

February 3, 2023

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VIA EMAIL

File 24015.00002

Erika Ivanic
Municipal Services Office – Central Ontario
16th Floor
777 Bay Street
Toronto, ON M7A 2J3

Dear Ms. Ivanic:

Re: ERO No. 019-5936
Ministry Reference No. 20-OP-221476

**By-law 844-2022 - City of Toronto Official Plan Amendment No. 540 re Protected
Major Transit Station Areas (“PMTSA”)
Schedule 2 – SASP 615 - PMTSA – Chester Station
Schedule 3 – SASP 616 - PMTSA – Pape Station**

**Submission from Condoman Developments Inc. re 579-591 Danforth Avenue & 40
Gough Avenue, Toronto**

We are counsel to Condoman Developments Inc. (“**Client**”) with respect to the above-referenced matter.

Our Client seeks the block of land on the south side of Danforth Avenue, between Carlaw Avenue and Pape Avenue, Toronto (the “**Block**”) to be redeveloped with high density residential development. Within the Block, our Client specially seeks to develop a 30-storey, 270 unit residential building at 579-591 Danforth Avenue & 40 Gough Avenue, Toronto (the “**Subject Site**”).

The Block and the Subject Site are located approximately 200-300 metres away from the Pape Subway Station. The Block and the Subject Site are located within both the Pape Station PMTSA and the Chester Station PMTSA (the “**PMTSAs**”).

We write to provide our Client’s comments on the City of Toronto’s (the “**City**”) proposed Official Plan Amendment No. 540 (“**OPA 540**”) as it applies to the Chester Station PMTSA, SASP 615 (schedule 2 of OPA 540) and the Pape Station PMTSA, SASP 616 (schedule 3 of OPA 540).

For ease of reference, we have attached the relevant excerpts from OPA 540 that apply to the Chester Station PMTSA and the Pape Station PMTSA at **Appendix “A”**.

Our Client is concerned that the minimum densities identified by the City for the Chester Station PMTSA and Pape Station PMTSA generally, and along Danforth Avenue specifically, are too low to facilitate transit supportive development that optimizes use of these lands and transit, especially as it relates to the Block and Subject Site.

As you know, one of the core objectives of provincial policy as reflected in the Provincial Policy Statement 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe is to increase density in protected major transit station areas and optimize use of these lands and transit. The portion of Danforth that falls within the PMTSAs is a prime location for increased density. The City’s current policy regime for these lands is deficient to encourage the level of density needed to support transit and optimize the use of these lands, and therefore it is also contrary to provincial policy. Our Client envisions Danforth within the PMTSAs, but more specifically the Block and the Subject Site, being redeveloped for high density development in the form of residential apartments.

To illustrate the issue as it applies to the Subject Site, OPA 540 sets a minimum density of 2.0 FSI. This minimum density is in fact lower than the as-of-right density permission that exists in the City’s Zoning By-law for the Subject Site, which is 3.0 FSI. A minimum FSI of 2.0, as proposed in OPA 540, is insufficient to facilitate transit supportive development that optimizes use of the land as it would not facilitate any form of mid-rise or high-rise apartment building on the Subject Site.

Request

Our Client requests the Province to revise the Chester Station PMTSA, SASP 615 (schedule 2 of OPA 540) and the Pape Station PMTSA, SASP 616 (Schedule 3 of OPA 540) to increase the minimum density for the Subject Site to 16.4 FSI. Our Client is seeking to redesignate 40 Gough Avenue from the existing *Neighbourhoods* designation to the *Mixed Use Area* designation, to round out the corner of Danforth Avenue and Gough Avenue to permit an appropriately sited development. This would facilitate a 30 storey, 270 unit apartment building on the Subject Site. This can be done by:

- i. amending Map 2 to SASP 615 and Map 2 to SASP 616 to reflect this increased minimum density for the Subject Site; and

- ii. adding language to Schedule 2 and 3 of OPA 540 to redesignate 40 Gough Avenue from Neighbourhoods to Mixed Use Area.

If our requested amendments are not made, and SASP 615 and SASP 616 are approved in the form as adopted by the City, these planning instruments will do little to achieve the Province's minimum persons and job targets for these PMTSAs – which is set at a minimum of 200 persons and jobs per hectare.

The Subject Site

The Subject Site is a 1215 square metre (13,078 sq. ft.) parcel of land on the south side of Danforth Avenue, approximately 120 metres west of Pape Avenue. The entrance for Pape Station is located at the north west corner of Pape Avenue and Lipton Avenue, which is approximately 200-300 metres from the Subject Site. A location map showing the Subject Site and its proximity to Pape Station is attached at **Appendix “B”**.

The Subject Site is designated *Mixed Use Areas* and *Neighbourhoods* on Map 17 of the City's Official Plan. An excerpt of Map 17 is attached at **Appendix “C”**. The Subject Site is zoned Commercial Residential 3.0 (c2.5; r2.5) SS2 (x2426) and Residential (d0.6) (x736) in the City's Zoning By-law 569-2013. The City's zoning map that applies to the Subject Site is attached at **Appendix “D”**.

Proposed Development

Our Client, on the basis of expert advice from its urban designer, land use planner, and other technical experts, seeks to redevelop the Subject Site with a 30-storey residential building with an FSI of 16.4. A building of this size would accommodate approximately 270 residential units on the Subject Site, which would make a meaningful contribution to the Province's minimum resident and job target for the PMTSAs. This project will contribute to providing more affordable housing in the City by being at a scale that triggers the Province and City's inclusionary zoning policies.

Our Client's urban designer has done shadow studies on the proposed development and can demonstrate that there will be no undue adverse shadow impacts on any sensitive surrounding lands. Shadow is not an issue, and the proposed development will meet the relevant tests in the City's OP. The concept block plan for the proposed development is attached at **Appendix “E”**. The proposed development is highlighted in orange on the concept block plan. The remainder of the block, highlighted in green, shows potential for other development to occur in the block

outside of the Subject Site. The site in pink at 654-658 Danforth Avenue represents an existing development application that is currently before the City of Toronto for approval.

We thank you for your time in reviewing this submission. We would be pleased to discuss with you any of the above proposed amendments, or our concerns more generally, at your convenience. We look forward to the Province's revisions to, and approval of, OPA 540.

Yours truly,

WeirFoulds LLP



Raj Kehar
Partner
RK/JS/lb
Encls.

APPENDIX “A”

Authority: Planning and Housing Committee Item
PH35.16, adopted as amended, by City of Toronto Council
on July 19, 20, 21, and 22, 2022

CITY OF TORONTO

BY-LAW 844-2022

To adopt Amendment 540 to the Official Plan for the City of Toronto with respect to the implementation of twenty-three Major Transit Station Areas and Protected Major Transit Station Areas and associated maps along the Bloor-Danforth Corridor in the City of Toronto.

Whereas authority is given to Council under the Planning Act, R.S.O. 1990, c. P.13, as amended, to pass this By-law; and

Whereas authority is given to Council under section 16(15) of the Planning Act, R.S.O. 1990, c. P.13, as amended, to delineate and establish Protected Major Transit Station Areas; and

Whereas Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with section 17 the Planning Act;

The Council of the City of Toronto enacts:

1. The attached Amendment 540 to the Official Plan is adopted pursuant to the Planning Act, as amended.

Enacted and passed on July 22, 2022.

Frances Nunziata,
Speaker

John D. Elvidge,
City Clerk

(Seal of the City)

AMENDMENT 540 TO THE OFFICIAL PLAN OF THE CITY OF TORONTO

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 8, Major Transit Station Areas and Protected Major Transit Station Areas, is amended by:
 - a. adding a Site and Area Specific Policy 614 as included in Schedule "1";
 - b. adding a Site and Area Specific Policy 615 as included in Schedule "2";
 - c. adding a Site and Area Specific Policy 616 as included in Schedule "3";
 - d. adding a Site and Area Specific Policy 617 as included in Schedule "4";
 - e. adding a Site and Area Specific Policy 618 as included in Schedule "5";
 - f. adding a Site and Area Specific Policy 619 as included in Schedule "6";
 - g. adding a Site and Area Specific Policy 620 as included in Schedule "7";
 - h. adding a Site and Area Specific Policy 621 as included in Schedule "8";
 - i. adding a Site and Area Specific Policy 622 as included in Schedule "9";
 - j. adding a Site and Area Specific Policy 623 as included in Schedule "10";
 - k. adding a Site and Area Specific Policy 649 as included in Schedule "11";
 - l. adding a Site and Area Specific Policy 650 as included in Schedule "12";
 - m. adding a Site and Area Specific Policy 651 as included in Schedule "13";
 - n. adding a Site and Area Specific Policy 652 as included in Schedule "14";
 - o. adding a Site and Area Specific Policy 653 as included in Schedule "15";
 - p. adding a Site and Area Specific Policy 654 as included in Schedule "16";
 - q. adding a Site and Area Specific Policy 655 as included in Schedule "17";
 - r. adding a Site and Area Specific Policy 656 as included in Schedule "18";
 - s. adding a Site and Area Specific Policy 657 as included in Schedule "19";
 - t. adding a Site and Area Specific Policy 658 as included in Schedule "20";
 - u. adding a Site and Area Specific Policy 659 as included in Schedule "21";

- v. adding a Site and Area Specific Policy 660 as included in Schedule "22";
 - w. adding a Site and Area Specific Policy 661 as included in Schedule "23".
2. Chapter 8, Major Transit Station Areas and Protected Major Transit Station Areas, is amended by adding the following Site and Area Specific Policies to the "Table of Contents", in alphabetical order:

Site and Area Specific Policy Number	Protected Major Transit Station Area/ Major Transit Station Area
661	Bathurst
655	Bloor GO
656	Bloor-Lansdowne GO
614	Broadview
649	Castle Frank
615	Chester
660	Christie
619	Coxwell
623	Danforth GO
617	Donlands
658	Dufferin
654	Dundas West
618	Greenwood
652	High Park
650	Jane
653	Keele
657	Lansdowne
621	Main Street
659	Ossington

Site and Area Specific Policy Number	Protected Major Transit Station Area/ Major Transit Station Area
616	Pape
651	Runnymede
622	Victoria Park
620	Woodbine

Schedule "2" to Amendment 540

SASP 615. Protected Major Transit Station Area – Chester Station

a) Protected Major Transit Station Area Delineation

The area surrounding and including the existing Chester Subway Station is a Protected Major Transit Station Area shown as the Chester Protected Major Transit Station Area on Map 1.

b) Residents and Jobs per Hectare

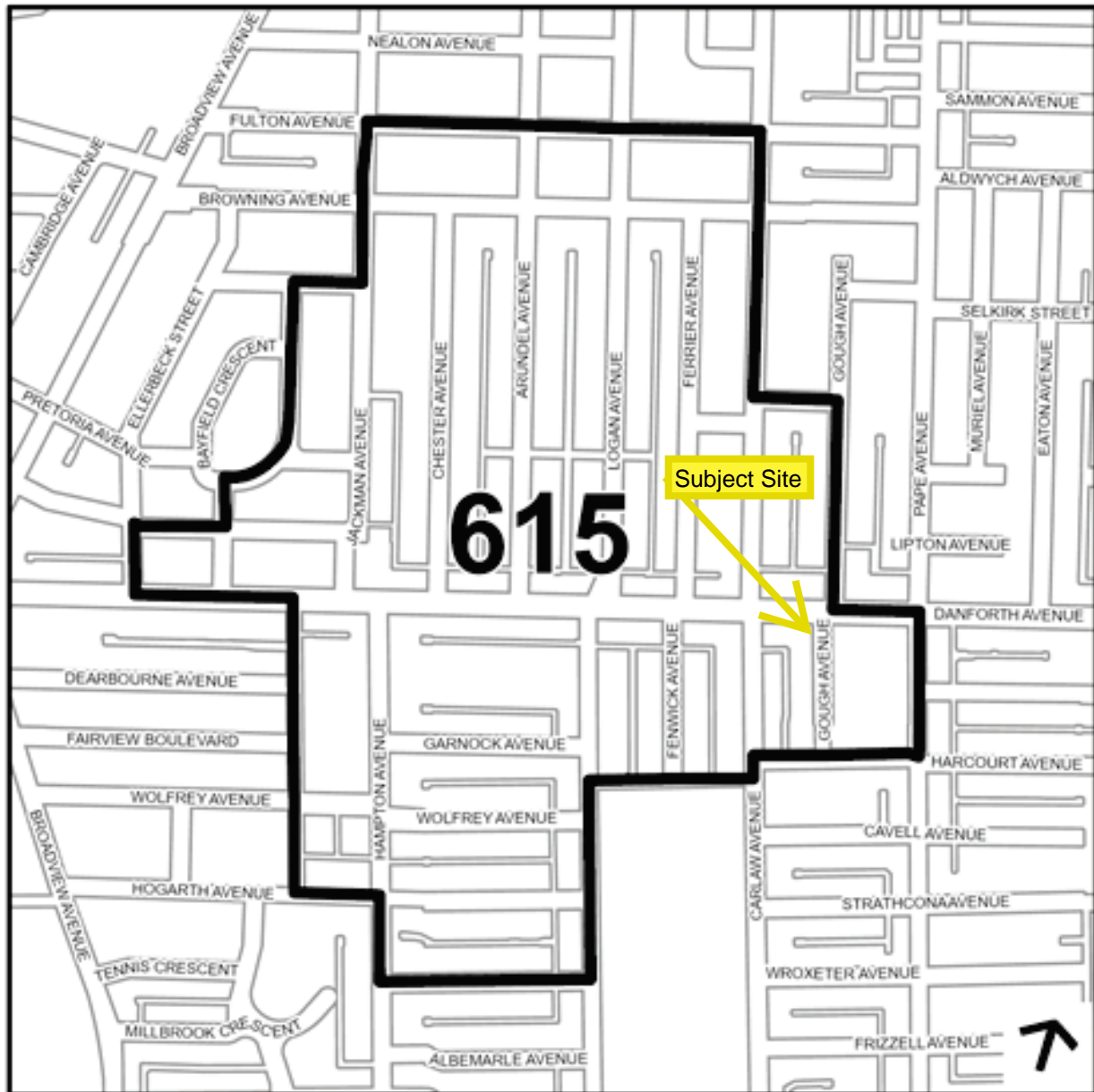
Existing and permitted development within the Protected Major Transit Station Area – Chester Station is planned for a minimum population and employment target of 200 residents and jobs combined per hectare.

c) Authorized Uses of Land

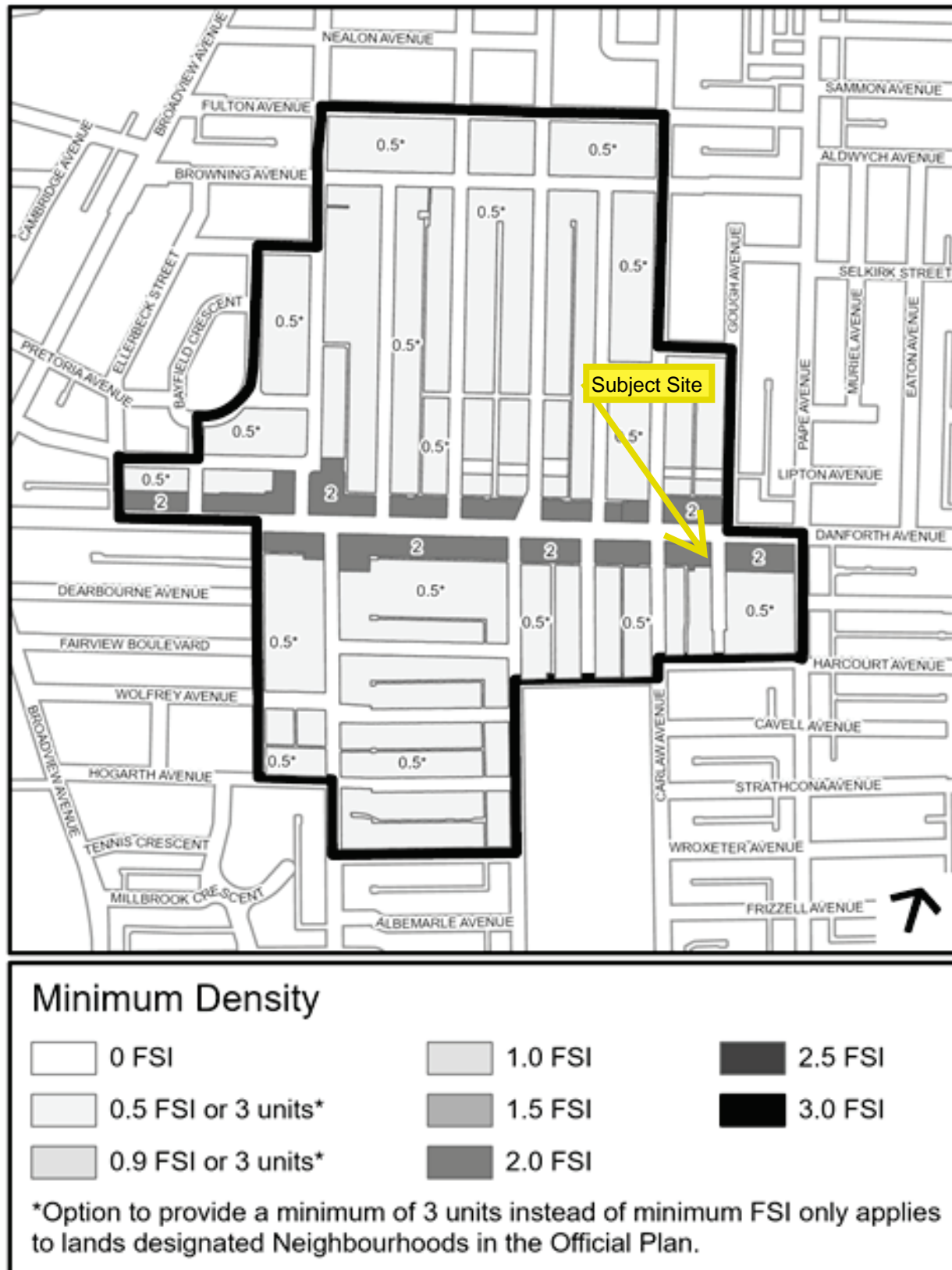
The authorized uses of land are as identified by the land use designations on Maps 17 and 18 and associated land use permissions in Chapter 4 of the Official Plan, applicable Secondary Plans and Site and Area Specific policies.

d) Minimum Densities

Minimum density requirements are shown on Map 2, represented in Floor Space Index and/or minimum units per site.

Map 1 – Chester Protected Major Transit Station Area

Map 2 – Minimum Densities, Chester Protected Major Transit Station Area



Schedule "3" to Amendment 540

SASP 616. Protected Major Transit Station Area – Pape Station

a) Protected Major Transit Station Area Delineation

The area surrounding and including the existing Pape Subway Station is a Protected Major Transit Station Area shown as the Pape Protected Major Transit Station Area on Map 1.

b) Residents and Jobs per Hectare

Existing and permitted development within the Protected Major Transit Station Area - Pape Station is planned for a minimum population and employment target of 200 residents and jobs combined per hectare.

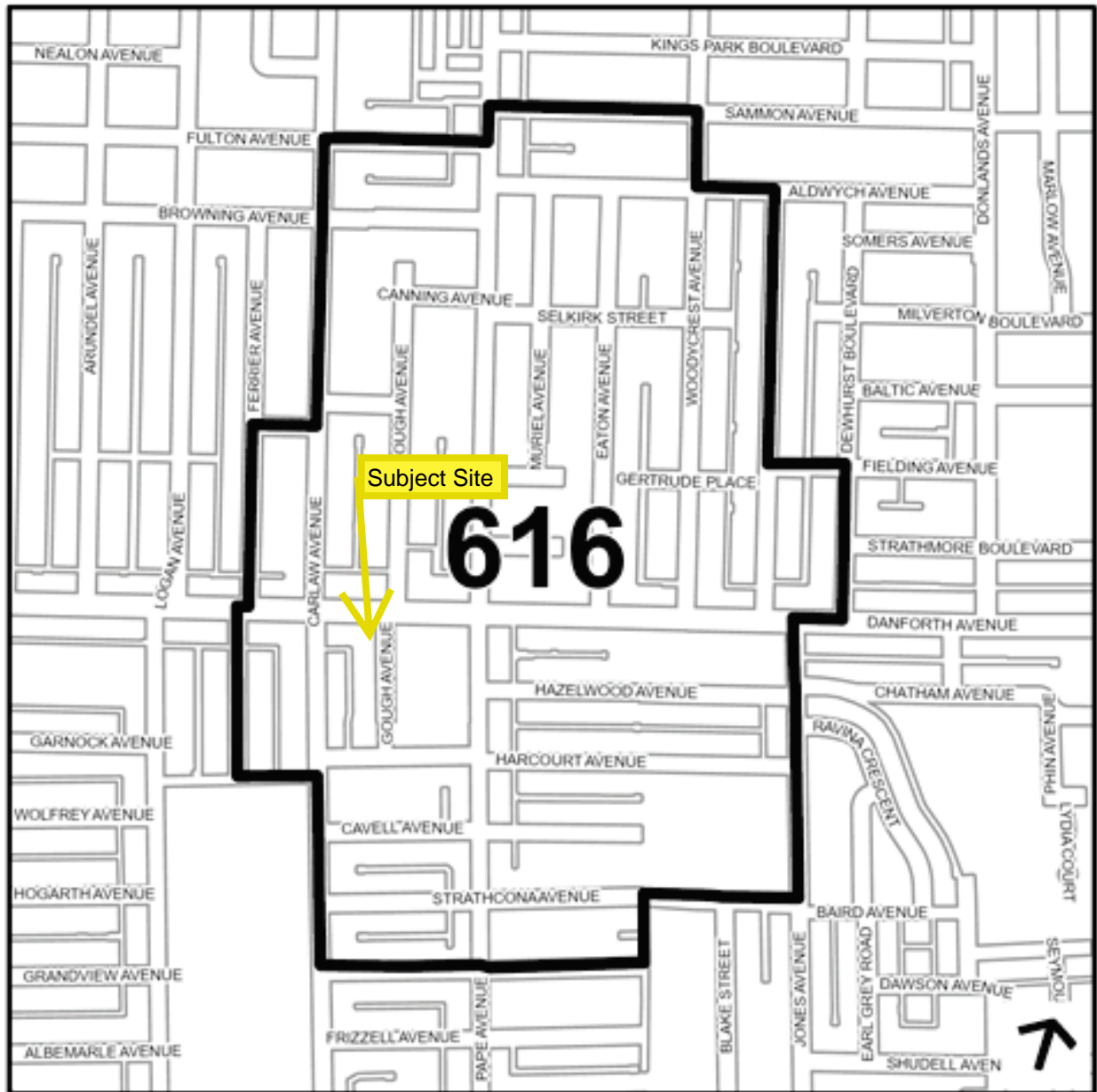
c) Authorized Uses of Land

The authorized uses of land are as identified by the land use designations on Maps 17, 18, 20, and 21 and associated land use permissions in Chapter 4 of the Official Plan, applicable Secondary Plans and Site and Area Specific policies.

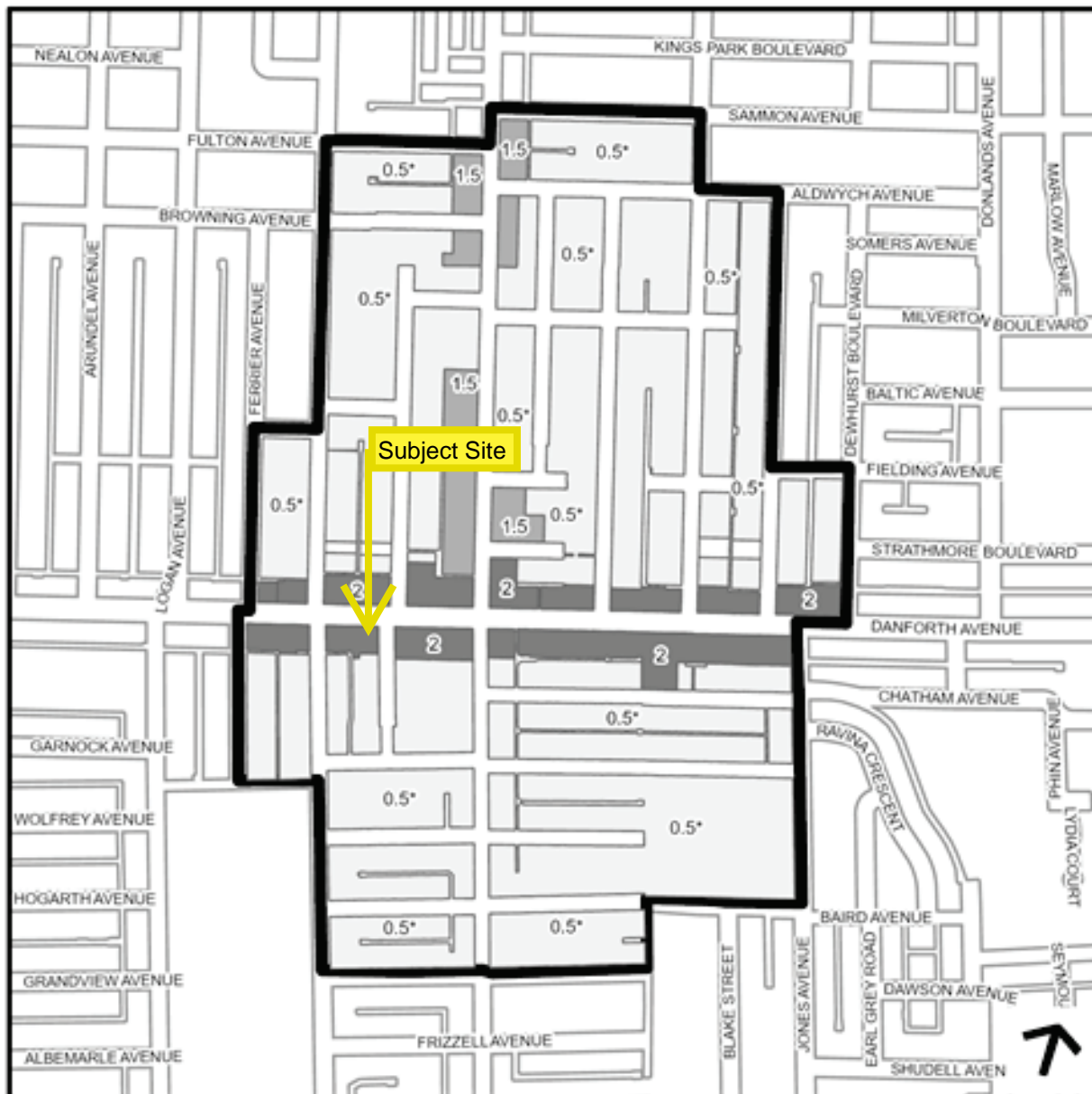
d) Minimum Densities

Minimum density requirements are shown on Map 2, represented in Floor Space Index and/or minimum units per site.

Map 1 – Pape Protected Major Transit Station Area



Map 2 – Minimum Densities, Pape Protected Major Transit Station Area



Minimum Density

 0 FSI	 1.0 FSI	 2.5 FSI
 0.5 FSI or 3 units*	 1.5 FSI	 3.0 FSI
 0.9 FSI or 3 units*	 2.0 FSI	

*Option to provide a minimum of 3 units instead of minimum FSI only applies to lands designated Neighbourhoods in the Official Plan.

APPENDIX “B”



PAPE STATION

295 m



Subject Site

APPENDIX “C”

Toronto Official Plan

Map 17 Land Use Plan

February 2019

Land Use Designations

- Neighbourhoods
- Apartment Neighbourhoods
- Mixed Use Areas
- Natural Areas
- Parks
- Other Open Space Areas (Including Golf Courses, Cemeteries, Public Utilities)
- Institutional Areas
- Regeneration Areas
- General Employment Areas
- Core Employment Areas
- Utility Corridors



Subject Site

APPENDIX “D”

R (d0.6) (x312)

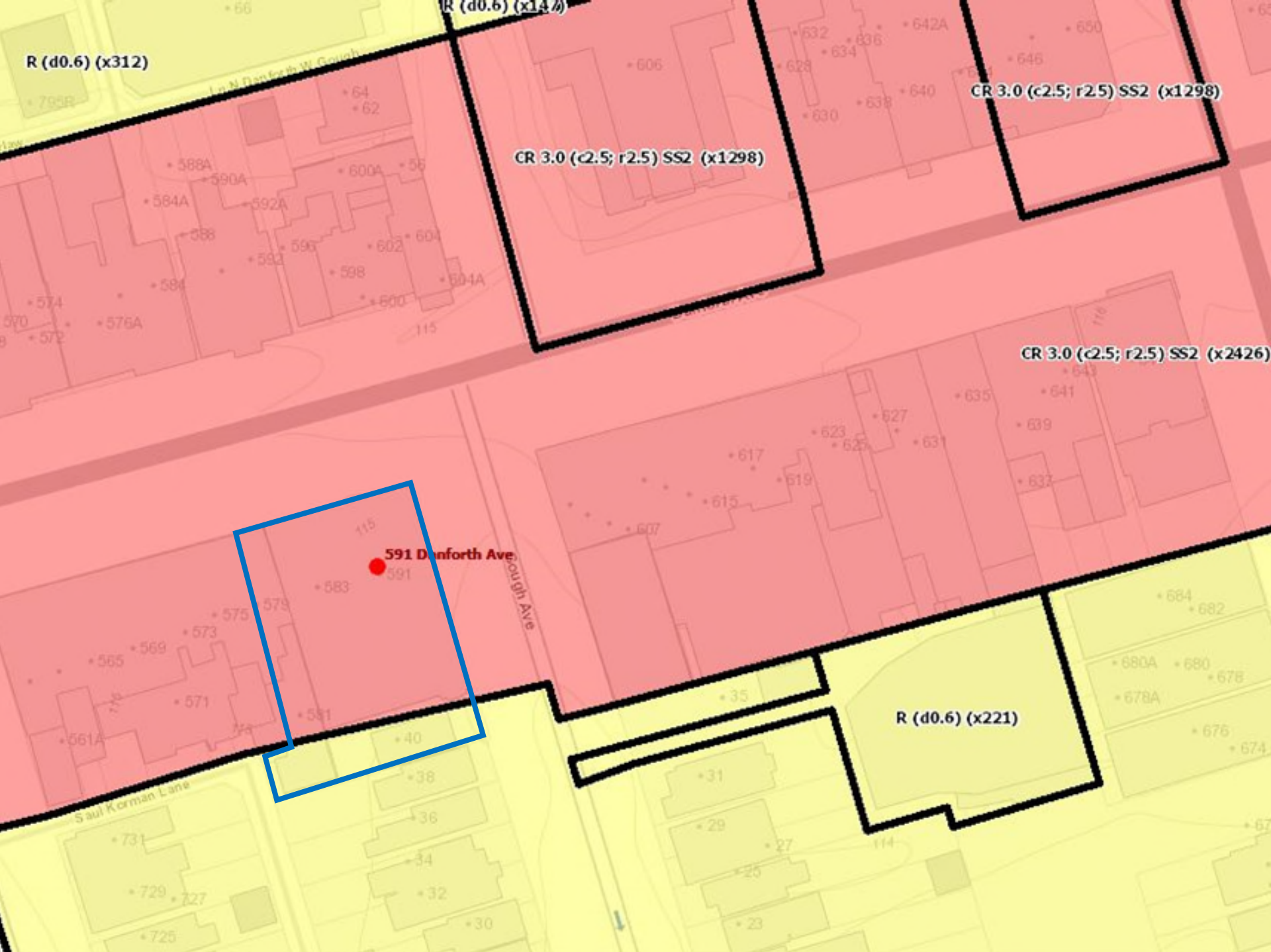
CR 3.0 (c2.5; r2.5) SS2 (x1298)

CR 3.0 (c2.5; r2.5) SS2 (x1298)

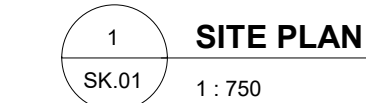
CR 3.0 (c2.5; r2.5) SS2 (x2426)

R (d0.6) (x221)

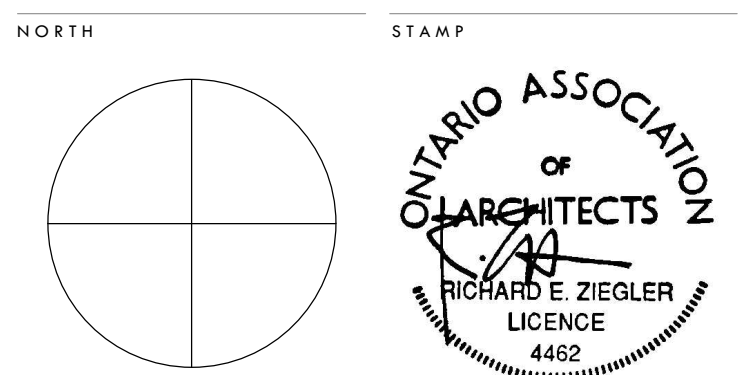
591 Danforth Ave.



APPENDIX “E”



NO.	ISSUANCE	DATE
THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND REPORT ALL ERRORS AND OMISSIONS TO THE ARCHITECT. DO NOT SCALE THE DRAWINGS. DO NOT USE THIS DRAWING FOR CONSTRUCTION UNLESS SIGNED AND SEALED BY THE ARCHITECT.		



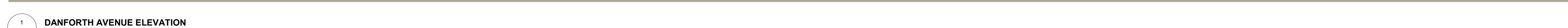
579 - 591 DANFORTH AVE

579 - 591 DANFORTH AVENUE & 40 GOUGH AVE
TORONTO, ON M4K 1P9

SITE CONTEXT PLAN

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CHECKED	REZ	
SHEET		REVISION

SK.01

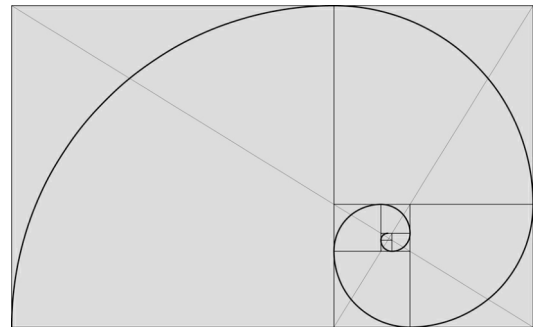


A north arrow pointing towards the top left of the page, labeled "NORTH". To its right is a circular stamp from the "ONTARIO ASSOCIATION OF ARCHITECTS". The stamp includes the text "RICHARD E. ZIEGLER", "LICENCE", and "4462". A signature is written across the stamp.

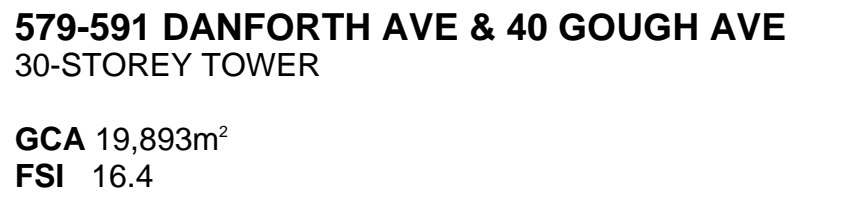
579 - 591 DANFORTH AVENUE & 40 GOUGH AVE
TORONTO, ON M4K 1P9

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CHECKED	REZ	
SHEET	REVISION	

SK.03



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561-575 DANFORTH AVE
6-STOREY MID-RISE

GCA 5,524m²
FSI 4.7

603-649 DANFORTH AVE
35 & 40-STOrey TOWERS
GCA 60,022m²
FSI 15.5

654-668 DANFORTH AVE
49-STOREY TOWER
(PROPOSAL BY OTHERS)

GFA 34,434m²
FSI 20.6

579 - 591 DANFORTH AVENUE & 40 GOUGH AVE
TORONTO, ON M4K 1P9

SCALE		PROJECT NUMBER
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CHECKED	REZ	
SHEET		REVISION

SK.04