



PLANNING AND URBAN DESIGN

17 February 2026

Catherine Regan, Administrator
Toronto City Hall
100 Queen Street West
Toronto, ON
M5H 2N2

Attention: Catherine Regan, Administrator

Dear Ms. Regan,

RE: TE29.15 - St. Clair Avenue West and Bathurst Street Planning Framework and Forest Hill Village Urban Design Guidelines Review - Final Report – 390-398 Spadina Road Comments - 394-396 Spadina Investments Ltd.
Our File: 24.504
City File No.: 25 266399 STE 12 OZ

Background

WND Associates has been retained by 394-396 Spadina Investments Ltd. as the planning consultant with respect to the December 17, 2025 submission of a Zoning By-law Amendment Application (the “Proposed Development”) for the property municipally known as 390-398 Spadina Road in the City of Toronto (the “Subject Site”).

The purpose of this letter is to provide comments on the 2026 Forest Hill Village Urban Design Guidelines (the “2026 Guidelines”). We recommend deferral of Toronto and East York Community Council’s adoption of the Guidelines to provide an opportunity to meet with Staff to discuss our feedback.

The Zoning By-law Amendment Application was deemed complete on December 18, 2025. The Subject Site was previously subject to a Zoning By-law Amendment Application which received approval in principle by an Interim Order from the Ontario Land Tribunal in May of 2018 for a proposed six-storey mixed use residential and commercial building. A Final Order was never issued.

The Proposed Development is comprised of a new 14-storey mixed use building with ground floor retail uses and residential uses on floors two through fourteen. The ground floor is programmed as two independent commercial units with pedestrian access from Spadina Road. Along Montclair Avenue, the ground floor includes the primary residential lobby entrance. A widening of Nick Vitantonio Lane is also proposed to achieve the 6.0-metre laneway width standard. In total, 54 residential units are proposed, and the proposed floor space index (FSI) is 7.62 times the net site area. The total proposed residential gross floor area is 9,077 square metres and the total non-residential gross floor area is 586 square metres.

The Subject Site is located at the northwest corner of Spadina Road and Montclair Avenue in the City's Forest Hill Village neighbourhood and is 350 metres from St. Clair West Subway Station. The Subject Site also has excellent access to the St. Clair West Route 512 LRT with the nearest stop within 600 metres.

The Subject Site is designated *Mixed Use Areas* in the City of Toronto's Official Plan and is within an area subject to the Council-adopted 2015 Forest Hill Village Urban Design Guidelines (the "2015 Guidelines"). Further, the Subject Site is within an area of the St. Clair West Station Protected Major Transit Station Area ("PMTSA") where a planned FSI of 6.0 and up to 20 storeys in height is anticipated to be implemented on lands within 200 to 500 metres of St. Clair West Station by ongoing City-initiated Zoning By-law updates expected later this year.

Forest Hill Village Urban Design Guidelines Review

In principle, we support the need to review the 2014 Guidelines identified by City Staff in the Recommendations Report. We have reviewed the 2026 Guidelines and the Proposed Development appears to achieve the overall intent of the various setbacks and stepbacks recommended in terms of a comfortable public realm, a streetwall height consistent with Spadina Road and a built form which is stepped back from surrounding properties. With respect to building heights, we further acknowledge Guideline 3.1.1 which sets out that "*Building heights will be assessed on an individual application in accordance with provincial policy*". That being said, we recommended Guideline 3.1.1 be also updated to include reference to setbacks and stepbacks, which are typically assessed based on each application's block context and not applied universally, to ensure the achievement of broader provincial policy.

We acknowledge Staff's position and the consideration of significant changes to legislation, provincial and municipal planning policies and other urban design guidelines since 2014 including: i) the 2024 Provincial Planning Statement, ii) the Minister's approval of the City's MTSA and PMTSA policies in 2025, iii) Official Plan Amendment ("OPA") 727 approved in 2025 which now permits apartment buildings up to six storeys in height along Spadina Road in nearby areas designated *Neighbourhoods*, and iv) the 2024 Mid Rise Building Urban Design Guidelines which eliminated the angular plane rear transition guideline and now consider buildings up to 14 storeys in height to be a mid-rise scale.

Notwithstanding the foregoing, we provide the following comments on the 2026 Guidelines:

- 1. The timing of the 2026 Guidelines is pre-mature given the City of Toronto has not yet completed Zoning By-law updates within the St. Clair West Station PMTSA:** On August 15, 2025 the Minister of Municipal Affairs and Housing approved the City of Toronto's MTSA and PMTSA policies with modifications. The City of Toronto is currently undertaking a Zoning By-law update to implement this approved policy direction which includes increased height and density permissions within all approved PMTSAs. Throughout February of 2026 the City of Toronto is facilitating a series of public open houses. According to the timeline provided during the open houses, Policy Planning will release a Draft Zoning By-law Amendment for review in March 2026 and a Final Report to Planning and Housing Committee with respect to the updated Zoning By-law is anticipated in Spring 2026. It is expected that the Zoning By-law Amendment will introduce City-wide built form standards in approved PMTSAs including St. Clair West. Until such time the City-wide Zoning By-
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law update is approved by City Council, it is pre-mature to consider area-specific guidelines, which at a preliminary level, appear to conflict with the anticipated Zoning By-law updates.

- 2. The 2026 Guidelines conflict with the City's approved PMTSA policies:** The approved PMTSA policies set out that City-initiated zoning will permit an FSI of 6.0 for lands within 200 to 500 metres of an existing or planned transit station and 8.0 FSI for lands within 200 metres of an existing or planned transit station. The Subject Site is 350 metres from the Heath Street entrance to St. Clair West Subway Station. The City of Toronto is currently implementing this policy direction through a Zoning By-law update which is anticipated to permit an FSI of 6.0 and up to 20 storey heights in *Mixed Use Areas* within 200 to 500 metres of a transit station. The urban character guidelines seek to implement a built form setback and stepback pattern which, if applied to the Subject Site, would likely impact the viability of a feasible residential floor layout and jeopardize the achievement of a minimum FSI of 6.0. The Proposed Development provides a more appropriate and viable floor layout which steps back progressively from Spadina Road at the City-wide Mid Rise Guidelines recommended 3.0-metre stepback (an initial 5.0-metre stepback and a 3.0-metre stepback are recommended by the 2026 Guidelines). The Proposed Development's 1.5-metre south stepback above the three-storey streetwall is consistent with the step backs of other approved mid-rise buildings (3.0 metres is recommended by the 2026 Guidelines). To the rear, a 1.0-metre stepback is provided to properties to the west (the 2026 Guidelines recommend 2.5 metres). However, the more appropriate consideration at this interface with *Apartment Neighbourhoods* is not the stepback above the streetwall but rather the separation distance provided across the intervening Nick Vitantonio Lane. The Proposed Development provides a 5.5-metre setback to the centreline of Nick Vitantonio Lane which is an appropriate consideration at this particular interface should the property to the west redevelop.
- 3. The 2026 Guidelines conflict with the City-wide Mid Rise Urban Design Guidelines:** The City of Toronto already has in place City-wide urban design guidelines for each of the Official Plan's three built form types (low-rise, mid-rise and tall buildings). In our opinion, the recently updated 2024 Mid Rise Urban Design Guidelines already provide for a flexible approach to built form within Forest Hill Village without the need for area-specific guidelines. Adding a second layer of non-statutory built form guidelines, which conflict with their City-wide counterpart's intent, within an approved PMTSA, is contrary to the Minister's approved policy direction to build more homes near higher order transit.

Further, we remain concerned that City Staff will apply the 2026 Guidelines in an overly strict fashion to new development, similar to Official Plan policy, without recognizing unique block and area context characteristics which support the height and setbacks proposed. One example of this concept is the consideration of appropriate curb-to-building-face setbacks. This should take into consideration existing and planned curb-to-building face setbacks which historically are less than 6.0 metres in Forest Hill Village. As it relates to the Proposed Development, the curb-to-building face setback is 4.4 metres which is consistent with the existing curb-to-building face setback at the apartment building to the north (the 2026 Guidelines recommend 6.0 metres).

Although 394-396 Spadina Investments Ltd. has not yet submitted a Site Plan Control Application, the 2026 Guidelines also seek to control the materiality of new development which was recently removed from the Site Plan Control process through the 2022 More Homes Built Faster Act.

Summary

For the foregoing reasons, we respectfully request that the item be deferred to allow further consultation and to provide for additional time to develop a guideline framework which better reflects the intent of the Minister-approved PMTSA policies. These policies clearly set out direction for a minimum FSI of 6.0 for all properties within PMTSAs and the City of Toronto is currently updating the Zoning By-law to permit built form heights up to 20 storeys within 500 metres of St. Clair West Station. In other PMTSAs, without area-specific guidelines, applications have recently been approved with a similar setback and stepback pattern to what is proposed.

As described in this letter, the revised urban character guidelines appear to support more general objectives of the provincial and municipal planning policy related to the built form and public realm. We also acknowledge that the 2026 Guidelines have moved away from controlling overall height through angular planes. That being said, we remain concerned that the 2026 Guidelines will be applied without flexibility which may inadvertently serve to limit the overall viability of mid-rise built forms in Forest Hill Village, contrary to the more flexible City-wide counterpart, the 2024 Mid Rise Urban Design Guidelines, and contrary to the achievement of transit-supportive housing. Should the item be deferred, we would be pleased to meet with Community Planning Staff with respect to our comments and to discuss refinements to the guidelines.

Yours very truly,

WND associates
planning + urban design



Andrew Ferancik, MCIP, RPP
Principal and President
