



Project No. 16187

May 17, 2018

Toronto City Council
Toronto City Hall
100 Queen Street West
Toronto, ON, M5H 2N2

Dear Mr. Mayor and Members of City Council:

Re: *Item PG29.4 May 22, 2018 Council Meeting*
TOcore: Downtown Plan Official Plan Amendment
227 Gerrard Street East

We are the planning consultants for 227 Gerrard East Holdings Limited with respect to its site at 227 Gerrard Street East, located on the south side of Gerrard Street, between Seaton Street and Ontario Street (“the subject site”).

On behalf of our client, we filed a Zoning By-law Amendment application on December 22, 2016 (File #: 16 270189 STE 28 OZ) in order to permit a mid-rise mixed-use building, comprised of ground floor retail and residential units above. Since the time of our original application, we have worked closely with City of Toronto Staff to come to an agreement with City staff regarding an appropriate built form. The revised proposal is for a 7-storey mixed-use building, plus a wrapped mechanical penthouse. Although a Request for Directions Report has not yet been written by City Planning staff, essentially all of the City comments have been incorporated into the revised proposal and Staff have indicated that they are generally supportive of the revised proposal.

We have reviewed the draft Downtown Plan Official Plan Amendment (“the Downtown Plan”), which was considered and amended by Planning and Growth Management Committee on May 1, 2018, as well as the Supplementary Staff Report, dated May 14, 2018. We, along with our client, have a number of concerns with the Downtown Plan, which are described below.

Firstly, is our opinion that the Downtown Plan, as currently drafted, is not consistent with the Provincial Policy Statement and does not conform with the Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”). More specifically, the Downtown Plan does not optimize the use of land and infrastructure, particularly as it applies to the subject site.

In this regard, the Downtown Plan does not take into account Provincial policy directions to optimize the use of land and infrastructure, particularly along transit and transportation corridors,

and in particular within the Downtown Toronto urban growth centre. In this regard, “optimization” means making something “as fully perfect, functional, or effective as possible”.

It is noted that the Downtown Plan does not currently include any transition policies or protocols to recognize proposed redevelopments that are in process, and/or were the subject of applications filed prior to the adoption of the Downtown Plan. In this regard, the above-noted applications for the subject site were submitted well in advance of the release of the initial draft of the Downtown Plan in August 2017 and, as such, we would request that the subject site be exempted from the application of the Downtown Plan.

In the event that the subject site is not specifically exempted from the Downtown Plan, it is our opinion that transition provisions should be incorporated into the Downtown Plan so as to ensure that applications that are in process are reviewed on the basis of the planning framework which was in force at the time they were filed. In this regard, the client, consulting team, some neighbourhood stakeholders and City Staff have worked collaboratively for an extensive period of time to arrive at the supported built form. The Downtown Plan should not then negate this process, which was well underway prior to its release.

Furthermore, we have concerns with the Mid-Rise Building Policy 9.2.9, which sets out prescriptive numerical standards relating to height, angular planes and rear setback. Fundamentally, the imposition of numerical standards in an Official Plan has the potential to stifle creativity, to unnecessarily trigger the requirement for site-specific official plan amendments, and to create unnecessary technical debates. Such detailed numerical standards are generally inappropriate and undesirable in a policy document and are more appropriately included in a regulatory document (the zoning by-law) or a guideline

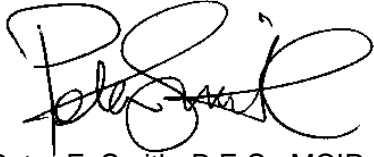
We also have concerns with proposed Policy 11.1, which would require, for developments containing more than 80 residential units, 15% of the units to be two-bedroom units and 10% to be three-bedroom units, and would specify minimum unit sizes of 87 square metres for the two-bedroom units and 100 square metres for the three-bedroom units. Similar to our comments above, such detailed numerical standards are inappropriate in a policy document. We believe that advancing these prescriptive measures without an in-depth review of market demand/supply and income/affordability results in significant risks with respect to housing affordability and could potentially stifle the development of new housing in the Downtown.

The foregoing is not a comprehensive list of all of the concerns that would arise from the application of the Downtown Plan to the subject site. If our request to exempt the subject site from the Downtown Plan is not granted, on behalf of our client, we request that the approval of the Downtown Plan be deferred by Council, at least as it applies to the subject site, so that all of the concerns can be discussed with Planning staff, and the results be reported to Council.

We appreciate your consideration of the foregoing submission. Should you require any additional information, please do not hesitate to contact one of the undersigned.

Yours very truly,

Bousfields Inc.



Peter F. Smith, B.E.S., MCIP, RPP



Sasha Lauzon, M.PL., MCIP, RPP

*cc: Steve Thompson, S. Thompson Development Services Ltd.
Sidonia Tomasella, Aird & Berlis LLP*