

334-350 Bloor Street West and 2-6 Spadina Road – Zoning By-law Amendment and Rental Housing Demolition Applications – Final Report

Date: June 13, 2022
To: Toronto and East York Community Council
From: Director, Community Planning, Toronto and East York District
Ward: 11 - University-Rosedale

Planning Application Number: 20 192411 STE 11 OZ

SUMMARY

This application proposes to amend the Zoning By-law to permit a 35-storey mixed-use building, containing 422 residential dwelling units (including 24 rental replacement units), 8,200 square metres of non-residential gross floor area, and 3,716 square metres of office uses at 334-350 Bloor Street West and 2-6 Spadina Road. The site includes 6A Spadina Road which is currently occupied by a one-storey, City-owned, pavilion entrance to the Spadina TTC Subway Station. The subway entrance is proposed to be demolished and rebuilt within the base of the new building.

A minimum of 470 square metres of office space is to be conveyed to the City, as well as two kiosk areas, within an 'Urban Living Room' on the ground floor. These spaces are intended to be used by Indigenous non-profit organization(s). Public art by an Indigenous artist or designer is also proposed to be incorporated into the design of the 'Urban Living Room' and kiosks, as well as in the widened pedestrian zone along Spadina Avenue and the plaza at the recessed entrance to the 'Urban Living Room'.

An east-west midblock connection is proposed at the northern limit of the site adjacent to the new driveway from Spadina Road.

A Tenant Relocation and Assistance Plan will ensure existing eligible tenants reserve the right to return to replacement rental units at similar rents and are provided with financial assistance to help mitigate hardship.

The proposed development is consistent with the Provincial Policy Statement (2020), conforms with the Growth Plan for the Greater Golden Horseshoe (2020), conforms with the relevant policies of the Official Plan and the Downtown Plan, and is consistent with the Tall Building Guidelines. This report reviews and recommends approval of the application to amend the Zoning By-law and recommends approval of the associated Rental Housing Demolition application.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend Zoning By-law 569-2013, for the lands at 334-350 Bloor Street West and 2-6 Spadina Road, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 5 to the report (June 13, 2022) from the Director, Community Planning, Toronto and East York District.
2. City Council authorizes the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendments as may be required.
3. City Council authorize the City Solicitor to submit the necessary bill(s) to implement the foregoing recommendation(s) provided the City Solicitor is satisfied that the appropriate legal mechanisms are in place to ensure that no building permit will issue until such time as the Section 37 Agreement is executed and registered.
4. City Council require the owner to enter into an Agreement pursuant to Section 37 of the Planning Act, and any other necessary agreement(s), satisfactory to the Chief Planner and Executive Director, City Planning and the City Solicitor, with such Agreement to be registered on title to the lands at 334-350 Bloor Street West and 2-6 Spadina Road in a manner satisfactory to the City Solicitor to secure the following community benefits at the owner's expense, including:
 - a) Prior to the issuance of the first above-grade building permit, the owner shall pay \$1,750,000.00 toward the provision and maintenance of public art in accordance with the City of Toronto Public Art Program through a direct commission with an Indigenous artist or designer. The public art will be located on the ground floor and/or in the enhanced public realm of the site.
 - b) Prior to the earlier of condominium registration or first residential use of any residential unit on the site, the owner shall design, construct, and convey in freehold ownership to the City, in an acceptable environmental condition, for nominal consideration and at no cost to the City, a minimum of 470 square metres non-profit community space (the "Conveyed Community Agency Space") located on the northwest corner of the second floor of the proposed development and subject to the following:
 - i. the Conveyed Community Agency Space shall be provided in accordance with the City's Community Space Tenancy Policy and finished to Base Building Conditions, and prioritized for an Indigenous not-for-profit organization with the terms and specifications to be finalized and secured in the Section 37 Agreement, all to the satisfaction of the Executive Director, Corporate Real Estate Management, the Executive Director, Social Development, Finance and Administration, the Chief Planner and Executive Director, City Planning, and the City Solicitor;

ii. Prior to conveyance of the Conveyed Community Agency Space in Part i. above to the City, the owner shall provide a one-time cash contribution of \$650,000 for future capital improvements to the Conveyed Community Agency Space; and

iii. The cash contribution pursuant to Part 4.b)ii above shall be indexed upwardly in accordance with the Statistics Canada Residential or Non-Residential, as the case may be, Building Construction Price Index for the Toronto Census Metropolitan Area, reported quarterly by Statistics Canada in Building Construction Price Indexes Table 18-10-0135-01, or its successor, calculated from the date of the Agreement to the date of payment;

c) Prior to the earlier of condominium registration or first residential use of any residential unit on the site, the owner shall design, construct, finish, and furnish a minimum of 28.8 square metres of prominent ground floor space for the purpose of two non-profit community kiosks in the lobby of the proposed development and license the space at no cost to the City (the "License Community Agency Space") which shall be provided in accordance with the City's Community Space Tenancy Policy, with modifications as necessary to reflect the kiosk form, with the terms and specifications to be finalized and secured in the Section 37 Agreement, all to the satisfaction of the Executive Director, Corporate Real Estate Management, the Executive Director, Social Development, Finance and Administration, the Chief Planner and Executive Director, City Planning, and the City Solicitor, and subject to the following:

i. the entering into a license agreement with the City at no cost for 99 years with automatic renewal for the Licensed Community Agency Space and such facility shall be free of all rent, caretaking costs (of the building common areas), repair and maintenance costs (excluding wear and tear), structural and servicing elements, property damage, and utilities for a period of ninety-nine (99) years; and

ii. Prior to the issuance of the first above grade building permit, the owner shall provide a letter of credit in the amount sufficient to guarantee 120 percent of the estimated cost of the design, construction and conveyance of the Conveyed Community Agency Space and Licensed Community Agency Space complying with the specifications and requirements of the Section 37 Agreement, to the satisfaction of the Executive Director, Corporate Real Estate Management, the Executive Director, Social Development, Finance and Administration, the Chief Planner and Executive Director, City Planning and the City Solicitor;

d) Concurrent with or prior to, the conveyance of the Conveyed Community Agency Space and lease of the Leased Community Agency Space, the owner and the City shall enter into, and register on title to, the appropriate lands an Easement and Shared Facilities Agreement for nominal consideration and at no cost to the City, that is in a form satisfactory to the City Solicitor. The Easement

and Shared Facilities Agreement shall address and/or provide for the integrated support, use, operation, maintenance, repair, replacement and reconstruction of certain shared facilities, and the sharing of costs, in respect thereof, of portions of the subject lands to be owned by the City and the owner as they pertain to the Conveyed Community Agency Space and the Licensed Community Agency Space.

e) The following matters of convenience are also recommended to be secured in the Section 37 Agreement:

i. Prior to Site Plan Approval, the owner shall prepare a public art plan in accordance with the City of Toronto Public Art Program at its expense and in consultation with Indigenous partners and the Ward Councillor;

ii. An acceptable tenant relocation and assistance plan to mitigate hardship from the proposed development on eligible tenants to the satisfaction of the Chief Planner and Executive Director, City Planning;

iii. The owner construct and maintain the development of the Site in accordance with Tier 1 performance measures of the Toronto Green Standard and the owner will be encouraged to achieve Toronto Green Standard, Tier 2 or higher, where appropriate;

iv. the owner shall pay for and construct any improvements to the municipal infrastructure in connection with the Functional Servicing Report, to be resubmitted for review and acceptance by the Chief Engineer and Executive Director, Engineering and Construction Services, should it be determined that improvements to such infrastructure are required to support this development;

v. Prior to the earlier of Site Plan Approval or the first building permit for shoring and excavation, the Applicant shall submit the following materials for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services: Functional Servicing and Stormwater Management Report, Hydrogeological Report, Servicing Report Groundwater Summary Form, and Hydrogeological Review Summary Form; and

vi. A 1.7 metre wide publicly-accessible pedestrian midblock connection, which may include bollards, to be secured by means of a pedestrian easement as part of the site plan control process to the satisfaction of the Chief Planner and Executive Director, City Planning;

5. City Council approve the Rental Housing Demolition application (20 192558 STE 11 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 twenty-four (24) existing rental dwelling units at 334-350 Bloor St. W. & 2-6 Spadina Road, subject to the following conditions:

a) The owner shall provide and maintain twenty-four (24) 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 twenty-four (24) replacement rental units shall be comprised of eight (8) studios, eight (8) one-bedroom units, seven (7) two-bedroom units and one (1) three-bedroom unit and collectively contain a total gross floor area of at least 1448.5 square metres, as generally illustrated in the plans prepared by IBI Group, dated May 27, 2022, with any revision to these plans being to the satisfaction of the Chief Planner and Executive Director, City Planning;

b) The owner shall provide and maintain at least five (5) studio, six (6) one-bedroom, three (3) two-bedroom, and one (1) three-bedroom replacement rental dwelling units at affordable rents, and three (3) studio, two (2) one-bedroom, and four (4) two-bedroom replacement rental units at mid-range rents as currently defined in the Toronto Official Plan, for a period of at least ten (10) years beginning from the date of first occupancy of each unit.

c) The owner shall provide an acceptable Tenant Relocation and Assistance Plan to all Eligible Tenants of the twenty-four (24) existing rental dwelling units proposed to be demolished, 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;

d) The owner shall provide tenants of all twenty-four (24) 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 the need to pre-book or pay a fee unless specifically required as a customary practice for private bookings;

e) The owner shall provide ensuite laundry in each replacement rental dwelling unit or access to shared laundry facilities within the proposed development at no additional cost to tenants;

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

g) The owner shall provide tenants of the replacement rental dwelling units with access to all bicycle and visitor vehicular parking at no charge and on the same terms and conditions as any other resident of the development;

h) The owner shall provide and make available at least eleven (11) storage lockers to tenants of the replacement rental units at a similar monthly charge as tenants currently pay, and such storage lockers shall be made available firstly to returning tenants and secondly to new tenants of the replacement rental units;

i) The twenty-four (24) replacement rental dwelling units required in Part 5.a) above shall be made ready and available for occupancy no later than the date by which seventy percent (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

j) The owner shall enter into, and register on title to the lands at 334-350 Bloor St. W. & 2-6 Spadina Road, one or more agreement(s) to secure the conditions outlined in recommendations 5.a) through 5.i) 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.

6. 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 twenty-four (24) rental dwelling units at 334-350 Bloor St. W. & 2-6 Spadina Road after all the following have occurred:

a) All conditions in Part 5 above have been secured;

b) The Zoning By-law Amendments have come into full force and effect;

c) 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*;

d) The issuance of excavation and shoring permits (conditional or full permits) for the approved development on the site;

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

f) 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 Parts 5.a. through 5.j above and any other requirements of the Zoning By-law Amendments (if applicable).

7. 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 has given the Preliminary Approval referred to in Recommendation 6 above.

8. City Council authorize the Chief Building Official to issue a Residential Demolition Permit under Chapter 363 of the Toronto Municipal Code and Section 33 of the Planning Act for the residential buildings located at 334-350 Bloor Street West and 2-6 Spadina Road no earlier than the issuance of the first building permit for excavation and shoring of the development and after the Chief Planner and Executive Director, City Planning Division has issued the Preliminary Approval referred to in Recommendation 4, which may be included in the demolition permit for Chapter 667 under 363-6.2 of the Toronto Municipal Code, on condition that:

- a) The owner shall remove all debris and rubble from the site immediately after demolition;
- b) The owner shall erect solid construction hoarding to the satisfaction of the Chief Building Official and Executive Director, Toronto Building;
- c) The owner erects the proposed building on site no later than four (4) years from the day demolition of the buildings is commenced subject to the timeframe being extended to the discretion of the Chief Planner and Executive Director, City Planning and Chief Building Official; and
- d) Should the owner fail to complete the new building within the time specified in condition 6.c) above, the City Clerk shall be entitled to enter on the collector's roll, to be collected in a like manner as municipal taxes, the sum of twenty thousand dollars (\$20,000.00) for each dwelling unit for which a demolition permit is issued, and that each sum shall, until payment, be a lien or charge upon the land for which the demolition permit is issued.

9. City Council authorize the appropriate City officials to take such actions as are necessary to implement City Council's decision, including execution of the Section 111 Agreement, Section 37 Agreement, and any other necessary agreement(s).

FINANCIAL IMPACT

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

DECISION HISTORY

A Preliminary Report on the application was adopted by Toronto and East York Community Council on November 10, 2020, authorizing staff to hold a Community Consultation Meeting with an expanded notification area. The decision is available here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2020.TE20.20>

On December 15, 2021, City Council requested that staff coordinate the application review process for existing and future development applications at the corner of

Spadina Avenue and Bloor Street West. It was also requested that staff initiate Indigenous-led engagement to inform the redevelopments at the Spadina Avenue and Bloor Street West intersection, of which this application is a part. The decision can be found here: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2021.TE29.88>

SITE AND SURROUNDING AREA

Description: The site is located at the northwest corner of Bloor Street West and Spadina Road. The site is rectangular in shape and measures approximately 3,729 square metres in area. The site has 60.36 metres of frontage on Bloor Street West and 61.89 metres of frontage along Spadina Road. The site includes a 325 square metre rectangular portion at the northeast limit of the site (6A Spadina Road) which is currently occupied by a one-storey City-owned pavilion entrance to the Spadina TTC Subway Station.

The balance of the site is currently occupied by a 3-storey mixed use building with retail uses at grade and 24 rental apartment units on the second and third floor, as well as a 6-storey office building with 3,716 square metres of office space. Vehicular access to the site is currently from Spadina Road which also accesses a privately-owned 51-space surface parking lot managed by the Toronto Parking Authority.

Official Plan Designation: *Mixed Use Areas*. The site is subject to Site and Area Specific Policy 334 and the *Downtown Plan*. The *Downtown Plan* designates the *Mixed Use Areas* portion of the site as *Mixed Use Areas 3 - Main Street*.

Zoning: The southern portion of the site, 334-348 Bloor Street West and 2 Spadina Road, is zoned MCR T3.0 C2.0 R2.5 under Zoning By-law 438-86, as amended, and CR 3.0 (c2.0; r2.5) SS2 (x2619) under Zoning By-law 569-2013. This portion of the site has a maximum permitted height of 18 metres and a maximum permitted density of 3.0 times the area of the lot.

The northern portion of the site, 4-6 Spadina Road, is zoned CR T2.0 C2.0 R2.0 under Zoning By-law 438-86, as amended, and CR 2.0 (c2.0; r2.0) SS2 (x2394) under Zoning By-law 569-2013. This portion of the site has a maximum permitted height of 14 metres and a maximum permitted density of 2.0 times the area of the lot.

350 Bloor Street West is zoned MCR T3.0 C2.0 R2.5 under Zoning By-law 438-86, as amended, has a maximum permitted height of 18 metres and a maximum permitted density of 3.0 times the area of the lot. The application will bring 350 Bloor Street West into Zoning By-law 569-2013. See Attachment 4 of this report for the Existing Zoning By-law Map.

Rental Housing

The rental units at 334 Bloor Street West and 2 Spadina Road together contain 24 rental dwelling units, of which 15 have affordable rents and 9 have mid-range rents as currently defined in the Official Plan.

Table 1. Unit Mix and Rent Classifications of Mixed Use Buildings at 334 Bloor and 2 Spadina Road

	Studio	1-Bedroom	2-Bedroom	3-Bedroom	Total
Affordable	7	4	3	1	15
Mid-Range	3	2	4	0	9
High-End	0	0	0	0	0
Total	10	6	7	1	24

Surrounding Land Uses

North: are two 4-storey townhouse blocks separated by a private lane. Further north is the one-storey Spadina Road Toronto Library Branch and the Wigwamen Terrace Housing Authority, which includes a 3 and 6-storey apartment building.

South: of Bloor Street West is a 3-storey community centre at the southwest corner of Bloor Street West and Spadina Avenue. At the southeast corner of Bloor Street West and Spadina Avenue is Matt Cohen Park and a 4-storey institutional building which is part of the University of Toronto campus. Further south along Spadina Avenue are a mixture of low-rise and high-rise buildings.

East: of Spadina Road are 2 and 3-storey mixed use buildings. A Zoning By-law Amendment application was submitted on 320, 328 and 332 Bloor Street West to permit a 37-storey mixed use building. Further east is an approval for a 29-storey mixed-use building by the Ontario Land Tribunal.

West: is a 18-storey residential building setback on a one-storey podium. Further west along Bloor Street West are 2- to 3-storey mixed use buildings.

THE APPLICATION

Description: A 35-storey mixed use building, measuring 118 metres in height inclusive of the mechanical penthouse.

Density: 9.68 times the area of the lot.

Dwelling Units and Amenity Space: 422 dwelling units are proposed, of which 398 will be new dwelling units and 24 dwelling units will be rental replacement units. A total of 1,063 square metres (2.51 square metres per unit) of indoor amenity area and 613 square metres (1.45 square metres per unit) of outdoor amenity area is proposed.

Retail: 490 square metres of retail space is located on the ground floor along Bloor Street West.

Office: 3,716 square metres of office space is proposed to be located on the second and third storeys.

Other Programming: The proposal includes an 'Urban Living Room', which is a 583 square metre interior space on the ground floor with direct access to the TTC Spadina Subway through the concourse level.

Access, Parking, and Loading: At the rear, a consolidated driveway access from Spadina Road will provide vehicular and loading access to the underground parking garage. Three levels of underground parking containing a total of 159 parking spaces is proposed, of which 88 parking spaces will be for residents, 66 parking spaces will be for non-residential uses and 5 parking spaces will be car-share spaces. One Type "G", two Type "B", and two Type "C" loading spaces are proposed, with access from the private driveway.

Revisions: The current proposal incorporates numerous revisions from the original application as summarized below:

- Revisions have been made to the design and materiality of the building to emphasize the base building and give more prominence to the corner of Bloor Street West and Spadina Road;
- Density has increased from 9.75 to 9.91 times the area of the lot;
- The residential gross floor area has increased from 29,000 to 29,300 square metres;
- The non-residential gross floor area has decreased from 8,500 to 8,200 square metres;
- The number of units has increased from 404 to 422;
- Increases in setbacks and stepbacks; and
- An accessible TTC lobby has been added at the north end of the building, accessed from Spadina Road, which includes access to a set of stairs and elevators leading to the concourse level of the building.

Additional Information

See Attachment 1 to this report for the location map, Attachment 2 for the project data, Attachment 7 for the site plan, Attachments 8-9 for a three dimensional representation of the current proposal in context, and Attachments 11-14 for the elevations.

Detailed project information can be found on the City's Application Information Centre at: <https://aic.to/350BloorStW>

Reasons for Application

The proposal requires an amendment to the Zoning By-law for an increase in density, and height, as well as site-specific provisions for setbacks, parking and bicycle parking to implement the development.

The 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 24 existing rental dwelling units at 334 Bloor Street West and 2 Spadina Road.

Site Plan Control

The proposal is subject to Site Plan Control. A Site Plan Control application has been submitted and is under review (22 138885 STE 11 SA).

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.

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 February 23, 2021. 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 issues such as:

- Built form, including the height and density of the development on the lot;
- Transition, particularly regarding privacy, overlook and shadowing from the development;
- The preservation of neighbourhood character;
- The overall fit of the building and integration of the site within the Bloor and Spadina intersection, including a high quality public realm;
- Noise and vibration from construction;
- The integration of the proposed new Spadina subway station entrance within the proposed development;
- Lack of affordable housing in the proposed development, as well as the surrounding neighbourhood; and

- Transportation, with the amount of proposed parking, and impact of traffic generated by the development on the surrounding area.

Following the Community Consultation Meeting, the local Councillor introduced the formation of a Working Group that consisted of City Staff, the Applicant team, local Resident's Associations, neighbours, the Bloor Annex BIA and other interested parties. The Working group met on four occasions from April – November 2021 which allowed the opportunity for the participants to meet with City Staff and the Applicant in a smaller format to discuss specific issues and to assist in making recommendations to further refine the proposal. Over the course of the working group meetings, several themes were identified for further discussion including but not limited to: land use, heritage conservation, massing and built form, streetscape and the public realm, environment and resilience, transportation and movement and local community benefits. City staff also met with local representatives with the local Councillor, on several occasions to discuss issues relating to the proposal as well as the proposed community benefits package.

Issues raised through all of the consultation have been considered through the review of the application. The detailed building design, including proposed materials, and the construction management plan will be addressed during the Site Plan Control review process.

Design Review Panel

The original proposal was presented to the City's Design Review Panel (DRP) on June 17, 2021. At the meeting, the DRP did not support the proposal's overall design and recommended revisions to the design. The proposal has been revised in response to the DRP in the following ways:

- Reduced the number of projecting balconies and removed the brick treatment of the tower;
- Included a wider sidewalk and plaza along Spadina Road;
- Introduced more transparency to allow more light into the 'Urban Living Room';
- Introduced a direct access to the transit station;
- Provided an additional setback to the upper levels of the podium facing adjacent properties;

Tenant Consultation

On May 5, 2022, a tenant consultation meeting was held to review the City's housing policies, the impact of the proposed demolition on existing tenants, and the proposed Tenant Relocation and Assistance Plan. The meeting was held virtually (due to the COVID-19 pandemic) and attended by approximately 14 tenants, representatives of the applicant and owner, City Planning staff, and the local Councillor.

During the meeting, tenants asked questions and expressed concerns about:

- The timing of the application and proposed demolition and construction schedule;

- Whether the City has contingencies in place for construction delays;
- The proposed replacement rental unit layouts;
- Seniority and the process for selecting and returning to a replacement rental unit;
- How rent increases would be calculated over the construction period; and
- How and when the financial compensation provided under the City-approved Tenant Relocation and Assistance Plan would be administered to tenants; and
- The layouts of replacement studio units.

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, massing and transition to adjacent *Neighbourhoods*.

The 35-storey building with tapered upper floors conforms to OPA 365 and 368, as it falls below the silhouette view of Knox College against the sky, above the spires and east and west wing ridgeline, as shown in the view diagrams attached to OPA 368.

The tower element is setback 16.8 metres from the west, 17.45 metres from the north, 20 metres from the east, and 6.42 metres from the south property lines. While the proposed 851 square metre floor plate exceeds the recommendations in the Tall Building Design Guidelines, it exceeds the recommended setback requirements to accomplish the tower separation policy directives of OPA 365. There are also no projecting balconies on the east or west faces of the tower.

The terraced base building provides an appropriate streetwall that appropriately related to the characters of Bloor Street and Spadina Road.

City Planning staff finds that the proposal conforms to the applicable Official Plan policies with respect to built form, massing and transition to adjacent *Neighbourhoods*, and is reflected in the draft Zoning By-law Amendment attached to this report.

Shadow Impact

The submitted Shadow Study shows the proposed building casting minimal net-new shadow on the *Neighbourhoods* west of the site between 9:18 AM and 10:18 AM on March 21st, June 21st and September 21st. The proposed development begins to cast shadow on the northwest corner of Paul Martel Park at 3:18 PM and is only over the south end of the park by 5:18 PM on March 21st.

City Planning staff finds the shadows generated by the proposal adequately limits shadow impacts on adjacent *Neighbourhoods*, particularly during the spring and fall equinoxes, that the additional shadow on Paul Martel Park would not affect the utility of the park, and are acceptable.

Wind Impact

A Pedestrian Level Wind Study reflecting the proposed building was submitted in support of the application. The study indicates that all areas at grade will be suitable for their intended uses throughout the year and no pedestrian areas surrounding the subject site at grade level will experience conditions that could be considered dangerous.

City Planning staff have reviewed the Pedestrian Level Wind Study and are satisfied with the assessment, conclusions, and recommendations contained within the study.

Unit Mix

A total of 398 new residential units are proposed, consisting of 48 studio units (12%), 207 one-bedroom units (52%), 100 two-bedroom units (25%) and 43 three-bedroom units (11%). In addition, 24 rental replacement units are to be included, consisting of 8 studio units, 8 one-bedroom units, 7 two-bedroom units and 1 three-bedroom unit.

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.

Amenity Space

Amenity space for building residents is proposed within the base building on the fourth storey at a rate that exceeds the minimum requirement of 4 square metres of amenity space per dwelling unit (of which at least 2 square metres shall be indoor) contained in Zoning By-law 569-2013. A total of 1,078 square metres of indoor amenity space is proposed, along with 647 square metres of outdoor amenity space.

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

Public Realm

The base building is setback between 1.9 and 2.15 metres for the majority of the Bloor Street West frontage, with a building face to curb width of 6 metres. On Spadina Road, the base building is setback approximately 3 to 4.8 metres, with a building face to curb width ranging from 7.8 metres at the corner to 5.5 metres at the northern end of the site. The proposed setback is compatible with the building line of the adjacent properties to the west and north and will contribute to a continuous streetwall along Bloor Street West and Spadina Road, while contributing to increased pedestrian right-of-way width in this area.

A Landscape Concept Plan submitted in support of the application shows new street trees, raised planter beds, a planted landscape buffer along the northern property line and additional site furniture including new bicycle racks and benches along both Spadina Road and Bloor Street West. Further detailed design of the public realm will be addressed during the Site Plan Control review process.

The proposal also includes a plaza at the corner of Bloor Street West and Spadina Road with an area of 84.7 square metres, which will provide additional public realm space and pedestrian capacity. The proposal also establishes a dedicated pedestrian 1.7 metre midblock connection at the northern end of the site with an opportunity to connect to Walmer Road through the adjacent lands to the west.

Access to the TTC subway station is also being provided from Spadina Road at the northern end of the site. The residential and office lobbies have been located in the middle of the ground floor and are accessed through the 'Urban Living Room'.

City staff are satisfied that the proposal is consistent with the applicable public realm policies of the Official Plan.

Community Services and Facilities

Community Services and Facilities (CS and F) are an essential part of vibrant, strong and complete communities. CS and F are the lands, buildings and structures for the provision of programs and services provided or subsidized by the City or other public agencies, boards and commissions, such as recreation, libraries, childcare, schools, public health, human services, cultural services and employment services. The timely provision of community services and facilities is as important to the livability of the City's neighbourhoods as "hard" services like sewer, water, roads and transit. The City's Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, liveable, and accessible communities. Providing for a full range of community services and facilities in areas experiencing major or incremental growth, is a responsibility shared by the City, public agencies and the development community.

At its meeting on July 27, 2018, Council adopted OPA 406, a new Secondary Plan for the Downtown and five supporting infrastructure strategies, including the Downtown Community Services and Facilities Strategy. Map 8 in the Downtown CS&F Strategy shows a broad range of human and community service agencies located throughout the

Downtown. These agencies cluster Downtown because of direct access to transit and complementary services (i.e. hospitals and universities). The TOcore CSF Study findings for the human services sector identified the need for appropriate, affordable and accessible human services space along with the need for non-profit agencies to collaborate and engage in partnerships to share space and resources.

Given the many human services agencies that are located in the area, the need for flexible, multi-purpose community space for non-profit agencies to deliver programs and services to respond to growth and change is required. Public consultation for the project also identified the need for affordable space for non-profit indigenous organizations in the area. The proposed development will contribute towards the community service and facility needs of the area by providing a number of community benefits, under Section 37 of the Planning Act, including:

Community Agency Space: A 470 square metre Community Agency Space, prioritized for non-profit Indigenous organization(s), located on the second floor of the proposed development will be conveyed to the City in accordance with the City's Community Space Tenancy Policy.

'Urban Living Room' - Community Kiosk Spaces: Two kiosk spaces, prioritized for non-profit Indigenous organization(s), totalling 28.8 square metres, will be located in a prominent location in the 'Urban Living Room'.

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 City of Toronto Parkland Strategy is a 20-year strategic city-wide plan that guides long-term planning for new parks, park expansions and improvements, and improved access to existing parks. The Strategy includes a new methodology to measure and assess parkland provision, using the baseline of residential population against the area of parkland available across the city. According to the Strategy's methodology, the development site is currently in an area with 0-4 square metres of parkland per person, which is less than the city-wide average provision of 28 square metres of parkland per person (2016).

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

The value of the cash-in-lieu of parkland dedication will be appraised through Real Estate Services. Payment will be required 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'.

The applicant submitted an Arborist Report in support of the application indicating that there are six City-owned trees and one privately-owned tree proposed for removal. The applicant has proposed 11 street trees within the Bloor Street West and Spadina Road right-of way.

The tree protection measures will be secured through the tree permit process to the satisfaction of Urban Forestry, Tree Protection and Plan Review, Parks Forestry and Recreation.

Road Widening

There is no additional land required for Bloor Street West or Spadina Road as the required 20.0 metre wide right-of-way is already achieved. In addition, there are no public lanes abutting this property.

Traffic Access, Parking, Impact and Loading

Vehicular access for parking will be from Spadina Road, at the northeast corner of the site. A ramp on the west side of the site will provide access to a three-level underground parking garage containing a total of 88 parking spaces for residents. There are also 66 parking spaces for non-residential uses and 5 car-share spaces, which can be provided for in a commercial parking garage. Access to Type G, B and C loading spaces will also be from the driveway access from Spadina Road.

A total of 394 long-term and 68 short-term bicycle parking spaces are proposed, including 75 bicycle parking spaces for visitors on the ground floor, with residents' parking located on the P3 level, P2 level, and mezzanine level. The proposed bicycle parking spaces meet the Zoning By-law requirements.

Transportation Services staff are supportive of the proposed loading arrangement. Transportation Services staff have also 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, layout of the proposed parking supply including ingress/egress provided thereto, and requirements for electric vehicle infrastructure will be provided through the Site Plan Control review process.

Servicing and Stormwater Management

Engineering and Construction Services staff have reviewed the submitted materials and have identified several outstanding items for review, and require the following materials to be revised and submitted to the City for review and acceptance to the satisfaction of the Chief Engineer and Executive Director, Engineering and Construction Services, prior to Site Plan Approval and the issuance of the first building permit:

- i. Functional Servicing and Stormwater Management Report;
- ii. Hydrogeological Report;
- iii. Servicing Report Groundwater Summary Form; and
- iv. Hydrogeological Review Summary Form.

The owner will also pay for and construct any improvements to the municipal infrastructure in connection with the site servicing report, should it be determined that upgrades to such infrastructure are required to support this development.

Other issues identified by Engineering and Construction Services staff will be resolved as part of the Site Plan approval process.

Rental Housing Demolition and Conversion By-law

The proposal to demolish 24 rental dwelling units at 334-350 Bloor Street West and 2-6 Spadina Road requires approval under Chapters 363 and 667 of the Toronto Municipal Code as it would entail the demolition of at least six dwelling units and at least one rental dwelling unit. Chapter 667 prohibits the demolition of rental housing in any building or related group of buildings that collectively contain six or more dwelling units without obtaining a permit from the City and requires a decision by City Council or, where delegated, the Chief Planner.

Rental Housing Demolition and Replacement

In accordance with Policy 3.2.1.6 of the Official Plan, the applicant is proposing to replace all 24 existing rental dwelling units, at similar or larger unit sizes, and at similar rents to those in effect at the time of application. There is a considerable range in size within the unit types of existing units. While 10 studios and 6 1-bedroom units currently exist, the applicant has proposed to replace 2 of the studios with 1-bedroom units, for a total of 8 studios and 8 1-bedroom units, allowing for a balanced mix of studio and 1-bedroom units. Eligible tenants currently residing in the affected studio units will be able to return to the proposed 1-bedroom units based on their studio rent. The remaining 7 2-bedroom units and 1 3-bedroom unit will be replaced with the same unit mix as currently exists.

The total gross floor area (GFA) of the 24 replacement rental units is 1,448.5 square metres, which exceeds the GFA of the existing rental units proposed to be demolished, and the percentage difference between each existing rental unit size and corresponding replacement rental unit size is no less than a reduction of 3%. Replacement rental units are proposed to be located on the fifth and sixth floor of the new development.

The applicant has confirmed that tenants would reserve the right to return to a replacement rental unit of a similar unit type and size at similar rent, and that rents for replacement rental units without returning tenants would not exceed the applicable affordable or mid-range rent thresholds for a period of at least 10 years. Tenants who return to replacement rental units would be protected by the provincial rent increase Guideline, irrespective of whether such Guideline applied to the proposed development under the *Residential Tenancies Act 2006* (RTA), until their tenancies end.

City Planning staff are of the opinion that the proposed replacement plan is appropriate and consistent with the intent of policy 3.2.1.6.

Tenant Relocation and Assistance Plan

The applicant has agreed to implement the City-approved Tenant Relocation and Assistance Plan for all Eligible Tenants who reside in the existing rental apartment buildings to be demolished at 334-350 Bloor St. W. & 2-6 Spadina Road. The plan would assist tenants in finding and securing alternative accommodation while the proposed development and replacement rental dwelling units are being constructed.

The plan would consist of the following for each Eligible Tenant:

- The right to return to a replacement rental unit of the same bedroom type and a similar unit size, and at similar rent, as the rental unit they currently occupy;
- At least six months' notice before having to vacate their existing dwelling unit;
- Financial compensation, above and beyond *Residential Tenancies Act, 2006* requirements, in the form of a rent gap payment, where the rent gap would be calculated as the difference between the rent paid by a tenant on the date their tenancy is terminated and the most recent average rent for vacant private rental apartments by unit type in Canada Mortgage and Housing Corporation's (CMHC) Rental Market Survey (RMS) Zone 1 – Toronto (Central), which encompasses the development site for a 36 months period. In the event the proposed development took longer than 36 months to complete, the owner would provide each tenant additional monthly rent gap payments until the replacement rental units were ready for occupancy.;
- Two moving allowances to cover expenses for moving off-site into alternative interim accommodation and then moving back into a replacement rental unit;
- Special needs compensation for applicable tenants; and
- Upon request, make a rental leasing agent available to the Eligible Tenant to provide them with a list of rental vacancies in the neighbourhood, co-ordinate referrals and references from the current landlord, and provide similar assistance commensurate with the tenant's needs.

Any Post-Application Tenants would receive the same amount of notice before having to move as Eligible Tenants, as well as the baseline financial compensation equal to three months' rent or an alternative unit acceptable to the tenant, as required under the *Residential Tenancies Act, 2006*.

The Tenant Relocation and Assistance Plan is consistent with the City's current practices, will ensure that tenants can continue to access and afford suitable housing within the neighbourhood until the replacement rental units are complete, and will be secured through one or more agreements with the City and to the satisfaction of the Chief Planner and Executive Director, City Planning Division.

Section 37

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

The community benefits recommended to be secured in the Section 37 Agreement is outlined in the recommendations in this report.

Toronto Green Standard

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

The 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.

Conclusion

The proposal has been reviewed against the policies of the PPS (2020), the Growth Plan (2020), and the 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 proposal conforms with the Official Plan, particularly as it relates to the provision of an appropriate mix of residential and non-residential uses, and a built form which provides an appropriate relationship to the surrounding public realm and a suitable transition to adjacent *Neighbourhoods* and *Parks and Open Spaces*. Staff recommend that Council support approval of the application.

CONTACT

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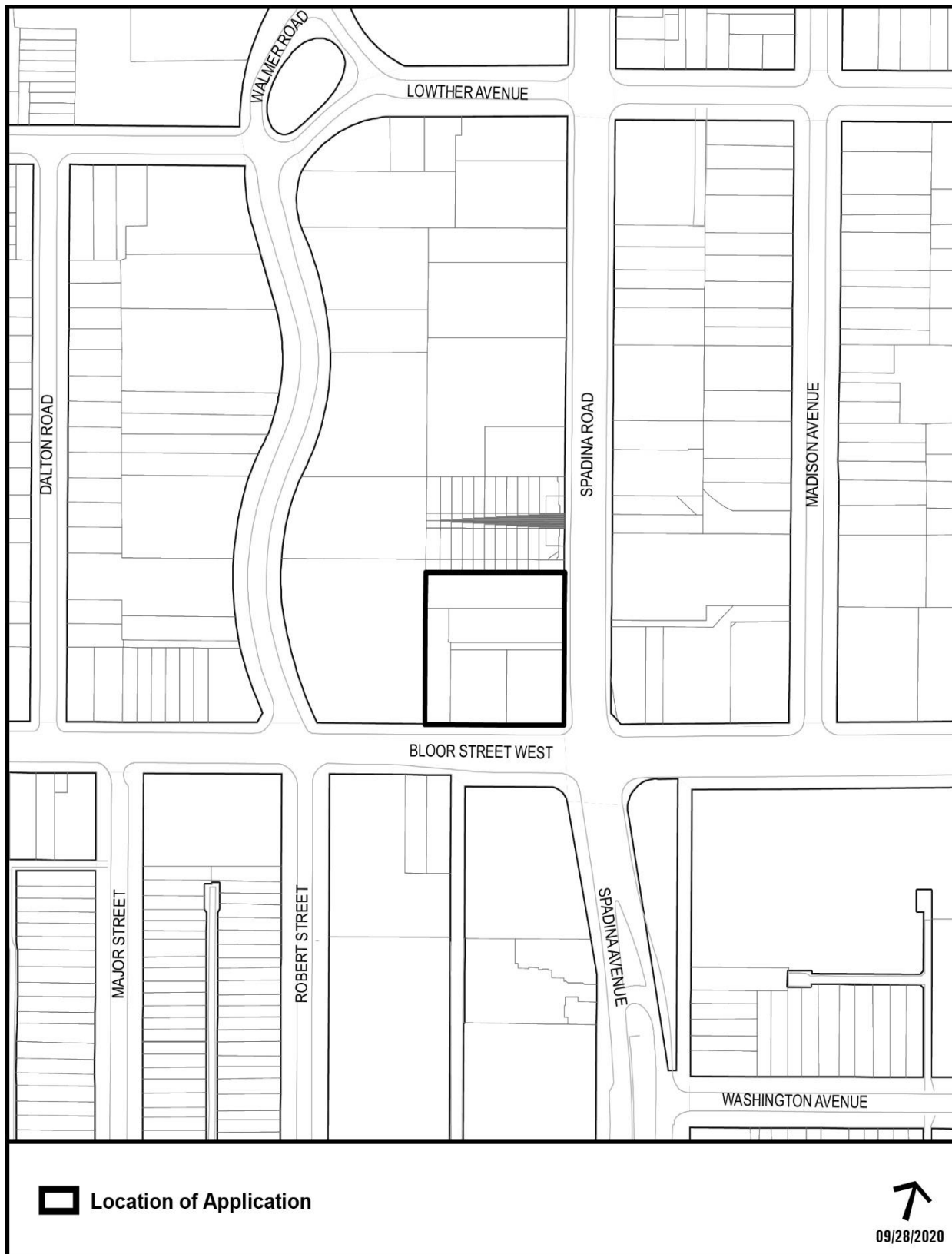
Lynda H. Macdonald, MCIP, RPP, OALA, FCSLA
Director, Community Planning
Toronto and East York District

ATTACHMENTS

City of Toronto Data/Drawings
Attachment 1: Location Map
Attachment 2: Application Data Sheet
Attachment 3: Official Plan Land Use Map
Attachment 4: Existing Zoning By-law Map
Attachment 5: Draft Zoning By-law Amendment

Applicant Submitted Drawings
Attachment 6: Site Plan
Attachment 7: 3D Model of Proposal in Context - Northwest
Attachment 8: 3D Model of Proposal in Context - Southeast
Attachment 9: West Elevation (front)
Attachment 10: South Elevation
Attachment 11: East Elevation (rear)
Attachment 12: North Elevation

Attachment 1: Location Map



Attachment 2: Application Data Sheet

Municipal Address: 334-350 Bloor Street West and 2-6 Spadina Road Date Received: September 11, 2020
Application Number: 20 192411 STE 11 OZ
Application Type: OPA / Rezoning, Rezoning

Project Description:

Applicant	Agent	Architect	Owner
PETER VENETAS		IBI Group	334 BLOOR ST WEST LIMITED

EXISTING PLANNING CONTROLS

Official Plan Designation:	Mixed Use Areas	Site Specific Provision:	SASP 334 & OPA 406
Zoning:	CR3.0 (c2.0; r2.5) SS2 (x2619)	Heritage Designation:	N
Height Limit (m):	14, 18	Site Plan Control Area:	Y

PROJECT INFORMATION

Site Area (sq m):	3,729	Frontage (m):	60	Depth (m):	62
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Building Data	Existing	Retained	Proposed	Total
Ground Floor Area (sq m):			2,563	2,563
Residential GFA (sq m):			27,861	27,861
Non-Residential GFA (sq m):	3,716		8,239	8,239
Total GFA (sq m):	3,716		36,100	36,100
Height - Storeys:	6		35	35
Height - Metres:			114	114

Lot Coverage Ratio (%)	68.73	Floor Space Index:	9.68
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Floor Area Breakdown	Above Grade (sq m)	Below Grade (sq m)
Residential GFA:	27,861	
Retail GFA:	449	2,445

Office GFA: 4,513

Industrial GFA:

Institutional/Other GFA: 628 204

Residential Units by Tenure	Existing	Retained	Proposed	Total
Rental:	24		24	24
Freehold:				
Condominium:			375	375
Other:				
Total Units:	24		399	399

Total Residential Units by Size

	Rooms	Bachelor	1 Bedroom	2 Bedroom	3+ Bedroom
Retained:					
Proposed:		30	193	112	40
Total Units:		30	193	112	40

Parking and Loading

Parking Spaces: 159 Bicycle Parking Spaces: 466 Loading Docks: 5

CONTACT:

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Telephone: 416-392-5651

E-mail: Corinna.Prior@toronto.ca

Attachment 3: Official Plan Land Use Map



334-350 Bloor Street West and 2-6 Spadina Road

Official Plan Land Use Map #18

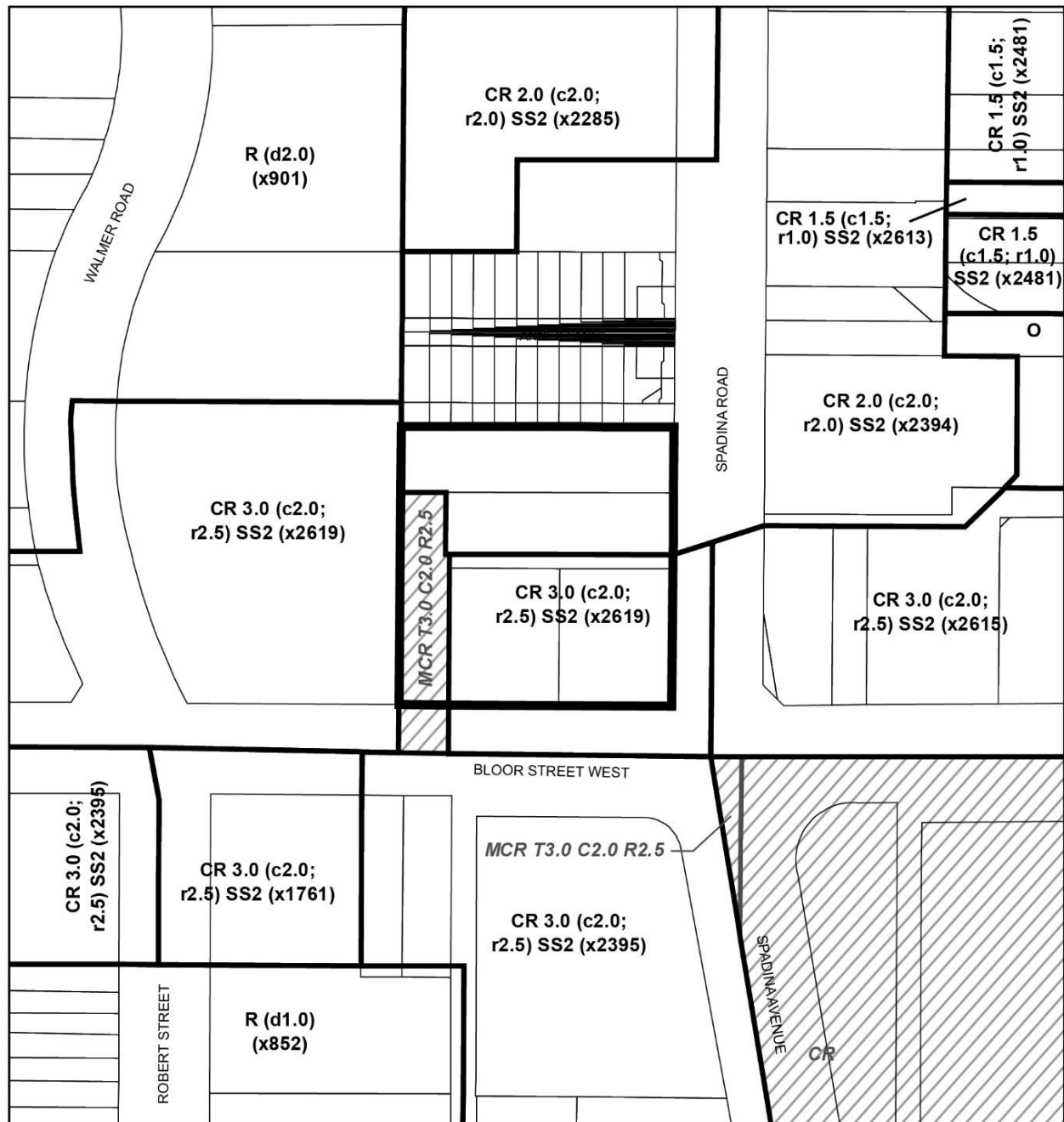
File # 20 192411 STE 11 0Z

	Location of Application		Parks & Open Space Areas
	Neighbourhoods		Parks
	Apartment Neighbourhoods		
	Mixed Use Areas		



Not to Scale
09/29/2020

Attachment 4: Existing Zoning By-law Map



Zoning By-law 569-2013

334-350 Bloor Street West and 2-6 Spadina Road

File # 20 192411 STE 11 OZ



Location of Application

R Residential CR Commercial Residential
O Open Space



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

CR Mixed-Use District
MCR Mixed-Use District

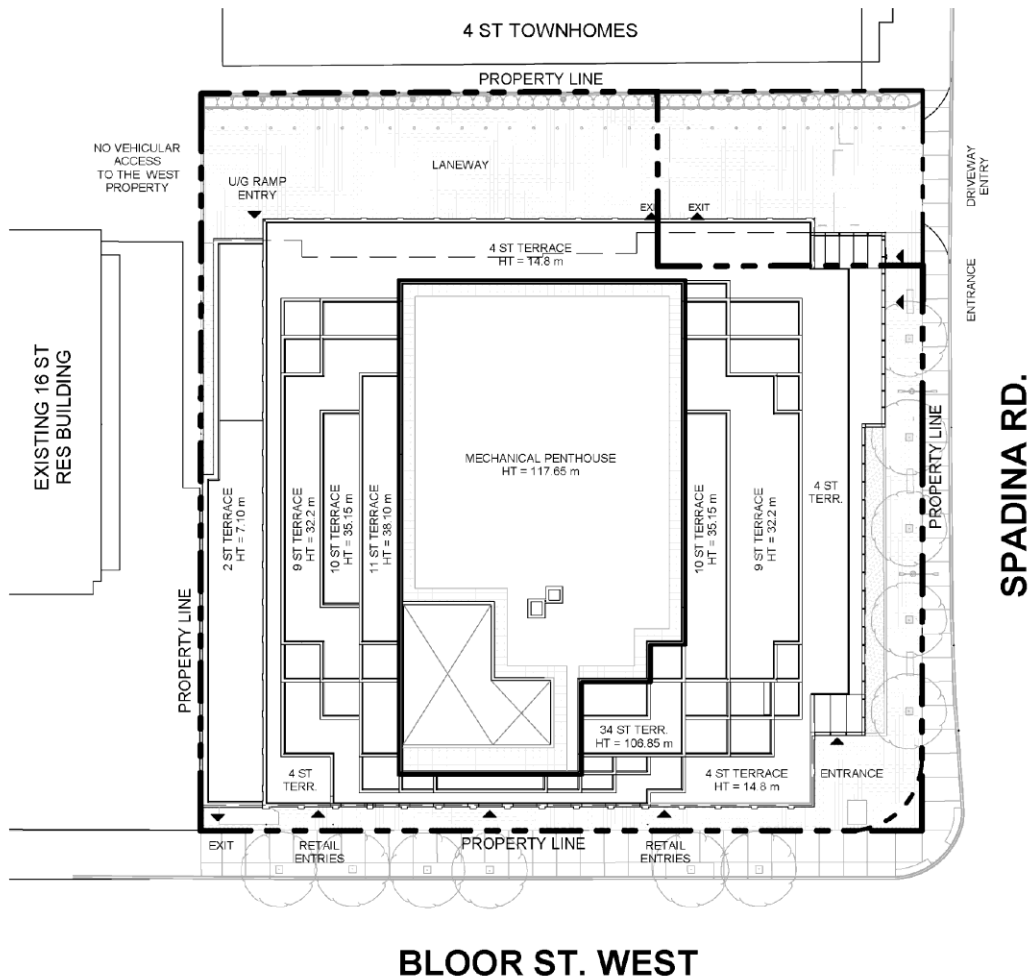


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Extracted: 10/13/2020

Attachment 5: Draft Zoning By-law Amendment

To be available at the June 29, 2022 Toronto and East York Community Council Meeting

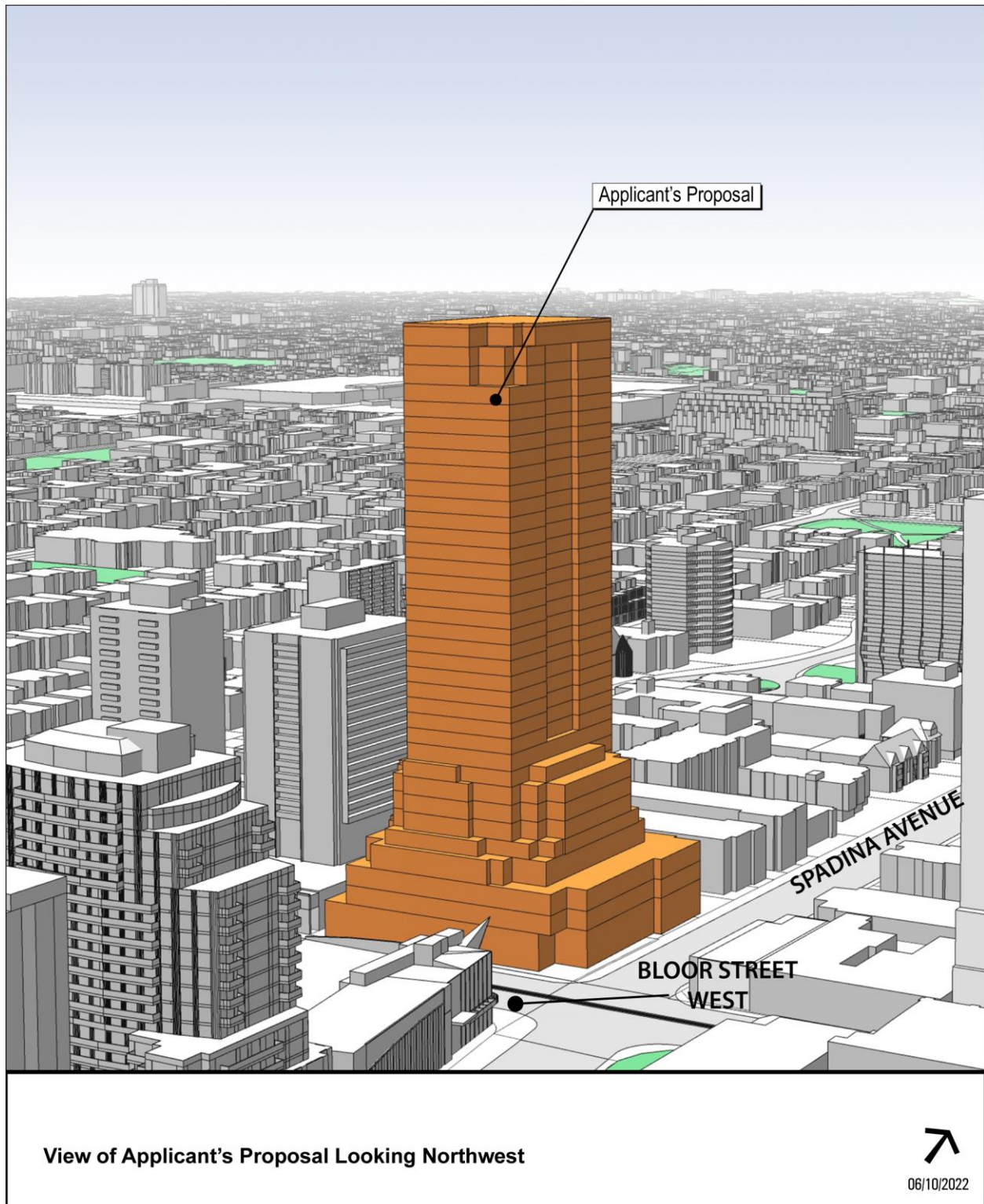
Attachment 6: Site Plan



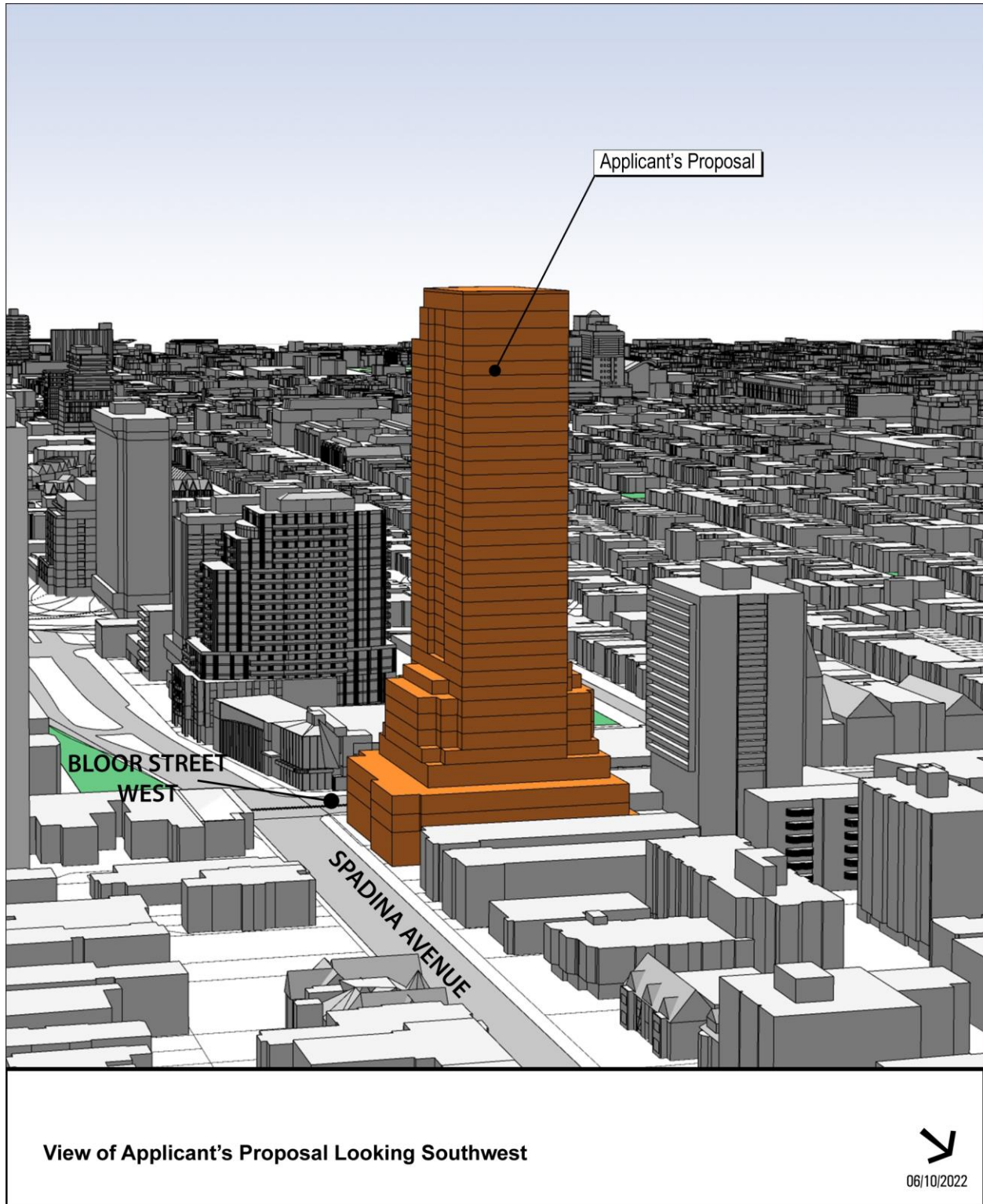
Site Plan



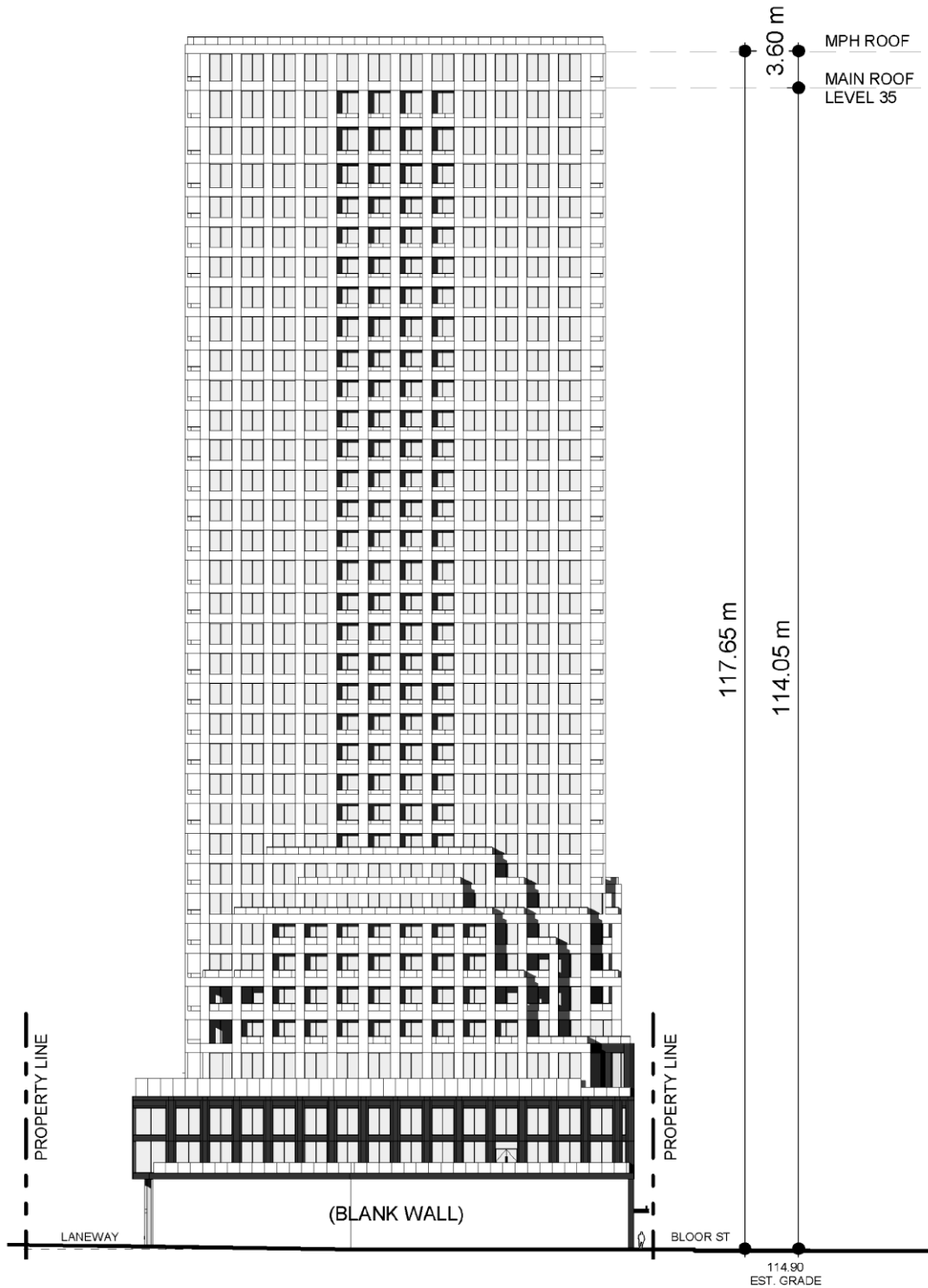
Attachment 7: 3D Model of Proposal in Context - Northwest



Attachment 8: 3D Model of Proposal in Context - Southeast

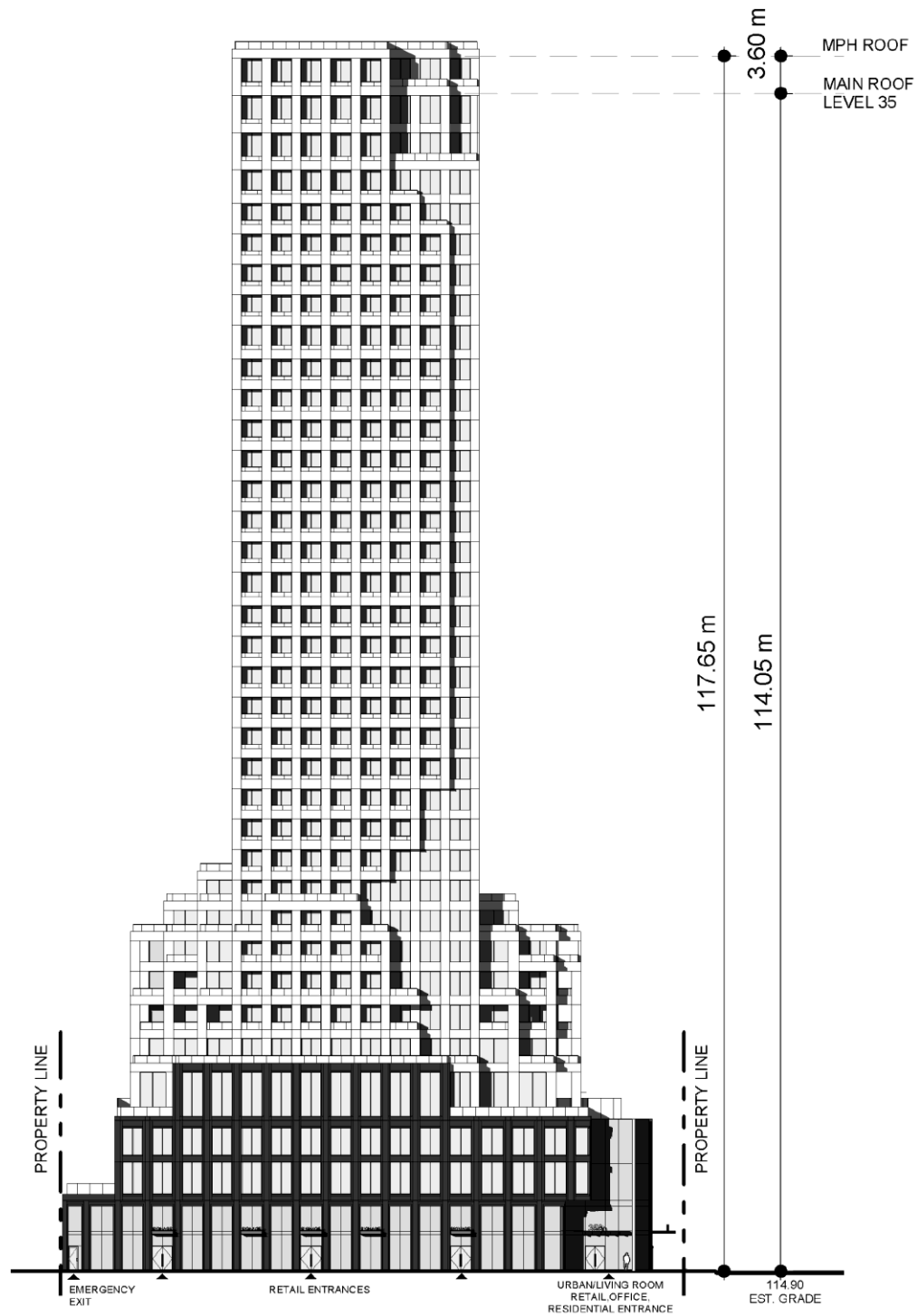


Attachment 9: West Elevation



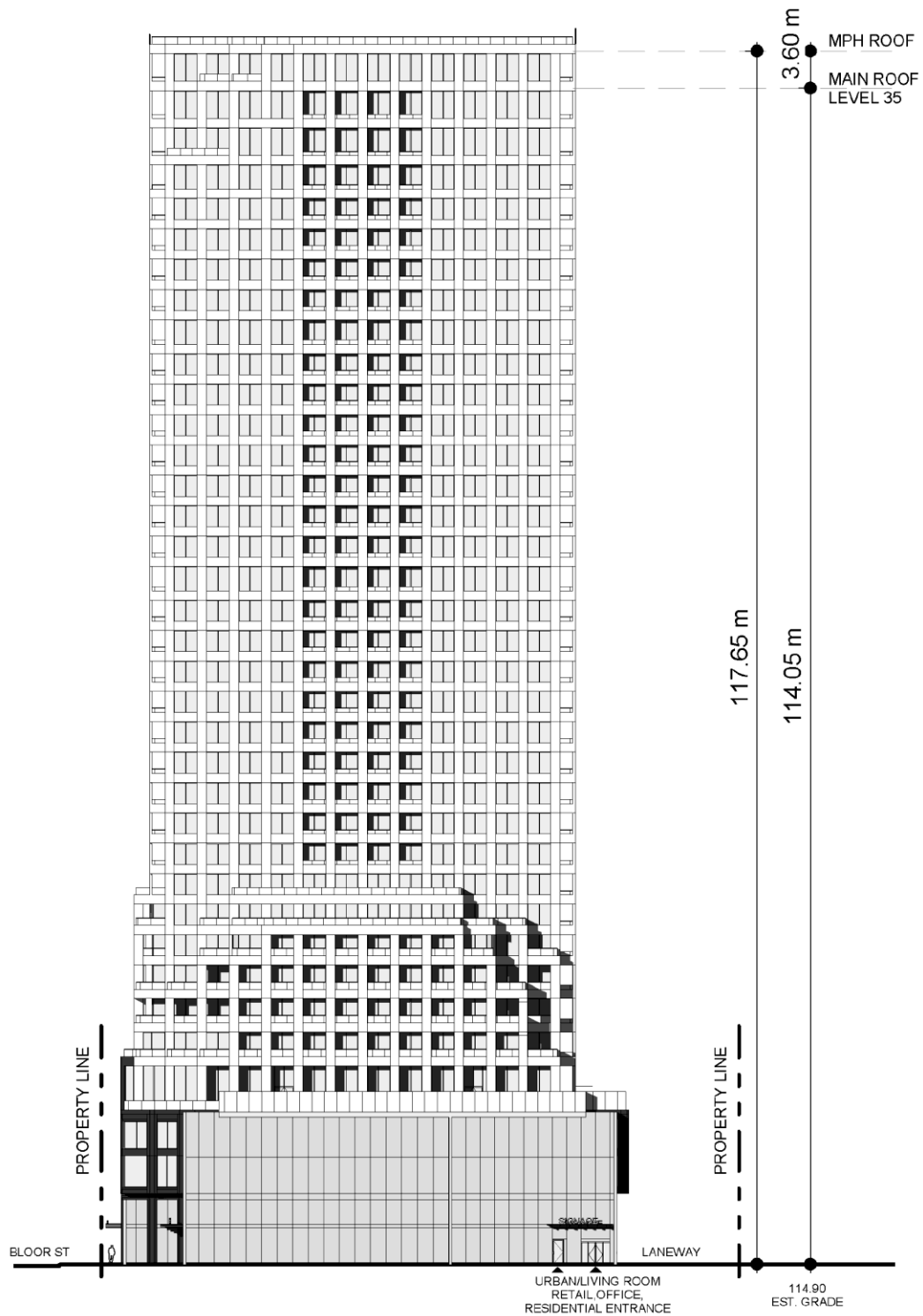
West Elevation

Attachment 10: South Elevation



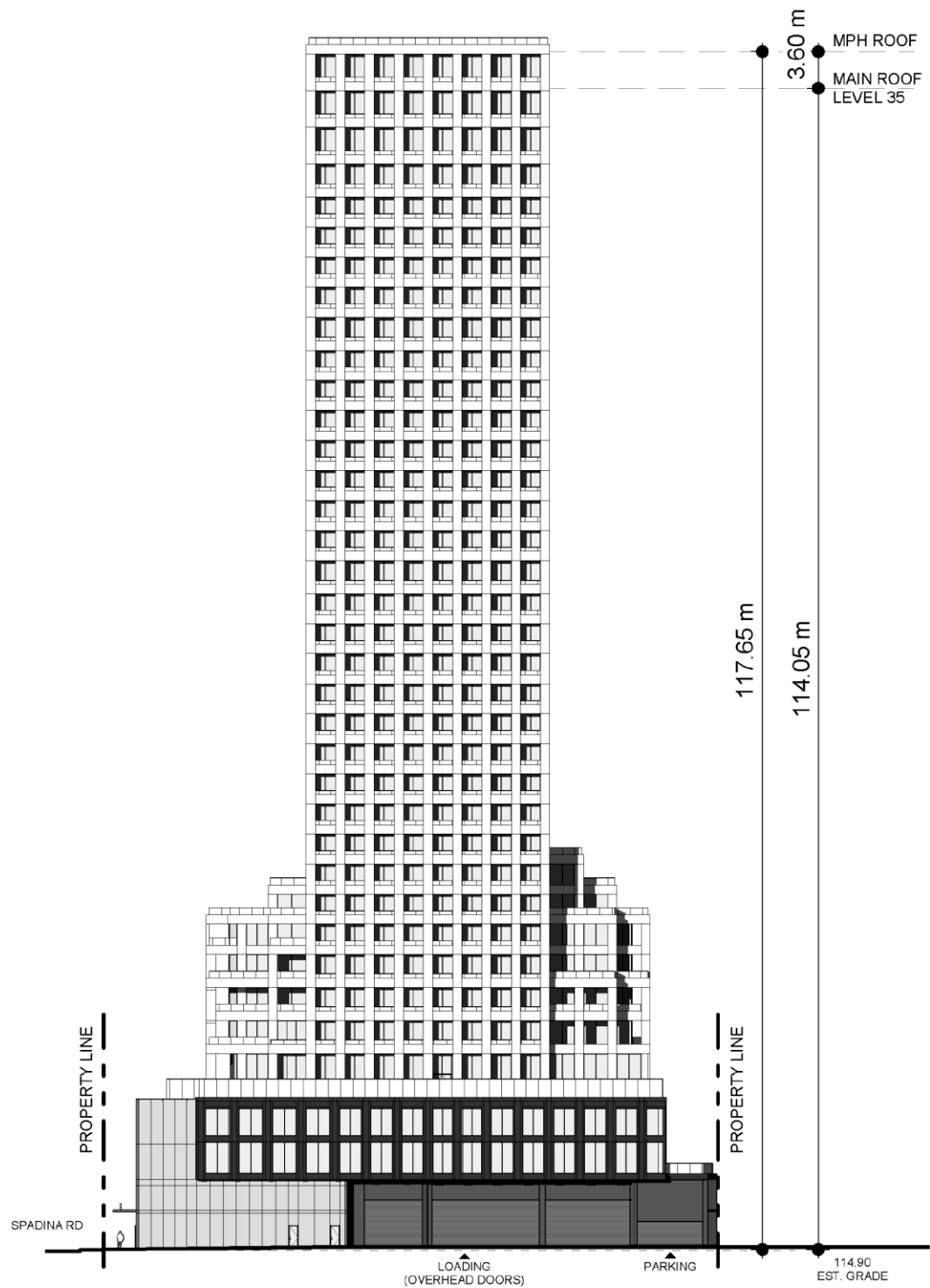
South Elevation

Attachment 11: East Elevation



East Elevation

Attachment 12: North Elevation



North Elevation