

315-325 Spadina Avenue – Zoning By-law Amendment Application – Final Report

Date: March 26, 2021

To: Toronto and East York Community Council

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

Ward: Ward 11 - University-Rosedale

Planning Application Number: 19 195542 STE 11 OZ

SUMMARY

This Zoning By-law Amendment application proposes to redevelop the lands at 315-325 Spadina Avenue with a 13-storey purpose-built rental apartment building comprised of 893 square metres of retail space on the ground level and 219 rental dwelling units, including 22 affordable rental units, on the second through 13th floors. A total of 224 bicycle parking spaces and 34 vehicle parking spaces are proposed within a one-level underground garage that would be accessed from the rear lane.

The proposed development is consistent with the Provincial Policy Statement (2020) and conforms with *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (2020), and conforms with all relevant policies of the Toronto Official Plan and the Downtown Secondary Plan.

The proposal presents an appropriate built form and public realm that is compatible with the surrounding context. It has been revised since its initial submission to include 22 affordable housing units, and the proposed retail space has been redesigned to provide a better physical fit within the commercial context of Chinatown and respond to the Retail Design Manual. This report reviews and recommends approval of the proposed Zoning By-law Amendments.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend City of Toronto Zoning By-law 569-2013 for the lands at 315-325 Spadina Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to the March 26, 2021 report from the Director, Community Planning, Toronto and East York District.

2. City Council amend Zoning By-law 438-86 for the lands at 315-325 Spadina Avenue substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6 to the March 26, 2021 report from the Director, Community Planning, Toronto and East York District.

3. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.

4. Before introducing the necessary Bills to City Council for enactment, require the owner to enter into an Agreement pursuant to Section 37 of the *Planning Act* as follows:

a) The community benefits recommended to be secured in the Section 37 Agreement are as follows:

i. The owner shall provide and maintain 22 rental dwelling units on the lands at 315-325 Spadina Avenue as affordable rental housing for a minimum period of 25 years or, if Open Door Affordable Housing Program incentives are approved, for a minimum period of 40 years beginning from the date that each such unit is first occupied, in accordance with the terms set out in the Section 37 Agreement, including:

A. The 22 affordable rental dwelling units shall collectively contain a total gross floor area that is ten percent (10%) of the total gross floor area of dwelling units within the development;

B. At least one (1) of the affordable rental dwelling units shall be a three-bedroom or four-bedroom rental unit with a minimum unit size of 103 square metres;

C. At least three (3) of the affordable rental dwelling units shall be two-bedroom rental units with a minimum unit size of 70 square metres, and a minimum average unit size of 73 square metres;

D. At least eleven (11) of the affordable rental dwelling units shall be one-bedroom rental units with a minimum unit size of 53 square metres, and a minimum average unit size of 60 square metres;

E. The remaining seven (7) affordable rental dwelling units shall have a minimum unit size of 46.5 square metres, and a minimum average unit size of 48 square metres;

F. The location and layouts of the new affordable rental dwelling units within the approved development on the lands shall be to the satisfaction of the Chief Planner and Executive Director, City Planning and the Executive Director, Housing Secretariat;

G. The owner shall provide and maintain the affordable rental dwelling units as secured rental housing for a minimum period of 25 years or, if Open Door Affordable Housing Program incentives

are approved, for a minimum period of 40 years beginning from the date that each such unit is first occupied. During such secured rental period, no affordable rental dwelling unit shall be registered as a condominium or any other form of ownership housing that provides a right to exclusive possession of a dwelling unit, including life-lease or co-ownership, and no application shall be made to demolish any affordable rental dwelling unit or to convert any affordable rental dwelling unit to a non-residential rental purpose. Upon the expiration of the secured rental period, the owner shall continue to provide and maintain the units as rental dwelling units, unless and until such time as the owner has applied for, and obtained, all approvals necessary to do otherwise;

H. The initial rent (inclusive of utilities) charged to the first tenants of any affordable rental dwelling unit shall not exceed 80% of the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;

I. If an affordable rental dwelling unit becomes vacant and is re-rented to new tenants during the 25-year affordability period or, if Open Door Affordable Housing Program incentives are approved, the 40-year affordability period, the initial rent (inclusive of utilities) charged to new tenants shall not exceed 80% of the average rent for the same bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report.

J. After the first year of occupancy of any affordable rental dwelling unit, the rent (inclusive of utilities) charged to the first tenants or new tenants occupying such unit may be escalated annually by not more than the annual provincial rent guideline, regardless of whether such guideline is applicable to the units under the *Residential Tenancies Act* or any successor legislation governing residential tenancies in Ontario, until the tenancy ends;

K. Notwithstanding the annual rent increases permitted in 4.a.i(J) above, the rent (inclusive of utilities) charged to any first tenants or new tenants occupying an affordable rental dwelling unit shall not be increased to an amount that exceeds 80% of the average rent for the same unit type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report;

ii. At least six months in advance of any new affordable rental dwelling unit being made available for rent to the general public, the owner shall develop and implement a Tenant Access Plan in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning and the Executive Director, Housing Secretariat.

iii. The new affordable rental dwelling units shall be made ready and available for occupancy no later than the date by which seventy percent (70%) of the new dwelling units erected on the lands are available and ready for occupancy.

iv. The owner shall provide all tenants of the affordable rental dwelling units with access to, and use of, all indoor and outdoor amenities in the development at no extra charge. Access to, and use of, these amenities shall be provided on the same terms and conditions as any other resident of the building without the need to pre-book or pay a fee, unless specifically required as a customary practice for private bookings.

v. The owner shall provide all tenants of the affordable rental dwelling units with laundry facilities on the same basis as other units within the development at no extra charge.

vi. The owner shall provide all tenants of the affordable rental dwellings units with access to permanent and visitor bicycle parking/bicycle lockers on the same terms and conditions as any other resident of the building, and in accordance with the Zoning By-law.

b) The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

i. prior to Site Plan Approval, the owner shall apply for Open Door Affordable Housing Program incentives for all affordable rental dwelling units within the development;

ii. prior to the issuance of any building permit, including permits for excavation and shoring, the owner shall enter into a municipal capital facility agreement ("Contribution Agreement"), subject to approval of an Open Door application with the City to provide Open Door Affordable Housing Program incentives for all affordable rental dwelling units at 315-325 Spadina Avenue that are approved for Open Door incentives. The owner shall provide such affordable rental dwelling units in accordance with such agreement(s) to be entered into with the City, all to the satisfaction of the Executive Director, Housing Secretariat, the Chief Planner and Executive Director, City Planning and the City Solicitor;

c) Prior to Site Plan Approval, the owner shall submit, and thereafter implement, a Construction Management Plan to address matters such as wind, noise, dust, traffic mitigation, and street closures during construction, which shall be to the satisfaction of the General Manager, Transportation Services and Chief Planner and Executive Director, City Planning Division, and developed in consultation with the Ward Councillor.

5. Subject to approval of an Open Door Affordable Rental Housing Program application by the Executive Director, Housing Secretariat, City Council authorize the Executive Director, Housing Secretariat, to negotiate and execute a municipal capital facility agreement (Contribution Agreement) with the owner for the provision of Open Door Incentives and other City funding, if approved, for 22 affordable rental dwelling units at 315-325 Spadina Avenue to secure rents at or below 80% of the average rent by bedroom type in the City of Toronto, as reported by Canada Mortgage and Housing Corporation in its most recent annual Rental Market Report, for a minimum period of 40 years, together with any security, financing or other documents required, as well as any amendments thereto required from time to time, on terms and conditions acceptable to the Executive Director, Housing Secretariat, in a form satisfactory to the City Solicitor.
6. Subject to approval of an Open Door Application by the Executive Director, Housing Secretariat, City Council exempt the 22 affordable rental dwelling units at 315-325 Spadina Avenue from taxation for municipal and school purposes for the 40-year term of the municipal capital facility agreement.
7. Subject to approval of an Open Door Application by the Executive Director, Housing Secretariat, City Council authorize that the 22 new affordable rental dwelling units at 315-325 Spadina Avenue be exempt from the payment of development charges and be exempt from the payment of planning, park dedication and building permits fees under existing City policy and with the exception of fees already paid.
8. City Council authorize the City Solicitor to execute, postpone, confirm the status of and discharge any City security documents registered with respect to the delivery of the affordable rental housing dwelling units as required by normal business practices.
9. City Council authorize City staff to cancel or refund any taxes paid pursuant to the by-law exempting the property from taxation if authority is given for an exemption from taxation as set out in Recommendation 6 above.
10. Before introducing the necessary Bills to City Council, the owner shall address comments identified in Section A of the Engineering & Construction Services memo to City Planning, dated March 12, 2021, to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services.

FINANCIAL IMPACT

Pursuant to the redevelopment of the lands at 315-325 Spadina Avenue, this report recommends City Council approval of incentives under the Open Door Affordable Housing Program for the 22 affordable rental dwelling units to be created at 315-325 Spadina Avenue.

The proposed incentives include relief from development charges, planning and building permit fees, and property taxes for 40 years. Based on applicable fees, charges, and tax relief estimates, an additional investment of approximately \$1.41 million in City incentives is proposed as outlined in Table 1 below.

Table 1: Breakdown of Value of Open Door Incentives

Affordable Rental Homes	Affordability Period	Estimated Development Charges*	Estimated Planning Fees and Charges**	Estimated Net Present Value of Property Taxes†	Estimated Total Value of Incentives
22	40	\$804,856	\$170,639	\$463,791	\$1,439,286

*Calculated using November 2020 rates

**Includes estimated 2020 building permit fees of \$25,858, planning fees of \$34,781, and parkland dedication fees of \$110,000.

†Calculated using 2020 property tax rates.

At 2020 rates, the value of the annual property tax exemption is estimated at \$18,709. The net present value of this tax relief over the 40-year term that the incentives would be in effect is estimated at \$432,447, as summarized in Table 2 below.

A tax exemption would have no net present impact to the City for the educational portion of taxes remitted to the Province.

Table 2: Value of Property Tax Exemption

Property Tax	Annual	NPV: 40 Years
City	\$ 14,820	\$ 342,554
Education	\$ 5,024	\$ 116,135
City Building	\$ 221	\$ 5,103
Total:	\$ 20,065	\$ 463,791

The Chief Financial Officer and Treasurer has reviewed this report and agrees with the financial impact statement.

EQUITY IMPACT

Access to safe, secure, affordable rental housing in all parts of Toronto is a fundamental goal of the City's new HousingTO Action Plan 2020-2030. Providing new affordable housing is also a goal of the City's Poverty Reduction Strategy. The proposed development would provide the City and the neighbourhood with 22 new affordable rental apartments.

PROPOSAL

This application proposes a 13-storey purpose-built rental apartment building with a total gross floor area of 15,294 square metres and a density of 7.53 times the area of the lot. The overall proposed height is 40.23 metres (45.78 metres, inclusive of the mechanical equipment and rooftop amenity space).

The ground floor would contain 893 square metres of retail space, including a minimum of seven retail units fronting Spadina Avenue and D'Arcy Street, a pedestrian entrance and lobby to the residential units above, and vehicular access to the loading and underground parking off the rear lane. A total of 219 rental dwelling units are proposed within the 12 floors above the ground floor. The unit mix is comprised of 117 studio units (53%), 39 one-bedroom units (18%), 41 two-bedroom units (18.5%), 21 three-bedroom units (10%) and one four-bedroom unit (0.5%).

The proposed development would be built to the property lines along Spadina Avenue and D'Arcy Street, which would provide a minimum distance from the curb to the building face of 6.6 metres along Spadina Avenue and 6.3 metres along D'Arcy Street.

On the ninth floor, the building would be set back from the Spadina Avenue property line by 3.2 metres, and from the D'Arcy Street property line by three metres. On the thirteenth floor, the building would once again step back from the Spadina Avenue and D'Arcy Street property lines by another three metres.

At the rear, the proposed building would be set back a minimum of one metre from the rear property line, and 7.5 metres from the residentially-zoned properties abutting the rear lane to the east. On the fifth floor, the building would be set back from the rear property line by 3.9 metres, and then by another 3.9 metres at the rear of the fourth floor. Above the fourth floor, the setbacks from the proposed building terraces would become progressively larger as you move vertically, from 3.9 metres on the fourth floor to 16.8 metres on the thirteenth floor. Rear private balconies are proposed on the sixth, ninth, and eleventh floors, while the fourth floor and rooftop would provide common outdoor amenity space.

Indoor and outdoor amenity space, totalling 438 square metres (2 square metres per dwelling unit) and 524 square metres (2.39 square metres per dwelling unit) respectively, would be provided on the ground floor, fourth floor, and rooftop. A total of 224 bicycle parking spaces would be provided within the below-grade parking garage and on the second floor. A total of 34 vehicular parking spaces, to be shared between the residential units and the retail units, would be provided in a one-level below-grade parking garage. Vehicular access, including loading, would be located off the rear laneway.

Detailed project information is found on the City's Application Information Centre at: <https://www.toronto.ca/city-government/planning-development/application-information-centre/>

See Attachments 1-2 and 7-13 of this report for the application data, the proposed site plan and elevations, and three dimensional representations of the project in context.

Reasons for Application

Amendments to the City of Toronto Zoning By-law 569-2013 and former City of Toronto Zoning By-law No. 438-86 are required to implement the proposed performance standards for the development, including height and density. The height limit in the zoning by-law is 18 metres, while the proposed height is 40.23 metres (45.78 metres, inclusive of the mechanical equipment and rooftop amenity space). The current density permitted is 2.5 times the area of the lot, while the proposed density is 7.53 times the area of the lot.

APPLICATION BACKGROUND

Application Submission Requirements

The following reports/studies were submitted in support of the application:

- Planning Rationale
- Architectural Plans
- Computer Generated Building Mass Model
- Heritage Impact Statement
- Survey Plan
- Draft 569-2013 Zoning By-law Amendment
- Draft 438-86 Zoning By-law Amendment
- Civil and Utilities Plan
- Transportation Impact Study
- Heritage Impact Statement
- Housing Issues Report
- Toronto Green Standard Checklist and Statistics Template
- Geotechnical Investigation
- Hydrogeological Investigation
- Pedestrian Level Wind Study
- Functional Servicing and Storm Water Management Report
- Arborist/Tree Preservation Report
- Landscape Plan
- Archaeological Assessment – Stage 1
- Sun/Shadow Study
- Energy Strategy Report
- Schematic Design Brief – Mechanical & Electrical Systems
- Public Consultation Plan

The application was submitted on July 25, 2019 and deemed complete on August 20, 2019.

Agency Circulation Outcomes

The application, together with the applicable reports noted above, has been circulated to all appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate Zoning By-law standards.

Statutory Public Meeting Comments

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

Site and Surrounding Area

The site is located at the northeast corner of Spadina Avenue and D'Arcy Street within the Chinatown neighbourhood, and is generally rectangular in shape, with an area of approximately 2,030 square metres. The site consists of two consolidated lots and has a frontage of approximately 48 metres along Spadina Avenue and approximately 43 metres along D'Arcy Street.

The site currently contains: a 2-storey retail/office building with ten retail units at 315 Spadina Avenue and three retail units, including Rol San restaurant and Ding Dong bakery, at 325 Spadina Avenue. A surface parking lot is also located at the rear of 315 Spadina Avenue.

The surrounding development and land uses are as follows:

North: To the north along Spadina Avenue are 3-storey mixed-use buildings with retail on the ground level and residential units above.

East: To the east of the site is a residential neighbourhood, comprised of detached and semi-detached houses.

South: The south of the site is predominantly characterized by 3-storey mixed-use buildings with retail on the ground level and residential units with a number of warehouse-style brick and masonry buildings ranging from 11 to 25 metres in height.

West: On the west side of Spadina Avenue are 3-storey mixed-use buildings with retail on the ground level and residential above. The Kensington Market neighbourhood is located further west, which is predominantly low-rise and comprised of a mix of retail and residential streets.

POLICY CONSIDERATIONS

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

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

The Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) (the "PPS") provides province-wide policy direction on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. It includes policies on key issues that affect communities, such as:

- the efficient use and management of land and infrastructure;
- the sufficient provision of housing to meet changing needs, including affordable housing;
- ensuring opportunities for job creation;
- ensuring the appropriate transportation, water, sewer and other infrastructure is available to accommodate current and future needs; and
- protecting people, property, and community resources by directing development away from natural or human-made hazards.

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

The PPS is issued under Section 3 of the *Planning Act* and all decisions of Council in respect of the exercise of any authority that affects a planning matter shall be consistent with the PPS. Comments, submissions, or advice affecting a planning matter that are provided by Council shall also be consistent with the PPS.

The PPS recognizes and acknowledges the municipal official plan as an important document for implementing the policies within the PPS. Policy 4.7 of the PPS states that, "The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans."

Provincial Plans

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

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

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (the "Growth Plan") came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan continues to provide a strategic framework for managing growth and environmental protection in the Greater Golden Horseshoe region, of which the City forms an integral part. The Growth Plan establishes policies that require implementation through a Municipal Comprehensive Review (MCR), which is a requirement pursuant to Section 26 of the *Planning Act*.

Policies not expressly linked to a MCR can be applied as part of the review process for development applications, in advance of the next MCR. These policies include:

- Directing municipalities to make more efficient use of land, resources, and infrastructure to reduce sprawl, contribute to environmental sustainability, and provide for a more compact built form and a vibrant public realm;
- Directing municipalities to engage in an integrated approach to infrastructure planning and investment optimization as part of the land use planning process;
- Ensuring access to a diverse range of housing options, protected employment zones, public service facilities, recreation and green space, and transit;
- Retaining viable lands designated as employment areas and ensuring that the redevelopment of lands outside of employment areas retain space for jobs to be accommodated on site;
- Minimizing the negative impacts of climate change by undertaking stormwater management planning that assesses the impacts of extreme weather events and incorporates green infrastructure; and
- Recognizing the importance of watershed planning for the protection of the quality and quantity of water and hydrologic features and areas.

The Growth Plan builds upon the policy foundation provided by the PPS and provides more specific land use planning policies to address issues facing the GGH region. The policies of the Growth Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise. In accordance with Section 3 of the *Planning Act* all decisions of Council in respect of the exercise of any authority that affects a planning matter shall conform with the Growth Plan. Comments, submissions, or advice affecting a planning matter that are provided by Council shall also conform with the Growth Plan.

Staff have reviewed the proposed development for consistency with the PPS and for conformity with the Growth Plan. The outcome of staff analysis and review are summarized in the Comments section of the report.

Toronto Official Plan

This application has been reviewed against the policies of the City of Toronto Official Plan as follows:

Chapter 2 - Shaping the City

The Healthy Neighbourhoods Section of the Official Plan (Section 2.3.1) states that the intensification of lands adjacent to *Neighbourhoods* will be carefully controlled so that *Neighbourhoods* are protected from negative impacts. The plan also states that developments in *Mixed Use Areas* that are adjacent to *Neighbourhoods* will, among other matters, be compatible with those *Neighbourhoods*, provide a gradual transition of scale and density, and maintain adequate light and privacy for residents.

Chapter 3 - Building a Successful City

In addition to the specific land use and Healthy Neighbourhood Policies, Section 3.1.2 of the Official Plan contains Built Form Policies. This section of the Plan identifies that our enjoyment of streets and open spaces largely depends upon the visual quality, activity, comfortable environment, and perceived safety of these spaces. These qualities are largely influenced by the built form of adjacent buildings.

Section 3.2.1 of the Official Plan contains policies pertaining to the provision, maintenance, and replacement of rental housing. Policy 3.2.1.1 states that a full range of housing, in terms of form, tenure and affordability, will be provided and maintained across the City and within neighbourhoods to meet the current and future needs of residents. A full range of housing includes private and affordable rental housing.

Policy 3.2.1.4 states that, where appropriate, assistance will be provided to encourage the production of affordable housing. In the case of affordable rental housing, municipal assistance to achieve a range of affordability may include fee and property tax exemptions.

Chapter 4 - Land Use Designations

The subject site is designated Mixed Use Areas. This designation permits a broad range of commercial, residential, and institutional uses, and includes policies and development criteria to guide development and its transition between areas of different development intensity and scale.

The development criteria in *Mixed Use Areas* include, but are not limited to:

- Creating a balance of high-quality commercial, residential, institutional, and open space uses that reduce automobile dependency and meet the needs of the local community;
- Providing for new jobs and homes for Toronto's growing population on underutilized lands;
- Locating and massing new buildings to provide a transition between areas of different development intensity and scale;

- Locating and massing new buildings to frame the edges of streets and parks;
- Providing an attractive, comfortable, and safe pedestrian environment;
- Providing good site access and circulation and an adequate supply of parking for residents and visitors;
- Locating and screening service areas, ramps, and garbage storage to minimize the impact on adjacent streets and residences; and
- Providing indoor and outdoor recreation space for building residents in every significant multi-residential development.

Chapter 5 - Implementation

Chapter Five provides guidance to understand and interpret the Official Plan. In particular, Policy 5.6.1 indicates that the Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework.

Section 37 of the *Planning Act* allows the City to grant increased density and/or height in exchange for community benefits. Section 5.1.1.6 of the Official Plan details that community benefits are specific capital facilities (or cash contributions for specific capital facilities) and can include: affordable housing, parkland and/or park improvements above and beyond the parkland dedication; public art; and streetscape improvements on the public boulevard not abutting the site. The proposal has been evaluated against the policies described above as well as the policies of the Official Plan as a whole.

The City of Toronto Official Plan can be found here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

Downtown Plan

Official Plan Amendment 406 was adopted by City Council on May 22, 2018, received approval by the Minister of Municipal Affairs and Housing on June 5, 2019, and is now in force and effect. OPA 406 includes amendments to Section 2.2.1 and Map 6 of the Official Plan, as well as a new Downtown Secondary Plan (the Downtown Plan), and applies to all applications deemed complete after June 5, 2019. The Plan – in conjunction with the associated infrastructure strategies that address water, energy, mobility, parks and public realm, and community services and facilities – provides a comprehensive and integrated policy framework to shape growth in Toronto's fast-growing Downtown over the next 25 years. It provides the City with a blueprint to align growth management with the provision of infrastructure, to sustain liveability, and to ensure there is space for the economy to grow. The Plan area is generally bounded by Lake Ontario to the south, Bathurst Street to the west, the mid-town rail corridor and Rosedale Valley Road to the north, and the Don River to the east.

Map 41-3-C of the Downtown Plan designates the site as *Mixed Use Areas 3 - Main Street*. Policy 6.26 of the Downtown Plan states that development will generally be of a mid-rise the scale along Spadina Avenue, and that the maximum heights will be informed by the width of the right-of-way. Furthermore, Policies 6.29 and 6.30 state that development within *Mixed Use Areas 3* will be encouraged to include retail and service commercial uses at ground level with residential, office, and/or institutional uses above,

and that the assessment of mid-rise development proposals will be informed by the Mid-Rise Buildings policies of the plan.

Map 41-5 of the Downtown Plan designates Spadina Avenue as a *Priority Retail Street*. Policy 6.39 states that *Priority Retail Streets* will maintain and enhance *Downtown's* retail vitality, and will serve local needs and shoppers.

Map 41-7 of the Downtown Plan also designates Spadina Avenue as a *Great Street*. Policy 7.1.7 states that *Great Streets* will be prioritized for public realm improvements due to their location, scale, and historic role in the city, their existing civic significance, and their potential contribution to the public realm network.

The in-force Downtown Plan can be found here:

<https://www.toronto.ca/legdocs/mmis/2019/cc/bgrd/backgroundfile-135953.pdf>

Zoning

The subject site is zoned 'CR 2.5 (c2.0; r2.0) SS2 x1741' by Zoning By-law 569-2013. The 'CR' zone permits a broad range of residential and commercial uses. The maximum permitted building height is 18 metres, while the maximum permitted density is 2.5 times the site area.

The subject properties are also zoned 'CR T2.5 C2.0 R2.0' by Zoning By-law No. 438-86, as amended. Zoning By-law No. 438-86 permits generally the same uses, height, and density on the subject site as By-law 569-2013

Mid-Rise Buildings Design Guidelines

City Council adopted the Avenues and Mid-rise Buildings Study in 2010 and an addendum containing performance standards for mid-rise buildings, which identify a list of best practices and establish a set of performance standards for new mid-rise buildings. Key issues addressed include: maximum allowable building heights, setbacks, and step backs; sunlight and sky views; pedestrian realm conditions; and transition to *Neighbourhoods*, Parks and Open Space Areas, and corner sites. The link to the guidelines is here: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/design-guidelines/mid-rise-buildings/>.

In 2016, City Council also adopted a revised Mid-Rise Building Performance Standards Addendum, for staff to use together with the 2010 approved Mid-Rise Building Performance Standards in the preparation of area studies or during the evaluation of development applications, where mid-rise buildings are proposed and Performance Standards are applicable, until such time as City Council adopts updated Mid-Rise Building Design Guidelines. Council's decision is here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.PG12.7> and <http://www.toronto.ca/legdocs/mmis/2016/pg/bgrd/backgroundfile-92537.pdf>.

Growing Up: Planning for Children in New Vertical Communities

In July 2020, Toronto City Council adopted the *Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines*, and directed City Planning staff to apply the "Growing Up Guidelines" in the evaluation of multi-residential development proposals of 20 or more residential units. The objective of the Growing Up Guidelines is to consider the needs of children and youth in the design and planning of vertical neighbourhoods, which will enhance the range and provision of housing for households across Toronto. Implementation of the Growing Up Guidelines also presents the opportunity to address housing needs for other groups, including roommates forming non-family households, multi-generational households, and seniors who wish to age-in-place. This will increase liveability for larger households, including families with children, at the neighbourhood, building, and unit scales.

The Staff Report on the Growing Up Guidelines can be found here:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148361.pdf>

The Growing Up Guidelines (2020) are available at:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148362.pdf>

Retail Design Manual

The Retail Design Manual supports the objective of creating vibrant streets, which is closely tied to the provision of successful, resilient and dynamic retail uses. This Manual is a collection of best practices and is intended to provide guidance on developing successful ground floor retail spaces to achieve good city building and economic objectives, and to contribute to an animated and inviting public realm. City Council adopted the Retail Design Manual on October 27, 2020.

The Staff Report on the Retail Design Manual can be found here:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-157269.pdf>

The Retail Design Manual can be found here:

<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-157291.pdf>

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

The Pet-friendly Design Guidelines guide new developments in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm, and provide needed pet amenities for high density residential communities. The Guidelines support all residents, pet-owners and non-pet owners alike, by encouraging design in new development that demonstrates a consideration for pets, as well as the impacts that they have on our parks, open spaces and the environment.

The Pet Friendly Design Guidelines can be found here:

<https://www.toronto.ca/wpcontent/uploads/2019/12/94d3-CityPlanning-Pet-FriendlyGuidelines.pdf>

Site Plan Control

A Site Plan application was filed on November 3, 2020 and is currently under review.

Community Consultation

City Planning held the first community consultation meeting for this proposal on November 18, 2019 at the University of Toronto. The meeting was attended by the local Councillor, the applicant, and approximately 120 members of the public. Due to the community interest in the proposed development, a working group, comprised of representatives from the Friends of Chinatown, Friends of Kensington Market, the Chinatown Business Improvement Area (BIA), and other members of the community, was formed. Five Working Group meetings took place between February and September, 2020. Meetings focused on housing affordability, retail space, unit mix, and the building's height, form, and design. A second virtual community consultation meeting was held on December 3, 2020, to present the revised proposal. Approximately 170 members of the public attended this meeting.

Comments from the community meetings and discussions from the working group meetings are summarized as follows.

Affordability

Housing affordability was a major discussion point during the community and working group meetings. Many community members strongly advocated for the proposed building to provide 100% rent-geared-to-income (RGI) housing, and over a hundred letters demanding such were emailed to City Planning staff. Working group discussions focused on the City's available tools to achieve affordable housing as part of a rezoning application in the absence of comprehensive government funding or financing arrangements for the provision of new social or RGI housing on the site. Specifically, securing affordable housing through Section 37 community benefit contributions and Open Door Affordable Housing Program incentives were explored.

Retail Space

The community expressed strong concerns with losing longstanding, prominent retail uses within the Chinatown neighbourhood and feared they would be replaced with larger chain store businesses. During the working group meetings, the discussion focussed on zoning by-law tools that could potentially create retail conditions favourable for smaller businesses, such as limiting the unit sizes and floor to ceiling heights, as well as providing shared facilities. Despite discussing these tools, the group still had concerns that cultural businesses would be lost as a result of the proposal. At the second community meeting, the community further reiterated their retail-related concerns and expressed their strong desire for the applicants to provide certainty that the future retail stores will be occupied by culturally-competent retailers.

Height, Form and Design

General concerns regarding the height and massing of the proposed building were brought up at the initial community meeting, and explored in further detail during the working group meetings. Despite the Downtown Plan, which permits a maximum height of 40 metres on the lot, many working group members considered this height to be too

tall. The working group also expressed concerns regarding the initially proposed transition at the rear of the building towards the adjacent lower-scale residential buildings and potential privacy and overlook impacts from the balconies. In addition, there were discussions regarding physical design changes that could contribute to a better physical fit with the neighbourhood, such as providing vertical signage, recessed entrances, and articulated facades.

Unit Mix

The community and working group were unanimous in their opinion that the initially proposed residential unit mix included too many studio units (studio units represented 72% of the total number of units). During the working group meetings, many group members expressed a desire for more and larger two- and three-bedroom units, while other members recognized a need for one-bedroom units to accommodate the needs of students and senior citizens.

Consultation Strategy

At the initial community meeting, the City received many comments related to the lack of language accessibility during the initial consultation process. In particular, concerns were raised that the application information and notices were not provided in multiple languages, and that the City needed to be asked to provide translators at the initial meeting. During the second community meeting, further concerns were raised regarding the virtual format, in which attendees were not able to be seen and were only able to speak once unmuted by the virtual meeting moderator.

In response to the issues raised through community and City staff feedback, the above issues have been considered through the review of the application and are addressed in the comments section below.

COMMENTS

Provincial Policy Statement and Provincial Plans

The proposal has been reviewed and evaluated against the PPS and the Growth Plan. Staff have determined that the proposal is consistent with the PPS and conforms with the Growth Plan as follows:

The PPS requires provisions to be made for an appropriate range of housing types and densities to meet projected requirements of current and future residents. This policy for healthy, livable and safe communities is achieved, amongst other means, by accommodating a range of residential, employment, institutional and other uses to meet long-term needs, facilitating all forms of residential intensification and redevelopment, promoting densities for new housing which effectively use land, resources, infrastructure and public services, and support the use of public transit. Specifically, the PPS requires growth and development to focus in settlement areas, and promotes the use of appropriate development standards to support intensification and redevelopment while mitigating risks to public health and safety.

The PPS is to be read in its entirety. The language in each policy, including the Implementation and Interpretation policies assists decision makers in understanding how the policies are to be implemented. From an intensification and land use perspective, this proposal is consistent with policies that promote efficient land use patterns (Policies 1.1.1, 1.1.2, 1.1.3.1, 1.1.3.2, 1.5.1, and 1.6.7.4) for a mix of residential and retail uses in an area identified in the Official Plan for intensification.

From a housing perspective, this proposal is consistent with policies that require a range and mix of housing options to meet the needs of current and future residents (Policies 1.1.1 (b), 1.1.3.3, and 1.4.3). This proposal provides for a mixture of market and affordable rental housing units, with a variety of sizes and types of each.

Policy 1.6.7.4 promotes a land use pattern, density and mix of uses that minimizes the length and number of vehicle trips and supports current and future use of transit and active transportation modes.

Further, Policy 4.6 states that the official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans. As demonstrated below, the proposal is also consistent with the City's Official Plan, including the Downtown Plan.

The proposed development is consistent with the above policies and other relevant policies of the PPS by: making efficient use of the existing infrastructure; proposing an appropriate mix of housing types and uses, and by being located close to streetcar routes on Spadina Avenue, Dundas Street West and College Street and within 800 metres of a planned higher order transit station at Queen Street West and Spadina Avenue.

With regard to complete communities, the proposal is consistent with Policy 2.2.1.4 c) of the Growth Plan as it: supports the creation of communities that provide a diverse range and mix of housing options, including affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes; d) is planned to expand access to a range of transportation options, including active transportation; e) provides for a more compact built form and a vibrant public realm.

Policies 2.2.2.3 b), d) and f) of the Growth Plan speak to delineated built-up areas and state that all municipalities will develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas, which will:

- b) identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas;
- d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities; and
- f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

The City has a strategy to accommodate intensification as directed in the City's Official Plan and as discussed below, the proposal conforms with the City's Official Plan.

Section 2.2.1.4 of the Growth Plan provides further direction on the achievement of complete communities. It articulates a set of objectives including a diverse mix of land uses, and range and mix of housing options to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes. Convenient access to a range of transportation options, public service facilities, and open spaces and recreational facilities is also highlighted as a key component of complete communities. Furthermore, this section directs that complete communities ensure the development of high quality, compact built form, an attractive and vibrant public realm, including open spaces, through site design and urban design standards.

Policy 2.2.4.10 states that lands adjacent to or near existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities. Policy 2.2.5.3 states that retail and office uses will be directed to locations that support active transportation and have existing or planned transit. The proposed development is located in proximity to both existing and planned frequent transit, promotes active transportation options, and provides a mix of uses.

Section 2.2.6.2 requires that municipalities support complete communities by planning for a range and mix of housing options and densities of the existing housing stock and planning to diversify and increase density of the overall housing stock across the municipality. The proposed development provides a mix of housing options, including rental and affordable housing, and a mix of unit sizes to accommodate a diverse range of household sizes and incomes

The proposed development is consistent with the above sections and other relevant policies of the Growth Plan. The proposal provides for a high quality compact built form and meets applicable urban design standards. The proposed development conforms to the Growth Plan.

Land Use

The proposed development would result in a mixed-use building comprised of 893 square metres of retail space on the ground level and 14,401 square metres of residential space above. The proposed uses comply with the policies of the Official Plan for development in *Mixed Use Areas*, within the Downtown Plan and with the provisions of the CR Zoning which currently applies to the site.

Retail Space

The community expressed strong concerns with losing the existing retail units and having them replaced with larger chain stores. To mitigate these concerns, the applicants revised the retail plans to increase the proposed number of retail units from four to seven. The proposed retail units along Spadina Avenue would have a width of approximately seven metres and an average area of 130 square metres. The applicants also reduced the floor to ceiling heights of the retail units to less than five metres and

have included two universal washrooms at the back of the ground level that are to be shared by the retail units.

The aforementioned changes will contribute to a better physical fit within the Chinatown retail context and create conditions that are more favourable for small scale independent retailers rather than chain stores. Limiting the size and floor to ceiling heights will reduce the rent for the spaces, while the shared universal washrooms will reduce the fit-up costs for future tenants. The proposed design of the retail spaces meets the Downtown Plan's Priority Retail Street policies and follows the Retail Design Manual.

Height, Massing

This application has been reviewed against the Official Plan and Downtown Plan policies. The performance standards of the Avenues and Midrise Buildings Guidelines (Mid-Rise Guidelines) provide guidance pertaining to size, shape, and quality of mid-rise buildings and are intended to be applied in the assessment of proposals in *Mixed Use Areas 3 - Main Streets* of the Downtown Plan. The proposed development has been reviewed against policies from the Official Plan and the pertinent performance standards from the Mid-Rise Guidelines, including the performance standards addendum.

Policy 6.26 of the Downtown Plan and Performance Standard 1 of the Mid-Rise Guidelines both identify that the maximum allowable height will be no taller than the width of the Avenue right-of-way. On Spadina Avenue, which has a right-of-way width of 40 metres at this location, a mid-rise building consisting of ground level commercial uses and residential units above, can be 40 metres in height. The proposed building, excluding the rooftop indoor amenity space (which consists of an elevator vestibule and washroom), is 40.2 metres in height. As such, the proposed building height meets the Downtown Plan policies and Performance Standard 1 of the Mid-Rise Guidelines.

As a measure to control height and massing along main streets, Performance Standard 4A of the Mid-Rise Guidelines recommends that buildings meet a 45-degree angular plane along the front façade, measured at a height of 80% of the right-of-way width. For example, providing a streetwall height on Spadina Avenue based on 80% of the right-of-way width would provide a height of approximately 32 metres along Spadina Avenue. Performance Standard 6 adds that, for corner sites, the front façade angular plane guidelines should extend to the side street frontage. The proposed building employs a more restrictive approach to the front angular plane by stepping back three metres at a height of approximately 25 metres (rather than at the prescribed 32 metres) and applying a 45 degree angular plan, which wraps around the D'Arcy Street frontage as well. The stepback above the ninth storey mitigates the visual impact of the massing at street level, while responding to the existing context of Spadina Avenue, which includes a number of early 20th century warehouse-style brick and masonry buildings that range from 11 to 25 metres in height. The rest of the proposed building substantially complies with the front 45-degree angular plane performance standard.

In order to provide gradual transition to the *Neighbourhoods*-designated properties at the rear, Performance Standard 5A of the Mid-Rise Guidelines recommends that

buildings meet a 45-degree angular plane measured at a height of 10 metres and a distance of 7.5 metres from the adjacent *Neighbourhoods*-designated lot lines. The proposed massing at the rear substantially complies with this Performance Standard for the bottom six storeys, while the top floors penetrate the rear angular plane. City Planning staff find the rear transition acceptable. Complying with the angular plane on the bottom six floors will mitigate the built form impact of the building from the ground level, as well as the overlook and privacy concerns on neighbouring lots. Additionally, staff find the rear massing acceptable given that the closest *Neighbourhoods*-designated properties at the rear currently have buildings that occupy the majority of the sites, and are unlikely to be redeveloped into house-form buildings with landscaped rear yards in the near future.

As a means of maintaining sky views and sunlight access to the public realm, Performance Standard 8C of the Mid-Rise Guidelines recommends that buildings provide a minimum 5.5-metre side step-back above 80% of a building's height along adjacent property lines. The building proposes a 5.5-metre step-back at a height of approximately 25 metres (above the 9th storey) along the northern property line. The proposed upper-storey side step-back complies with the Mid-Rise Guidelines.

Building Articulation

Since the initial submission, the west and south elevations of the proposed building have been revised by providing notches along the main walls that mitigate the visual impact of the proposed building by breaking up the mass into segments, helping to physically integrate it into the finer-grained rhythm of Chinatown. The revisions also include improvements to the north elevation (previously proposed as a blank wall) through the employment of similar notches, providing additional fenestration and brick patterns to increase visual interest. The materiality of the facades and brick pattern will be further explored and secured through the Site Plan Control application.

Sun and Shadow

As discussed in the Official Plan, new development is required to adequately limit any resulting shadowing of neighbouring streets, having regard for the varied nature of such areas. In addition, the Official Plan requires that new development in Mixed Use Areas locate and mass new buildings to maintain sunlight for pedestrians on adjacent streets. Taken together, the intent of these policies is to ensure that new development provides for appropriate sunlight conditions and limits shadowing on neighbouring streets.

Through the review of the sun and shadow studies submitted by the applicant, City Planning staff are satisfied that the proposed building ensures appropriate continuous sunlight and adequately limits shadowing on the west sidewalk of Spadina Avenue. Specifically, during the shoulder seasons (March/September 21), a continuous period of sunlight will be maintained on the west sidewalk of Spadina Avenue from approximately 10 a.m. onwards. When considered alongside the provisions for intensification on the City's *Avenues*, the amount of continuous sunlight and incremental shadowing is appropriate and meets the intent of the Official Plan.

Transportation: Bikes, Cars and Trucks

The development includes 224 bicycle parking spaces, of which 54 will be located in the underground level, and 170 will be located on the second floor. The proposal also includes a total of 34 vehicular parking spaces within underground level. The applicant's Transportation Impact Study justifies the reduced vehicular parking supply based on the site's proximity to public transit infrastructure, extended cycling network in the area and other contributing factors. A shared Type G and Type B loading space is proposed to be enclosed within the building on the ground level and accessed off the rear lane. Transportation Services staff find the proposed supply of bicycle spaces, vehicular parking and loading spaces acceptable.

Servicing

Engineering & Construction Services staff have requested minor revisions to the plans and additional information regarding the submitted Functional Servicing and Hydrogeological reports, and the proposed turning movements of the loading trucks as noted in Section A of their memo to City Planning, dated March 12, 2021. The applicant will be required to address the comments in this memo prior to City Council enacting the site specific zoning by-laws for this application.

Unit Mix

During the consultation process, the community expressed concerns regarding the initially proposed number of studio units (72% of the total number of residential units). To address these concerns, the applicant revised their proposal to provide a residential unit mix comprised of 117 studio units (53%), 39 one-bedroom units (18%), 41 two-bedroom units (18.5%), 21 three-bedroom units (10%), and one four-bedroom unit (0.5%). The proposal satisfies the unit mix objectives of the Growing Up Guidelines to accommodate a broad range of households, including families with children, within the proposed development.

Affordable Housing

The owner is proposing to provide affordable rental housing within the proposed development as a Section 37 community benefit and in exchange for financial incentives through the City's Open Door Affordable Housing Program. The Open Door incentives would include exemptions from development charges, planning and building permit fees, and property taxes for the identified 22 affordable units.

In response to feedback from community consultation and working group meetings, which suggested a preference for the provision of affordable housing at deeper levels and longer terms of affordability, the applicant is proposing to secure 22 (10%) of the 219 rental units in the proposed development at 80% of the average market rent (AMR) by bedroom type in the City of Toronto for 40 years beginning from the date each unit is first occupied, conditional upon the receipt of the Open Door Affordable Housing Program incentives outlined in Table 1 above. Should an Open Door application not be approved, the 22 rental units would be secured at 80% of AMR by bedroom type in the City of Toronto for a period of 25 years. During the affordability period, rents could be

escalated annually by not more than the provincial guideline, irrespective of whether such guideline applied to the units under the *Residential Tenancies Act*.

The 22 affordable rental units would collectively contain at least 1,440 square metres of gross floor area (amounting to 10% of the total residential gross floor area within the proposed development) and have a unit mix comprised of one (1) three-bedroom unit, three (3) two-bedroom units, 11 one-bedroom units, and seven (7) studio units. The minimum unit size for each affordable rental unit would be the average unit size of a rental unit of the corresponding bedroom type within the development as a whole (e.g. the average size of a two-bedroom unit in the development as a whole would be the minimum unit size of an affordable two-bedroom rental unit).

The rental tenure of all 22 affordable rental units would be secured for at least 25 years or, if Open Door Affordable Housing Program incentives are approved, for at least 40 years, during which time the owner would be prevented from registering any of the rental units as condominiums or any other form of ownership housing, and from applying to demolish or convert any of the rental units. After the secured rental period has expired, the owner would be required to continue to provide the 22 units as rental dwelling units, unless and until such time as they have applied for, and obtained, all approvals necessary to do otherwise.

The Owner will also be required to develop and implement a Tenant Access Plan in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning and the Executive Director, Housing Secretariat to ensure all 22 affordable rental units are rented to tenant households who have a demonstrated need for affordable housing.

Open Space/Parkland

The Official Plan contains policies to ensure that Toronto's systems of parks and open spaces are maintained, enhanced, and expanded. Map 8B of the City of Toronto Official Plan shows local parkland provisions across the City. The subject lands are in an area with 0.43 to 0.79 hectares of local parkland per 1,000 people. The site is in the second lowest quintile of current provision of parkland. The site is in a parkland priority area, as per Chapter 415, Article III, of the Toronto Municipal Code.

In accordance with Chapter 415, Article III of the Toronto Municipal Code, the applicant is required to satisfy the parkland dedication requirement through cash-in-lieu. The residential nature of this proposal is subject to a 10% parkland dedication, while the non-residential is subject to 2%.

Streetscape and Tree Preservation

On the west elevation of the building facing Spadina Avenue, the ground floor would be set back 6.6 metres from the curb, while on the D'Arcy Street side, the proposed setback is 6.3 metres. In both cases, the proposed setbacks allow for a sidewalk width in excess of the recommended 6 metre minimum sidewalk width for right-of-ways of 40 metres in the Mid-Rise Guidelines, providing ample space for street furniture, a pedestrian clearway and street trees, the design of which will be secured through the

Site Plan Control application. The proposed small scale retail units on the ground floor will further animate the public realm and provide eyes on the street at various times of the day. The proposed development would retain four trees along the Spadina Avenue frontage in the City right-of-way and proposes four new trees along the D'Arcy Street frontage in the City right-of-way.

Toronto Green Standard

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

The site specific Zoning By-law will secure performance measures for the following Tier 1 development features: cycling infrastructure and bird friendly design. Other applicable TGS performance measures will be secured through the Site Plan Approval process. Staff will work to achieve Tier 2 or higher through the Site Plan Approval process.

Archaeological Assessment

An archaeological resource assessment was submitted as part of the application. The assessment concluded that there is no potential for the presence of significant archaeological resources that may be impacted by site preparation or construction activities for the proposed development. City Planning staff agree with the conclusion of the Stage 1 Archaeological Assessment that no further archaeological investigation is required.

Consultation Strategy

At the initial community meeting, the City received several comments related to the lack of language accessibility during the onset of the consultation process. Since the initial community meeting, City Planning staff sought to improve language accessibility by providing translated development signs and meeting notices for the second community meeting in Traditional and Simplified Chinese text. In addition, staff were proactive in including Cantonese and Mandarin interpreters at the second community meeting that was hosted virtually.

Section 37

The Official Plan contains policies pertaining to the provision of community benefits in exchange for increases in height and/or density pursuant to Section 37 of the *Planning Act*. While the proposed development exceeds the height and density limits of the existing Zoning By-law, the application is consistent with the objectives and policies of the Official Plan, and thus constitutes good planning.

The community benefits recommended to be secured in the Section 37 Agreement are as follows:

- The provision of 22 affordable rental dwelling units, collectively containing at least 1,440 square metres of gross floor area, at 80% of AMR for at least 25 years or, if Open Door Affordable Housing Program incentives are approved, for at least 40 years; and
- The unit mix of the 22 affordable rental units shall be comprised of one three-bedroom unit, three two-bedroom units, 11 one-bedroom units, and seven studio units with a minimum unit size by bedroom type that is equal to, or larger than, the average unit size by bedroom type for the development as a whole.

The following matters are also recommended to be secured in the Section 37 Agreement as a legal convenience to support development:

- The provision of Open Door Funding, if approved by the Executive Director, Housing Secretariat for 22 affordable rental units; and
- The submission, and thereafter implementation, of a construction management plan to address such matters as wind, noise, dust, traffic mitigation and street closures during construction.

Conclusion

The proposal has been reviewed against the policies of the PPS, the Growth Plan, the Toronto Official Plan and the Downtown Plan. Staff are of the opinion that the proposal is consistent with the PPS and conforms with Growth Plan. Furthermore, the proposal conforms with the Toronto Official Plan and the Downtown Plan.

In the opinion of City Planning staff, the proposal has been designed and massed to fit within its area context and limit impacts on adjacent properties, streets and open spaces. Further, the proposed development provides for a mix of uses, including various residential rental unit sizes and affordable housing units, and small scale retail units on the ground level that will animate the street and provide continuation of the

retail character along Spadina Avenue. Planning staff recommend approval of the proposed Zoning By-law Amendments subject to the conditions set out in the Recommendations section of this Report.

CONTACT

Mladen Kukic, Senior Planner
Tel. No. 416-392-9434
E-mail: Mladen.Kukic@toronto.ca

Keir Matthews-Hunter, Planner
Strategic Initiatives, Policy & Analysis (Housing)
Tel. No. 416-392-5092
E-mail: Keir.Matthews-Hunter@toronto.ca

SIGNATURE

A handwritten signature in black ink, appearing to read 'Macdonald', with a large, stylized initial 'L'.

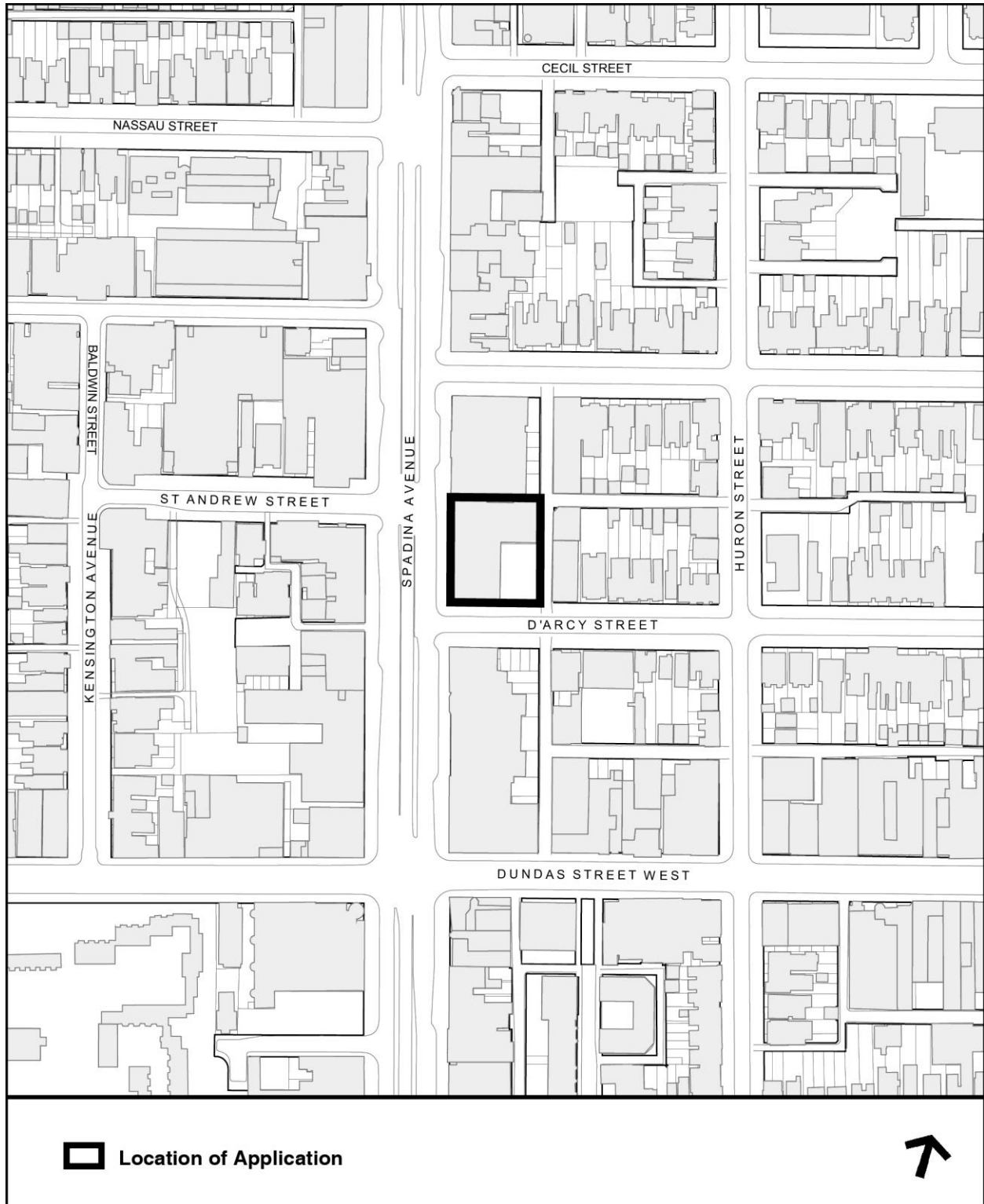
Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA, Director
Community Planning, Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings

- Attachment 1: Location Map
- Attachment 2: Application Data Sheet
- Attachment 3: Official Plan Land Use Map
- Attachment 4: Existing Zoning By-law Map
- Attachment 5: Draft Zoning By-law 569-2013 Amendment
- Attachment 6: Draft Zoning By-law 438-86 Amendment
- Attachment 7: Site Plan
- Attachment 8: North Elevation
- Attachment 9: East Elevation
- Attachment 10: South Elevation
- Attachment 11: West Elevation
- Attachment 12: 3D Model of Proposal in Context Looking Northwest
- Attachment 13: 3D Model of Proposal in Context Looking Southeast

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 315-325 Spadina Avenue Date Received: July 25, 2019

Application Number: 19 195542 STE 11 OZ

Application Type: Rezoning

Project Description: Proposed Rezoning for a new 13-storey mixed-use building containing 219 rental dwelling units and 893m² of non-residential (retail) floor area. Total proposed Gross Floor Area in the development is 15,294 m².

Applicant	Agent	Architect	Owner
Bousfields		Montgomery-Sisam	315 Spadina Inc.

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP 202
Zoning:	CR 2.5 (c2.0; r2.0) SS2 (x1741)	Heritage Designation:	N
Height Limit (m):	18	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	2,031	Frontage (m):	48	Depth (m):	43
-------------------	-------	---------------	----	------------	----

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):	1,423		1,906	1,906
Residential GFA (sq m):			14,401	14,401
Non-Residential GFA (sq m):	1,423		893	893
Total GFA (sq m):	1,423		15,294	15,294
Height - Storeys:	2		13	13
Height - Metres:	10		40	40

Lot Coverage Ratio (%)	93.85	Floor Space Index:	7.53
------------------------	-------	--------------------	------

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	14,401	

Retail GFA: 893

Office GFA:

Industrial GFA:

Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:			219	219
Freehold:				
Condominium:				
Other:				
Total Units:			219	219

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		117	39	41	22
Total Units:		117	39	41	22

Parking and Loading

Parking Spaces: 34 Bicycle Parking Spaces: 224 Loading Docks: 1

CONTACT:

Mladen Kukic, Senior Planner

416-392-9434

Mladen.Kukic@toronto.ca

Attachment 3: Official Plan Land Use Map




Official Plan Land Use Map #18

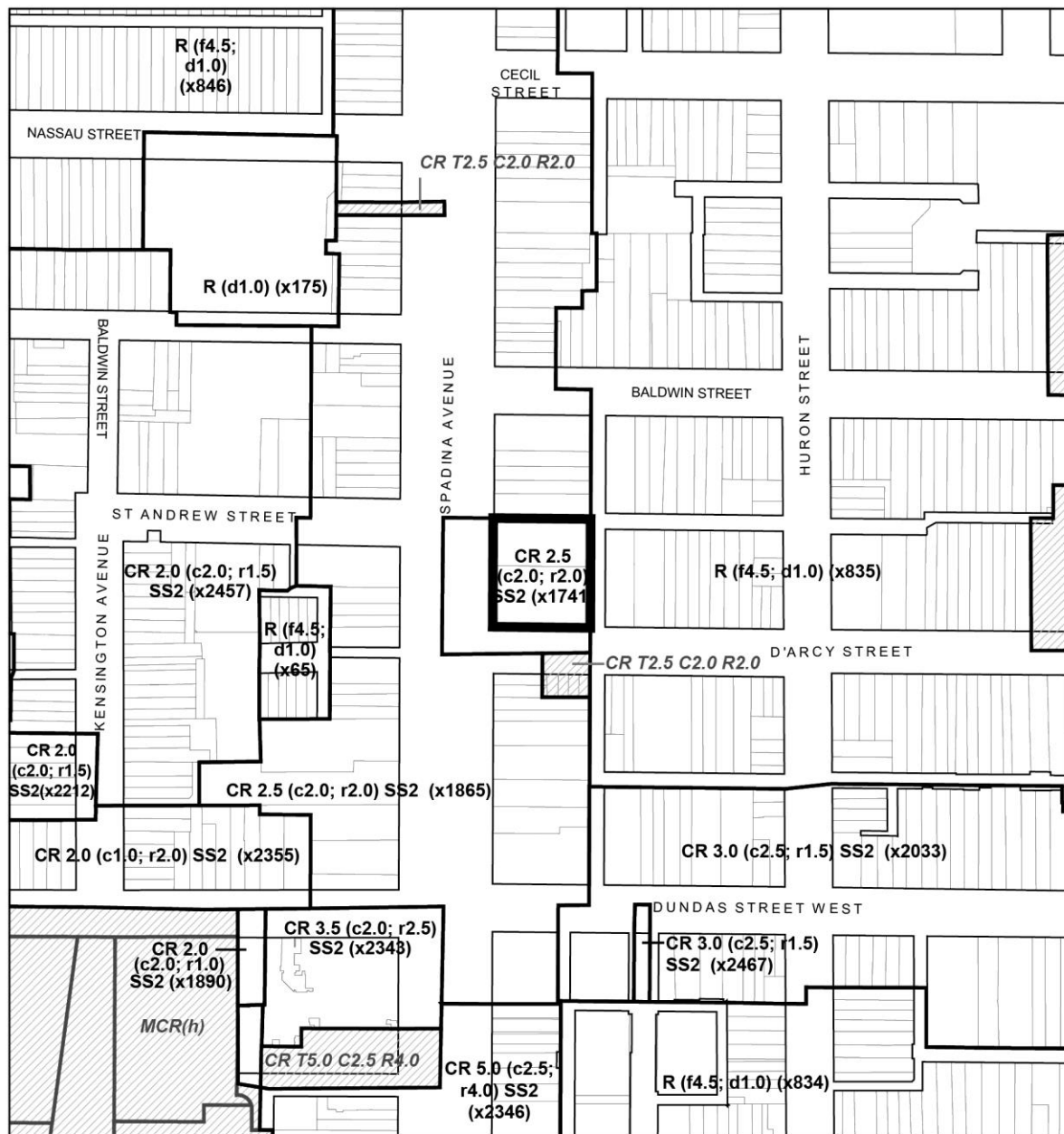
315-325 Spadina Avenue

File # 19 195542 STE 11 0Z




 Not to Scale
 Extracted: 02/19/2021

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

315-325 Spadina Avenue

File # 19 195542 STE 11 0Z



Location of Application

R
CR

Residential
Commercial Residential



See Former City of Toronto By-law No. 438-86

R3 Residential District
MCR Mixed-Use District
G Parks District



Not to Scale
Extracted: 02/19/2021

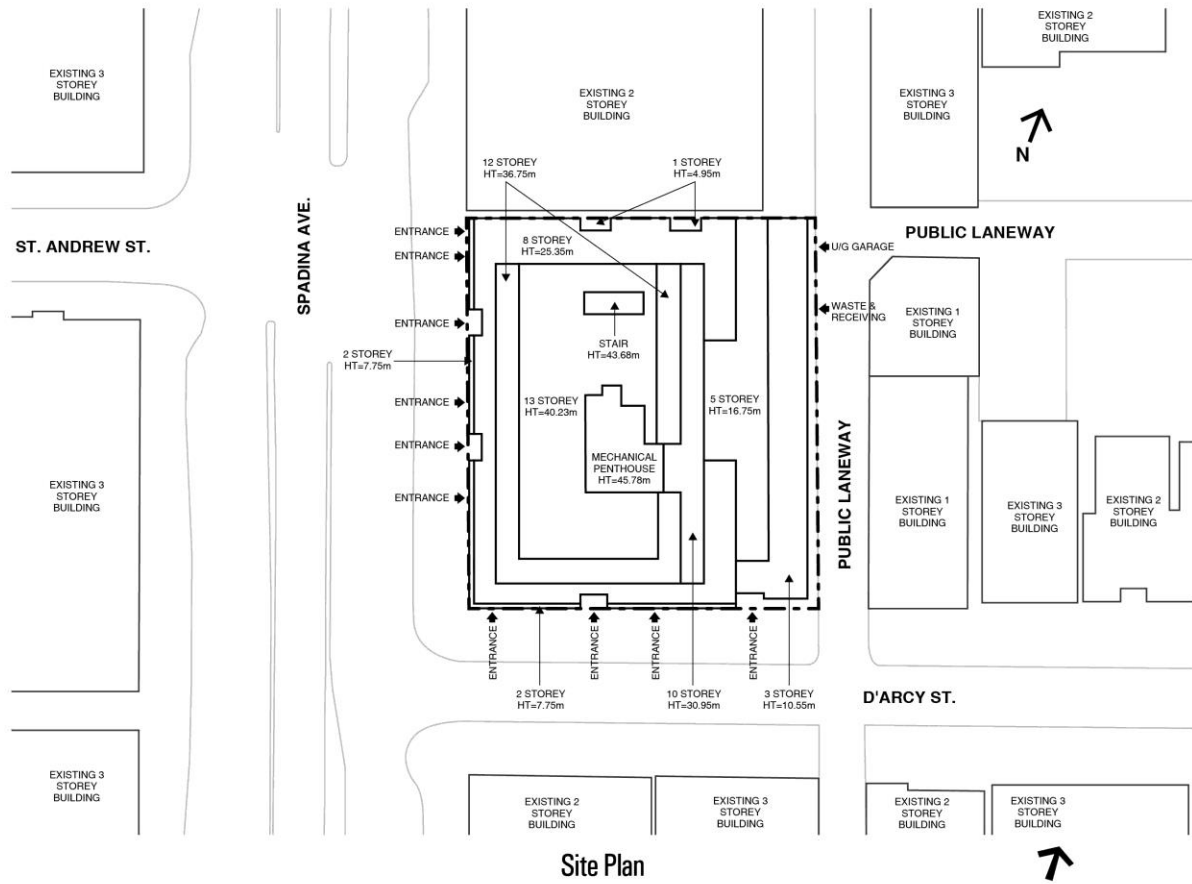
Attachment 5: Draft Zoning By-law Amendment to By-law 569-2013

To be available at the April 21, 2021 Toronto and East York Community Council meeting

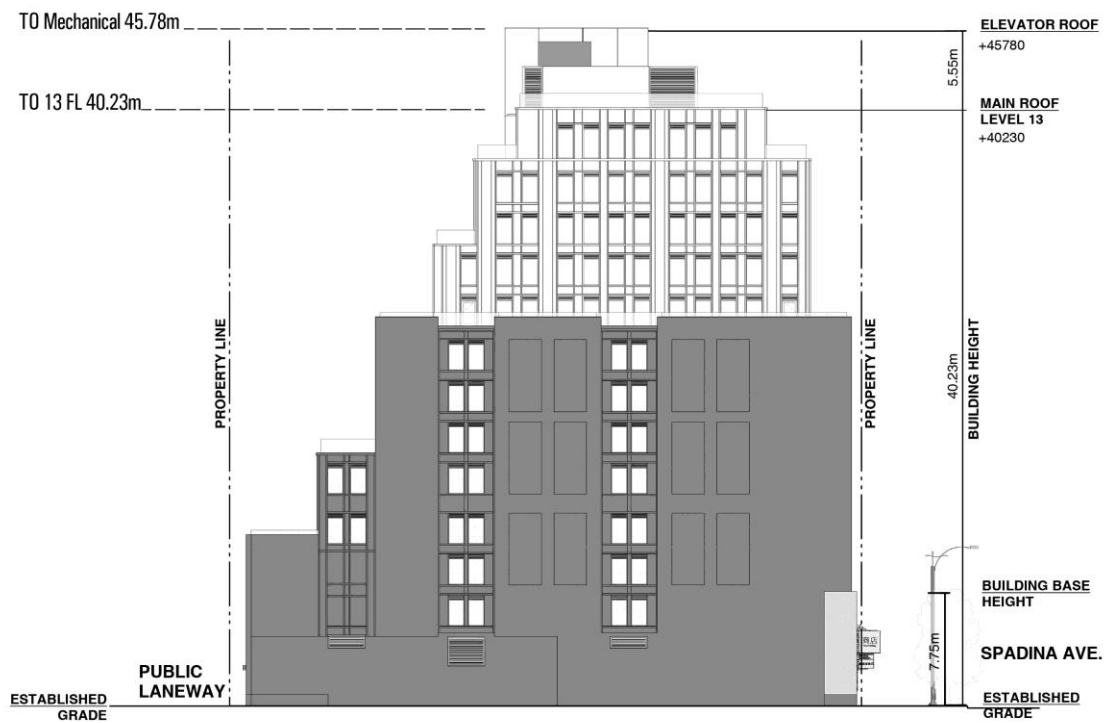
Attachment 6: Draft Zoning By-law Amendment to By-law 438-86

To be available at the April 21, 2021 Toronto and East York Community Council meeting

Attachment 7: Site Plan



Attachment 8: North Elevation

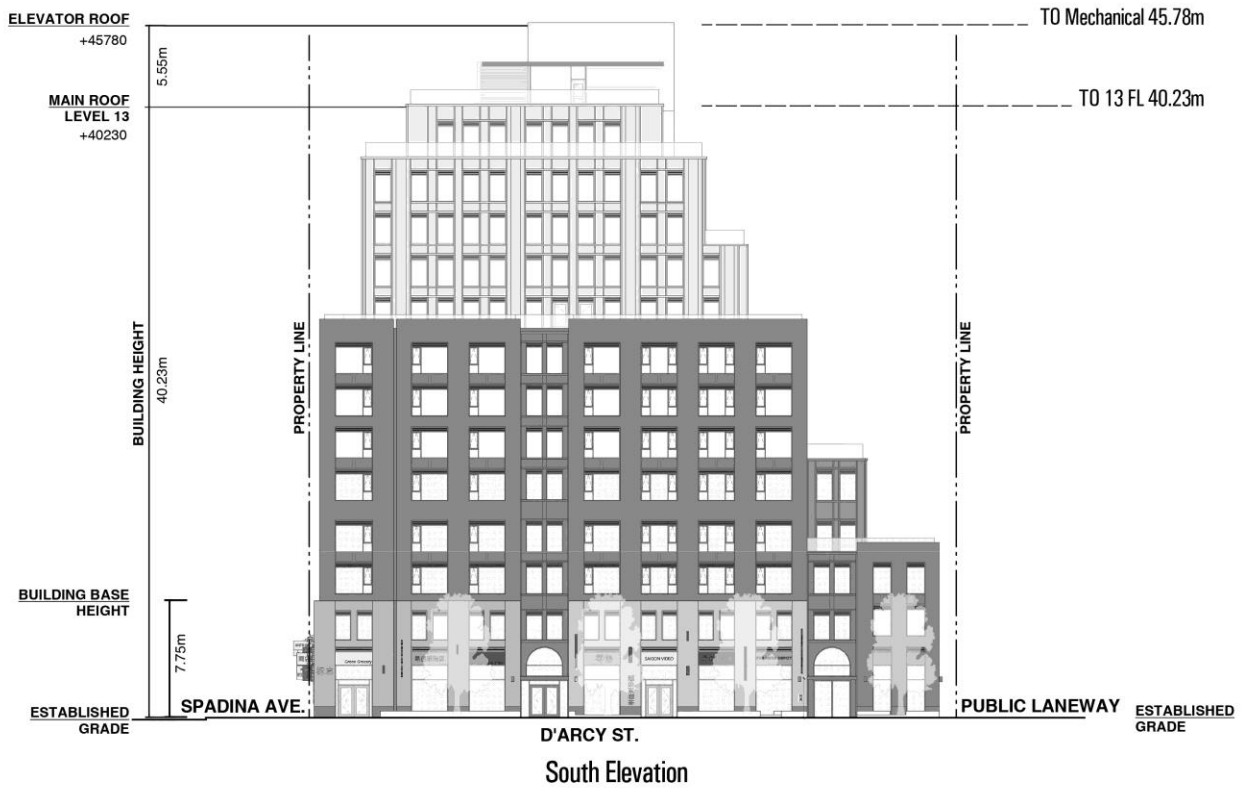


North Elevation

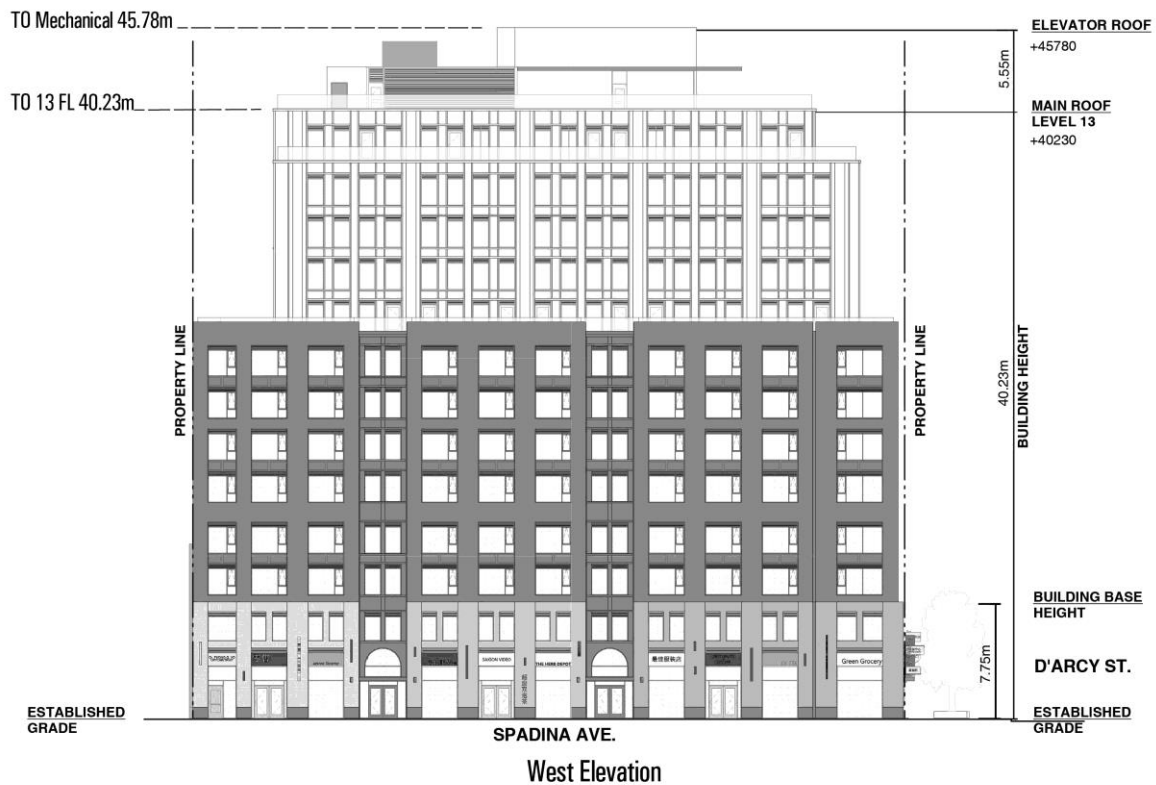
Attachment 9: East Elevation



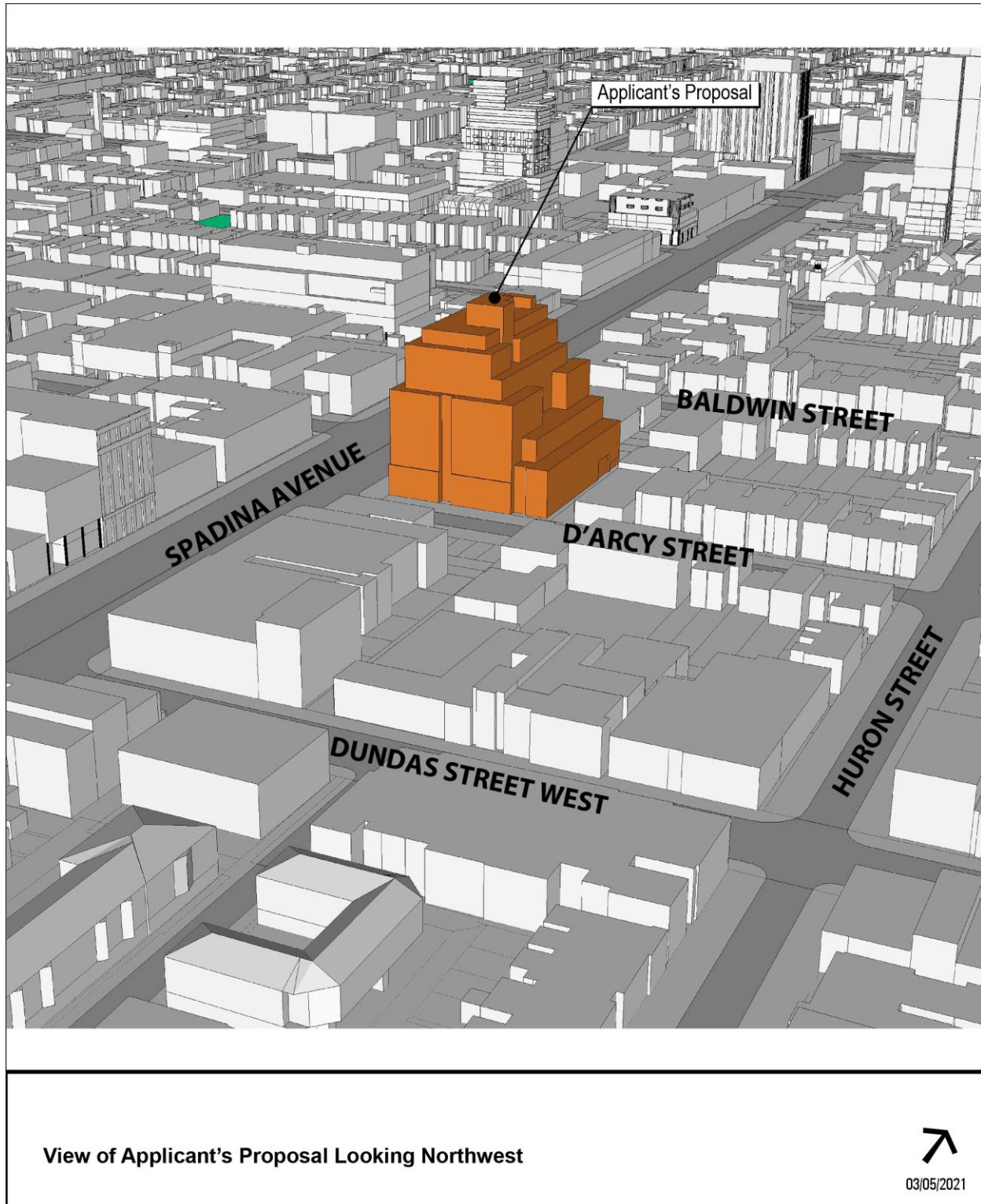
Attachment 10: South Elevation



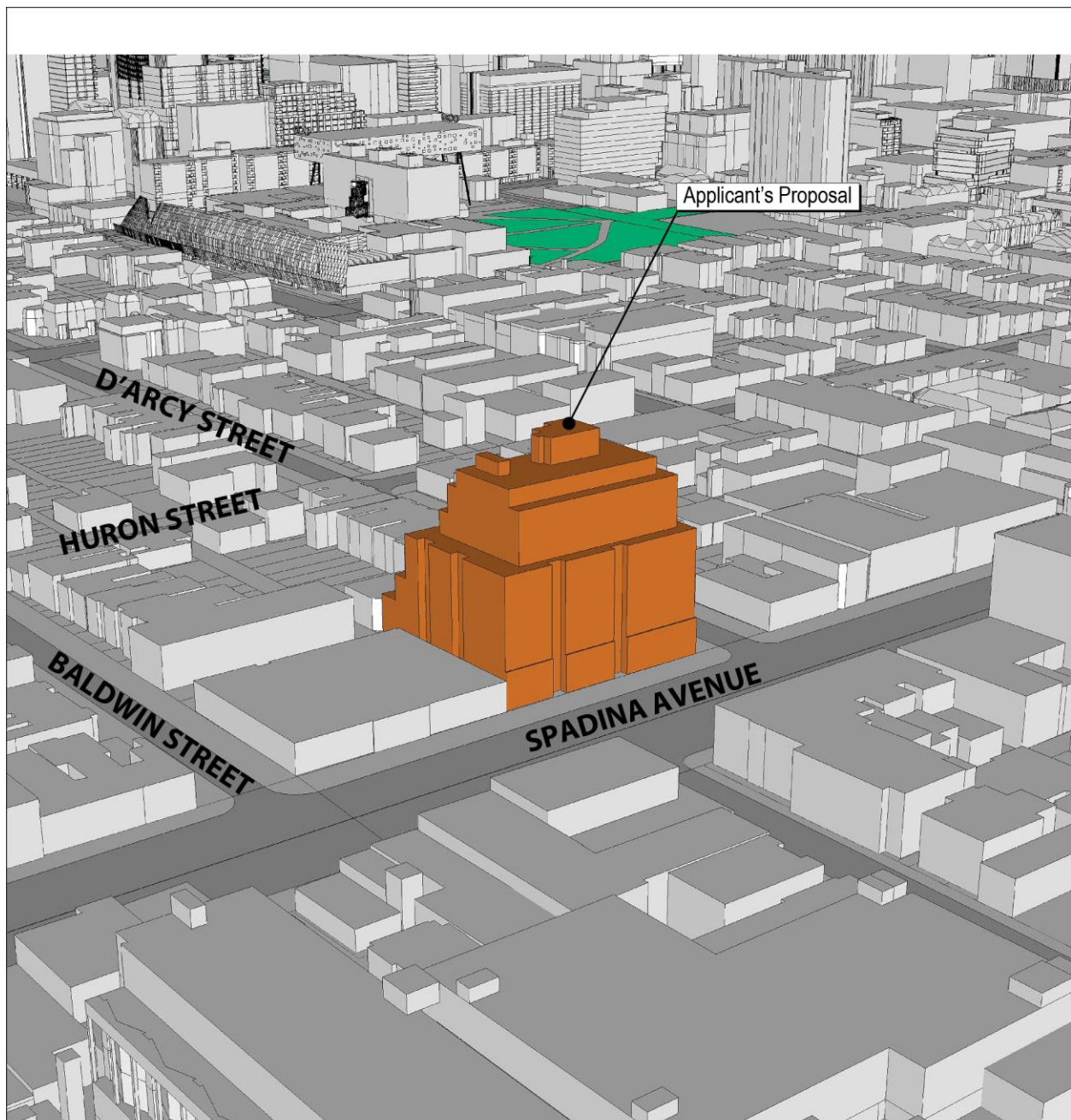
Attachment 11: West Elevation



Attachment 12: 3D Model of Proposal in Context Looking Northwest



Attachment 13: 3D Model of Proposal in Context Looking Southeast



View of Applicant's Proposal Looking Southeast



03/05/2021