

September 8, 2023

Our File No. 159966

BY EMAIL

Matthew Longo
Planning and Administrative Law
Legal Services, City of Toronto
Metro Hall, 26th floor
55 John Street
Toronto ON M5V 3C6

Dear Mr. Longo:

**Re: 147 Spadina Avenue
OLT Case No. OLT-22-003744**

As you are aware, Aird Berlis LLP acts on behalf of HM RB (147 Spadina) LP ("Hullmark"), the owner of the property municipally known as 147 Spadina Avenue (the "Site").

The Site is currently occupied by a 2-storey commercial building. The Site has frontages of 35 m along Spadina Avenue and 31 m along Richmond Street West, with a total land area of approximately 1,081 square metres. The Site is currently underutilized, particularly given its location within an area of the City planned and designated for growth; additionally, the Site is located within a "major transit station area" and a "strategic growth area", as defined by the Growth Plan.

Background

Following pre-application meetings with the City and immediate area residents, Hullmark filed applications for Zoning By-law Amendment and Site Plan Control approval on September 3, 2021 and November 10, 2021, respectively (the "Applications"). The Applications contemplated a 25-storey building, including 14-storey base building with an 11-storey tower above, for an overall height of 85.8 metres (including mechanical penthouse). A total gross floor area of 19,849 square metres was proposed, which included 19,415 square metres of residential space and 434 square metres of retail space, with a total of 223 dwelling units.

The Applications were the subject of a Preliminary Report to Toronto and East York Community Council and a community meeting in January, 2022. Hullmark appealed the Applications to the Ontario Land Tribunal (the "Tribunal") in April, 2022 with a commitment to continuing working with the City and the community on scoping issues for a hearing and, potentially, achieving a settlement.

Resubmission Arising from Consultation with City & Area Residents

Since the filing of its appeal in April, 2022, Hullmark has engaged in nearly a year and a half of discussions on a without prejudice basis with City staff and immediate area land owners, including representatives of The District Lofts; these meetings have occurred both in working group sessions and direct meetings, which have continued until very recently. Hullmark has undertaken

a series of re-designs of the development proposal informed by those discussions and meetings and presented them in an iterative manner throughout this process.

Ultimately, Hullmark has revised the proposal as illustrated in the architectural plans prepared by Audax Inc. and dated September 1, 2023, the key elements of which are summarized below (the "Revised Proposal").

Together with the Revised Proposal we are also pleased to provide the City with the following materials: a Planning Rationale Addendum, prepared by Bousfields Inc. and dated September 6, 2023; an Urban Design Resubmission Memo prepared by Acronym and dated August 30, 2023; a Urban Transportation Considerations Report - Addendum prepared by BA Group and dated September 6, 2023; and a HIA Addendum prepared by Goldsmith and Associates and dated September 6, 2023. Finally, a draft ZBLA is enclosed which implements the Revised Proposal and which we understand will be reviewed by the City prior to being finalized. Please note that, at the request of City staff, these materials will be formally resubmitted through the City's on-line application portal in addition to being provided directly to you.

Hullmark is pleased to be making this resubmission based on the Revised Proposal which we understand will be brought forward to Toronto and East York Council through a Request for Directions Report at its meeting on October 18th, followed by the City Council meeting of November 8-10.

Summary of Revised Proposal

The Revised Proposal contemplates a 24-storey building, with a reduced 13-storey base building and an 11-storey tower above, for an overall height of 82.8 metres (including mechanical penthouse). The Revised Proposal has smaller building floor plates, especially at Levels 3-21, as a result of increased setbacks and stepbacks as described below. The overall height of the building has been reduced by a full storey. The Revised Proposal will include a total gross floor area ("GFA") of approximately 16,373 square metres (a reduction of over 3,400 square metres or 17.3%), including 16,073.5 square metres of residential GFA and 351.3 square metres of retail GFA, resulting in an overall density of 15.20 FSI.

As a result of the reduced height, smaller floorplates, and increased setbacks and stepbacks, the Revised Proposal now sits entirely within a 45 degree angular plane measured from the north side of Queen Street West and further reducing shadow impacts on that important pedestrian realm. The Revised Proposal will secure a unit mix of 10% 3 bedroom units, 20% 2 bedroom units and 10% units that could be converted into 2 or 3 bedrooms and provides for abundant and well-designed amenity space for residents.

The key elements of the Revised Proposal are outlined in the Planning Rationale Addendum prepared by Bousfields Inc, at pages 3-5 therein. Of particular note are the increased setbacks along the entire Richmond Street West frontage to secure a widened sidewalk of greater than 6.0m.

Additionally, careful attention was paid through the development of the Revised Proposal to respond to the existing District Lofts building and outdoor amenity features through increased building setbacks and stepbacks. A 13 storey streetwall has been introduced along Richmond Street West to match the District Lofts. The height and location of the tower elements have been designed to ensure no direct facing window conditions with District Lofts and there will be no

projecting balconies on the eastern façade of the Hullmark building adjacent to District Lofts. Hullmark has also agreed to continue to work with the District Lofts through detailed design and the site plan approval process to ensure appropriate privacy and screening particularly as they relate to the proposed private outdoor amenity areas at the south-east corners of Levels 7 and 14, adjacent to the District Lofts building.

As it relates to the property to the north, at 161 Spadina, the Revised Proposal eliminates the former window well which had been proposed at Levels 3-13; now the Revised Proposal anticipates redevelopment of the property to the north in accordance with in-force City policies by removing windows from the north wall of the podium to ensure a future party-wall condition.

As it relates to the west, the Revised Proposal introduces a 5.0m setback at Level 14 and a cornice line/detail at the top of the podium to further emphasize separation from the tower massing above. Additionally, corner cut-outs along the west tower facade have been employed to enhance the transition to Spadina Avenue with setbacks of 6.00m from north property line, 6.15m from south property line and 5.00 from west property line.

Consideration by TEYCC and City Council

As noted above, Hullmark is pleased to make this resubmission which it understands responds to the direction of City staff and to many of the comments from area residents and particularly the District Lofts.

This resubmission is made on the understanding that City staff will report to the October 18th meeting of Toronto and East York Community Council, followed by the City Council meeting of November 8-10.

On behalf of Hullmark and its consultant team, please accept our thanks and appreciation of the efforts that you and City staff have undertaken to reach a resolution of this matter.

Should you require any further information, please do not hesitate to contact the undersigned.

AIRD & BERLIS LLP



Eileen P. K. Costello

EPKC

c: Client
Joanna Kimont, City of Toronto

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