

June 6, 2018

Our File No.: 000031

Via Email

Planning & Growth Management Committee
10th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Nancy Martins, Secretariat (pgmc@toronto.ca)

Dear Sirs/Mesdames:

Re: Item PG30.4 – Midtown in Focus

We are writing to express concerns of various clients regarding the draft Official Plan Amendment (the “**Draft OPA**”) as it would apply to the lands listed in the attached schedule (the “**Properties**”). We note that the Draft OPA has been revised since the previous version circulated many months ago for review and comment.

Many of the Properties are subject to ongoing planning processes – from pre-application consultation to approvals in principle – and could be prejudiced by the proposed approach of the City to the enactment of the Draft OPA. Our clients are concerned that the Draft OPA will result in a land use planning framework for the Properties that does not conform with the Growth Plan for the Greater Golden Horseshoe (2017). For example, in certain instances, the Draft OPA would propose land use designations and/or heights that do not correspond to the existing or planned context, which represent a significant underutilization of lands that should be intensified.

Further, as proposed, the Draft OPA provides no form of transition for redevelopment proposals, such as those in progress for some of the Properties, and certain new policies or proposed land use designation changes should be deferred to allow those planning processes to be completed pursuant to the policy regime currently in place.

Given the late release of the Draft OPA and accompanying staff report, we have not had the opportunity to review the Draft OPA in detail with our clients or engage with City staff to discuss the potential for transition. We would respectfully request that the Planning and Growth Management Committee defer consideration of the Draft OPA to allow an opportunity for further consultation regarding the application of the Draft OPA to the Properties and the potential for meaningful transition.

This concern regarding transition is compounded by the recent indication in the accompanying staff report that the Draft OPA is a component of the of the City's ongoing five-year review of its Official Plan and an approval under section 26 of the *Planning Act*. We have serious concerns with this recent decision.

First, we have reviewed previous staff reports and Council decisions related to this matter and can find no indication that the Draft OPA would be a component of the City's ongoing five-year review of its Official Plan. Instead, Midtown in Focus has always been presented as an update to an area-specific Secondary Plan and not part of any municipal review.

Second, the discussion in the staff report concludes future work is required through a subsequent official plan amendment to achieve full Growth Plan conformity. With respect, there is no such test in the *Planning Act* for "partial conformity". If it is the City's intention to treat the Draft OPA as part of a conformity exercise, then the City should undertake a full and complete municipal comprehensive review that considers all mandatory aspects of the Growth Plan on a City-wide basis.

Please also accept this letter as our client's request for notice regarding any decision made in respect of this matter.

Yours truly,

Goodmans LLP



David Bronskill

DJB/

cc: Clients

LIST OF PROPERTIES

22 Balliol Street

100 Broadway Avenue

117-127 Broadway Avenue

75 Eglinton Avenue East

90 Eglinton Avenue East

60 Eglinton Avenue West

115-117 Merton Street

276-290 Merton Street

39-41 Roehampton Avenue

89-101 Roehampton Avenue

2100-2110 Yonge Street

2128 Yonge Street

2398-2444 Yonge Street

2500 Yonge Street

6827125