

316-336 Campbell Avenue – Official Plan, Zoning By-law Amendment and Rental Demolition Applications – Final Report

Date: June 8, 2022
To: Toronto and East York Community Council or City Council
From: Director, Community Planning, Toronto and East York District
Ward: 9 - Davenport

Planning Application Numbers: 21 138108 STE 09 OZ, 21 138112 STE 09 RH

SUMMARY

This application proposes to demolish and replace nine rental dwelling units and amend the Official Plan and Zoning By-law 569-2013 to permit a new 26-storey residential building with a four storey base building at 316-336 Campbell Avenue with 313 residential units, a minimum 140 square metre Privately-Owned Publicly Accessible Open Space ("POPS") at grade and 103 parking spaces.

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), conforms to the relevant policies of the Official Plan and maintains the intent and purpose of the applicable design guidelines.

This report reviews and recommends approval of the application to amend the Zoning By-law and the Rental Housing Demolition Application. The report also recommends approval of Open Door Affordable Rental Housing Program incentives for 21 new affordable rental/co-op units in the development.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan for the lands at 316 – 336 Campbell Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 5 to the report (June 8, 2022) from the Director, Community Planning, Toronto and East York District.
2. City Council amend Zoning By-law 569-2013 for the lands at 316 – 336 Campbell substantially in accordance with the draft Zoning By-law Amendment attached as

Attachment No. 6 to the report (June 8, 2022) from the Director, Community Planning, Toronto and East York District.

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

4. City Council authorize the City Solicitor and appropriate City staff to take such necessary steps, as required, to implement City Council's decision.

5. City Council require Campont Developments Limited ("the Owner") to enter into an Agreement pursuant to Section 37 of the Planning Act as follows:

a) The Owner's section 37 contribution consists of providing and maintaining twenty-one (21) new affordable rental dwelling units on the lands at 316-336 Campbell Avenue (the "Affordable Housing Units"), all to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the Executive Director, Housing Secretariat;

b) The Affordable Housing Units are to be conveyed to Community Affordable Housing Solutions or another non-profit affordable housing provider chosen by the City in its sole discretion (the "Provider") as a stratified freehold parcel;

c) The Affordable Housing Units shall be in accordance with the following:

i. at least one of the Affordable Housing Units shall be a three-bedroom unit with a minimum unit size of 82 square metres with the combined 3 bedroom units having an average size of 82 square metres;

ii. at least eight of the Affordable Housing Units shall be two-bedroom rental units with a minimum unit size of 54 square metres with the combined 2 bedroom units having an average size of 59.45 square metres;

iii. no more than 12 of the Affordable Housing Units shall be one-bedroom rental units with a minimum unit size of 40.9 square metres with the combined 1 bedroom units having an average size of 46.1 square metres;

iv. The unit sizes described in recommendations 5.c.i to 5.c.iii may vary by a maximum of three percent (3%), but only as a result of reasonable adjustments which may be required for the purposes of accommodating final structural or mechanical design. All such adjustments must be made to the satisfaction of the Chief Planner and Executive Director, City Planning and the Executive Director, Housing Secretariat;

v. All units will be located within one contiguous floor within the podium of the development;

vi. the Affordable Housing Units shall be provided and maintained as secured rental housing for a minimum period of 99 years beginning from

the date that each such unit is first occupied (the "Affordability Period"). During the Affordability Period, no Affordable Housing Unit shall be registered as a condominium unit 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 Housing Unit or to convert any Affordable Housing Unit to a non-residential rental purpose. Upon the expiration of the Affordability 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;

vii. the initial rent (inclusive of utilities) charged to the first tenants of any Affordable Housing Units shall not exceed 100 percent 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, and the project average across the Affordable Housing Units shall not exceed 80 percent 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;

viii. if an Affordable Housing Unit becomes vacant and is re-rented to a new tenant during the Affordability Period, the initial rent (inclusive of utilities) charged to the new tenant shall not exceed 100 percent 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, and the project average across the Affordable Housing Units shall not exceed 80 percent 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;

ix. after the first year of occupancy of any Affordable Housing Units and for the duration of the Affordability Period, the rent (inclusive of utilities) charged to 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;

x. notwithstanding the annual rent increases permitted in vii. above, the rent (inclusive of utilities) charged to any tenants occupying an Affordable Housing Unit during the Affordability Period shall not be increased to an amount that exceeds 100 percent 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, and the project average across the Affordable Housing Units shall not exceed 80 percent 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;

xi. at least six months in advance of any new Affordable Housing Units being made available for rent to the general public, the Owner shall develop and implement a Tenant Access Plan to ensure units are rented to eligible households in consultation with, and to the satisfaction of the Executive Director, Housing Secretariat;

xii. the new Affordable Housing Units shall be made ready and available for occupancy no later than the date by which 70 percent of the new dwelling units in the new building are available and ready for occupancy, or to the satisfaction of, the Chief Planner and Executive Director, City Planning and the Executive Director, Housing Secretariat;

xiii. 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 building in which such tenant resides 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;

xiv. access to, and use of, these amenities shall be provided on the same terms and conditions as any other resident of the building in which the Affordable Housing Units are located, without the need to pre-book or pay a fee, unless specifically required as a customary practice for private bookings;

xv. the Owner shall provide all tenants of the Affordable Housing Units with laundry facilities on the same basis as other units within building in which the Affordable Housing Units are located at no extra charge;

xvi. the Owner shall provide all tenants of the Affordable Housing Units with access to permanent and visitor bicycle parking/bicycle lockers on the same terms and conditions as any other resident of the building in which the Affordable Housing Units are located, and in accordance with the Zoning By-law; and

xvii. prior to the issuance of the first building permit for a residential use on any part of the site, including permits for excavation and shoring, the Owner shall enter into a municipal housing facility agreement with the City (the "Contribution Agreement"), for the Affordable Housing Units that are approved for Open Door incentives, on terms satisfactory to the Executive Director, Housing Secretariat and in a form satisfactory to the City Solicitor. The Owner shall provide such Affordable Housing Units in accordance with such agreement(s).

xviii. The Owner shall enter into an agreement of purchase and sale ("APS") for the conveyance of the Affordable Housing Units to the Provider and the City (with the City as a contingent transferee) at a

discounted maximum total purchase price of \$6,798,634 prior to the issuance of the first above grade building permit for the development, which APS shall be subject to the following terms:

A. the APS shall be assignable by the City of Toronto to another non-profit Provider at the City of Toronto's sole discretion; and

B. the City of Toronto shall not be liable to pay any deposit penalty, or liquidated damages to the Owner or the Provider in the event the City terminates the APS for any reason, including failure of the Provider to close on the transaction, a lack of funding to complete the transaction, or the City being unsuccessful in identifying an alternate Provider;

xix. The Owner and the Provider will enter into a shared facilities agreement for 99 years, on the following terms:

A. the shared facilities agreement will allocate costs proportionately based on each party's actual share of the shared facilities;

B. the Owner shall discount 50% of the Provider's share of the shared facilities costs under the shared facilities agreement for 99 years;

C. the Owner (including any condominium corporation or other assignee) shall not have the right to unilaterally amend the shared facilities agreement, nor shall the shared facilities agreement be amended to directly or indirectly increase the share of costs that the Provider is responsible for paying under the shared facilities agreement for the 99 year term; and

D. the shared facilities agreement shall otherwise be on commercially reasonable terms.

xx. if the Owner fails to enter into the APS as required or the conveyance of the Affordable Housing Units to the Provider does not close for any reason, the Owner shall provide and maintain the Affordable Housing Units in accordance with this Part 5.

6. City Council also direct that the following be secured in the Section 37 Agreement as matters of legal convenience to secure matters required to support the development:

a) The Owner shall provide a minimum of 10 percent of all new units in the proposed development as three-bedroom units;

b) The Owner shall provide a minimum of 25 percent of all new units in the proposed development as two-bedroom units;

c) The Owner shall provide a privately owned publicly accessible open space ("POPS") of a minimum 140 square metres at the southeast corner of the site, whereby as a pre-approval condition to Site Plan Approval for the development,

the Owner shall convey to the City, for nominal consideration, easement(s) along the surface of the lands, to the satisfaction of the City Solicitor, which shall constitute the POPS and any required public access easements to connect the POPS to adjacent POPS and/or public rights-of-way, where necessary; and the Owner shall own, operate, maintain and repair the POPS and install and maintain a sign, at its own expense, stating that members of the public shall be entitled to use the POPS at all times of the day and night, 365 days of the year; and the specific location, configuration and design of the POPS shall be determined in the context of a site plan approval satisfactory to the Chief Planner and Executive Director, City Planning, pursuant to section 114 of the City of Toronto Act, 2006, and secured in a Site Plan Agreement with the City;

d) the Owner will construct and maintain the Development in accordance with Tier 1, Toronto Green Standard, and the Owner will be encouraged to achieve Tier 2, Toronto Green Standard, or higher, where appropriate, consistent with the performance standards of Toronto Green Standards applicable at the time of the site plan application for each building on the Development Site;

e) implementation of all recommended mitigation measures included in all reports, studies, and plans submitted by the Owner, to the satisfaction of the Chief Planner and Executive Director, City Planning, in consultation with the appropriate City official;

f) As part of the application for Site Plan Control, the Owner shall submit a comprehensive Construction Management Plan for each stage of the construction process, to the satisfaction of the General Manager, Transportation Services, the Chief Building Official and Executive Director, Toronto Building and the Ward Councillor. The Construction Management Plan will include, but not be limited to the following construction-related details: noise, dust, size and location of staging areas, location and function of gates, dates of significant concrete pouring, lighting details, vehicular parking and queuing locations, street closures, parking and access, refuse storage, site security, site supervisor contact information, and a communication strategy with the surrounding community, and any other matters requested by the General Manager, Transportation Services, in consultation with the Ward Councillor;

g) Prior to the issuance of the first above grade building permit, the Owner shall provide an offsite parkland dedication within 500 m of the development site to the satisfaction of General Manager, Parks, Forestry and Recreation. If an appropriate site cannot be found, a cash-in lieu payment will be provided instead to the satisfaction of the General Manager, Parks, Forestry and Recreation.

7. City Council approve the Rental Housing Demolition application (21 138112 STE 09 RH) under Chapter 667 of the Toronto Municipal Code pursuant to section 111 of the City of Toronto Act, 2006 to permit the demolition of nine existing rental dwelling units at 316, 318, 320, 332 and 336 Campbell Avenue:

a) The Owner shall provide and maintain nine replacement rental dwelling units for a period of at least 20 years beginning from the date that each replacement

rental unit is first occupied. During such 20 year period, no replacement 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 replacement rental dwelling unit or convert any replacement rental unit to a non-residential rental purpose. The nine replacement rental dwelling units shall collectively have a total gross floor area of at least 456.2 square metres and be comprised of one studio unit, three one-bedroom units, and five two-bedroom units;

b) The replacement rental units will be similar in size, by unit type, to the demolished rental units to the satisfaction of the Chief Planner and Executive Director, City Planning. The average replacement rental unit size, by unit type, shall be no less than 97% of the average demolished rental unit size, by unit type. Revised floor plans for the replacement units indicating the sizes, and location of the nine replacement rental units will be provided prior to the issuance of Notice of Approval Conditions for Site Plan Approval, to the satisfaction of the Chief Planner and Executive Director, City Planning;

c) At least two of the rental replacement units will have a private outdoor balcony and/or patio;

d) The Owner shall provide and maintain at least one one-bedroom unit and two two-bedroom units at no more than 60% of affordable rent, one studio unit and two one-bedroom units at no more than 90% of affordable rents, and three two-bedroom units at mid-range rents, as currently defined in the Toronto Official Plan, for a period of at least ten years beginning from the date of first occupancy of each unit.

e) The Owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants, addressing the right to return to occupy one of the replacement rental dwelling units at similar rents, the provision of alternative accommodation at similar rents in the form of rent gap payments, and other assistance to mitigate hardship. The Tenant Relocation and Assistance Plan shall be developed in consultation with, and to the satisfaction of, the Chief Planner and Executive Director, City Planning;

f) The Owner shall provide tenants of all nine replacement rental dwelling units with access to, and use of, all indoor and outdoor amenities in the proposed development, at no extra charge, and on the same terms and conditions as any other resident of the development, without separate entrances or the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;

g) The Owner shall provide ensuite laundry in each replacement rental dwelling unit within the proposed development at no additional cost to tenants;

h) The Owner shall provide central air conditioning in each replacement rental dwelling unit within the proposed development at no additional cost to tenants;

- i) The Owner shall provide and make available for rent a minimum of two vehicle parking spaces to tenants of the replacement rental dwelling units. The terms and conditions for renting parking spots to tenants of the replacement units shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;
- j) The Owner shall provide tenants of the nine replacement rental dwelling units with access to all bicycle and visitor parking on the same terms and conditions as any other resident of the proposed development;
- k) The Owner shall provide four storage lockers to tenants of the replacement rental dwelling units. The terms and conditions for renting storage lockers to tenants of the replacement units shall be to the satisfaction of the Chief Planner and Executive Director, City Planning;
- l) The nine rental dwelling units required in recommendation 7a) above shall be made ready and available for occupancy no later than the date by which 70% of the new dwelling units in the proposed development, exclusive of the replacement rental units, are made available and ready for occupancy, subject to any revisions to the satisfaction of the Chief Planner and Executive Director, City Planning; and
- m) The Owner shall enter into, and register on title to the lands at 316-332 Campbell Avenue, one or more agreement(s) to secure the conditions outlined in recommendations 7a) through 7l) above, including an agreement pursuant to Section 111 of the City of Toronto Act, 2006, all to the satisfaction of the City Solicitor and the Chief Planner and Executive Director, City Planning.

8. City Council authorize the Chief Planner and Executive Director, City Planning to issue Preliminary Approval of the Rental Housing Demolition Permit under Chapter 667 of the Toronto Municipal Code pursuant to section 111 of the *City of Toronto Act, 2006* for the demolition of nine rental dwelling units at 316, 318, 320, 332 and 336 Campbell Avenue after all the following have occurred:

- a) All conditions in Recommendation 7 above have been fully satisfied and secured;
- b) A tenant consultation meeting, led by City Staff, for eligible tenants has taken place;
- c) The Zoning By-law Amendment(s) have come into full force and effect;
- d) The issuance of the Notice of Approval Conditions for site plan approval by the Chief Planner and Executive Director, City Planning or their designate, pursuant to Section 114 of the City of Toronto Act, 2006, or as otherwise authorized by the Chief Planner and Executive Director, City Planning;
- e) The issuance of excavation and shoring permits (conditional or full permit) for the approved development on the site;

f) The Owner has confirmed, in writing, that all existing rental dwelling units proposed to be demolished are vacant; and

g) The execution and registration of agreements pursuant to section 37 of the *Planning Act* and section 111 of the *City of Toronto Act, 2006* securing recommendations 7a) through 7l) above and any other requirements of the Zoning-Bylaw Amendment.

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

10. City Council authorize the Chief Building Official and Executive Director, Toronto Building to issue a Residential Demolition Permit under section 33 of the *Planning Act* and Chapter 363 of the Toronto Municipal Code for 316-332 Campbell Avenue after the Chief Planner and Executive Director, City Planning has given the Preliminary Approval referred to in recommendation 8 above, which may be included in the Rental Housing Demolition Permit under Chapter 667 pursuant to section 6.2 of Chapter 363, on condition that:

a) The Owner removes all debris and rubble from the site immediately after demolition;

b) The Owner erects solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building;

c) The Owner erects the proposed building no later than three years from the date on which the demolition of the existing rental dwelling units commences, subject to the timeframe being extended to the discretion of the Chief Planner and Executive Director, City Planning; and

d) Should the Owner fail to complete the proposed development containing the nine replacement rental dwelling units within the time specified in recommendation 9 c) above, the City Clerk shall be entitled to enter on the collector's roll, as with municipal property taxes, an amount equal to the sum of \$20,000.00 per dwelling unit for which a demolition permit is issued, and that such amount shall, until payment, be a lien or charge upon the land for which the Residential Demolition Permit is issued.

11. City Council authorize the Executive Director, Housing Secretariat, to negotiate and execute a municipal housing facility agreement (the "Contribution Agreement") with Campont Developments Limited (or a related corporation) and/or Community Affordable Housing Solutions (or a related corporation), or a non-profit housing provider approved by the Executive Director, Housing Secretariat, at their sole discretion (the "Provider"), for the provision of Open Door Incentives, for development of 21 Affordable Housing Units at 316-336 Campbell Avenue to secure the financial assistance being provided and set out the terms of the operation of the Affordable Housing Units, on terms and

conditions acceptable to the Executive Director, Housing Secretariat, in a form satisfactory to the City Solicitor.

12. City Council approve the provision of financial incentives pursuant to the City's Open Door Affordable Housing Program in relation to the Affordable Housing Units as follows:

a) City Council exempt the 21 affordable rental dwelling units at 316-336 Campbell Avenue from taxation for municipal and school purposes for the 99-year term of the municipal housing facility agreement; and

b) City Council authorize the 21 new affordable rental dwelling units at 316-336 Campbell Avenue to be eligible for waivers of fees for planning applications, building permits and parkland dedication, and for development charges exemptions, unless already paid.

13. City Council authorize the Executive Director, Housing Secretariat, on behalf of the City, to execute any security or financing documents, or any other documents required to facilitate the delivery of the Affordable Housing Units, including any documents required by the Owner or the Provider to complete pre-development activities, construction and secure construction and conventional financing, where required, including any postponement, confirmation of status, discharge or consent documents where and when required during the term of the municipal housing facility agreement, as required by normal business practices, and provided that such documents do not give rise to financial obligations on the part of the City that have not been previously approved by Council.

14. City Council authorize the Controller to cancel or refund any taxes paid after the effective date of the exemption from taxation for municipal and school purposes, as set out in the Contribution Agreement.

15. City Council authorize the City to be a party to the agreements of purchase and sale contemplated to be entered into for the Affordable Housing Units as a contingent transferee, in order to ensure the benefit of the Affordable Housing Units is secured for the intended purposes until the transaction is complete.

16. City Council authorize the Executive Director, Housing Secretariat to execute the agreements of purchase and sale and any other documents required to complete the purchase of the Affordable Housing Units, including an assignment of the agreements of purchase and sale for the Affordable Housing Units to Solutions the Provider.

17. City Council authorize the Executive Director, Housing Secretariat to administer and manage the transaction relating to the Affordable Housing Units in consultation with the Executive Director, Corporate Real Estate Management, including the provision of any consents, approvals, waivers and notices, provided that they may, at any time, refer consideration of any such matters (including their content) to City Council for consideration and direction, all as may be required.

FINANCIAL IMPACT

This report recommends City Council approval of financial incentives under the Open Door Affordable Housing Program of approximately \$1,781,657 to support the development of 21 affordable rental homes at 316-336 Campbell Avenue.

The proposed financial incentives through the Open Door Affordable Housing Program includes exemption from development charges, planning and building permit fees, and property taxes for 99 years. Based on applicable fees charges, and tax exemptions, the average of these incentives is \$84,841 per unit, for a total investment of approximately \$1,781,657 in City incentives as outlined in Table 1 below. As this project is in the final planning approval stages, the applicable planning application fees have already been paid by the developer and will not be waived.

The provision of the affordable homes is proposed to be supported by both a community benefit contribution under Section 37 of the Planning Act, and the City's Open Door Program. Were the City to accept the proposed affordable housing units solely as a Section 37 contribution, the anticipated affordability period would have been 15 years. In exchange for receiving Open Door Program incentives for these affordable rental units, the Owner, Marlin Spring, has agreed to transfer Ownership of the affordable housing units to Community Affordable Housing Solutions (CAHS) and extend the affordable rental period to 99 years. This extended affordability period reflects the value of the City's incentives.

These incentives are not a direct capital payment from the City but rather foregone revenues that the City waives or forgives under the Open Door Affordable Housing Program. Values are based on 2022 tax rates, 20022 AMR rates, November 2021 development charge rates, 2022 building permit fees and 2022 planning fees.

Table 1 - Breakdown of Value of Open Door Program 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
21	99	\$926,028	\$162,243	\$693,386	\$1,781,657

At current 2022 rates, the value of the annual property tax exemption is estimated at \$21,980. The net present value over the 99 year-term is estimated at \$693,386 as summarized in Table 2 below:

Table 2 - Property Tax Exemption

Property Tax	Annual	Net Present Value (NPV): 99 Years
City	\$ 16,419	\$ 517,957
Education	\$ 5,322	\$ 167,879
City Building	\$ 239	\$ 7,550
Total:	\$ 21,980	\$ 693,386

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

In the event of default, the Contribution Agreement will provide that the by-law providing the property tax exemption be repealed.

The Chief Financial Officer and Treasurer have reviewed this report and agrees with the financial impact information provided.

DECISION HISTORY

On April 9, 2021 Official Plan and Zoning By-law Amendment applications were submitted for the lands at 316-336 Campbell Avenue. Following a review of the materials submitted, the applications were deemed complete and a Notice of Complete Application was provided to the applicant.

On June 24, 2021, Toronto and East York Community Council adopted item TE26.35, "316-336 Campbell Avenue - Official Plan and Zoning By-law Amendment and Rental Housing Demolition Applications - Preliminary Report" with a recommendations directing staff to schedule a Community Consultation meeting for the subject site to be hosted together with the Ward Councillor. The Preliminary Report and Community Council's decision are available at the following link:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE26.35>

SITE AND SURROUNDING AREA

The subject site is located on the west side of Campbell Avenue north of the Dupont Street and Campbell Avenue intersection. The site is generally rectangular in shape and has an approximate area of 2,290 square metres, with a frontage of approximately 62 metres along Campbell Avenue and a depth of approximately 38 metres. A public laneway runs directly north and west of the subject site.

Land uses that surround the subject site include:

North: North of the subject site is a surface parking lot fronting onto Campbell Avenue.

South: South of the subject site is a restaurant and semi-detached houses fronting onto Dupont Street.

East: To the east of the site, are four, one and two storey Employment designated buildings currently occupied by a variety of businesses.

West: To the west of the development site, a one and a half storey retail building surrounded by surface parking which fronts onto Symington Avenue.

THE APPLICATION

The initial application submitted proposed to amend the Official Plan and Zoning By-law to allow for the construction of a 28-storey residential building containing 310 residential units, including seven two storey live-work units on the ground floor. (the "Original

Proposal”). The Original Proposal had an overall height of 95.2 metres including mechanical penthouse ("MPH") and included a total of 21,678 square metres of residential gross floor area ("GFA") which provides for an overall density of 9.47 Floor Space Index ("FSI").

The revised proposal has been modified to allow for the construction of a 26-storey residential building containing 313 residential dwelling units including a reduction from seven to four live-work units. The revised proposal now has an overall height 88.4 metres including MPH and includes a total of 21,379 square metres of residential GFA. This revised proposal results in an overall density of 9.33 FSI.

The overall floorplate of the tower element of the revised proposal has also been modified and will now incorporate a floorplate size of 790 square metres between levels 7 and 23, which will be reduced to 750 square metre at the top three levels from floor 24 to 26.

In addition to the built form, density and units outlined above, the application also proposes 626 square metres of indoor amenity space and 500 square metres of outdoor amenity space. The amenity space would be located at grade along the Campbell Avenue frontage and on the fifth and sixth floor with some outdoor amenity space on the roof of the four storey base building.

Finally, the application also proposes a POPS on the southeast corner of the site that has a minimum size of 140 square metres and will help to facilitate an east-west pedestrian connection along the south lot line.

See Attachment No. 1 to this report for the location map, Attachment No. 2 for the project data, Attachment No. 8 for the site plan, Attachments No. 9a and 9b for a three dimensional representation of the current proposal in context, and Attachments No. 10 and 11 for building sections

Other details, including changes made from the original proposal are listed in the following table.

Category	Original	Revised
Site Area	2,290 m ²	2,290 m ²
Frontage/Depth	Frontage: 62 m Depth: 38 m	Frontage: 62 m Depth: 38 m
Building Height	28-storeys tower (89.2 m + 6 m MPH) 6-storey base building (21.1 m)	26-storeys (82.4 m + 6 m MPH) 4-storey base building (14 m)

Category	Original	Revised
Gross Floor Area	Residential: 21,678 m ²	Residential: 21,379m ²
Density	9.47	9.33
Residential Units	Studio: 23 (7%) One-bedroom: 184 (60%) Two-bedroom: 66 (21%) Three-bedroom: 30 (10%) Live-Work: 7 (2%) Total: 310 (100%)	Studio: 25 (8%) One-bedroom: 161 (51%) Two-bedroom: 92 (29%) Three-bedroom: 31 (10%) Live-Work: 4 (1%) Total: 313 (100%)
Vehicular Parking	Residents: 80 spaces Visitors: 18 spaces Car Share: 12 Total: 110 spaces	Residents: 77 spaces Visitors: 18 spaces Car Share: 8 spaces Total: 103 spaces
Bicycle Parking	Long-term: 312 spaces	Long-term: 314 spaces
Loading	1 Type 'G'	1 Type 'G'
Amenity Space	Indoor: 620 m ² Outdoor: 780 m ²	Indoor: 626 m ² Outdoor: 500 m ²

Rental Demolition Application: The application proposes full replacement of nine existing rental units to be demolished by their respective bedroom types and at similar rents to those in effect at the time of application is proposed.

All tenants at the time of application would be eligible for the right to return to a replacement rental unit and financial compensation in the form of rent gap payments, as well as additional assistance to mitigate hardship.

Reasons for Application

An amendment to City of Toronto Official Plan is required to redesignate the lands from Neighbourhoods to Mixed Use Areas in order to permit the scale of development that is proposed. The Neighbourhoods designation permits low scale residential buildings up four storeys in height.

An amendment to City of Toronto Zoning By-law 569-2013 is required to create appropriate performance standards to facilitate the development, including, but not limited to: maximum permitted height, density and building setbacks.

A Rental Housing Demolition application under Chapter 667 of the Toronto Municipal Code pursuant to section 111 of the *City of Toronto Act, 2006* is required to demolish the nine existing rental dwelling units.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control application for this site was submitted on April 26, 2022 and is currently under review.

Provincial Land Use Policies

The application has been reviewed to determine its consistency with the Provincial Policy Statement (2020) (PPS), conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) (Growth Plan), and conformity to the City's Official Plan. The PPS provides policy direction province-wide on land use planning and development to promote strong communities, a strong economy, and a clean and healthy environment. 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 Greater Golden Horseshoe region.

Please see Attachment 7 for the comprehensive policy considerations.

Agency Circulation

The application together with the reports/studies submitted in support of the application have 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.

COMMUNITY CONSULTATION

A virtual Community Consultation Meeting was held on June 15, 2021 and was attended by 38 people. At the meeting City staff and the applicant's team gave presentations on the site and surrounding area, the existing planning framework, and the proposed development. Following the presentations, City staff led a question and answer format meeting. Comments and questions provided by the meeting attendees included:

- The overall height of the building and the rationale used for its justification;
- How the mix of units will be demised to support future families living in the area;
- What the potential shadow impacts, specifically on the neighbourhoods and parks in proximity;
- Whether there are sufficient services and infrastructure to accommodate this additional density;
- How this proposal is being considered in relation to the other recently approved developments in proximity;
- What the traffic impacts will be on Campbell Ave and how pedestrian and cyclist safety will be prioritized;

- What changes will be made to the laneways bounding the site;
- What types of public amenity will be included in the proposal;
- What options are being provided to incorporate affordable housing into the proposal;
- Whether there is a sufficient transit service to accommodate all the new residents;
- What considerations have been given to school capacity and future residents of this community with school age children?

The issues raised through community consultation have been considered through the review of the application. Comments with respect to the proposed height, massing, setbacks, shadow, family-sized units affordable housing, and traffic are addressed in the Comments section below.

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.

COMMENTS

Provincial Land-Use Policies: 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.

Built Form

City Planning staff finds that the proposal conforms with the applicable Official Plan policies with respect to built form and massing, as well as the relevant design guidelines addressed further in this report.

The City Council adopted Tall Building Design Guidelines establish a unified set of performance measures for the evaluation of all tall building development applications city-wide. These guidelines focus on how the design of new tall buildings should be evaluated and carried out to ensure that tall buildings fit within their existing and/or planned context and limit local impacts. The proposal has been assessed in the context of the Tall Building Design Guidelines.

Key issues assessed through the review of this proposal include fit within the existing and planned context, tower separation distances, floor plate size and shape, building setbacks, and pedestrian impacts, including shadow and wind.

The Tall Building Design Guidelines identify a maximum 750 square metre floor plate sizes for tower portions of tall buildings. These floor plate sizes are intended to create

smaller, faster moving shadows, improve access to sky view, permit better views between buildings and through sites, and contribute to a more attractive skyline.

The floor plates in the current proposal are 790 square metres in size between levels 7 and 23 and are then reduced to 750 square metre on the top three floors of the building between levels 24 to 26. While the proposed floor plates are not consistent with the floor plate sizes outlined in the Tall Building Design Guidelines, the proposed floor plate sizes are generally consistent with other approvals in proximity.

The Tall Building Design Guidelines also note that adequate separation distances from property lines and from other towers is a critical aspect of tall building design. Further, that the placement of towers should minimize negative impacts on the public realm and neighbouring properties.

The revised proposal generally maintains the minimum separation distances to the east and west that were incorporated in original proposal. To be specific, east-facing units in the building will have a separation distance of at least 21.8 metres from any buildings located to the east by virtue of Campbell Avenue's 20 metre right-of-way width.

In addition to the unit setbacks, the revised proposal will also provide minimum setbacks of 7.5 metres for the base building and 12.5 metres for the tower from the centre line of the west public lane to the rear. Both of these setbacks are in keeping with standards outlined in the Tall Building Design Guidelines.

At the north of the site, the proposed base building provides a minimum 1.5 metre setback from the north lot line, which increases to 2.5 metres at levels 3 and 4. As there are no units on the north-facing portions of levels 1 and 2, the units on level 3 and 4 will continue to have a maintain a minimum setback of 5.5 metres from the centre line of the north public lane as outlined in the Tall Building Design Guidelines.

As part of the revised proposal, the tower element has been shifted 3.0 metres southward. This shift has resulted in an increased tower setback of 5.5 metres to the north property line and 8.5 metres to the centre line of the north laneway. While this setback is less than the 12.5 metres outlined in the Tall Building Design Guidelines, the lands to the north of the site at 350 Campbell Avenue are designated Core Employment Areas and are also located within 30 metres from the adjacent CP Rail corridor. Based on this, there future development potential for a tall building on this site is limited and it is therefore unlikely that this reduced setback will create future negative impacts for future building residents.

At the south of the site, the base building provides a 7.5 metre setback from the south lot line, gradually increasing to 10.6 metres at level 2. The 10.6 metre setback then extends to the top of the six storey element. Based on this setback and the inclusion of non-residential (amenity) uses in the popup element, this element of the proposal meets the standards of the Tall Building Guidelines and there will no light, view or privacy impacts associated with south-facing units in the base building.

As previously noted, the revised proposal has shifted the tower further southward on the site. Despite this shift, the tower element continues to provide a south tower setback

that exceeds the 12.5 metre standard of the Tall Building Guidelines. The tower element will provide a minimum 22.1 metre separation distance from the south lot line and above level 23, this separation distance is increased to 23.6 metres.

Based on the above noted comments, staff are of the opinion that the application appropriately responds to and is in conformity with the Built Form policies of the Official Plan and meets the intent of the Tall Building Design Guidelines. The setbacks and separation distances noted above will help to ensure the building has adequate daylighting, natural ventilation, and that privacy will be maintained for future building residents.

Public Realm

City Planning staff have reviewed the application in the context of the applicable public realm policies of the Official Plan as well as the relevant design guidelines that apply to this site.

As part of the revised proposal, the front yard setback from Campbell Avenue has been reduced to 1.8 metres, with a 1.0 metre stepback at Level 3. This setback has been designed to provide for articulation in the base building and to distinguish the proposed live-work units fronting onto Campbell Avenue from the upper levels of the base building and tower element.

The 1.8 metre setback along the Campbell Avenue frontage has also been designed to incorporate hardscape, planting and short-term bicycle parking. This area has also been designed to incorporate a 4.0 metre wide landscaping buffer and a 2.1 metre pedestrian clearway, which will achieve the City standard of a 6.0 metre sidewalk width. The 4.0 metre landscape buffer also proposes to retain three existing street trees along Campbell Avenue alongside new plantings and hardscape.

At the southeast corner of the site, the building face has been setback at grade to provide for an increased front yard setback and to incorporate a minimum 140 square metre POPS adjacent to the proposed outdoor amenity space within the building's south side yard. The POPS has been designed to wrap the southeast corner of the building and to have a high level of visibility from both Campbell Avenue and Dupont Street. Further to this, staff recommended an integrated approach to public realm with visual permeability and for the application to avoid the use of fences between the POPS and broader public realm. Further work through the Site Plan process may be required to refine this design.

At the southern edge of the site within the proposed POPS, a 1.5 metre wide landscape strip has been incorporated that could be expanded in the future to incorporate an east-west pedestrian mid-block connection between Campbell Avenue and the westerly public lane. Staff have noted that improvements to the design of the POPS and the size of the east-west pedestrian mid-block connection may continue to be revised through the site plan process.

Based on the above noted comments, City staff are satisfied that the proposal is consistent with the applicable public realm policies of the Official Plan.

Shadow Impact

The Shadow Study submitted as part of the application assessed the shadow impacts of the revised proposal during the Spring and Fall equinoxes (i.e. March and September 21st) and during the Summer Solstice (i.e. June 21st) between the hours of 9:18 a.m. and 6:18 p.m.

During the Spring and Fall equinoxes, the shadow study shows the proposal casting minor shadows on the Charles-Sauriol Elementary School playground which is designated Neighbourhoods to the northwest and the Symington Avenue Playground until approximately 10:18 a.m., at which time the shadows shift further north onto the CP Rail corridor and will not again reach properties designated Neighbourhoods.

During the Summer Solstice, the proposal will partially shadow the southeast corner of the Symington Avenue Playground Tennis Courts until 10:18 a.m. From 10:18 a.m. onward, the shadowing will shift entirely off the Symington Avenue Playground and will continue to extend further north and east and have no shadow impacts on Neighbourhoods designated lands.

The proposal will cast shadows onto a portion of the Symington Avenue sidewalk at 9:18 a.m. However, by 10:18 a.m., these shadows will have largely moved northward and eastward, resulting in shadowing on Symington Avenue that is primarily limited to where the CP Rail corridor extends over the street. These impacts on Symington Avenue will also be present until 11:18 a.m. during the Summer solstice.

City Planning staff finds the shadows generated by the proposal adequately limits shadow impacts on adjacent *Neighbourhoods*, Parks and Open Space and sidewalks, particularly during the spring and fall equinoxes, and are acceptable.

Wind Impact

A Pedestrian Level Wind Study reflecting the proposal was submitted in support of the original development application. City Planning staff have reviewed the Pedestrian Level Wind Study submitted with the original application, but note that the study has not been revised to reflect the modifications made to the revised proposal.

Staff have further noted that as part of the Site Plan process, a new wind tunnel study should be provided that reflects the new conditions of the development and if it is determined that mitigation is needed, it should be tested further.

Specific focus should be paid to all the pedestrian areas, especially the mid-block connection and the POPS and that wind conditions will need to comply with the intended design.

Unit Mix

A total of 313 residential units are proposed, consisting of 25 studio units (8%), 161 one-bedroom units (51%), 92 two-bedroom units (29%), 31 three-bedroom units (10%)

and 4 live-work units (1%) comprising 21,379 square metres of residential gross floor area.

The unit mix meets the policy direction of the Official Plan to provide a full range of housing and meets the unit mix objectives of the Growing Up: Planning for Children in New Vertical Communities Urban Design Guidelines (Growing Up Guidelines) to provide a minimum of 15% two-bedroom units and 10% three-bedroom units within new developments. While the unit sizes currently proposed do not meet the unit size objectives of the Growing Up Guidelines, which City Planning staff will continue to encourage the applicant to provide through the Site Plan Control review process.

Staff also note that despite the above note comment, the mix and size of the affordable housing units has been explicitly noted in the recommendations of this report and will be secured in the zoning by-law.

Amenity Space

Amenity space for building residents is currently proposed on first, fifth and sixth floor with outdoor amenity space on the roof of the four storey base building. A total of 626 square metres of indoor amenity space and 500 square metres of outdoor amenity space is currently proposed.

While the amount of amenity space amounts to a total of 3.6 square metres per unit, and is below the standard of Zoning By-law 569-2013, this amount is offset by the 140 square metre POPS space provided on the southeast corner of the site. The location of the amenity space will be reviewed in detail through the site plan process and ultimately provided in a location satisfactory to the Chief Planner.

Detailed design of the amenity space, including provisions for households with children (Growing Up Guidelines) and pets (Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings) will be reviewed and secured through the Site Plan Control review process.

Rental Housing Demolition Application

The site includes ten house form structures with the following unit and tenure mix:

Address	Location	Tenure	Type
316 Campbell Ave.	Main/second	Owner Occupied	-
316 Campbell Ave.	Basement	Rental	Studio
318 Campbell Ave.	Basement	Rental	Two-bedroom
318 Campbell Ave.	Main floor	Rental	One-bedroom
318 Campbell Ave.	Second floor	Rental	One-bedroom

Address	Location	Tenure	Type
320 Campbell Ave.	Main floor	Owner Occupied	-
320 Campbell Ave.	Second floor	Rental	Two-bedroom
322 Campbell Ave.	-	Owner Occupied	-
324 Campbell Ave.	-	Owner Occupied	-
326 Campbell Ave.	-	Owner Occupied	-
330 Campbell Ave.	-	Owner Occupied	-
332 Campbell Ave.	Main/upper	Owner Occupied	-
332 Campbell Ave.	Basement	Rental	One-bedroom
334 Campbell Ave.	-	Owner Occupied	-
336 Campbell Ave.	Basement	Rental	Two-bedroom
336 Campbell Ave.	Main floor	Rental	Two-bedroom
336 Campbell Ave.	Upper floor	Rental	Two-bedroom

The tenure and unit mix was confirmed through the submission of Owner affidavits and a site visit conducted by City Staff.

All nine rental dwelling units were occupied at the time of application. Currently, only the rental dwelling unit at 318 Campbell Avenue is occupied. The remaining eight rental dwelling units have since become vacant. Six of the nine units were vacated between March 31 and April 5, 2022. Based on information provided to staff, it appears that tenants were asked by their former landlords to leave their units prior to the application being approved. In order to address this miscommunication, all nine tenant households at the time of application are considered to be eligible for the tenant assistance and relocation plan. The Owner has also agreed to try to contact former tenants and hold a tenant meeting in order to ensure tenants are provided with full information on their rights and the city-approved Tenant Relocation and Assistance Plan.

The applicant has agreed to implement a Tenant Relocation and Assistance Plan for all eligible tenants, consisting of the following:

- A moving allowance to move out of the rental unit proposed to be demolished;
- Financial compensation, above and beyond Residential Tenancies Act requirements of three months' rent, in the form of a rent gap payment, for the anticipated displacement period (time between when a tenant moved out and when the tenant can return to their replacement rental unit);
- Special needs compensation for qualifying tenants;

- The right to occupy a replacement rental unit at similar rent; and
- A moving allowance to move back into a replacement rental unit once they are ready for occupancy;

Reduction in replacement rents: In the event that all eligible tenants do not return, the Owner has agreed to secure the replacement units at rents that would be similar to the rent for a returning tenant. Accordingly, the replacement units would have the following rent restrictions:

Address	Unit Type	60% of Affordable Rent	90% of Affordable Rent	150% of Affordable Rent (Mid-range)
316 Campbell Lower	Studio	-	1	-
318 Campbell Lower	2BR	1	-	-
318 Campbell Main	1BR	-	1	-
318 Campbell Upper	1BR	-	1	-
320 Campbell Upper	2BR	1	-	-
332 Campbell Basement	1BR	1	-	-
336 Campbell Basement	2BR	-	-	1
336 Campbell Main	2BR	-	-	1
336 Campbell Upper	2BR	-	-	1
Total		3	3	3

Replacement Unit Sizes: The applicant has agreed to revise the replacement unit floor plans in order to more closely provide replacement units of a similar size to the existing units. Revised plans for the replacement units, that are more reflective of the demolished unit size, by unit type, will be required prior to the issuance of Notice of Approval Conditions for Site Plan Approval.

Affordable Housing

Through the application review process and in consultation with the local community and Ward Councillor, an affordable housing contribution has been developed for the proposal. This affordable housing offer contemplates the delivery of 21 affordable rental units which would remain affordable for 99 years at a maximum rate of 80% of Average Market Rent (AMR), based on annual CMHC AMR data.

The Owner, Marlin Spring, intends to transfer Ownership of the affordable housing to the non-profit housing provider Community Affordable Housing Solutions (CAHS).

The provision of the affordable housing units is proposed to be supported by both a contribution under section 37 of the Planning Act, and incentives through the City's Open Door Program. This report recommends that City Council approve Open Door Program incentives for 21 new affordable rental homes. The affordable housing provision reflects the value of an appropriate community benefit secured through section 37 of the Planning Act plus the incentives provided through the Open Door program. City Planning and Housing Secretariat staff have confirmed the affordable housing proposal recommended in this report with Marlin Spring, and the intended Owner/operator of the affordable homes, Community Affordable Housing Solutions.

Rents for the 21 affordable rental homes are proposed to be set at a maximum of 80% Average Market Rent over the 99-year affordability term. Community Affordable Housing Solutions intends to operate the homes at lower rents, pending financing confirmation. The affordable homes will be comprised of: 12 1-bedroom apartments; 8 2-bedroom apartments; and, 1 3-bedroom apartment.

Traffic Impact, Access, Parking and Loading

There is one vehicular access points proposed for parking, along the laneway at the north of the site off of Campbell Avenue. A two level underground parking garage containing a total of 77 parking spaces for building residents, 18 spaces for visitors and 8 car share spaces is currently proposed. Access to one Type G loading space is also proposed and will also be accessed from the laneway located off Campbell Avenue.

A total of 314 bicycle parking spaces are also proposed, including 282 bicycle parking spaces for residents and 32 bicycle parking spaces for visitors. The proposed bicycle parking spaces and loading space meet the Zoning By-law requirements.

Transportation Services staff have reviewed the Urban Transportation Considerations Report and accepted its conclusions. Additional comments related to site access arrangements, site circulation and layout, design of the proposed site entrance driveway and layout of the proposed parking supply will be provided through the Site Plan Control review process.

Servicing and Stormwater Management

The applicant has submitted a Functional Servicing and Stormwater Management Report, Civil and Utilities plans, a Hydrogeological Report and Geotechnical Study all in support of the subject application. Engineering and Construction Services (ECS) staff have indicated that they are supportive of the findings of these reports and have no objections to this final report and associated Official Plan and Zoning By-law amendment.

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 lands which are the subject of this application are in an area with 12 – 28 m² of parkland per person, which is less than the city-wide average provision of 28 m² of parkland per person in 2016. The development site is also within an Areas of Parkland Need per Figure 18 of the Parkland Strategy, which highlights areas where the city will focus and prioritize parks planning and acquisitions.

Given the future expected growth both on the development site itself and surrounding sites, a parkland deficit will be generated if no new parks are created. This anticipated parkland deficit must be addressed through the creation of a new park to serve the future population.

At the alternative rate of 0.4 hectares per 300 units specified in Chapter 415, Article III of the Toronto Municipal Code, the parkland dedication requirement is 4,133.3 m² or 180.49 % of the site area. However, for sites that are less than 1 hectare in size, a cap of 10% of the development site is applied to the residential use. In total, the parkland dedication requirement is 229 m².

Staff have requested that the applicant satisfy the parkland dedication through acquiring off-site parkland that will contribute positively to existing parks within 500 m of the development site. The size and location of the parkland would be subject to the approval of the General Manager, Parks, Forestry and Recreation and would be subject to this Department's conditions for conveyance of parkland prior to the issuance of the first above grade building permit.

Tree Preservation

The application is subject to the provisions of the City of Toronto Municipal Code, Chapter 813, Trees, Articles II (Trees on City Streets) and III (Private Tree Protection), commonly referred to as the 'Street Tree By-law' and the 'Private Tree By-law', respectively, Municipal Code Chapter 608 – Parks, Article VII (Trees), and the Toronto Green Standard. The applicant submitted an Arborist Report, Tree Preservation Plan, Landscape Plans, and Servicing Plan.

City staff note that there are three City-owned trees captured by the Arborist Report which qualify for protection under the provisions of the Street Tree By-law, all of which are proposed for injury. Staff note that all City-owned trees to be preserved must be protected in accordance with the City of Toronto Street Tree By-law.

New street trees are proposed within the Campbell Avenue City-owned road allowance. Staff have requested further evidence confirming the absence of conflicts between the proposed new street trees and proposed and existing utilities.

Urban Forestry – Tree Protection & Plan Review staff do not object in principal to the Official Plan and Zoning By-law Amendment applications and defers specific comments

to the future Site Plan Control application.

Toronto Green Standard

Council has adopted the four-tier Toronto Green Standard (the "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 TGS. 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.

The applicant is required to meet Tier 1 of the TGS. The applicant is encouraged to achieve Tier 2 or higher to advance the City's objectives for resilience and to achieve net-zero emissions by 2040 or sooner. Performance measures for the Tier 1 development features will be secured through the Site Plan Agreement.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020) and the Toronto Official Plan. Staff are of the opinion that the proposal is consistent with the PPS (2020) and conforms with the Growth Plan (2020). Furthermore, the proposed amendment to City's Official Plan will set a good precedent for future developments in proximity on other sites designated Mixed Use Areas. The proposed development has an appropriate built form and offers a positive relationship with to the surrounding public realm. Planning staff recommend City Council approve the Official Plan and Zoning By-law Amendment application.

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SIGNATURE

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

ATTACHMENTS

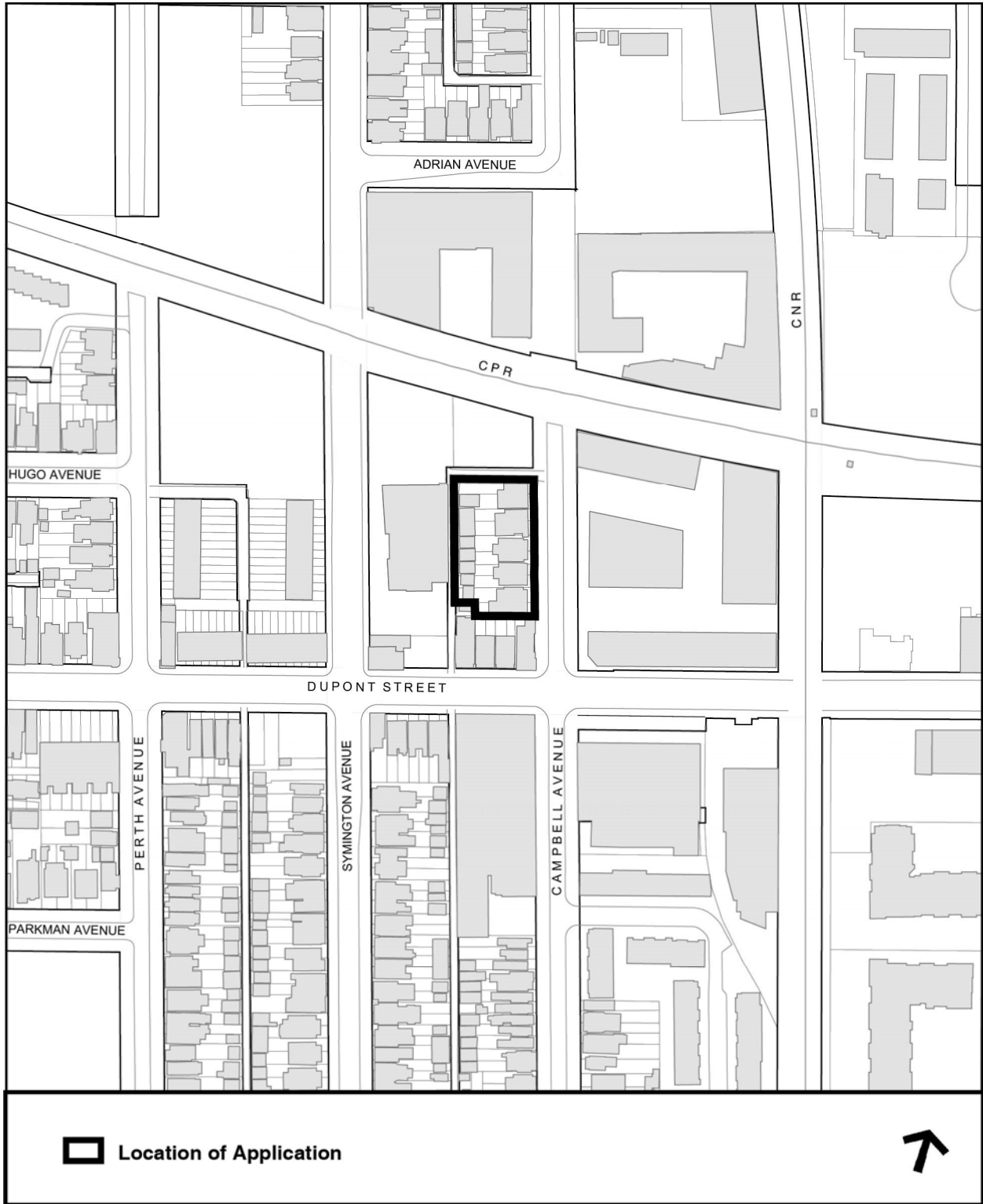
City of Toronto Data/Drawings

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 Official Plan Amendment
Attachment 6: Draft Zoning By-law Amendment
Attachment 7: Policy Considerations

Applicant Submitted Drawings

Attachment 8: Site Plan
Attachment 9a: 3D Model of the Proposal in Context Looking Northwest
Attachment 9b: 3D Model of the Proposal in Context Looking Southeast
Attachment 10: Building Section East-West
Attachment 11: Building Section North-South

Attachment 1: Location Map



Attachment 2: Application Data Sheet

APPLICATION DATA SHEET

Municipal Address: 316 CAMPBELL AVE **Date Received:** April 9, 2021

Application Number: 21 138108 STE 09 OZ

Application Type: OPA / Rezoning, OPA & Rezoning

Project Description: Proposal for a 26-storey, inclusive of a 4-storey podium, having a residential gross floor area of 21,379 square metres. 313 residential dwelling units are proposed, of which, 4 will be dedicated live-work units.

Applicant	Agent	Architect	Owner
TABBY NASSIRI	MARLIN SPRING	GIANNONE PETRICONE ASSOCIATES	PAMELA BISNATH BHIM

EXISTING PLANNING CONTROLS

Official Plan Designation:	Neighbourhoods	Site Specific Provision:
Zoning:	R (d0.6)	Heritage Designation:
Height Limit (m):	14	Site Plan Control Area: Y

PROJECT INFORMATION

Site Area (sq m): 2,290 Frontage (m): 62 Depth (m): 38

Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			1,419	1,419
Residential GFA (sq m):	1,067		21,379	21,379
Non-Residential GFA (sq m):				
Total GFA (sq m):	1,067		21,379	21,379
Height - Storeys:	3		28	28
Height - Metres:	10		89	89

Lot Coverage Ratio (%) : 61.97 Floor Space Index: 9.33

Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	21,379	
Retail GFA:		

Office GFA:
 Industrial GFA:
 Institutional/Other GFA:

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	4			
Freehold:	7			
Condominium:			313	313
Other:	4			
Total Units:	15		313	313

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		25	161	92	31
Total Units:		25	161	92	31

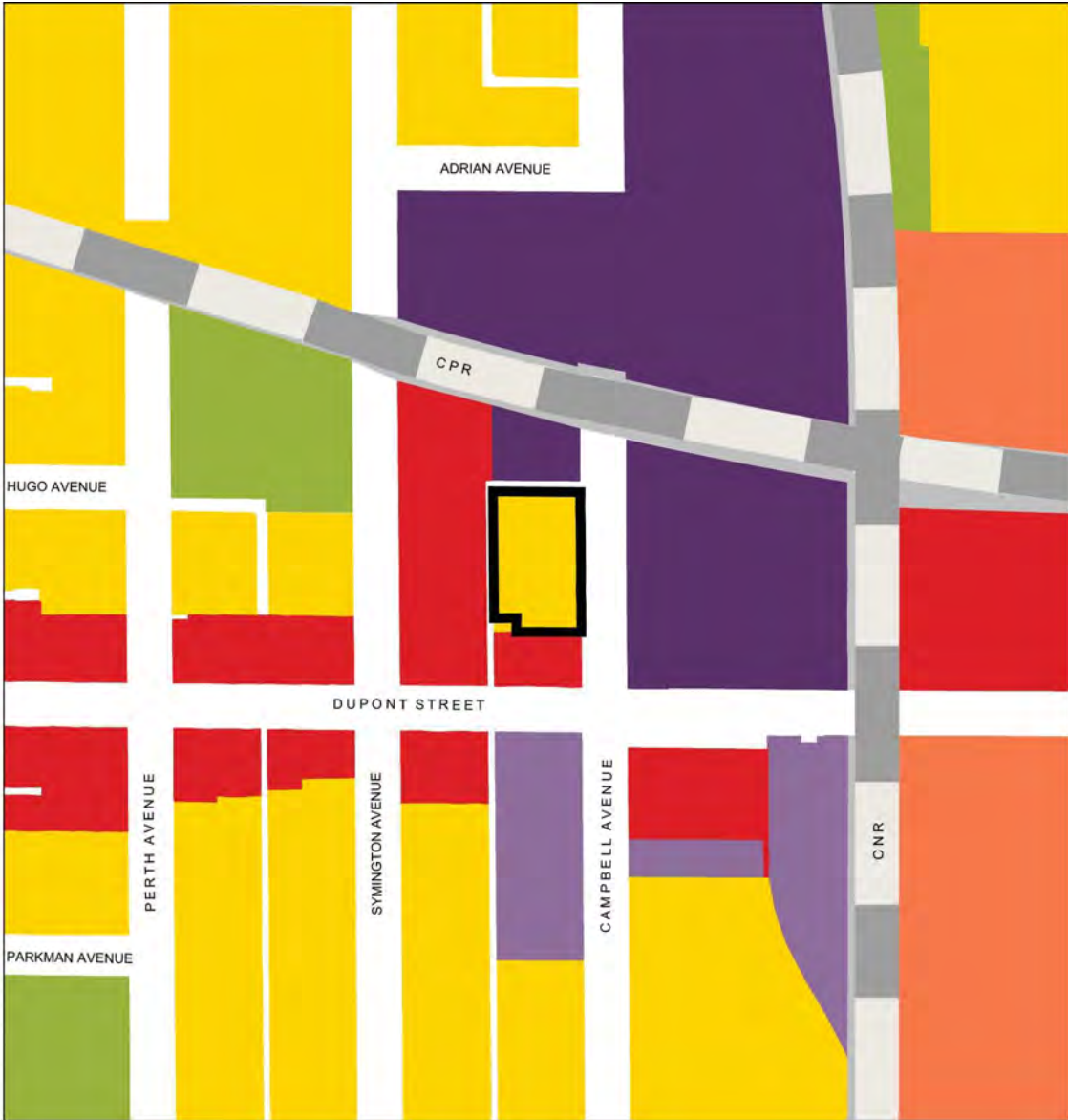
Parking and Loading

Parking Spaces: 103 Bicycle Parking Spaces: 314 Loading Docks: 1

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Attachment 3: Official Plan Land Use Map



Official Plan Land Use Map

316-336 Campbell Avenue

File # 21 138108 STE 09 0Z



Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

316-336 Campbell Avenue

File # 21 138108 STE 09 0Z

Location of Application

- R Residential
- CR Commercial Residential
- E Employment Industrial
- OR Open Space Recreation
- UT Utility and Transportation

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

- R4 Residential District
- MCR Mixed-Use District
- I3 Industrial District



Not to Scale
Extracted: 05/07/2021

Attachment 5: Draft Official Plan Amendment

The draft Official Plan Amendment will be made available on or before the June 29 & 30, 2022 Toronto and East York Community Council.

Attachment 6: Draft Zoning By-law Amendment

The draft Official Plan Amendment will be made available on or before the June 29 & 30, 2022 Toronto and East York Community Council.

Attachment 7: Policy Considerations

The Planning Act

Section 2 of the Act identifies matters of provincial interest to which a municipality shall have regarding carrying out its responsibilities under the Act. Amongst other matters this includes:

- The efficient and wise use and management of land and infrastructure over the long term in order to minimize impacts on air, water, and other resources;
- Protection of the natural and built environment;
- Building strong, sustainable, and resilient communities that enhance health and social well-being by ensuring opportunities exist locally for employment;
- Identify appropriate locations and promote opportunities for transit supportive development, accommodating a significant supply and range of housing options, including affordable housing, through intensification and redevelopment where it can be accommodated;
- Residential development promoting a mix of housing, recreation, parks and open space, and transportation choices that increase the use of active transportation and transit; and
- Encouraging a sense of place in communities, by promoting well-designed built form, and by conserving features that help define local character.

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 policy direction province-wide 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:

- encouraging a sense of place, by promoting well-designed built form;
- the efficient use and management of land and infrastructure;
- ensuring 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 Official Plan as an important document for implementing the policies within the PPS. Policy 4.6 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 the 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 policies of the plans.

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 to 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 to 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) came into effect on August 28, 2020. This was an amendment to the Growth Plan for the Greater Golden Horseshoe, 2019. The Growth Plan (2020) 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 (2020), 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;
- Achieving complete communities with access to a diverse range of housing options, protected employment zones, public service facilities, recreation, and green space that better connect transit to where people live and work;

- Public service facilities and public services should be co-located in Community Hubs, and integrated to promote cost-effectiveness;
- Retaining viable lands designated as employment areas, and ensuring 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 (2020) 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 (2020) 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 to the Growth Plan (2020). Comments, submissions or advice affecting a planning matter that are provided by Council shall also conform to the Growth Plan (2020).

Toronto Official Plan

The Official Plan is a comprehensive policy document that guides development in the City, providing direction for managing the size, location, and built form compatibility of different land uses and the provision of municipal services and facilities. The Official Plan directs growth towards the Downtown, Centres, Avenues and Employment Areas.

The City of Toronto Official Plan can be found here:

<https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/official-plan/>.

On September 11, 2020, the Ministry of Municipal Affairs and Housing issued Notices of Decision approving OPA 479 and OPA 480. OPA 479 (Public Realm) and OPA 480 (Built Form) were adopted as part of the Five-Year Official Plan Review. The OPAs replace Sections 3.1.1, 3.1.2 and 3.1.3 of the Official Plan with new and revised policies for the public realm, built form and built form types, which respond to Council's direction to amend the urban design policies of the Official Plan.

The Official Plan Amendment can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2019.PH11.4>.

The Zoning By-law Amendment application for this site was submitted prior to the approval of OPA 470 and OPA 480 and has therefore been reviewed in the context of the previously approved sections of the Official Plan as well as OPA 479 and OPA 480.

The Site Plan Control application for this site was submitted following the adoption of OPA 479 and OPA 480 and is therefore subject to the currently in effect policies. For

the purposes on this report, the following appendix provides a summary of the current in effect policies including OPA 479 and 480.

Section 2.3.1 Healthy Neighbourhoods

The Healthy Neighbourhoods policies of the Official Plan (Section 2.3.1) require new development within Mixed Use Areas to provide a gradual transition of scale and density. This may be achieved through maintaining adequate light and privacy and the stepping down of buildings towards stable areas of the city.

Section 2.4 Transportation

Section 2.4 of the Official Plan addresses the differing transportation demands between areas targeted for growth and those other parts of the City where little physical change is foreseen. This section of the Plan provides a policy framework to make more efficient use of the City's infrastructure and to increase opportunities for walking, cycling and transit use and support the goal of reducing car dependency throughout the City. Policies also state that planning for new development will be undertaken in the context of reducing auto dependency and the transportation demands and impacts of such new development assessed in terms of the broader social and environmental objectives of the Official Plan.

Chapter 3 – Building a Successful City

Section 3.1.1 The Public Realm

The public realm is the fundamental organizing element of the city and its neighbourhoods and plays an important role in supporting population and employment growth, health, liveability, social equity and overall quality of life. It is a key shared asset that draws people together and creates strong social bonds at the neighbourhood, city and regional level. The public realm and the buildings that frame it convey our public image to the world and unite us as a city. They contribute to Toronto's cultural heritage and are fundamental to defining our urban form and character. They set the stage for our festivals, parades and civic life as well as for daily social interaction. Quality design of our public spaces enhance people's sense of community identity.

The public realm policies in section 3.1.1 of the Official Plan place emphasis on providing the organizing framework and setting for development, fostering complete, well-connected walkable communities and employment areas that meet the daily needs of people and support a mix of activities, active transportation and public transit use. They also promote the provision of a comfortable, attractive and vibrant, safe and accessible setting for civic life and daily social interaction and contribute to the identity and physical character of the City and its neighbourhoods.

Section 3.1.2 Built Form

Our quality of life and personal enjoyment of the public realm depend in part on the buildings that define and support the edges of our streets, parks and open spaces. The scale and massing of buildings define the edges of, and give shape to, the public realm.

The ground floor uses, entrances, doors, windows, materiality and quality of these building edges help to determine the visual quality, activity, comfortable environment and perception of safety in those public spaces. Individual building façades that are visible from, and form the edges of streets, parks or open spaces are read together as the walls that define and support the public realm.

They should be conceived not only in terms of individual building sites and programs, but also in terms of how sites, buildings and their interface with the public realm fit within the existing and/or planned context of the neighbourhood and the city. Each new development should be designed to make a contribution to the overall quality of urban design in the city.

Section 3.1.2 of the Official Plan, ensures that development will be located and organized to fit within its existing and planned context. It will frame and support adjacent streets, lanes, parks and open spaces to promote civic life and the use of the public realm, and to improve the safety, pedestrian comfort, interest and experience, and casual views to these spaces from the development.

Policy 3.1.2.5 also states that development will be located and massed to fit within the existing and planned context, define and frame the edges of the public realm with good street proportion, fit with the character, and ensure access to direct sunlight and daylight on the public realm. Development will accomplish this by providing streetwall heights and setbacks that fit harmoniously with the existing and/or planned context and by stepping back building mass and reducing building footprints above the streetwall height.

Policy 3.1.2.6 and 3.1.2.7 also note that development will be required to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planned contexts of neighbouring properties and the public realm and that transition in scale will be provided within development sites and measured from shared and adjacent property lines.

Policy 3.1.2.9 provides that the design of new building facades visible from the public realm will consider the scale, proportion, materiality and rhythm of the façade to ensure fit with adjacent building facades, contributes to a pedestrian scale by providing a high quality of design on building floors adjacent to and visible from the public realm and break up long facades in a manner that respects and reinforces the existing and planned context.

Finally, Policy 3.1.2.11 also specifies that new indoor and outdoor shared amenity spaces shall be provided as part of multi-unit residential developments and are encouraged to be high quality, well designed, and consider the needs of residents of all ages and abilities over time and throughout the year.

Section 3.2.1 Housing

Section 3.2.1 of the Official Plan contains the City's policies pertaining to the provision, preservation, and replacement of housing.

Policy 3.2.1.1 states that "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, the policy states, includes rental housing and affordable rental housing.

Policy 3.2.1.2 states that the City's existing stock of housing will be improved and replenished, and that new housing supply will be encouraged through intensification and infill that is consistent with other Official Plan policies.

Policy 3.2.1.6 prevents new development that would result in the loss of six or more rental dwelling units unless all of the rental units have rents that exceed mid-range rents at the time of application, or at least the same number, size, and type of rental units are replaced and maintained with rents similar to those in effect at the time of application. The policy also requires an acceptable tenant relocation and assistance plan, addressing the right for tenants to return to one of the replacement units at similar rents and other assistance to mitigate hardship.

Chapter 4 - Land Use Designations

The site is designated Neighbourhoods on Map 17 - Land Use Plan (see Attachment 3) of the City's Official Plan. However, the application proposes to redesignate the lands to Mixed Use Areas.

Mixed Use Areas anticipate a broad array of residential uses, offices, retail services, institutions, entertainment, recreation and cultural activities, and parks and open spaces. Consistent with Policy 4.5.2 of the Official Plan, new development in Mixed Use Areas will:

- create a balance of uses that reduce automobile dependency and meet the needs of the local community;
- be massed in a way that provides a transition between areas of different development intensity and scale;
- provide an attractive, comfortable and safe pedestrian environment; and
- take advantage of nearby transit services;
- locate and screen service areas, ramps and garbage storage to minimize the impact on adjacent streets and residences; and
- provide indoor and outdoor recreation space for building residents in every significant multi-unit residential development.

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.

Section 37 has been altered and replaced with the New Community Benefits Charge regime. The new regime while in place in legislation, provides for a transition period.

The continued use of the S.37 density bonusing framework remains in place and should be utilized where applicable until the City passes a Community Benefit Charge by-law.

Design Guidelines

Policy 5.3.2.1 of the Official Plan also contemplates that City Council will adopt guidelines to advance the vision, objectives and policies of the Plan.

Tall Building Guidelines

On May 8, 2013, City Council adopted the updated city-wide Tall Building Design Guidelines. The Guidelines integrate and build upon previous Council-adopted tall building guidelines and establish a unified set of performance measures for the evaluation of all tall building development applications city-wide.

The Tall Building Design Guidelines update and replace the “Design Criteria for the Review of Tall Building Proposals” (2006), as well as consolidate and substantially replace the “Downtown Tall Buildings Vision and Performance Standards Design Guidelines” (2012).

The Tall Building Design Guidelines can be found at the following link:
<https://www.toronto.ca/wp-content/uploads/2018/01/96ea-cityplanning-tall-buildings-may2013-final-AODA.pdf>.

Growing Up: Planning for Children in New Vertical Communities

The Council-adopted Growing Up: Planning for Children in New Vertical Communities urban design guidelines provide guidance on the proportion and size of larger units recommended in new multi-unit residential developments.

Guideline 2.1 of the Growing Up guidelines states that a residential building should provide a minimum of 25% large units. Specifically, the guidelines state that 10% of the total residential units should be three-bedroom units and 15% should be two-bedroom units.

Guideline 3.0 of the Growing Up guidelines states that the ideal unit size for large units, based on the sum of the unit elements, is 90 square metres for two-bedroom units and 106 square metres for three-bedroom units. Also, the ranges of 87-90 square metres and 100-106 square metres represent an acceptable diversity of sizes for such bedroom types, while maintaining the integrity of common spaces to ensure their functionality.

The application was reviewed in the context of these guidelines to ensure an appropriate mix of units as well as the provision of adequately sized units to support housing choices and accommodation of larger households.

These guidelines can be accessed at this link:
<https://www.toronto.ca/legdocs/mmis/2020/ph/bgrd/backgroundfile-148362.pdf>

Pet Friendly Design Guidelines for High Density Communities

City Planning has completed Pet Friendly Design Guidelines and Best Practices for New Multi-Unit Buildings. The purpose of this document is to guide new development in a direction that is more supportive of a growing pet population, considering opportunities to reduce the current burden on the public realm through the provision of pet amenities in high density residential communities.

These Guidelines provide direction on the size, location and layout of pet friendly facilities, while identifying best practices to support pet friendly environments at the neighbourhood, building and unit scale. The Guidelines are available on the City's website at:

<https://www.toronto.ca/wp-content/uploads/2019/12/94d3-CityPlanning-Pet-Friendly-Guidelines.pdf>.

Toronto Green Standard (Climate Mitigation and Resilience)

Climate change mitigation and resilience are key concerns of the City. On October 2, 2019, City Council declared a Climate Emergency and set a new goal to achieve net zero greenhouse gas emissions by 2050 or sooner. In 2021, an updated TransformTO Net Zero Strategy will be presented to Council, outlining the necessary climate action to reach net zero GHG emissions community-wide. In June 2019, the Resilience Strategy was published, which set out that new development should be resilient to a changing climate.

The Toronto Green Standard (the "TGS") sets out the key sustainable performance measures new developments are required to meet to address climate mitigation and resilience. The TGS is a critical component of the City's efforts to achieve zero emissions buildings by 2030, to meet 2050 citywide greenhouse gas reduction targets, and to build a more resilient city. The TGS also supports other City-wide strategies related to environmental sustainability, including TransformTO, the Resilience Strategy, Ravine Strategy and Biodiversity Strategy.

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 TGS. Tier 1 performance measures are secured on site plan drawings and through a site plan agreement or registered plan of subdivision. Tiers 2+ are voluntary higher levels of performance with financial incentives (post-construction development charge refunds) intended to facilitate the foregoing objectives. Applicants are strongly encouraged to pursue higher tiers of the TGS wherever possible.

Applications must use the documentation required for the version of the TGS in effect at the time of the initial site plan application. TGS Version 3.0 applies to new applications submitted on or after May 1, 2018. TGS Version 4.0 will apply to all new applications submitted on or after May 1, 2022.

Visit: <https://www.toronto.ca/city-government/planning-development/official-plan-guidelines/toronto-green-standard/>.

Rental Housing Demolition and Conversion By-law

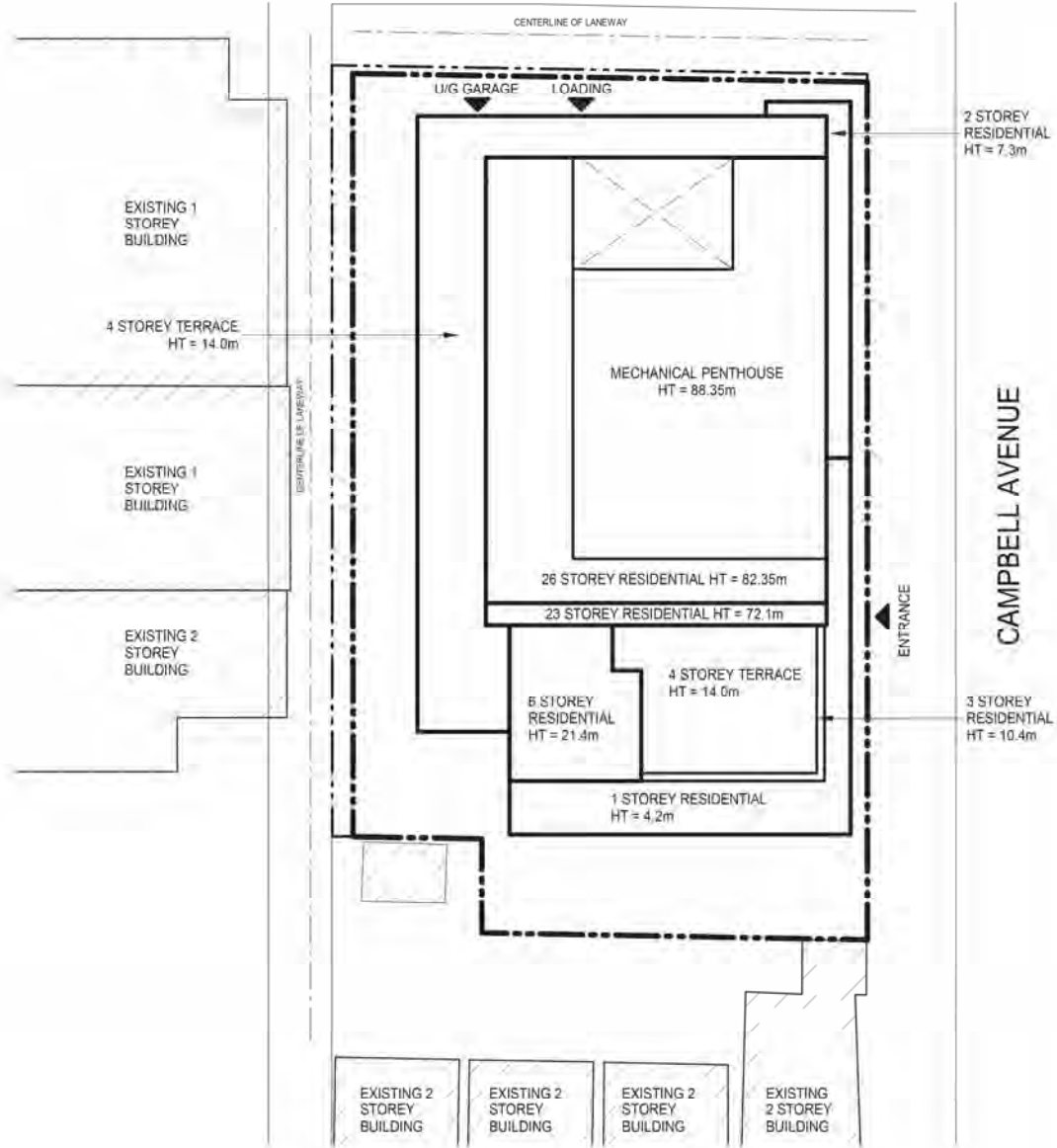
Section 111 of the City of Toronto Act, 2006 authorizes Council to regulate the demolition and conversion of residential rental properties in the City. Chapter 667 of the Toronto Municipal Code, the Rental Housing Demolition and Conversion Control By-law, implements Section 111. The By-law prohibits the demolition or conversion of rental housing units in buildings containing six or more residential dwelling units, of which at least one is a rental unit, without obtaining a permit from the City and requires a decision by either City Council or, where delegated, the Chief Planner and Executive Director, City Planning Division.

Council may refuse an application or approve an application with conditions, including requirements to replace the rental units and/or to provide tenant relocation and other assistance, which must be satisfied before a demolition permit is issued. Decisions made by City Council under Chapter 667 are not appealable to the Ontario Land Tribunal.

Section 33 of the Planning Act also authorizes Council to regulate the demolition of residential properties. Section 33 is implemented through Chapter 363 of the Toronto Municipal Code, the Building Construction and Demolition By-law, which requires Council approval of the demolition of any residential property that contains six (6) or more dwelling units (irrespective of whether any are rental) before the Chief Building Official can issue a demolition permit under the Building Code Act. Where a proposal requires Council approval of a demolition application under Chapter 363 and a Rental Housing Demolition application under Chapter 667, City Council typically considers both applications at the same time.

The proposal to demolish nine (9) rental dwelling units at 316, 318, 320, 332 and 336 Campbell Avenue requires approval under both Chapters 363 and 667 of the Toronto Municipal Code because it involves the demolition of at least six (6) dwelling units and at least one (1) rental unit. Section 6.2 of Chapter 363 provides for the coordination of approval processes, allowing the Chief Building Official to issue a single demolition permit for the purposes of Chapters 363 and 667.

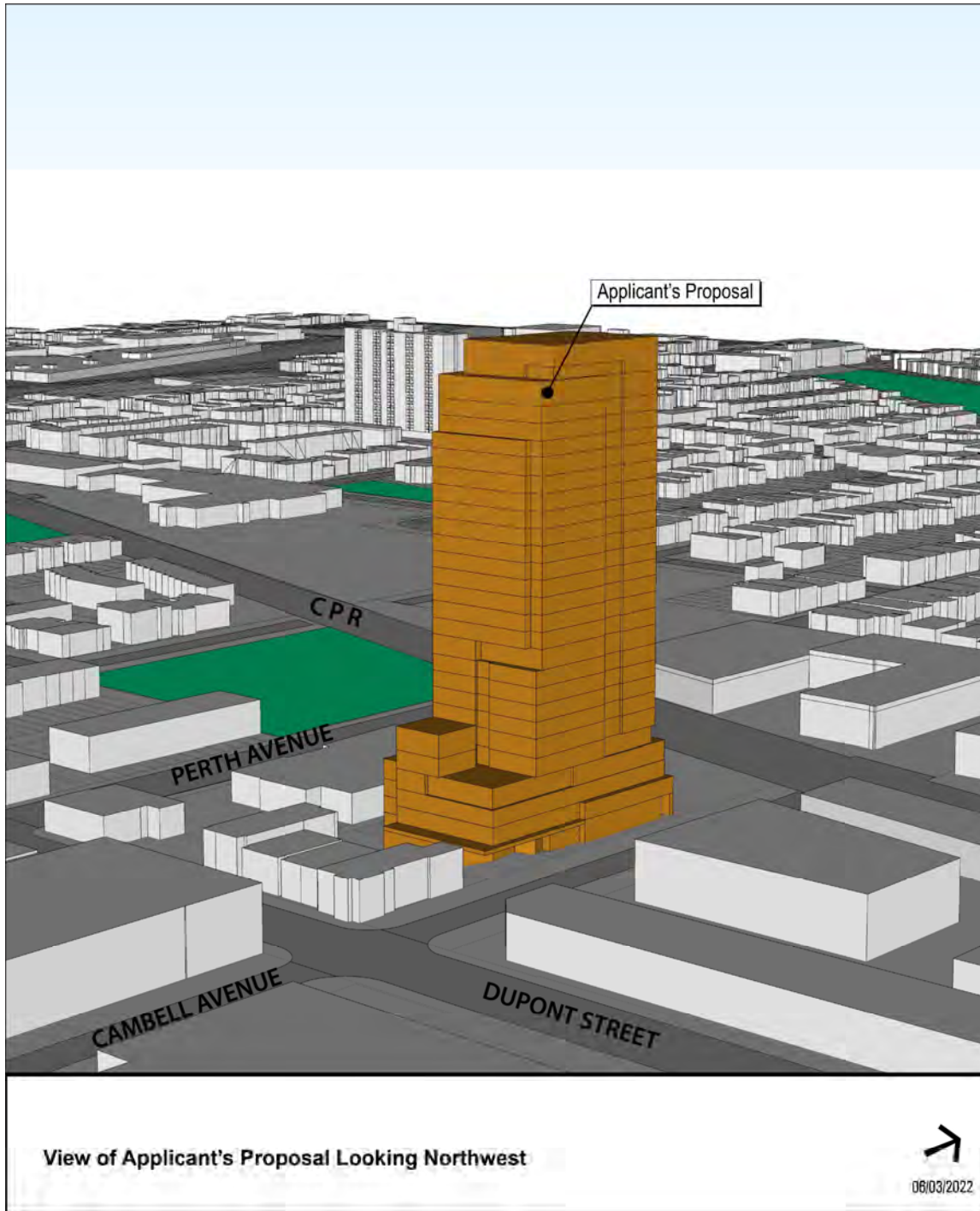
Attachment 8: Site Plan



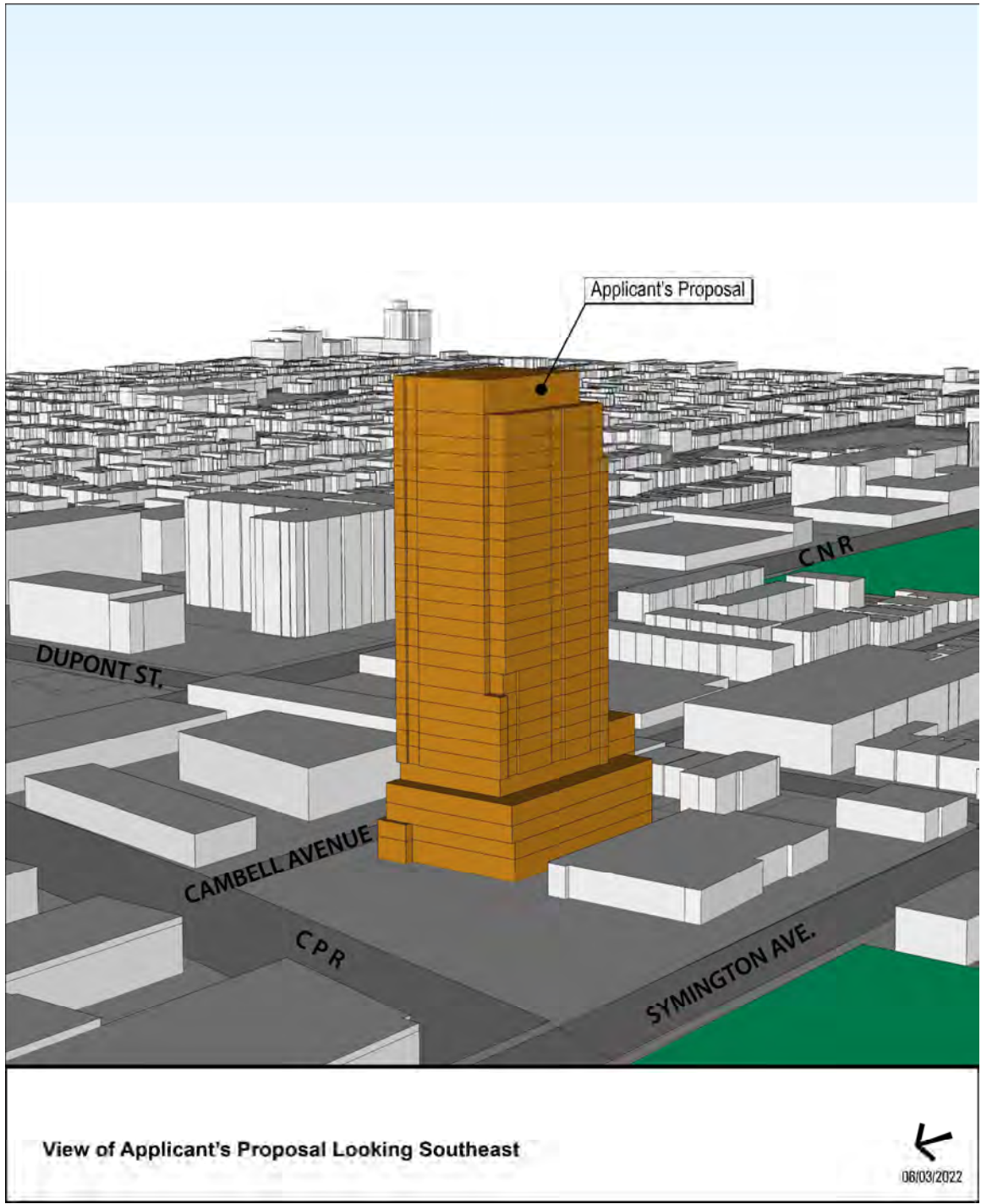
Site Plan



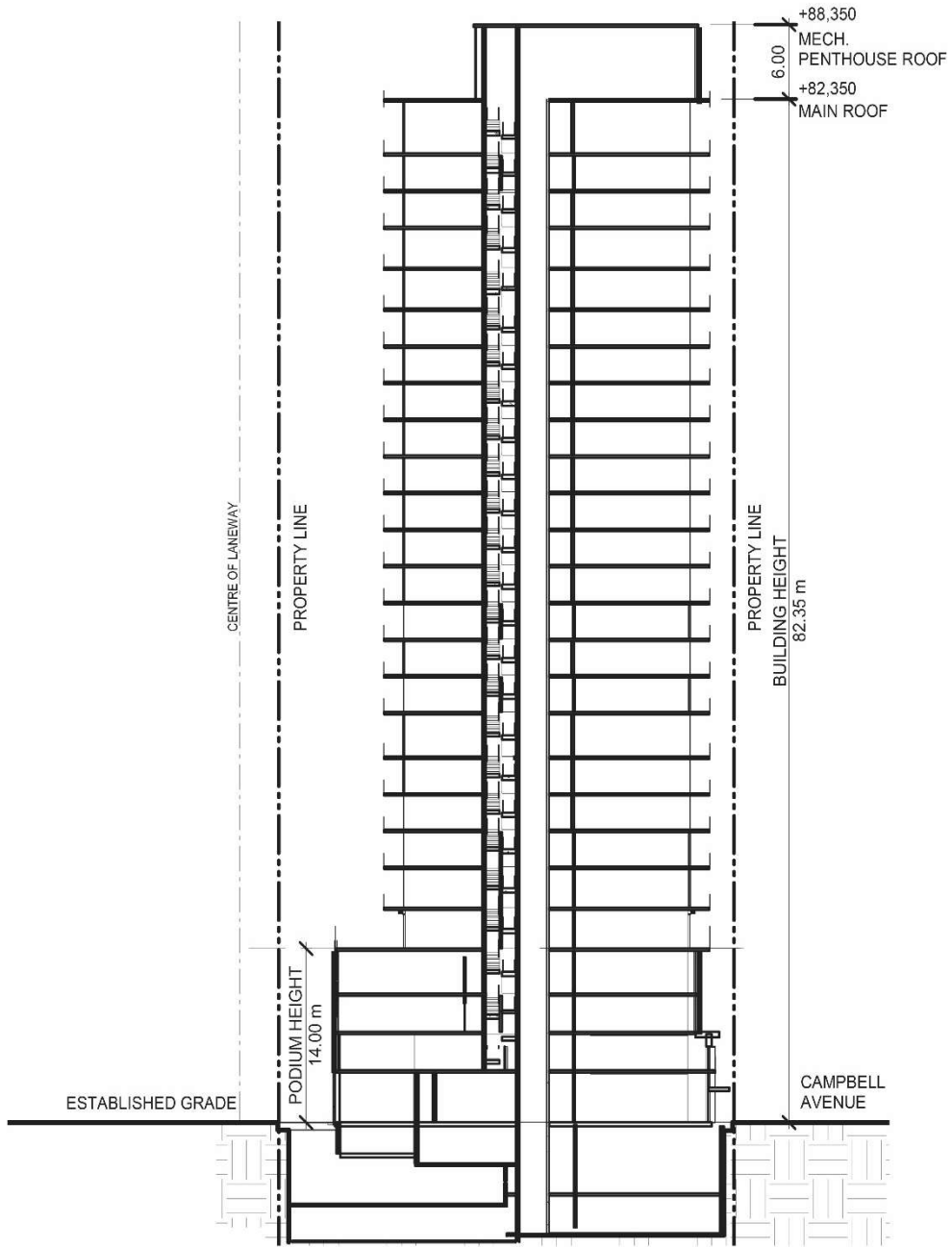
Attachment 9a: 3D Model of the Proposal in Context Looking Northwest



Attachment 9b: 3D Model of the Proposal in Context Looking Southeast

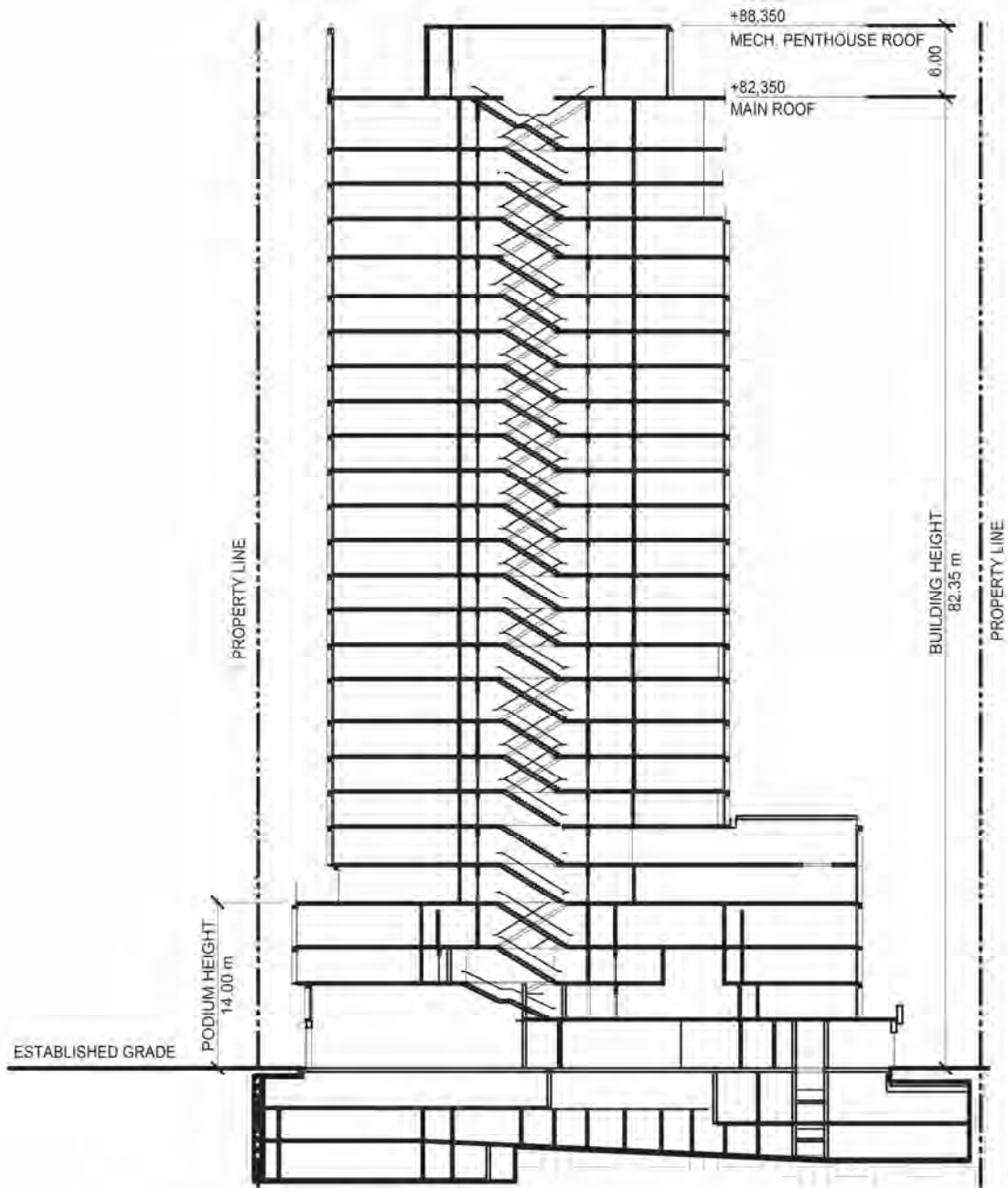


Attachment 10: Building Section East-West



East-West Section

Attachment 11: Building Section North-South



North-South Section