

221, 225 and 227 Sterling Road - Community Benefits Charge In-Kind Contribution

Date: April 14, 2026

To: Toronto and East York Community Council

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

Ward: 9 - Davenport

Planning Application Number: 21 151444 STE 09 OZ

Related Planning Application Numbers: 21 151438 STE 09 SB and
21 151447 STE 09 RH

SUMMARY

On May 10, 11 and 12, 2023, City Council directed staff to accept the with prejudice settlement offer related to the appeals of the Planning Act and Ontario Heritage Act applications at 221, 225 and 227 Sterling Road. City Council further directed staff to report back to City Council prior to Site Plan Approval, the acceptance of a Community Agency Space, pursuant to subsection 37(6) of the Planning Act.

This Report presents a Community Benefits Charge (CBC) in-kind contribution to secure 465 square metres (5000 square feet) of on-site Community Agency Space. The proposed in-kind contribution represents 100 percent of 4 percent of the value of the site, in accordance with the CBC By-law.

RECOMMENDATIONS

The Director, Community Planning, Toronto and East York District recommends that:

1. City Council allow the owner of 221, 225 and 227 Sterling Road to design, construct, commission, finish and convey to the City a Community Agency Space to the satisfaction of the Executive Director, Development Review; the General Manager, Economic Development and Culture; and the Executive Director, Corporate Real Estate Management, as part of the development, as an in-kind contribution pursuant to subsection 37(6) of the Planning Act, in accordance with the following terms:

- a. the Community Agency Space will be comprised of a minimum of 465 square metres of gross floor area and located on the ground floor;
- b. the Community Agency Space will be conveyed prior to condominium registration of Building "A" as shown in Attachment 1 of this report;

c. the Community Agency Space shall be conveyed to the City in accordance with the City's Community Space Tenancy Policy and finished to base building condition, with the terms and specifications to be secured in the in-kind Contribution Agreement, to the satisfaction of the Executive Director, Development Review; the General Manager, Economic Development and Culture; the Executive Director, Corporate Real Estate Management, and the City Solicitor;

d. where required, concurrent with or prior to the conveyance of the Community Agency Space to the City, the owner and the City shall enter into, and register on title to the lands, an Easement and Cost Sharing Agreement at no cost to the City, that is in the form satisfactory to the City Solicitor. The Easement and Cost Sharing 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 a portion of the lands to be owned by the City and the owner as they pertain to the Community Agency Space, all to the satisfaction of the Executive Director, Development Review, the General Manager, Economic Development and Culture; the Executive Director, Corporate Real Estate Management, and the City Solicitor; and

e. prior to the issuance of the first above grade building permit for Building "A", the owner shall provide to the City a letter of credit or surety bond to secure the community agency space in an amount sufficient to guarantee 120 percent of the estimated cost of the design, construction, commissioning, finishing and handover of the Community Agency Space complying with the specifications and requirements of the In-kind Contribution Agreement, to the satisfaction of the General Manager, Economic Development and Culture, and the Chief financial Officer and Treasurer.

2. City Council authorize the Executive Director, Development Review, to enter into an agreement pursuant to subsection 37(7.1) of the Planning Act (the "In-kind Contribution Agreement") to address the provision of the in-kind contribution identified in Recommendation 1 above, to the satisfaction of the Executive Director, Development Review, and the City Solicitor, in consultation with the General Manager, Economic Development and Culture; and the Executive Director, Corporate Real Estate Management, with such agreement to be registered on title to the site, which the In-kind Contribution agreement shall be evidence of arrangements for the provision of the in-kind contribution that are satisfactory to City Council.

3. City Council attribute a value to the in-kind contribution as set out in Recommendation 1 above equal to 100 per cent of 4 per cent of the value of the land (net of any exclusions or exemptions authorized under the Community Benefits Charge By-law), as determined the day before the day the first building permit is issued in respect of the development.

FINANCIAL IMPACT

There are no financial implications resulting from the recommendations included in this report in the current budget year or in future years.

This report requests Council approval of a Community Benefits Charge (CBC) in-kind contribution for 465 square metres of Community Agency Space in 2026. The estimated value of the proposed CBC in-kind contribution is 100 percent of the 4 percent value of the land that is the subject of the development or redevelopment in accordance with the CBC By-law. The percentage ascribed to the in-kind contribution will not be a direct CBC payment to the City.

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

DECISION HISTORY

On July 14, 2021, City Council endorsed the City-initiated Bloor Street West: St. Helen's Avenue to Perth Avenue Planning Framework and directed staff to review all current and future development applications against the Planning Framework. City Council also directed staff to work with the Ward Councillor, Economic Development staff, the local arts community, and the residential and commercial tenants at 221, 225 and 227 Sterling Road on means to retain arts and culture and maker spaces throughout the study area. City Council's decision and the Planning Framework can be found here: <https://secure.toronto.ca/council/agenda-item.do?item=2021.TE26.31>.

On May 10, 11 and 12, 2023, City Council directed staff to accept the with prejudice settlement offer related to the Planning Act and Ontario Heritage Act appeals related to the application at 221, 225 and 227 Sterling Road. City Council further directed staff to report back to City Council, prior to Site Plan Approval, with respect to the acceptance of facilities, services or matters as an on-site in-kind contribution, being a Community Agency Space, pursuant to subsection 37(6) of the Planning Act. <https://secure.toronto.ca/council/agenda-item.do?item=2023.CC6.4>.

COMMENTS

The Official Plan establishes and recognizes that the provision of and investment in community services and facilities supports healthy, safe, livable, and accessible communities. Community services and facilities are the building blocks of our neighbourhoods, foundational to creating complete communities and include matters such as recreation, libraries, childcare, schools, public health, and human and cultural services. Providing a full range of community services and facilities in areas that are inadequately serviced or experiencing growth is a shared responsibility.

Culture Connects: An Action Plan for Culture in Toronto (2025–2035), adopted by City Council in November 2024, identifies the provision of affordable, accessible cultural space as a critical city-building priority. Through its Culture Everywhere priority, the City has identified a commitment to supporting the development of one million square feet of new cultural space over the next ten years, with a focus on neighbourhood-based, multi-use spaces and the strategic use of City-owned assets to expand access to cultural opportunities across Toronto.

A Community Agency Space is proposed as an in-kind CBC contribution at 221, 225 and 227 Sterling Road. The space is proposed on the ground floor facing west towards the new proposed municipal road (the Ruttan Street extension). A minimum of 465 square metres gross floor area will be conveyed to the City of Toronto and operated by an eligible not-for-profit organization under the Community Space Tenancy Policy. Staff from Development Review, City Planning, Corporate Real Estate Management and Economic Development and Culture support the inclusion of this space in the development, subject to the terms and base building conditions as set out in the Cultural Space Term sheet as attached to this report as Attachment 2. The in-kind offer letter is attached to this report as Attachment 3.

CONTACT

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SIGNATURE

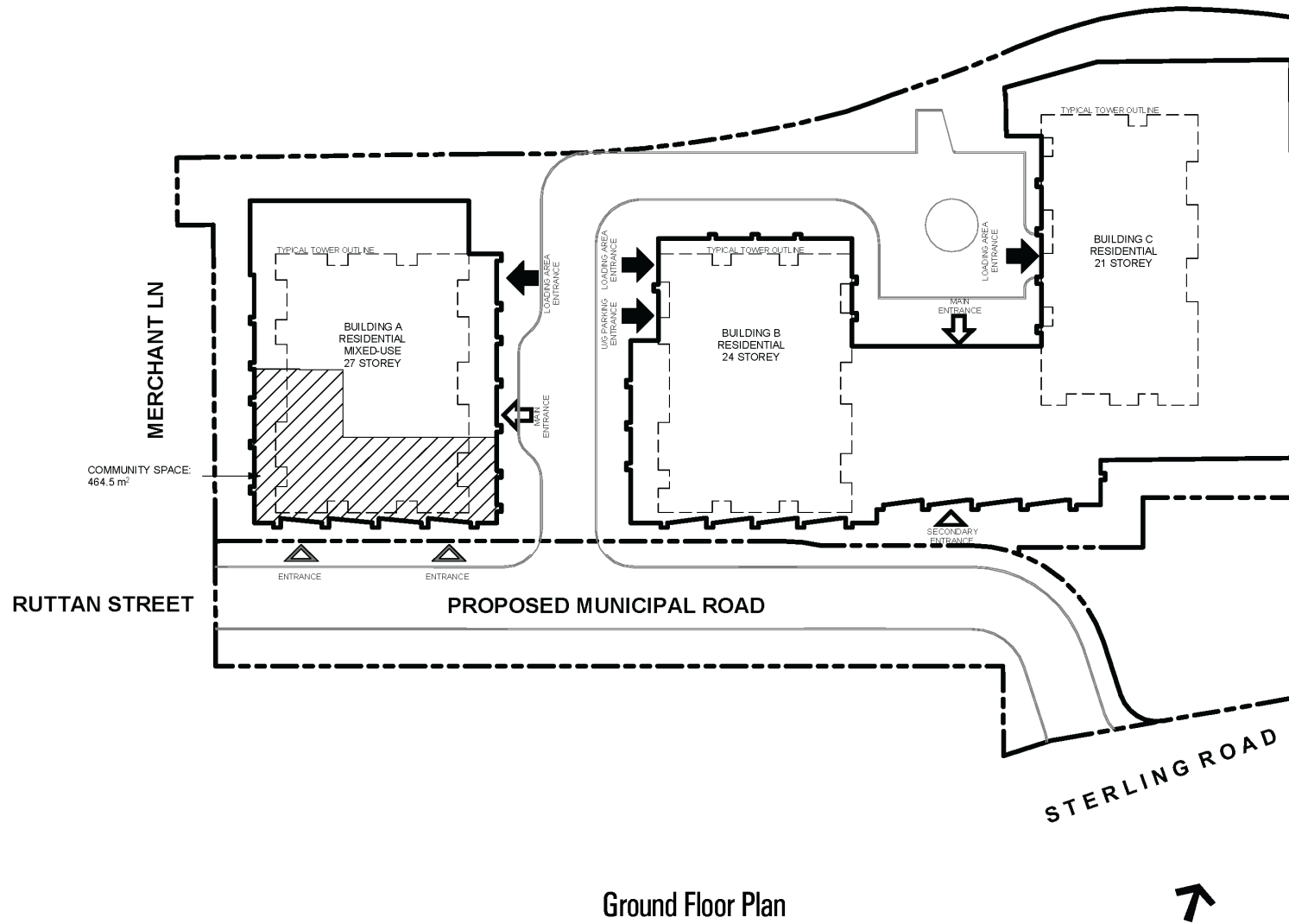


Carly Bowman, M.Sc.Pl., MCIP, RPP
Director, Community Planning
Toronto and East York District

ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Cultural Space Term Sheet
Attachment 3: In-kind Offer Letter

Attachment 1: Site Plan



Attachment 2: Cultural Space Term Sheet

A. Floor, Ceiling and Walls

1. Troweled concrete slab to receive a choice of two finish flooring materials to be decided by the City. For wet areas (i.e.: bathrooms, kitchen), porcelain tiles for ease of maintenance.
2. Perimeter demising walls finished with drywall walls taped, sanded, primed, and painted complete with trim, mouldings, and detailing.
3. All interior and exterior doors and locks, all interior and exterior doors should be AODA compliant, and locks keyed to specific tenant requirements.
4. One set of double-wide interior doors to access shared Type G loading dock and garbage room, and double-wide exterior doors or windows to support loading at street level.
5. Data and electrical infrastructure, including internet power and utility outlets, will be determined in consultation with the City. Adequate power and data infrastructure will be required in walls and ceiling, including adequate outlets for Smart tech, IoT equipment, kitchen or food preparation area, HVAC, security systems, industrial shop, digital media art installations, and other potential uses.
6. Perimeter window glazing with window shades or privacy film as determined in consultation with the City.
7. Exposed ceiling, as agreed upon during the design review process with the City.
8. Demising walls, floors and ceilings to be soundproofed to a sound transmission class (STC) rating of 60 or higher.

B. Exterior

1. All cladding, roofing, weather proofing, finishes, and protective coatings completed, along with any exterior development and/or building envelope, including doors and windows.
2. Windows along exterior walls, where applicable, and subject to Site Plan approval.
3. All insulation, fireproofing, and sound proofing as required through applicable laws and codes.

C. Life Safety System

1. "Life Safety Systems" means all infrastructure required for the safe occupancy of the premises, including but not limited to manual pull stations, notification devices (speaker or bells and strobe light), fire suppression system, kitchen system, standpipe, hydrant, fire hoses, extinguishers, egress/exit fire doors, fire safety plans, heat and smoke

detectors, fire alarm monitoring throughout the Property space to meet Applicable Law requirements for a 4 wall unoccupied space. Supervisory valves and flow switches for the sprinkler system shall be monitored as part of the base building fire alarm system to be operated by the Owner or the Owner's designate.

2. Zone (shut-off) valves to be installed at floor level (i.e. 1.2 - 1.5 m).

3. Modular sprinkler and fire safety systems as agreed upon during the design review process, to accommodate flexibility for the future internal build-out.

D. Mechanical and Electrical

1. At related and supporting mechanical and electrical systems including heating, air conditioning, lighting, security, elevating devices, fire detection and suppression, automated door openers, computer cables, internet, and wiring.

Mechanical Services

2. "Utility and Service Connections", which means the following, all sized and located within, servicing, leading up to, through, from and under the building, as appropriate for the intended function of the Cultural Space;

(i) Valved and capped domestic hot and cold water service and drain connections for wet spaces (i.e.: kitchen, if required) terminated inside the demising wall of the Cultural Space at a location to be determined by the Owner;

(ii) Capped ventilation duct connections terminated inside the demising wall of the Cultural Space with capacity of ventilation air equal to ventilation air requirements per ASHRAE Standard 62 "Ventilation for Acceptable Indoor Air Quality" or the most recent equivalent standard;

(iii) Valved and capped heat pump or fan coil supply and return lines connections terminated inside the demising wall of the Cultural Space with approximate heating and cooling capacity of 30 btuh of cooling per square foot and 25 btuh of heating per square foot (or, with the consent of the City, equivalent system with the same specifications if building systems are modified by the Owner); and

(iv) Necessary plumbing system and commercial grade fixtures that would be required or requested by the City for wet spaces, this would include but not be limited to wet spaces such as bathrooms, janitorial closet, kitchen, construction shop, and any other spaces required by the City for the proposed use.

3. The Owner shall provide a minimum number of washrooms in compliance with Building Codes, to accommodate maximum occupancy load of the Cultural Space, and shall provide a janitorial closet. For greater certainty, the Owner shall construct universal, single-user or multi-stall, accessible washrooms (in consultation with Economic Development and Culture), sinks, and the janitorial closet and construct the necessary sanitary and water connections to the washrooms as required.

4. Capped exhaust air duct connections terminated in close vicinities to all wet spaces and capped supply (tempered) air duct connections to make up for the exhaust air so as to maintain the Cultural Space in positive air pressure relative to outdoors.

5. Separate utilities metres or check metres (hydro and water meters) for the Cultural Space.

Electrical Services

6. Electrical Services means the following:

(i) Base building lighting as mandated by the Ontario Building Code. Provide local lighting control such as wall switches with integrated motion sensors as required to meet energy savings requirements;

(ii) Basic lighting fixtures to meet basic life safety requirements and electric panel (minimum 8 WATT per square foot) and appropriate distribution if the electrical requirements for normal commercial power service are terminated at a disconnect switch within the Cultural Space for typical power supply for commercial use;

(iii) Emergency lighting as required by Code. Emergency battery units, if provided, shall be maintenance-free type with dedicated electrical circuits;

(iv) Electrical service to be minimum 400 amp three-phase Cam-Lok E1016 service. A dedicated electrical panel with main breaker for local shutoff and appropriate distribution to suit layout;

(v) A small dedicated electrical and data room for electrical and internet equipment with adequate ventilation, cooling, and soundproofing to be determined in consultation with the City;

(vi) A minimum number of four (4) empty standard data conduits (or most recent equivalent standard, as required by the City) and communication cabling, complete with pull strings, will be provided to the Cultural Space in locations to be agreed upon by the City and the Owner; and

(vii) In order for data service to be on time and reduce billing charges due to an early installation, the City and the Owner should agree on a date they want the activation of the service to happen.

E. Signage

1. Owner shall, in consultation with the City, obtain permits for and provide signage and way finding for the Cultural Space, wherever appropriate, including signs at street level. For clarification, if the building with the Cultural Space fronts, or is located within a lot that fronts both major and minor streets, signage should be displayed on the major streets, subject to municipal approvals.

2. Up-to-date current standard interior signage for washrooms, elevators, exits and

emergency exits, stairs, meeting rooms as required by code etc.

F. Waste

1. Waste diversion systems available/accessible to the Cultural Space. The Owner shall provide at its cost the required system to meet the city's waste diversion program. The Cultural Space shall have access to the Garbage Room and Type G loading dock, by mutual agreement between the parties.

2. Waste removal: Prior to the Owner turning over the space to the City, the Owner is responsible for the cost of the removal of all construction debris and any and all demolition, stripping, clearing and grubbing, excavation, removal and disposal, clean-up and soil remediation as required in order to complete the project in accordance with all codes, standards and practices.

G. Janitorial Closet

1. The Owner should provide a janitorial closet for exclusive use of the Cultural Space. The janitorial closet shall be fitted with commercial grade fixtures and finishes and shall include at a minimum: floor mop sink with tile surround to 2ft above faucet height, floor drain, tile flooring with covered base, wall mounted shelving and broom rack, and adequate ventilation. Door to be fitted with SS kick plate and commercial grade hardware.

H. Kitchen

1. The Owner shall, if required by the City, provide a kitchen for exclusive use of Cultural Space. The kitchen should be in compliance with the Ontario Building Code and all other applicable standards and be of a quality comparable to what is being provided in the residential units in the development, including the required plumbing and appliances. The kitchen should include an exhaust system suitable for a residential kitchen, if required by code, be similar in size to a kitchen constructed in a three-bedroom dwelling unit of the development and include a sink, faucet, counter tops, millwork cabinets, and appliances (fridge, microwave and dishwasher).

I. Washroom(s)

1. The Owner shall provide the minimum number of universal washrooms, to be further determined according to the Ontario Building Code and the City's design guidelines. The Owner will provide full universal washrooms for exclusive use of the Cultural Space. The washrooms are dedicated fully operational washrooms meeting the City's accessibility requirements and built-in compliance with the Ontario Building Code and all other applicable standards. Washrooms shall at minimum include a commercial toilet, mirror, grab bars, towel dispenser or air dryer machine, faucet(s) and sink(s).

2. The Owner shall provide a minimum number of washrooms in compliance with the Ontario Building Code, to accommodate maximum occupancy load of the Cultural Space.

J. Finishes

1. All materials, products, finishes, devices, appliances, and systems shall be designed and specified with regard for the demands of an intensively used public building. The Owner will provide sample boards or catalogue sheets of products, finishes, devices, appliances, and systems that are proposed to fit out the facility. The City has the right to accept and or reject any or all as proposed by the Owner acting reasonably. Notwithstanding the above, the quality of finishes in the Cultural Space shall be of the same quality as the residential amenity finishes in the building.

K. Access

1. The Owner shall provide property access and building access.
2. "Property Access" means an easement or other rights of uninterrupted, continuous access and egress for the users of the property to enter through the building or lands in which the property is located, including access to, and use of, all stairs, elevating devices, ramps, Type G loading dock, shared garbage room and any other areas required to access and operate the Cultural Space and the Cultural Space Lobby.
3. "Building Access" means an easement or other right of uninterrupted, continuous access and egress to the building in which the property is situated to be determined by mutual agreement between the parties:
 - (i) The Cultural Space should have a separate access to the building as per plans prepared by [Architect] dated [Month Day, Year].

L. Conveying Systems

1. Passenger elevator (AODA compliant) and escalators (if needed) if necessary.

The terms of this Schedule may be modified by the Parties if mutually agreed to in writing without amendment to this Agreement.

Attachment 3: In-kind Offer Letter

(Attached separately as a PDF)