



MILLER THOMSON
AVOCATS | LAWYERS

MILLER THOMSON LLP
SCOTIA PLAZA
40 KING STREET WEST, SUITE 5800
P.O. BOX 1011
TORONTO, ON M5H 3S1
CANADA

PG29.4.92

T 416.595.8500
F 416.595.8695

MILLERTHOMSON.COM

May 18, 2018

Tara L. Pjurko
Direct Line: 416.595.2647
tpjurko@millerthomson.com

VIA EMAIL(CLERK@TORONTO.CA)

Mayor and Members of Council
c/o City Clerk's Office
13th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Ms. Ulli S. Watkiss, City Clerk

Dear Mayor Tory and Members of Council:

**Re: TOcore: Downtown Plan Official Plan Amendment (the "TOcore OPA")
City of Toronto Council Meeting of May 23, 2018
Agenda Item PG29.4
Submission by GWL Realty Advisors Inc. ("GWL")**

We are the solicitors for GWL Realty Advisors Inc., the owner of a number of properties located within the affected area of the proposed TOcore OPA, as listed in the attached Schedule "A". It is our understanding that the Planning and Growth Management Committee considered and adopted the planning staff report containing the latest version of the draft TOcore OPA dated April 17, 2018 (the "Staff Report") with amendments at its special public meeting on May 1, 2018 and the matter will be considered by City Council on May 22, 2018. GWL has a number of concerns regarding the proposed TOcore OPA. On behalf of GWL, we hereby submit the following concerns.

Lack of Consultation

The draft TOcore OPA was only made available to the public as part of the Staff Report on April 17, 2018, two weeks before the special public meeting of the Planning and Growth Management Committee meeting on May 1, 2018. In addition, the statutory open house in respect of the TOcore OPA was scheduled on April 23, 2018, just over a week before the special public meeting. GWL and other members of the public were not given an opportunity to properly review the TOcore OPA materials and to have a meaningful consultation with the City staff on the matter. In this regard, we urge City Council to defer the consideration of the TOcore OPA at its meeting on May 22, 2018 in order to allow more time for members of the public to conduct a more comprehensive review of the proposed TOcore OPA and provide meaningful input in respect of the matter.

Lack of Flexibility

The proposed TOcore OPA limits residential development in the *Downtown* area by permitting only non-residential development in the *Financial District* and *Health Sciences District* for any increase in density above the as-of-right permissions and by requiring a minimum amount of non-residential densities in some of the other districts.

In addition, many of the proposed policies in the draft TOcore OPA, including the housing policies, are overly prescriptive and rigid. Greater flexibility should be provided in consideration of housing affordability, viability of spaces, and site and area specific needs and constraints in order to achieve good planning in the *Downtown* area.

Appeal Related Considerations

In the Staff Report, the TOcore OPA is being positioned as a conformity exercise to the Growth Plan, 2017, which would require approval from the Minister of Municipal Affairs under Section 26 of the *Planning Act*. Given the passing of Bill 139, such approach will significantly limit the appeal rights of our client and many other landowners within the *Downtown* area. In addition, it is our submission that a provincial conformity exercise should be carried out in a comprehensive manner and on a city-wide basis. As such, we respectfully request that the City reconsiders its position to make the TOcore OPA a Section 26 amendment.

Lack of Transition

The proposed TOcore OPA provides no form of transition for development proposals in progress today. We request that appropriate transition clauses be included to recognize the pre-existing approvals, as well as development applications that are currently being processed, to allow landowners relying on the in force planning policies and regulations at the time of submission of a development application.

It should be noted that while we have attempted to raise all of our concerns in this letter, the issues set out above is not an exhaustive list. We may have additional comments once a more detailed review of the TOcore OPA materials can be completed. In addition, we request to be provided notice of any future reports, upcoming meetings of City Council or Committees of Council, and decisions of City Council or Committees of Council in respect of this matter.

If you have any questions or concerns, please do not hesitate to contact the undersigned.

Yours very truly,

MILLER THOMSON LLP

Per:



Tara L. Piurko
Partner
IQ/

Encl.

c. GWL Realty Advisors



SCHEDULE "A"

Subject Properties

1. 330 University Avenue
2. 190 Simcoe Street
3. 206 Simcoe Street
4. 190 Queen Street West
5. 180 Simcoe Street
6. 180 Queen Street West
7. 180B Simcoe Street
8. 444 Yonge Street
9. 424 Yonge Street
10. 151 Yonge Street
11. 4 King Street West
12. 155 University Avenue
13. 1 Toronto Street
14. 200 University Avenue
15. 33 Yonge Street
16. 50 Prince Arthur Avenue
17. 525 Richmond Street West

