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June 14, 2018

Via Email and Courier

Without Prejudice

City of Toronto
c/o Legal Department
Metro Hall, 26th Floor
55 John Street
Toronto ON M5V 3C6

Attention: Kelly Matsumoto

Dear Sirs/Mesdames:

Re: OMB Case No. PL160771
Proposed Official Plan Amendment No. 320 (“OPA 320”)
“Apartment Neighbourhoods etc. Stream”

We are counsel to the Building Industry and Land Development Association and to Minto Properties Inc. with respect to the above-captioned matter.

Further to the extensive private mediation and subsequent LPAT-assisted mediation in the above-captioned matter, our clients would be prepared to settle such upon the City's agreement to jointly request the LPAT (i.e. Local Planning Appeals Tribunal) to approve OPA 320, as set out in the attachments hereto, including the modifications thereto so described, subject to site specific deferrals as have been identified in this proceeding. It is further a condition of this offer that the City would defend, at any LPAT or court proceeding as may be relevant, the approval of OPA 320 as so modified as against any objector thereto.

Please note that as they are party to the above proceeding we have forwarded this letter with attachments to counsel for each of CAPREIT Limited Partnership, 20 Stonehill Inc., 25 St. Dennis Inc., 90 Eastdale Inc., 2 Secord Inc., Toronto District School Board and Starlight Group Property Holdings Inc., which letter and attachments remain privileged and which you have agreed remains privileged.

We look forward to hearing from you. Should you have any questions, please do not hesitate to contact us.

Yours truly,

A handwritten signature in blue ink, appearing to read "John A.R. Dawson", with a long, sweeping horizontal line extending to the right.

John A.R. Dawson

JAD

Cc: J. Shapira
M. Flowers
A. Platt
D. Jubb

PROPOSED MODIFICATIONS TO OPA 320

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Chapter Two

2.3.1 HEALTHY NEIGHBOURHOODS

The diversity of Toronto's neighbourhoods, in terms of scale, amenities, local culture, retail services and demographic make-up, offers **options within** communities to match every stage of life. Our neighbourhoods are where we connect with people to develop a common sense of community. They are also an important asset in attracting new business to the City and new workers for growing businesses. Whether these neighbourhoods are low scale or predominantly apartments, the goals found here apply equally to all neighbourhoods and are to be considered in concert with the policies found in Chapter Four.

By focusing most new residential development in the ***Downtown, the Centres***, along the *Avenues*, and in other strategic locations, we can preserve the shape and feel of our neighbourhoods. However, these neighbourhoods will not stay frozen in time. The neighbourhoods where we grew up and now raise our children help shape the adults and the society we become. Some physical change will occur over time as enhancements, additions and infill housing occurs on individual sites. A cornerstone policy is to ensure that new development in our neighbourhoods respects the existing physical character of the area, reinforcing the stability of the neighbourhood.

Established neighbourhoods will benefit from directing growth to the *[Downtown, the Centres](#)* and the *Avenues* by enjoying better transit service, greater housing choices, increased shopping opportunities, an improved pedestrian environment and other advantages that these growth areas provide. Accessibility to transit service varies considerably across the City, creating challenges to meeting the objective of reducing reliance on the private automobile. Transit accessibility for our neighbourhoods can be improved by investing in transit service along the *Avenues* as well as along the major streets that serve the neighbourhoods. At the boundary points between the neighbourhoods and the growth areas, development in the [growth areas](#)~~mixed-use area~~ will have to demonstrate a transition in height, scale and intensity as necessary to ensure that the stability and general amenity of the adjacent [neighbourhood](#)~~residential~~ areas are not adversely affected.

We can work together in our neighbourhoods to create a healthier Toronto by reducing waste, better managing stormwater runoff, greening our communities, reducing harmful emissions and conserving energy and water. We must also work to ensure that our community services are improved to reflect the changing faces of our communities as Toronto evolves socially and demographically.

When we think of our neighbourhoods we think of more than our homes. Our trees, parks, schools, libraries, community centres, child care centres, places of worship and local stores are all important parts of our daily lives. Increasingly, people work in their neighbourhoods, both in home offices and in local stores and services.

All communities should benefit from and share the rewards and advantages of living in Toronto. Some neighbourhoods need to be strengthened to ensure a better quality of life for their residents. There may be gaps in community-based facilities and services.

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Some buildings may need to be upgraded, the neighbourhood may be poorly integrated with its surroundings, or residents may face hardship, social vulnerability or difficulty in accessing essentials such as healthy foods. Strategies and specific measures may be needed to revitalize and improve these neighbourhoods to address such issues. ~~Gardens for growing food are encouraged on underutilized lands, particularly in Apartment Neighbourhoods.~~

Each revitalization strategy may address factors such as improving community-based services, developing new parks, **promoting walking and cycling by** improving streets, sidewalks, bikeways and pathways or building community capacity to enhance the broader social infrastructure. Strategies to improve these priority neighbourhoods will vary with local conditions. Some may be led by the City while others may be community-led. To support these efforts the neighbourhood may be designated a Community Improvement Area. Gardens for growing food are encouraged on underutilized lands, particularly in Apartment Neighbourhoods.

Toronto has over a thousand older apartment buildings, many of which are in need of physical renewal, greening and in some instances, social transformation. The City has established the Tower Renewal Program to encourage the retrofit of these older apartment buildings and improve the quality of life of their residents.

Most of Toronto's existing apartment buildings are located within built up *Apartment Neighbourhoods* ~~which are stable areas where only limited infill development is anticipated~~ significant growth is not anticipated on a city-wide basis. ~~Usually~~ Often, apartment building(s) together with ancillary outdoor recreation facilities, pedestrian walkways, parking lots, service areas and landscape space take up/occupy the entire site. In some areas these sites are located in ~~close~~ proximity to each other and form clusters or larger apartment neighbourhoods. There may be sites within *Apartment Neighbourhoods* that contain space that is not well-utilized by the residents of existing apartment buildings. In some instances these sites could be improved through the addition of infill development that will ~~enhance existing site conditions~~ provide additional housing options, including new rental housing while and maintain ing and/or improve ing on-site amenities and conditions for both new and existing residents. In other instances, redevelopment of vacant or underutilized sites in Apartment Neighbourhoods that meets the Plan's policies can create new housing options in Toronto.

Policies

1. *Neighbourhoods* are **low rise and low density residential areas** that are considered to be physically stable. Development in *Neighbourhoods* will be consistent with this objective and will respect and reinforce the existing physical character of buildings, streetscapes and open space patterns in these areas.

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- Apartment Neighbourhoods* are residential areas with taller buildings and higher density than *Neighbourhoods* and are considered to be physically stable. Development in *Apartment Neighbourhoods* will be consistent with this objective and will respect the criteria contained in ~~Polieies-Section 4.2.2~~ and other relevant sections of this Plan. ~~However, on~~ While Apartment Neighbourhoods are not areas of significant growth on a city-wide basis, there are sites containing one or more existing apartment building(s) where sensitive-compatible infill development ~~that improves existing site conditions~~ may take place. This compatible infill development may take place where there is sufficient space on a site to accommodate additional buildings or building additions while providing a good quality of life for both new and existing ~~tenants;~~ residents and improving site conditions ~~including by~~ maintaining or substantially replacing and improving indoor and outdoor amenity space; ~~and improving~~ landscaped open space; ~~maintaining~~ adequate sunlight and privacy for residential units; ~~and maintaining sunlight~~ adequately limiting shadowing on outdoor amenity space and landscaped open space; ~~provided s~~ Such infill is in will be in accordance with the criteria in ~~Polieies-Section 4.1.10, 4.2.3~~ and other policies of this Plan. *Apartment Neighbourhoods* contain valuable rental ~~housing~~ apartment buildings that often need physical and social renewal and transformation to achieve an improved living environment.
- Developments in *Mixed Use Areas*, *Regeneration Areas* and *Apartment Neighbourhoods* that are adjacent or close to *Neighbourhoods* will:

 - be compatible with those *Neighbourhoods*;
 - provide a gradual transition of scale and density, as necessary to achieve the objectives of this Plan through the stepping down of buildings towards and setbacks from those *Neighbourhoods*;
 - maintain adequate light and privacy for residents in those *Neighbourhoods*;
 - orient and screen lighting and amenity areas so as to minimize impacts on adjacent ~~properties-land~~ in those *Neighbourhoods*;
 - locate and screen service areas, any surface parking and access to underground and structured parking, ~~locate any surface parking~~ so as to minimize impacts on adjacent ~~properties-land~~ in those *Neighbourhoods*, and enclose service and access areas where distancing and screening do not sufficiently mitigate visual, ~~and noise~~ and odour impacts upon adjacent ~~properties-land~~ in those *Neighbourhoods*; and
 - attenuate resulting traffic and parking impacts on adjacent neighbourhood streets so as not to significantly diminish the residential amenity of those *Neighbourhoods*.
- Intensification of land adjacent to neighbourhoods will be carefully controlled so that neighbourhoods are protected from negative impact. Where significant intensification of land adjacent to a *Neighbourhood* or *Apartment Neighbourhood* is proposed, Council will determine, at the earliest point in the process, whether or not a Secondary Plan, area specific zoning by-law or area specific policy will be created in consultation with the local community following an *Avenue Study*, or area based study.

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5. The functioning of the local network of streets in *Neighbourhoods* and *Apartment Neighbourhoods* will be improved by:
 - a) maintaining roads and sidewalks in a state of good repair;
 - b) investing in the improvement of bus and streetcar services for neighbourhood residents;
 - c) minimizing through traffic on local streets;
 - d) discouraging parking on local streets for non-residential purposes; **and**
 - e) **providing new streets that extend the local street network into larger sites, where the new streets would provide access and frontage for existing and future development, improve pedestrian and bicycle circulation and improve the prominence, visibility and safe access to parks, open spaces, transit, schools and pedestrian destinations.**
6. Environmental sustainability will be promoted in *Neighbourhoods* and *Apartment Neighbourhoods* by investing in naturalization and landscaping improvements, tree planting and preservation, sustainable technologies for stormwater management and energy efficiency and programs for reducing waste and conserving water and energy.
7. Community and neighbourhood amenities will be enhanced where needed by:
 - a) improving and expanding existing parks, recreation facilities, libraries, local institutions, local bus and streetcar services and other community services;
 - b) creating new community facilities and local institutions, and adapting existing services to changes in the social, health and recreational needs of the neighbourhood; **and**
 - c) **encouraging and developing partnerships to better utilize common indoor and outdoor amenity areas for the use of residents in apartment properties to supplement public facilities.**
8. In priority neighbourhoods, revitalization strategies will be prepared through resident and stakeholder partnerships to address such matters as:
 - a) improving local parks, transit, community services and facilities;
 - b) improving the public realm, streets and sidewalks;
 - c) identifying opportunities to improve the quality of the existing stock of housing or building a range of new housing;
 - d) identifying priorities for capital and operational funding needed to support the strategy; and
 - e) identifying potential partnerships and mechanisms for stimulating investment in the neighbourhood and supporting the revitalization strategy.

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9. The owners of existing apartment buildings will be encouraged to renovate and retrofit older apartment buildings in order to:

- achieve greater conservation of energy and reduce greenhouse gas emissions;
- achieve greater conservation of water resources;
- improve waste diversion practices;
- improve safety and security;
- improve building operations;
- improve indoor and outdoor facilities for social, educational and recreational activities; and
- improve pedestrian access to the buildings from public sidewalks and through the site as appropriate.

Sidebar:

Tower Renewal

Toronto is home to approximately 1,200 high-rise apartment buildings, largely constructed in the three decades following World War II, which house over 500,000 renters. Many were originally constructed as 'tower in the park' communities with ample open space and surface parking areas. By the early years of this century, many of these towers were in need of physical reinvestment and a number of their residents were experiencing economic and social challenges.

The City has established the Tower Renewal Program as an agent of change to drive the implementation of environmental, social, economic and cultural improvements to transform these tower sites and neighbourhoods. The City has created programs to support apartment building owners in implementing retrofits, programming and investments to improve the lives of tower residents. The Provincial and Federal governments are following suit in these efforts. The City has also enacted a special RAC zone applicable to almost 500 of these residential tower sites in order to permit new small-scale non-residential uses to serve area residents in these locations, such as food markets, small businesses and community facilities.

Tower Renewal works collaboratively within the City (e.g. City Planning, TCHC and Environment and Energy) and with external parties (e.g. United Way, Centre for Urban Growth & Renewal and Toronto Foundation) to achieve change in these tower neighbourhoods.

[Policy approved by OMB Order dated Dec-13-17]

- Small-scale commercial, community and institutional uses are encouraged at grade in apartment buildings and on apartment building properties on major streets shown on Map 3 in *Neighbourhoods*, and in *Apartment Neighbourhoods*, to better serve area residents, particularly in areas where residents do not have convenient walking access to a wide range of goods, services and community facilities.

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11. Gardens for growing food **are encouraged** on ~~underutilized~~ portions of open space in sites within *Apartment Neighbourhoods* ~~are encouraged~~, particularly in areas where residents do not have convenient walking access to sources of fresh food.

[Policy approved by OMB Order dated Dec-13-17]

12. Mobile vendors of fresh food are encouraged within *Apartment Neighbourhoods* in areas where residents do not have convenient walking access to sources of fresh food.

Chapter Three

3. BUILDING A SUCCESSFUL CITY

Building a successful city means making choices that improve our quality of life. As our City grows and matures, we can create a more beautiful environment, healthy and vibrant communities and greater prosperity. **All our communities will be planned to support Toronto's diverse households with safe and appropriate housing, services, environments and streets where we can raise and care for children and others we care for, earn a living and transition from one phase in life to another.** We must meet the needs of today without compromising the ability of future generations to meet their needs.

...

3.2.1 HOUSING

Adequate and affordable housing is a basic requirement for everyone. Where we live and our housing security contribute to our well-being and connect us to our community. Current and future residents must be able to access and maintain adequate, affordable and appropriate housing. The City's quality of life, economic competitiveness, social cohesion, as well as its balance and diversity depend on it.

Specific policies are needed when a particular kind of housing, whether it be type, tenure or level of affordability, is not sufficiently supplied by the market to meet demand or maintain diversity in the housing stock. Housing gains are needed through new supply and, where new supply is inadequate, existing housing must be maintained.

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The current production of ownership housing, especially condominium apartments, is in abundant supply. What is needed is a healthier balance among high rise ownership housing and other forms of housing, including purpose-built rental housing, affordable rental housing and affordable low-rise ownership housing for ~~large~~**larger** households with children and multi-family households. Policies, incentives and assistance are needed in order to respond to the City's unmet housing needs, especially mid-range and affordable rental housing. More than half of Toronto households rent, yet **little new affordable** rental housing is being built ~~in quantity~~.

We need to address four areas:

- **Stimulating production of new private sector rental housing supply**
All levels of government need to do all they can to create a business environment in which private rental housing, especially at affordable and mid-range rents, is an attractive investment. This includes federal and provincial tax reform as well as the provision of municipal incentives.
- **Preserving what we have**
As long as there is ~~no~~**insufficient** new supply to meet the demand for rental housing, our existing stock of affordable rental housing is an asset that must be preserved. In this sense, rental housing is not unlike our heritage buildings - we need to do all we can to prevent **the loss or deterioration of the units**.
- **Making efficient and effective use of the City's own housing resources to achieve a range of housing objectives**
The private sector cannot meet the housing needs of our most vulnerable populations or those in need of rent-geared-to income housing. Our social housing stock is aging and making better use of these resources will present both challenges and opportunities in the coming decades.
- **Working in partnership to take advantage of emerging opportunities**
Addressing many of the City's housing challenges will require working in partnership with the other levels of government as well as the private and non-profit sectors. We must be positioned to take advantage of key opportunities, especially senior government housing supply programs, to encourage new affordable and social housing production.

Policies

1. A full range of housing, in terms of form, tenure and affordability, across the City and within neighbourhoods, will be provided and maintained to meet the current and future needs of residents. A full range of housing includes: ownership and rental housing, affordable and mid-range rental and ownership housing, social housing, shared and/or congregate-living housing arrangements, supportive housing, emergency and transitional housing for homeless people and at-risk groups, housing that meets the needs of people with physical disabilities and housing that makes more efficient use of the existing housing stock.

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2. The existing stock of housing will be maintained, **improved** and replenished. **The City will encourage the renovation and retrofitting of older residential apartment buildings.** New housing supply will be encouraged through intensification and infill that is consistent with this Plan.
3. Investment in new rental housing, particularly affordable rental housing, will be encouraged by a co-ordinated effort from all levels of government through implementation of a range of strategies, including effective taxation, regulatory, administrative policies and incentives.
4. Where appropriate, assistance will be provided to encourage the production of affordable housing either by the City itself or in combination with senior government programs and initiatives, or by senior governments alone. Municipal assistance may include:
 - a) in the case of affordable rental housing and in order to achieve a range of affordability, measures such as: loans and grants, land at or below market rates, fees and property tax exemptions, rent supplement and other appropriate assistance; and
 - b) in the case of affordable ownership housing provided on a long term basis by non-profit groups, especially affordable low rise family housing, measures such as: land at or below market rate, fees exemption and other appropriate forms of assistance; and
 - c) with priority given to non-profit and non-profit co-operative housing providers.
5. Significant new development on sites containing six or more rental units, where existing rental units will be kept in the new development:
 - a) will secure as rental housing, the existing rental housing units which have affordable rents and mid-range rents; and
 - b) **should** secure ~~any~~-needed improvements and renovations to the existing rental housing ~~units and associated amenities~~ **to extend the life of the building(s) that are to remain and to improve amenities**, without pass-through costs to tenants. **These improvements and renovations should be a City priority under Section 5.1.1 of this Plan where no alternative programs are in place to offer financial assistance for this work.**

(Other policies in this section remain unchanged)

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Chapter Four

4.2 APARTMENT NEIGHBOURHOODS

Rental apartment and condominium buildings already contained almost half of the dwelling units in Toronto at the millennium. Many of these buildings are clustered in areas already developed as apartment neighbourhoods. In these established *Apartment Neighbourhoods*, improving amenities, accommodating sensitive infill, where it can improve the quality of life and promoting environmental sustainability are key considerations. Residents in *Apartment Neighbourhoods* should have a high quality urban environment, safety, quality services and residential amenities.

Apartment Neighbourhoods are distinguished from low-rise *Neighbourhoods* because a greater scale of buildings is permitted and different scale-related criteria are needed to guide development. **While** **B**uilt up *Apartment Neighbourhoods* are stable areas of the City where significant growth is **generally** not anticipated **on a city-wide basis**, ~~There may, however, be~~ opportunities **exist** for additional townhouses or apartments on underutilized sites, **including new rental housing**, ~~and~~ **T**his Plan sets out criteria to evaluate these situations.

On smaller sites infill opportunities in *Apartment Neighbourhoods* can be as simple as a building addition or a new building on an underutilized part of the lot, such as a surface parking lot. On larger sites, ~~determining an infill building site~~ **opportunities may require planning for new and extended public realm including new streets or shared driveways, and **may require** preserving significant existing landscape and recreation features as part of integrating older apartments with new development in a manner that improves the quality of life for all.**

Development in *Apartment Neighbourhoods* may also include redevelopment of underutilized or vacant sites. This Plan sets out criteria to evaluate these situations.

Policies

1. *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities, and small-scale retail, service and office uses that serve the needs of area residents. All land uses provided for in the *Neighbourhoods* designation are also permitted in *Apartment Neighbourhoods*.

Development Criteria in Apartment Neighbourhoods

2. Development in *Apartment Neighbourhoods* will contribute to the quality of life by:
 - a) locating and massing new buildings to provide a transition between areas of different development intensity and scale, as necessary to achieve the objectives of this Plan, through means such as providing setbacks from, and/or a stepping down of heights towards, lower-scale *Neighbourhoods*;

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- locating and massing new buildings so as to adequately limit shadow impacts on properties in adjacent lower-scale *Neighbourhoods*, particularly during the spring and fall equinoxes;
- locating and massing new buildings to frame the edge of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open spaces;
- including sufficient off-street motor vehicle and bicycle parking for residents and visitors;
- locating and screening service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences;
- providing indoor and outdoor recreation space for building residents in every significant multi-unit residential development;
- providing ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces; and
- providing buildings that conform to the principles of universal design, and wherever possible contain units that are accessible or adaptable for persons with physical disabilities.

- Although** ~~Significant~~ growth is not intended within developed *Apartment Neighbourhoods* **on a city-wide basis**, ~~However~~, compatible infill development may be permitted on a site **within a developed *Apartment Neighbourhood* with one or more existing apartment buildings for the purpose of improving which improves** the existing site conditions by **means such as**:

- ~~locating new buildings to proportionally frame the edge of new and existing streets, parks and landscaped open spaces;~~
- ~~consolidating, and if necessary, relocating parking and servicing areas where they are not visible from streets, parks and landscaped open spaces;~~
- ~~providing grade-related dwellings at the edge of public streets, parks and landscaped open spaces; and~~
- ~~improving upon the quality of landscaped open space and outdoor amenity space for new and existing residents.~~

- ~~Compatible infill development may be permitted on a site containing one or more existing apartment buildings that has sufficient underutilized space to accommodate one or more new building(s) while improving site conditions and providing good quality of life for both new and existing residents including: maintaining or replacing and improving indoor and outdoor amenity space and landscaped open space, maintaining adequate sunlight and privacy for residential units, maintaining sunlight on outdoor amenity space and landscaped open space, and improving pedestrian access to the buildings from public sidewalks and through the site. Infill development, including additions to an existing apartment building, that may be permitted on a site containing one or more existing apartment building(s) will:~~

- meeting the development criteria set out in Section 4.2.2;
- respecting being compatible with** the scale, including height and massing, of the existing apartment building(s) on and adjacent to the site, ~~and not create high-rise additions to existing apartment building(s) on the site;~~

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- c) ~~maintain~~ **providing** separation distances between buildings on and adjacent to the site so as to achieve adequate sunlight and privacy;
- d) **maintaining** or **replacing** and **improving** indoor and outdoor residential amenities on the site, including, ~~wherever possible~~ **achievable**, equipping and managing indoor and outdoor amenity space to encourage use by residents;
- e) **improving upon the quality of landscaped open space and outdoor amenity space for new and existing residents, including the** ~~preservation~~ **and/or replacement of important significant** landscape features and walkways and **creating** such features where they did not previously exist;
- f) ~~providing~~ **adequate on-site, below grade, structured** shared vehicular parking for both new and existing development; ~~with any surface parking and access to underground parking appropriately screened from the public realm and adjacent residences;~~
- g) ~~consolidating, and if necessary where achievable, relocating parking and servicing areas where they are not visible from streets, parks and landscaped open spaces;~~
- h) **placing parking ramps within the building where possible achievable;**
- e)i) **providing** all residents, including existing residents with access to the community benefits where additional height and/or density is permitted and community benefits are provided pursuant to Section 5.1.1 of this Plan;
- f)i) **providing** privacy, ~~and~~ **areas of landscaped open space, and maintaining** adequate sunlight to units, ~~on outdoor amenity spaces and on open spaces,~~ for both new and existing residents;
- g)k) ~~organize~~ **development** on the site to frame streets, parks and open spaces ~~in-at~~ **good** proportion, **providing** adequate sky views from the public realm, and **creating** safe and comfortable open spaces;
- h)l) ~~providing~~ **promoting grade-related dwellings at the edge of public streets, parks and landscaped open spaces; and where achievable, that** front onto and provide pedestrian entrances from ~~an adjacent public street wherever possible~~ **those public spaces**, and provide a generous pedestrian realm adjacent to public streets;
- i)m) ~~promote~~ **ing, in-on** the lower floors of midrise and tall apartment buildings, ~~grade~~ **grade-related** units with front gardens, stoops and porches that take direct access from public sidewalks, accessible open spaces and park edges;
- j)n) ~~improving pedestrian access to the buildings from public sidewalks and through the site; provide adequate on-site, below grade, shared vehicular parking for both new and existing development, with any surface parking and access to underground parking appropriately screened from the public realm and adjacent residences;~~
- k) ~~consolidate and integrate loading, servicing and delivery facilities, and parking ramps within the building wherever possible;~~
- o) ~~minimize~~ **ing** curb cuts, ~~encourage shared loading, parking access and ramps;~~
- h)p) **improving** waste storage and waste diversion facilities including enclosure of outdoor waste storage areas, ~~to improve aesthetics, health and safety and waste diversion rates. Waste storage areas should be~~ **and** enclosed **waste storage facilities** within a building, where **possible achievable;**

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- m)q)** ~~provided~~ **needed improvements**, renovations and retrofits **to the existing rental housing**, ~~wherever necessary~~ to extend the life of the existing building(s) ~~to be retained~~ **that are to remain**; and
- n)r)** **encouraging improved** energy and water efficiency in existing buildings through renovations, retrofits and changes to management practices.

Any application for infill development on a site containing one or more existing apartment building(s) will be considered in the context of these **evaluative** criteria, and other relevant policies of this Plan. A discussion of how the development **implements** **addresses** these criteria should be included in ~~the~~ **any** Planning Rationale Report accompanying the application.

4. Infill development may be permitted on a site within a developed Apartment Neighbourhood that creates a horizontal addition to an existing apartment building provided:

- a) the development meets the criteria set out in Section 4.2.2 and is considered in the context of the evaluative criteria in Section 4.2.3;**
- b) the horizontal addition, which should be low-rise or mid-rise in form, will:**
- i) frame and support existing and new streets and parks and open spaces;**
 - ii) promote grade-related dwellings with direct access from adjacent streets or mid-block pedestrian connections;**
 - iii) adequately limit shadows on the site, the adjacent public realm and nearby properties;**
 - iv) improve pedestrian access to the existing residential building;**
 - v) provide improved landscaped open space and amenity space for new and existing residents;**
 - vi) mitigate wind effects and improve the safety and attractiveness of the public realm, the property and surrounding properties; and**
 - vii) provide setbacks from adjacent streets, parks or other public lands that reflect the existing context and are, at a minimum, sufficient in order to maintain privacy, provide space for pedestrian amenities and landscaping, and promote grade-related dwellings at the edge of streets and parks.**

While a horizontal addition should be low-rise or mid-rise in form, an addition in the form of a tall building may also be considered and will also meet the criteria set out in a) and b) above.

PROPOSED MODIFICATIONS TO OPA 320

KEY

- Text Without Bolding = in-force OP introductory text and policies
 - **Bold Text** = OPA 320 revisions to the in-force OP
 - Track Changes (**additions**, **deletions** & **moves**) = proposed modifications
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5. Infill development may be permitted on a site within a developed *Apartment Neighbourhood* that creates an addition on top of an existing apartment building provided the vertical addition:

- a) meets those criteria set out in Section 4.2.2 that can be addressed by the development of a vertical addition only, and will be considered in the context of the evaluative criteria in Section 4.2.3;**
- b) is sufficiently stepped back from the edges of the existing building roof where required in order to minimize the visual bulk of the additional building mass from the street, adjacent parks, open spaces and mid-block pedestrian connections, minimize the loss of skyview and mitigate additional wind effects at ground level;**
- c) does not have projecting balconies that contribute to an undesirable visual bulk, reduce skyview and/or increase wind effects at ground level; and**
- d) creates minimal additional shadows on the public realm and nearby properties.**

5.6. On larger sites which have the opportunity for more than one new building, a framework of additional public streets, shared driveways, new parkland and shared open space may be required to create infill development that meets the objectives of this Plan.