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File No. 1571

April 29, 2026

By Email

Toronto and East York Community Council
Toronto City Hall
100 Queen St. W.
Toronto, ON M5H 2N2

Dear Community Council and Council Members:

**Re: Item - 2026.TE32.9
Statutory Public Meeting
390 - 398 Spadina Road - Zoning By-law Amendment Application
Request for Deferral – Revisions to the Proposal**

We represent the South Forest Hill Residents Association (the “**SFHRA**”), a group of over 600 households advocating for good development in South Forest Hill, including Forest Hill Village (the “**Village**”). As you may know, the SFHRA has been participating in the processing of the zoning application to permit a 14-storey building at 390-398 Spadina Road (the “**Application**”), including but not limited to a written submission dated February 3, 2026, a copy of which is attached.

Regrettably, none of the issues the SFHRA has raised have been adequately addressed in the current form of the redevelopment.

We understand that the Application is being considered by Community Council at its meeting on April 30, 2026, and write to provide comments for your consideration. In that regard, we have reviewed and considered the Application materials as well as the staff report dated April 14, 2026, which recommends approval of the Application (the “**Staff Report**”).

Request for Deferral

The SFHRA supports the redevelopment of 390–398 Spadina Road (the “**Subject Site**”), which serves as a key gateway to the Village and has long been neglected. There is no question that this corner needs to be revitalized and reimagined, so that it can once again contribute to the beauty and character of the Village. However, for the reasons outlined in detail below, the building that is proposed in the Application, as currently massed and designed, does not fit with the character of the Village.



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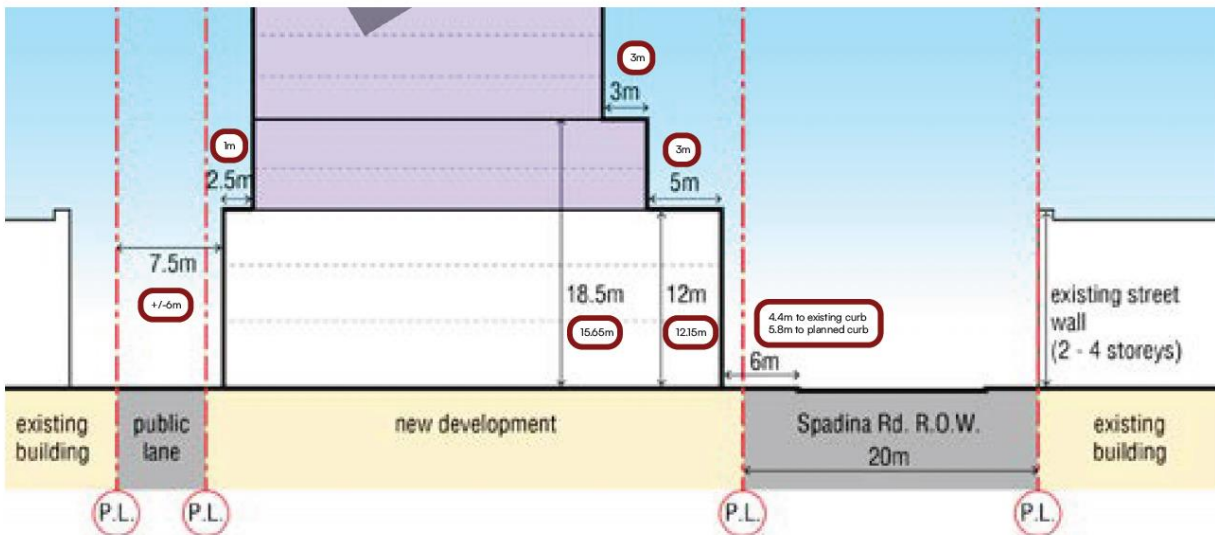
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For that reason, the SFHRA continues to oppose the Application and respectfully requests that Community Council **defer** its consideration of the Application to allow for meaningful engagement with the SFHRA and other stakeholders and revisions to the proposal. Revisions to the proposal are critical to ensuring that this redevelopment does not threaten the character of the Village, both as a development in its own right and as a negative precedent for future redevelopments in the Village.

Planning Framework

Key to this discussion are the new Forest Hill Urban Design Guidelines (the “**FH Guidelines**”), which were adopted by City Council only about two (2) months ago, on February 18, 2026, and the City’s Mid-Rise Guidelines. The express purpose of the FH Guidelines is to protect the character of the Village, and the SFHRA is very appreciative of Councillor Matlow for his efforts in the initiation, formulation, and endorsement of those guidelines back in 2015 and for their update two months ago. The City’s Mid-Rise Guidelines speak to appropriate mid-rise massing along City streets.

Regrettably, as currently formulated, the proposed redevelopment falls short of both guidelines in several ways. At first instance, it is important to note that the proposed redevelopment fails to meet the setbacks and stepbacks in the FH Guidelines. The deficiencies are shown in the sketch below, in which the dimensions of the proposal are shown in bubbles as against the FH Guideline setbacks and stepbacks:



Section A: Diagram of front yard set-backs, step-backs and rear yard transition.

Setbacks and stepbacks are key considerations as they are critical to ensuring the prominence of the existing scale and street enclosure, while mitigating pedestrian perception of additional density.

In this regard, we note and agree with the statement in the Staff Report at page 9 that *“the subject site is large enough to allow for appropriate setbacks and stepbacks that implement the Mid-Rise Building and Forest Hill Village Guidelines”*. The SFHRA respectfully concurs and submits that the FH Guidelines and Mid-Rise Guidelines can and should be implemented.

With respect to the Mid-Rise Guidelines, they speak to a relationship between mid-rise building heights and the width of the right-of-way upon which the building faces. The width of Spadina Road is 20 metres. Per the Mid-Rise Guidelines, an appropriate height for a mid-rise fronting a 20 metre right of way is 20 metres/ 6 storeys. The Application proposes a height which is over twice that. The building is proposed to be 49.2 metres in height, which is 4.0 metres above even the tallest mid-rise of 45 metres, which is contemplated for rights-of-way of 45 metres.

Table 1: Ideal Lot Depth in relation to the adjacent Right-of-Way Width and Building Height*

R.O.W. WIDTH (Metres)	IDEAL LOT DEPTH (Metres)	BUILDING HEIGHT*	
		Metres	Storeys(Approximate)
20	30	20	6
27	34	27	8
30	34	30	9
36	36	36	11
45	37	45	14

Even when the new PMTSA policies in the Official Plan are applied, which provide that an FSI of 6.0 should be achieved at the Subject Site, the proposal exceeds the minimum with an FSI of over 7.0. No justification has been offered for the additional height, beyond that the Mid-Rise Guidelines contemplate even for a 45 metres right of way. In this regard, we note that no affordable housing has been offered here.

There has been a lot of concern about the impact of the new PMTSA policies in the Official Plan, and specifically how the Provincial policy direction for intensification overrides other planning directions. However, this is not accurate. Other planning direction has not been lost. Policy 5.6(17) of the Official Plan speaks to this as follows:

Minimum development densities within the delineated area of a Protected Major Transit Station Area are to be applied together with all appropriate policies of the Official Plan, applicable Secondary Plans or Chapter 7 Site and Area Specific Policies, including matters of heritage, built form and public realm, servicing, natural areas, parks and other open spaces, and others.

Other policies in the Official Plan provide very clear requirements with respect to sensitive fit, as discussed in more detail in our letter of February 3, 2026.

Outstanding Concerns with the Proposed Redevelopment

The concerns raised by the SFHRA that remain outstanding and should be the subject of further engagement are as follows:

1. As discussed in detail above, the **setbacks and stepbacks** in the FH Guidelines have not been implemented, contrary to the statement at page 9 of the Staff Report. Implementing these setbacks and stepbacks is important to reinforce the existing scale and street enclosure, while mitigating pedestrian perception of additional density.
2. The **public realm**, including the width of the sidewalks on Spadina Road, needs to meet the FH Guidelines. Presently, the width of the sidewalk does not meet the minimum 6.0 metres.
3. As discussed in detail above, while it is acknowledged that additional density is contemplated by Provincial direction, the **height** of this building offends the Mid-Rise Guidelines regarding appropriate heights, as well as the FH Guidelines that speak to minimizing loss of sky view. Notably, the minimum FSI of 6.0 contemplated by the PMTSA policies could still be met with an adjustment to height.
4. The look and feel of the building should be secured to make sure it fits within the Village character. The FH Guidelines address **materiality**, recognizing that building materials and **glazing** are critical to maintaining the character of the Village. While these matters are typically addressed at the site plan stage, they can and should be secured either through, or parallel to, the zoning process in this instance. This is particularly important given concerns that the Subject Site and approvals could be transferred in the future to a developer less committed to preserving the Village's distinct character.
5. **Fine-grained retail units** should be secured. The FH Guidelines emphasize the importance of fine-grain, ground-floor retail in supporting the vibrancy and diversity of the Village. While we appreciate that staff initially requested four retail units as part of this proposal, the current proposal reflects only three. This should be revisited. The approach to preserving the fine-grained look through design elements should also be considered.
6. There is concern regarding the proposed number of **parking spaces**. The rationale for increased density is that the Subject Site is in proximity to public transit; the appropriateness of a high parking supply should be reconsidered in that context.
7. **Access and egress**, particularly for loading and waste collection, also remain key concerns. The proposed Type C loading space does not meet the City's requirements, which call for a much larger Type G, and a Type B loading facility. More recently, the

applicant has made revisions for private pick-up waste collection from the Type C loading space, but it is unclear if this revision has been reviewed by Transportation Planning.

8. **Accessibility** is a concern, particularly as it relates to the use of the laneway at the rear of the Subject Site.
9. The Staff Report does not discuss or identify any **community services or facilities** that should be secured through this development.
10. The SFHRA acknowledges and supports the **heritage** concerns raised by 404 Spadina Road.

Conclusion

On behalf of the SFHRA, we respectfully request that the Application be deferred to address the above-noted matters in consultation with the SFHRA and other stakeholders. This time would also allow staff to receive comments on the latest design from all City departments, which we understand has not occurred.

It is important that the time be taken to revise this proposal to reflect the character of the Village. If the character of the Village is to be protected within the context of the City-wide PMTSA policies, it must happen now, with this development. Otherwise, the precedent will be set that the Mid-Rise and FH Guidelines are meaningless, and the character of the Village will be jeopardized.

The SFHRA has retained an Urban Planner and Urban Designer who are prepared to work with the applicant and/ or City Staff to achieve a proposal that is consistent with Official Plan policy and follows the guidelines.

On behalf of the SFHRA, we thank you in advance for your consideration of this matter and continue to request that the undersigned receive notice of meetings and decisions on the Application.

Yours very truly,

WOOD BULL LLP



Johanna Shapira
JRS/AA
Enclosures

c. Councillor Matlow



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File No. 1571

February 3, 2026

By Email

City of Toronto
100 Queen Street West
Suite A17
Toronto, ON M5H 2N2

Lobbyist Registration No.: 59636C
Subject Matter No.: SM37366

Attention: Mr Josh Matlow
Councillor - Ward 22,
St. Paul's

Dear Councillor Matlow:

**Re: Application to Redevelop 390 – 398 Spadina Road
Comments and Concerns**

We represent the South Forest Hill Residents Association (the “**SFHRA**”), a group of residents who advocate for and support good development in South Forest Hill.

We understand that a fresh zoning by-law amendment application has been made to permit a 14-storey mixed-use building at 390 – 398 Spadina Road (the “**Subject Site**”) with a proposed FSI of 7.62. We say “fresh” because in 2017 an application was made for a 9-storey building on the Subject Site. That application was the subject of a lengthy negotiation between the City and the SFHRA, resulting in approval for a 6-storey building which, regrettably, was never built.

Together with our client, we reviewed the application materials that have been filed in connection with new proposal (the “**Proposed Development**”) and have identified some serious concerns with it as detailed below.

On behalf of the SFHRA, we seek your support in opposing the Proposed Development as currently designed and in pressing for a development that supports the long-term health, character, and safety of the Forest Hill Village (the “Village”).

Background

The SHFRA is supportive of redevelopment on the Subject Site. Regrettably, notwithstanding the existing approval for a 6-storey building, the Subject Site has sat neglected for many years in need of revitalization. However, the SFHRA has significant concerns with the new form and scale of development being proposed.

While the SFHRA recognizes that the Subject Site is proximate to an existing TTC transit station, and therefore qualifies for certain minimum densities, that qualification in and of itself does not trump the other numerous planning policies and guidelines that apply to the Subject Site. The Toronto Official Plan (the “**OP**”) specifically provides as much.

Not only does the Proposed Development not conform with several OP policies, it also lacks regard for the key applicable guideline document – the *Forest Hill Village Urban Design Guidelines* (the “**Village Guidelines**”) - which were adopted in 2015. The SFHRA acknowledges and thanks Councillor Matlow for his involvement in the creation and adoption of those guidelines, which were established to protect and reinforce the Village’s distinctive low-rise, main street character. The Village Guidelines continue to play a critical role in shaping appropriate development outcomes within the Village. As set out below, the SFHRA’s concerns with the Proposed Development stem directly from a desire to see these guidelines, and the underlying OP policies, meaningfully implemented and upheld.

Comments and Concerns

1. The proposed height is inappropriate because it does not fit within the existing or planned context of the Village.

Policy 3.1.3(5) of the OP requires that new development 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*”. Further, Policy 3.1.3(6) requires development “*to provide good transition in scale between areas of different building heights and/or intensity of use in consideration of both the existing and planning context*”. These policies establish a framework against which the appropriateness of height and massing must be assessed. When applied to the Subject Site, they support the conclusion that a 14-storey building is incompatible within the Village context.

The Subject Site is located at the southern end of the Village, a distinct main street area that is characterized by predominantly low-rise commercial and mixed-use buildings generally ranging from one (1) to four (4) storeys. While building heights increase in areas surrounding the Village corridor, such as the *Apartment Neighbourhoods* to the west of the Subject Site, and along surrounding *Avenue* corridors such as St. Clair Avenue West and Bathurst Street, the core of the Village itself has consistently maintained a low-scale built form that contributes to its distinct sense of place within the surrounding area.

At 10 storeys taller than any other building in the low-scale Village, it cannot be said that the Proposed Development “fits” its context.

The lower-scale of the Village is clearly planned in the OP. Unlike other nearby St Clair and Bathurst corridors that are in proximity to the same the TTC transit station, Spadina Road in this location is not designated as an *Avenue* in the City’s Urban Structure. In fact, in the City’s recent Avenue policy review, many dozens of other areas were added as *Avenues* to the OP (OPA 778). However, the Village section of Spadina Road was not added – a clear indication of the planned function of the mainstreet area.

OP policies 3.1.4(4)(5) state that mid-rise buildings should generally have heights no greater than the width of the right-of-way onto which they front, and on a corner site, this applies to both right-of-ways. At 14 storeys (158 metres), the Proposed Development vastly exceeds the planned 20-metre right-of-way width of Spadina Road, and even more on the Montclair Avenue side. While the City’s Mid-rise Guidelines (the “**Mid-rise Guidelines**”) acknowledge there may be circumstances where buildings exceed the right-of-way width, such circumstances depend on achieving contextual fit, including appropriate street proportions. The height of this building is clearly out of proportion with all of the other buildings within the Village.

As noted earlier, the unique scale and character of the Village has also been formally recognized for protection through the adoption of Village Guidelines, which emphasize a lower-rise, main-street condition and do not contemplate excessive building heights within the Village core.

This distinction in scale has previously been recognized by City staff. In the City’s 2016 refusal of the proposal for a 9-storey building on the Subject Site, staff explicitly acknowledged that the built form context of the Village differs from the higher-density *Apartment Neighbourhoods* located west of the Subject Site along Montclair Avenue. This characterization remains valid today, and as noted above, was most recently affirmed through OPA 778.

Notwithstanding clear policy and guideline direction on heights for the Subject Site, the applicant is proposing a building that is vastly out of proportion with the existing buildings in the Village, and notably, appears to be, at 158 metres in height, due to grading, even taller than the nearby two tower development at 63 - 91 Montclair which are designated *Apartment Neighbourhood*.

2. The massing of the Proposed Development overwhelms the Village and creates uncomfortable conditions for pedestrians.

As proposed, the Proposed Development would overwhelm the Village and immediate area, including the Montclair Avenue Parkette across the street, rather than reinforce the low-rise, pedestrian-scaled character that defines the Village. Again, OP policy 3.1.3(5) respecting massing is relevant.

The massing of the Proposed Development significantly impacts view of the open sky, contrary to OP policy 3.1.3(8). The applicant's shadow studies demonstrate that the Proposed Development would cast significant new shadows on adjacent *Neighbourhoods* as well as Suydam Park and Montclair Avenue Parkette. This outcome is inconsistent with OP policy 3.1.3(8), which requires development adjacent to parks to provide a good transition in scale and preserve access to direct sunlight.

The Village Guidelines cite a series of elements that contribute to contextual fit within the Village, including access to sky view, ground-floor treatment, vertical and horizontal articulation, corner treatment, and recessed entrances. Collectively, these elements are intended to reinforce a fine-grained, pedestrian-oriented public realm and a built form that is perceived at a human scale. The Proposed Development does not meaningfully incorporate these elements. Instead, the cumulative effect of its massing—driven by its overall vertical scale, limited setbacks, and insufficient setbacks—results in a visually dominant form that undermines the main street character of Spadina Road. The building does not preserve generous access to light and sky view for pedestrians, an urban design objective explicitly reinforced in the Village Guidelines.

Furthermore, the ground floor retail units should be sized to ensure that the fine-grained nature of the commercial mainstreet is maintained. We note that the currently approved scheme for the Subject Site requires that at least two retail units are included. This same requirement should be incorporated into the Proposed Development.

We note that staff are currently updating the Village Guidelines to as part of the St. Clair Ave West Bathurst Street Planning Framework review. In 2025, Council directed staff to update built form and public realm principles for the Village to reflect its unique retail and streetscape character to ensure that growth is balanced with preserving, enhancing and animating the retail character of the community and allows for a range of housing and uses. While the draft guidelines are not yet available for review, draft principles released in Fall 2025 speak to the need for updated built form guidelines to preserve the urban character and public realm of the Village. This further underscores the need to ensure that the Proposed Development fits within the Village planning fabric.

3. The Proposed Development does not establish an appropriate relationship to the public realm.

The Proposed Development fails to adequately address its relationship to the public realm. The applicant's wind study concludes that the Proposed Development would result in conditions suitable only for standing and, in isolated areas, walking during the spring. Such conditions are not acceptable for a year-round, pedestrian-oriented main street such as the Village and would undermine its small-scale, village character. Wind conditions along Spadina Road should support sitting and standing activities throughout the year.

Public Realm OP policies further require sidewalks to function as safe, attractive, and comfortable spaces for all users. The Mid-rise Guidelines also state that at special corners, major intersections, or other focus areas, more generous setbacks are

encouraged. The SFHRA would encourage the applicant to provide a minimum of 6.0 metre setback.

In addition, the *Mixed-Use Area* policies require service areas and garbage storage to be located and screened to minimize impacts on adjacent streets and residences. Careful consideration must be had to ensure that vehicles, including delivery vehicles, entering and leaving the Proposed Development can be adequately and safely managed. Montclair is already a very developed street, most notably with two new towers. Any additional pressure at the corner needs to be carefully studied and managed.

Despite the scale of the Proposed Development, it does not include the required Type G and Type B loading spaces, instead including a smaller Type C loading space at the rear and relying on curbside waste collection along Montclair Avenue. Yet, as documented in the Transportation Impact Assessment, the Proposed Development does not meet the City's eligibility criteria for curbside waste collection. This approach is inappropriate and would negatively impact both future residents of the building and existing residents along Montclair Avenue.

The OP requires that a Transportation Impact Study identify appropriate travel demand management measures and mitigation strategies to accommodate travel generated by new development. While the applicant proposes several travel demand management measures, the majority of these measures are temporary in nature, including time-limited complimentary bike-share memberships, bicycle repair facilities to be maintained for 1 year, and pre-loaded PRESTO cards for initial residents. Given that the Subject Site is located within a PMTSA where growth and associated transportation pressures are expected to intensify over time, reliance on short-term incentives is insufficient. Effective travel demand management should include permanent, site-related infrastructure improvements, such as the provision of a dedicated bike-share docking station and enhanced transit amenities, including a transit stop shelter, to support sustained non-auto travel behaviour.

5. The Proposed Development would create an inappropriate precedent within the Village.

The proposal would extend the higher-density built form of the adjacent *Apartment Neighbourhoods* eastward into the *Mixed Use Area* of the Village and would establish an undesirable precedent for height and massing within the Village core. This would threaten to significantly disrupt, not strengthen, the character of the Village. While redevelopment is welcome and expected to ensure ongoing revitalization of the mainstreet, the Proposed Development as currently designed represents a vast overdevelopment of the Subject Site that would destabilize the character and safety of the Village.

We understand that the City is currently updating its zoning for Major Transit Station Areas in response to provincially modified Protected Major Transit Station Area ("PMTSA") official plan policies. Under these policies, we recognize that *Mixed Use Areas* located within 500 metres of an existing transit station may be permitted a minimum density of

6.0 floor space index (“**FSI**”), and that the Subject Site may qualify for this FSI. However, while optimizing density makes sense around transit stations, applying this planning imperative does not mean that the relationship to the adjacent sites and broader area (in this case the Village) should be abandoned. The PMTSA permissions must be applied together with the full suite of OP policies, including those relating to built form, transition, and compatibility with the surrounding context as noted above. In this regard, we note the Minister’s amendments to Section 5.6(17) of the OP clearly require PMTSA policies to be applied together with all other applicable OP policies.

Next Steps and Request for Notice

The SFHRA would like to work with you, City staff, and the applicant to achieve a more appropriate form of redevelopment. The SFHRA supports redevelopment that introduces additional units and housing opportunities, but would like to see a reduced height and massing that conforms with the applicable OP policies and Village Guidelines, and that ensures that the public realm is optimized and safe.

Thank you for your consideration of these comments. The SFHRA looks forward to an opportunity to meet with you about this development at your earliest convenience.

We have copied the City planner and Clerk on this correspondence, for their information and to ensure this letter is included as a submission to the Community Council and City Council when this application comes up for consideration. In that regard, we would ask the Clerk to kindly provide the undersigned and southforesthilra@gmail.com with notice of any Committee or Council decision in relation to this development. s

Yours very truly,

WOOD BULL LLP



Johanna Shapira
JRS/AA

cc: Sebastien Gibson – Senior Advisor, Ward 12 Councillors Office
Dylan Dewsbury - City of Toronto, Development Review
City Clerk
Client