: Site Plan



Attachment 3: Draft Part Lot Control Exemption By-Law

Authority: Toronto and East York Community Council Item ~ adopted by City of Toronto Council on ~, 2024

CITY OF TORONTO

BY-LAW No. ### - 2024

To amend By-law No. 833-2020 to extend the expiration of part lot control exemption for the lands known as 1050-1060 Eastern Avenue.

Whereas City Council on July 28, 2020, enacted By-law 833-2020 to exempt lands municipally known as 1050-1060 Eastern Avenue (formerly 1555-1575 Queen Street East) from part lot control with an expiry of October 9, 2024; and,

Whereas authority is given to Council by Section 50(7.4) of the Planning Act, R.S.O. 1990, C. P.13, as amended, to pass this By-law:

The Council of the City of Toronto hereby enacts as follows:

1. Section 2 of By-law No. 833-2020 is deleted, and the following is substituted for it:

This By-law expires six years from the date of its enactment by Council.

2. This By-law applied to the lands described in the attached Schedule "A".

Enacted and passed on July ~, 2024.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

Schedule “A”

LEGAL DESCRIPTION

CONDOMINIUM COMPONENT AND CITY STRATA COMPONENTS

PIN 21393-0120 (LT)

PART OF LOTS 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13 AND 14 AND PART BLOCK A AND PART OF THE PUBLIC LANE, (CLOSED BY BY-LAW AS IN A23761), PLAN M-510, PARTS 7, 8, 11, 12, 14, 15, 23, 24, 25 AND 32, PLAN 66R-33045 ; TOGETHER WITH AN EASEMENT OVER FIRSTLY : PART LOTS 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13 AND 14 AND PART BLOCK A AND PART OF THE PUBLIC LANE, (CLOSED BY BY-LAW AS IN A23761), PLAN M-510, PARTS 1, 2, 3, 4, 5, 6, 9, 10, 13, 16, 17, 18, 19, 20, 21, 22, 26, 27, 28, 30, 31, 33, 34, 35 AND 36, PLAN 66R-33045 ; AND SECONDLY : PART BLOCK A AND PART LOTS 15, 33 AND 34 AND PART OF THE LANE (CLOSED BY BY-LAW AS IN ES52456), PLAN 652E, TORONTO, PARTS 38, 39, 40, 41, 42, 43, 44 AND 45, PLAN 66R-33045 ; AND THIRDLY : PART LOTS 9, 10, 11 AND 12, PLAN M-510 AND PART LOT 8, BROKEN FRONT CONCESSION, YORK (DEDICATED AS PART OF EASTERN AVENUE BY BY-LAW 5347 AND CLOSED BY BY-LAW AS IN A727104), PART 37, PLAN 66R-33045 AS IN AT6257449 ; SUBJECT TO AN EASEMENT IN FAVOUR OF FIRSTLY : PART LOTS 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13 AND 14 AND PART BLOCK A AND PART OF THE PUBLIC LANE, (CLOSED BY BY-LAW AS IN A23761), PLAN M-510, PARTS 1, 2, 3, 4, 5, 6, 9, 10, 13, 16, 17, 18, 19, 20, 21, 22, 26, 27, 28, 30, 31, 33, 34, 35 AND 36, PLAN 66R-33045 ; AND SECONDLY : PART BLOCK A AND PART LOTS 15, 33 AND 34 AND PART OF THE LANE (CLOSED BY BY-LAW AS IN ES52456), PLAN 652E, TORONTO, PARTS 38, 39, 40, 41, 42, 43, 44 AND 45, PLAN 66R-33045 ; AND THIRDLY : PART LOTS 9, 10, 11 AND 12, PLAN M-510 AND PART LOT 8, BROKEN FRONT CONCESSION, YORK (DEDICATED AS PART OF EASTERN AVENUE BY BY-LAW 5347 AND CLOSED BY BY-LAW AS IN A727104), PART 37, PLAN 66R-33045 AS IN AT6257450; CITY OF TORONTO

PIN 21393-0122 (LT)

PART LOTS 9, 10, 11 AND 12, PLAN M-510 AND PART LOT 8, BROKEN FRONT CONCESSION, YORK (DEDICATED AS PART OF EASTERN AVENUE BY BY-LAW 5347 AND CLOSED BY BY-LAW AS IN A727104), PART 29, PLAN 66R-33045 ; SUBJECT TO AN EASEMENT AS IN A727628 ; TOGETHER WITH AN EASEMENT OVER FIRSTLY : PART LOTS 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13 AND 14 AND PART BLOCK A AND PART OF THE PUBLIC LANE, (CLOSED BY BY-LAW AS IN A23761), PLAN M-510, PARTS 1, 2, 3, 4, 5, 6, 9, 10, 13, 16, 17, 18, 19, 20, 21, 22, 26, 27, 28, 30, 31, 33, 34, 35 AND 36, PLAN 66R-33045 ; AND SECONDLY : PART BLOCK A AND PART LOTS 15, 33 AND 34 AND PART OF THE LANE (CLOSED BY BY-LAW AS IN ES52456), PLAN 652E, TORONTO, PARTS 38, 39, 40, 41, 42, 43, 44 AND 45, PLAN 66R-33045 ; AND THIRDLY: PART LOTS 9, 10, 11

AND 12, PLAN M-510 AND PART LOT 8, BROKEN FRONT CONCESSION, YORK (DEDICATED AS PART OF EASTERN AVENUE BY BY-LAW 5347 AND CLOSED BY BY-LAW AS IN A727104), PART 37, PLAN 66R-33045 AS IN AT6257449 ; SUBJECT TO AN EASEMENT IN FAVOUR OF FIRSTLY : PART LOTS 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13 AND 14 AND PART BLOCK A AND PART OF THE PUBLIC LANE, (CLOSED BY BY-LAW AS IN A23761), PLAN M-510, PARTS 1, 2, 3, 4, 5, 6, 9, 10, 13, 16, 17, 18, 19, 20, 21, 22, 26, 27, 28, 30, 31, 33, 34, 35 AND 36, PLAN 66R-33045 ; AND SECONDLY : PART BLOCK A AND PART LOTS 15, 33 AND 34 AND PART OF THE LANE (CLOSED BY BY-LAW AS IN ES52456), PLAN 652E, TORONTO, PARTS 38, 39, 40, 41, 42, 43, 44 AND 45, PLAN 66R-33045 ; AND THIRDLY : PART LOTS 9, 10, 11 AND 12, PLAN M-510 AND PART LOT 8, BROKEN FRONT CONCESSION, YORK (DEDICATED AS PART OF EASTERN AVENUE BY BY-LAW 5347 AND CLOSED BY BY-LAW AS IN A727104), PART 37, PLAN 66R-33045 AS IN AT6257450; CITY OF TORONTO

RESIDENTIAL RENTAL COMPONENT AND RETAIL COMPONENT

PIN 21393-0119 (LT)

PART LOTS 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13 AND 14 AND PART BLOCK A AND PART OF THE PUBLIC LANE, (CLOSED BY BY-LAW AS IN A23761), PLAN M-510, PARTS 1, 2, 3, 4, 5, 6, 9, 10, 13, 16, 17, 18, 19, 20, 21, 22, 26, 27, 28, 30, 31, 33, 34, 35 AND 36, PLAN 66R-33045 ; SUBJECT TO AN EASEMENT IN FAVOUR OF FIRSTLY : PART OF LOTS 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13 AND 14 AND PART BLOCK A AND PART OF THE PUBLIC LANE, (CLOSED BY BY-LAW AS IN A23761), PLAN M-510, PARTS 7, 8, 11, 12, 14, 15, 23, 24, 25 AND 32, PLAN 66R-33045 ; AND SECONDLY : PART LOTS 9, 10, 11 AND 12, PLAN M-510 AND PART LOT 8, BROKEN FRONT CONCESSION, YORK (DEDICATED AS PART OF EASTERN AVENUE BY BY-LAW 5347 AND CLOSED BY BY-LAW AS IN A727104), PART 29, PLAN 66R-33045 AS IN AT6257449 ; TOGETHER WITH AN EASEMENT IN FAVOUR OF FIRSTLY : PART OF LOTS 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13 AND 14 AND PART BLOCK A AND PART OF THE PUBLIC LANE, (CLOSED BY BY-LAW AS IN A23761), PLAN M-510, PARTS 7, 8, 11, 12, 14, 15, 23, 24, 25 AND 32, PLAN 66R-33045 ; AND SECONDLY : PART LOTS 9, 10, 11 AND 12, PLAN M-510 AND PART LOT 8, BROKEN FRONT CONCESSION, YORK (DEDICATED AS PART OF EASTERN AVENUE BY BY-LAW 5347 AND CLOSED BY BY-LAW AS IN A727104), PART 29, PLAN 66R-33045 AS IN AT6257450; CITY OF TORONTO

PIN 21393-0121 (LT)

PART LOTS 9, 10, 11 AND 12, PLAN M-510 AND PART LOT 8, BROKEN FRONT CONCESSION, YORK (DEDICATED AS PART OF EASTERN AVENUE BY BY-LAW 5347 AND CLOSED BY BY-LAW AS IN A727104), PART 37, PLAN 66R-33045 ; SUBJECT TO AN EASEMENT AS IN A727628 ; SUBJECT TO AN EASEMENT IN FAVOUR OF FIRSTLY : PART OF LOTS 2, 3, 4, 5, 6, 7, 9, 10, 11, 12,

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PIN 21393-0117 (LT)

PART BLOCK A AND PART LOTS 15, 33 AND 34 AND PART OF THE LANE (CLOSED BY BY-LAW AS IN ES52456), PLAN 652E, TORONTO, PARTS 38, 39, 40, 41, 42, 43, 44 AND 45, PLAN 66R-33045 ; SUBJECT TO AN EASEMENT OVER PARTS 38, 39, 43 AND 45, PLAN 66R-33045 AS IN CT302797 ; SUBJECT TO AN EASEMENT OVER PART 45, PLAN 66R-33045 AS IN ES43646; SUBJECT TO AN EASEMENT OVER PART LOT 15, PART BLOCK A AND PART OF THE LANE, PLAN 652E (CLOSED BY BY-LAW AS IN ES52456), PARTS 43, 44 AND 45, PLAN 66R-33045 IN FAVOUR OF PART LOT 15 AND LOTS 16, 17 AND 18, PLAN 652E AND PART LOT 3, PLAN 672E, PARTS 2 AND 7, PLAN 66R-32228 AS IN AT5993707 ; SUBJECT TO AN EASEMENT OVER PART BLOCK A AND PART LOTS 33 AND 34, PLAN 652E, PARTS 41 AND 42, PLAN 66R-33045 IN FAVOUR OF PART LOT 15, LOTS 16, 17 AND 18, PLAN 652E AND PART LOT 3, PLAN 672E, PARTS 2 AND 7, PLAN 66R-32228 AS IN AT5993707 ; SUBJECT TO AN EASEMENT OVER PART LOTS 33 AND 34 AND PART BLOCK A, PLAN 652E, PARTS 41 AND 42, PLAN 66R-33045 IN FAVOUR OF PART LOT 15, LOTS 16, 17 AND 18, PLAN 652E AND PART LOT 3, PLAN 672E, PARTS 2 AND 7, PLAN 66R-32228 AS IN AT5993707 ; SUBJECT TO AN EASEMENT IN FAVOUR OF FIRSTLY : PART OF LOTS 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13 AND 14 AND PART BLOCK A AND PART OF THE PUBLIC LANE, (CLOSED BY BY-LAW AS IN A23761), PLAN M-510, PARTS 7, 8, 11, 12, 14, 15, 23, 24, 25 AND 32, PLAN 66R-33045 ; AND SECONDLY : PART LOTS 9, 10, 11 AND 12, PLAN M-510 AND PART LOT 8, BROKEN FRONT CONCESSION, YORK (DEDICATED AS PART OF EASTERN AVENUE BY BY-LAW 5347 AND CLOSED BY BY-LAW AS IN A727104), PART 29, PLAN 66R-33045 AS IN AT6257449 ; TOGETHER WITH AN EASEMENT IN FAVOUR OF FIRSTLY : PART OF LOTS 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13 AND 14 AND PART BLOCK A AND PART OF THE PUBLIC LANE, (CLOSED BY BY-LAW AS IN A23761), PLAN M-510, PARTS 7, 8, 11, 12, 14, 15, 23, 24, 25 AND 32, PLAN 66R-33045 ; AND SECONDLY : PART LOTS 9, 10, 11 AND 12, PLAN M-510 AND PART LOT 8, BROKEN FRONT CONCESSION, YORK (DEDICATED AS PART OF

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A727104), PART 29, PLAN 66R-33045 AS IN AT6257450; CITY OF TORONTO

To be finalized prior to City Council to reflect the lands shown in the Site Plan
(Attachment 2)