

**From:** [Richard MacFarlane](#)  
**To:** [councilmeeting](#)  
**Subject:** Support Midtown's Quality of Life - Communication on PH25.7  
**Date:** July 9, 2021 1:36:27 AM  
**Attachments:** [TTC Buslands at Yonge-Eglinton, Public Consultation Meetings, Oxford, Josh Matlow, Ratepayers.doc](#)  
[TTC Buslands, Canada Square -- Item 31.27. Submission by Richard MacFarlane, Oriole Park Association, to the Mayor and City Councillors, Motion by Councillor Josh Matlow and Councillor Kristyn Wong-Tam, April 7, 2021.doc](#)

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Dear Mayor Tory and City Councillors,

For the past 20 years, as a dedicated participant in all things relating to planning and development, I have spent at least 300 hours a year working voluntarily for the Oriole Park Association community and Yonge/Eglinton area ratepayer organizations. From Year 2002, since attending the Minto Towers OMB hearing, I have attended over 200 public meetings, including numerous Committee of Adjustment sessions, and at least 15 major Ontario Municipal Board, then LPAT hearings (now the Ontario Land Tribunals). During this time, I have typed upwards of 1,000 pages of meeting minutes and correspondence concerning development issues.

As you may be aware, our Oriole Park Association was established in 1954, coincidentally, the year I was born, the same year the Yonge line was finished, and the year the TTC bus barns began operating.

The OPA is incorporated. It represents about 5,000 residents living in mostly single family homes, some duplexes and triplexes, and low rise apartment buildings along Eglinton. OPA boundaries are from Eglinton Avenue in the north, south to Chaplin Crescent, northwest along Chaplin to Eglinton, and the east border is the west side of Yonge Street.

For the Canada Square - Oxford Properties / Canadian Tire REIT development proposal, working from November 2020 to April 2021, I prepared a 160 page report on the history of this site and the extent of public consultation. Please see attached.

I also prepared a submission given to Toronto City Council for their April 5, 2021 meeting, discussing Item 31.27 about establishing the Midtown Working Group. Please see attached.

Even though I have moved to Don Mills in November 2013, I have still attended local meetings and I have continued to be actively involved, especially with the Canada Square development application which I consider to be one of the most crucial proposals to be reviewed in the City of Toronto.

I am asking that you vote in support of the Canada Square Working Group's vision for the site that will help transform the Yonge-Eglinton area into a complete community. The Working Group's vision includes a large public park, a public square, affordable housing, a new elementary school, and cultural facilities such as a theatre space for the performing arts.

Please take this opportunity to meaningfully improve the quality of life of those living in midtown neighbourhoods. We are counting on your support.

Thank you in advance for your thoughtful consideration of Item PH25.7.

Yours truly,

Richard MacFarlane  
Special Advisor, Oriole Park Association

Formerly

Secretary and Director, Oriole Park Association, Year 2003 to 2013  
Secretary-Treasurer and Director, FoNTRA, Year 2009 to 2012

Home Address -- 1992 to 2013

81 College View Avenue  
Toronto, Ontario  
M5P 1J9

Home Address Since November 2013

18 Concorde Place, Suite LP918  
Toronto, Ontario  
M3C 3T9

<[rnmacfarlane@gmail.com](mailto:rnmacfarlane@gmail.com)>

Postscript -- Elementary School -- Suggestion for an Alternative Location

In the fullness of time, as an alternative to having an elementary school at Canada Square, may I also suggest that you consider supporting an expansion of (or rebuilding a much larger school) the existing Oriole Park Junior Public School located at Elmsthorpe (west side) and Braemar (east side) and Eglinton Avenue West, across from my former 20 year home on College View Avenue.

It has more than enough playground space for growth. It also is less exposed to intensive vehicular traffic than the TTC lands will be at Yonge/Eglinton.

Having listened to and recorded and typed meeting minutes for four Working Group meetings, and having attended and recorded prior meetings with ratepayers, area councillors, and Oxford, to my knowledge, this alternative was not identified except by the Oriole Park Association initially and this alternative was not explicitly documented during the Midtown discussions.

I feel that it is a valid option, particularly since Yonge/Eglinton is one of the busiest intersections in Toronto and, therefore, there is a greater risk for child safety on that site.

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To the clerk: Please consider this email a communication on PH25.7 - The Future of Yonge and Eglinton's Canada Square: Supporting Midtown Existing and Future Residents' Quality of

Life

Canada Square –TTC Buslands at Yonge-Eglinton

Public Consultation Meetings

Oxford Properties Group, Councillor Josh Matlow,  
Midtown Ratepayer Associations

by

Richard MacFarlane  
Special Advisor  
Oriole Park Association

May 10, 2021

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## 1. INTRODUCTION

### **Tribute to Eugenio G. Faludi, D.A., P.Eng.**

Doctorate in Architecture and Town Planning, 1929, School of Architecture, University of Rome. Canada's First Town Planner; Post-War Planning Consultant for Metro Toronto and the former City of Toronto

*“The primary objective of planning is to establish a pattern of the future life of the community. It should establish the relationship between elements of community life – housing, employment, recreation and transportation, health welfare and education. The materials of the planner are the people, the land on which they live, the features that nature created and the physical equipment that the people have built.”*

Source: An Introduction to the Technique of Town Planning Analysis of Modern Urban Needs, “Modern City Plans And Their Purpose”, Planning Canadian Towns and Cities, Lecture Course, School of Architecture, Faculty of Applied Science and Engineering, University of Toronto, January 4, 1944, p. 2.

1940 As President and Director of E. G. Faludi and Associates Limited, provided planning consultation services to many municipalities.

1942-43 Consulting planner and member of the Advisory Technical Committee of the Toronto City Planning Board, manager of the Planning Office and in charge of the preparation of the first comprehensive Master Plan of the City of Toronto and the Metropolitan Area.

Selected initiatives carried out:

1970-71 Several concept plans for housing projects in Metropolitan Toronto.  
1973 The evaluation of a planned neighbourhood unit in Metropolitan Toronto.

Author of numerous studies, papers and articles in the field of urban and regional planning and development, including Toronto publications:

1943 Second Annual Report of the City Planning Board, Toronto.  
Prepared for the Toronto Planning Board.

1971 The Status of the City of Toronto. A Submission to the Special Committee of the Council of the City of Toronto.

Canada Square – TTC Buslands at Yonge-Eglinton

Public Consultation Meetings – Oxford Properties Group, Councillor Josh Matlow,  
Midtown Ratepayer Associations

Introduction

Since Year 2002, when the OMB issued its decision on Minto Towers, as a North Toronto resident, I promised myself that I would review planning and development issues at Yonge/Eglinton. Studying urban and historical geography, planning, and tourism impact at university, this was a motivation. If the Metro Toronto Planning Dept. wasn't going to advance my career in planning, then I could contribute to the community.

I have lived in the area since 1985, first on Soudan Avenue, toward Bayview, from 1987 on Manor Road East at Mount Pleasant Road, and from 1992 to 2013 at College View Avenue at Elmsthorpe, across from Oriole Park Junior Public School.

In Year 2003, I joined the Oriole Park Association as Secretary and Director. From Year 2009 to 2012, I was FoNTRA Secretary/Treasurer and Director and joined their Steering Committee.

In November 2013, I downsized to a condominium at Eglinton Avenue East and Wynford Drive. As such, I resigned as an OPA Director but I have continued as a Special Advisor to the Oriole Park Association. The main reason is due to the TTC Buslands application. I wanted to contribute to the research and consultation process.

I have studied and researched the history of the Canada Square lands, on and off, for over 15 years. I have deliberately asked City planners and local councillors for their comments about the TTC Buslands at various meetings. In 20 years, I have attended over 200 public meetings, and participated at 15 major OMB Hearings and recorded the legal and technical discourse, including case law. I have typed over 1,000 pages of meeting minutes, and spent upwards of 300 hours each year, assisting our ratepayer community.

As part of Metro Toronto and then the City of Toronto records management program, since 1990, I have worked for at least five years (1990-1995) with the Municipality of Metropolitan Toronto Planning Department and several years (1998-2019) with the amalgamated City of Toronto Planning Division. I have also managed central records rooms for Secretariat (they handle committee and council agendas and background documents), Legal Services, Accounting Services, Payroll and Pension, and other sections. I have operated central records rooms for Metro Toronto Planning staff at Toronto City Hall, East Tower, 11th and 12th floors, and City Planning staff at Metro Hall, 22nd floor. I have a good awareness of City planners, what they expect and how they function. I have seen the planning process – from the inside, and outside.

Introduction (cont'd)

I wanted to prepare this report so that our wider RA group is more aware of the extent of consultation that has been done about this site. I wanted you to be able to refer to the many dates and events conveniently in one background report.

In preparing this report, I bring no hidden agenda, no allegiances, or favouritism. I desire only positive and constructive efforts of one and all among our Yonge/Eglinton ratepayer associations, BIAs, and community organizations. Like all of us do, I hope the Working Group will produce a report which will inspire necessary and meaningful changes to the Oxford proposal.

*Richard MacFarlane*  
*Special Advisor, Oriole Park Association*

Selected Experience

Secretary and Director, OPA (2003 to 2013), Secretary/Treasurer, Director, Steering Committee, FoNTRA (Year 2009-2012)

Ontario Municipal Board Hearings – Richard's Typed Transcripts with Case Law Research

Susan de Avellar Schiller, OMB Member, Terranata Developments Inc., OMB Case No. PL140905 / MM160039  
346-356 Eglinton Ave. West, March 19-28, 2018. 50 pp.

Scott Tousaw, OMB Member, Coal Harbour Properties Limited, OMB Case No. PL160942, February 12-15, 2018. 260 pp.

Helen Jackson, OMB Member, 90 Eglinton Avenue West and 17-19 Henning Avenue  
Appeal by Eglinton Park Residents' Association (Tom Cohen, Chair, EPRA), OMB Hearing, November 3, 2017. 20 pp.

Aristotle Christou, OMB Member, Premium Properties Ltd., 36-44 Eglinton Ave. West, OMB Case No. PL110553  
36-44 Eglinton Ave. West, April 16-23, 2012, Section 37 Benefits Meeting of Oct. 16, 2012, and Nov. 8, 2012. 40 pp.

John Peter Atcheson, M.Sc., OMB Member, 33 Marlton Road, Appeal, OMB Hearing, February 23, 2012. 130 pp.

Aristotle Christou, BES, MPA and Helen Jackson, OMB Members, 102 Chaplin Crescent  
Appeal by Jelica Blanusa, OMB Case No. PL110541, August 10, 2011. 120 pp.

Marie Hubbard, OMB Member, Top of the Tree Developments Inc., 34-70 Montgomery and Duplex, Proposal for 25 Storeys,  
Change in Official Plan Land-Use Designation from 'Neighbourhood' to 'Apartment Neighbourhood',  
Appeal by Eglinton Park Residents' Association, Upheld, February 9, 2009. 5 pp.

J.L. O'Brien and G.J. Daly, OMB Members, OMB Hearing, Minto YE Inc. v. City of Toronto, OMB Case No. PL011152,  
June 6-11, 2002. 20 pp.

Author, "Canada's Newspaper Legend: The Story of J. Douglas MacFarlane", Toronto: ECW Press, September 2000. 300 pp.

Records Technician, amalgamated City of Toronto, City Planning, Legal Services, Secretariat, Accounting Services,  
Payroll and Pension Section, Metro Hall, Central Records Rooms (1998-2019)

Records Technician, Municipality of Metropolitan Toronto, Metro Toronto Planning Department, Toronto City Hall (1990-1995)

Administrative Assistant, Continuing Legal Education, Law Society of Upper Canada, Osgoode Hall (1986-1987)

Research Officer, Royal Commission on the Northern Environment (1983-1984)

Public Participation Officer, Ontario Ministry of Natural Resources (1980-1983)



## 2. SUMMARY

### Concluding Thoughts

We have gone through a lengthy process. Development of this important site will affect us all. That much is certain. It is not bravado for the OPA or a diminution or disregard of any ratepayer community and residents to the east, north-east, north-west, and further south of Yonge/Eglinton but it is a fact that this property sits within Oriole Park Association ratepayer boundaries. As such, the primary impact is there. One can be gently mindful that *the OPA represents a community in a fairly large geographic area*, with an estimated 5,000 residents, mostly in single family homes, and some in multi-dwelling residences. It is not a condominium. That's not to say that condo residents don't count. You do count. You are valued and appreciated. It is to say, and I'm sure we would all agree, that the perspective is somewhat different.

The phased construction, the noise, the traffic, the overlook, the shadowing, will directly affect homes immediately adjacent – neighbours who live on Duplex Avenue, Duplex Crescent, and Berwick Avenue. Neighbouring homes will see traffic infiltration south of Berwick to Manor Road West and Lola Road. The east-west cross streets of Anderson, Hillsdale, and Tranmer Avenue, to Chaplin Crescent. The north-south streets of Maxwell Avenue, Colin Avenue, and Lascelles Blvd. I can't imagine how residents living at Duplex Crescent will feel when their *cul de sac* is used as a parking lot or a place to idle a construction vehicle or a convenient stopping point for a delivery van.

With the Oxford application, is there not a way to compromise on height? We spent over 7 years working to enshrine a 'strata plan', a 40 storey zoning bylaw for a reason, to control the impacts. Can Oxford see their way clear to re-configure the proposed open space, in order to maximize the availability of that space for the greater public good?

As the Midtown In Focus parks report conveyed in 2018, Midtown open space is a precious resource. There is not enough park space at Yonge/Eglinton. May this development application be revised to the benefit of our future generations.

“As infill and intensification occurs in Midtown, there is pressure to reduce existing open spaces to accommodate new buildings and additions. The intention for growth needs to be balanced with the preservation of the landscaped spaciousness that is so characteristic of Midtown. A proper balance between intensification and green space will be achieved, in no small part, by creating new open spaces and improving existing open spaces on private lands. By making the most of open spaces beyond Midtown's parks, open spaces and streets, Midtown's identity will be further strengthened while enabling growth and intensification.” To this quote I would add, “*and publicly owned lands.*”

Source: City of Toronto, Midtown In Focus Parks and Public Realm Plan, Chapter 9, “Maximizing the Use of Other Open Spaces”, 2018, p. 113.

### Summary

I have re-arranged this report. Instead of summarizing at the end, I have placed this part at the beginning, and included “Common Elements” (1-10). My research and background information about consultation and resident concerns follows on.

The Canada Square TTC Buslands site has a long history. The TTC site’s function itself was established in 1921, one hundred years ago. From the 1950s, area residents have kept close watch and formed ratepayer organizations in response to (a) the 1954 opening of the TTC Yonge subway line, (b) the 1954 construction of the bus terminal, and (c) post war accelerated commercial and residential development at Yonge/Eglinton.

The Oriole Park Association was established in 1954 as well. The Chaplin area is at least 66 years old. As you know, neighbouring associations followed, in turn, South Eglinton Ratepayers’ and Residents’ Association, Eglinton Park Residents Association, Sherwood Park Residents’ Association, Avenue Road – Eglinton Community Association, and numerous other organizations, BIAs, tenants’ associations, specialty groups, and so on.

From Year 2000, the Minto Towers application, and the OMB appeal, fostered establishment of the Federation of North Toronto Residents’ Associations (FoNTRA) in 2001 and resurgent activity of the Confederation of Resident and Ratepayer Associations in Toronto (CORRA) which had begun in 1970.

FoNTRA web site: “Founded in February 2001 with 21 residents’ associations as members, the Federation of North Toronto Residents’ Associations Incorporated (FoNTRA) is a not for profit organization now comprised of over 30 residents’ associations, which collectively include more than 175,000 Toronto residents within their boundaries. We believe that Toronto and Ontario can and should achieve better development. Its central issue is not whether Toronto will grow, but how. FoNTRA believes that sustainable urban regions are characterized by environmental balance, fiscal viability, infrastructure investment and social renewal.”

“The Federation of North Toronto Residents Associations Inc. is an association of member residents organizations, which are located in the City of Toronto generally between Bloor Street and Sheppard Avenue, and between the Don Valley Parkway and Bathurst Street. FoNTRA was incorporated on December 6, 2017.”

On a web site address, CORRA has, as an example, the following commentary: “CORRA went on to support and defend the City’s highly integrative Official Plan policies that recognizes Secondary Plans and Area-specific policies (backed by contextual area specific by-laws) as planning tools that exist today *to achieve the area-based planning that everyone wants without giving up fundamental rights.*”

Source: The CORRA Press, February 8, 2014.

**3. COMMON ELEMENTS – 60 YEARS ON THE TTC BUSLANDS SITE**

Common Elements – 60 Years on the TTC Buslands Site

From up to 20 years of research about all things to do with this TTC site, there are common elements to historic citizen participation in the Yonge/Eglinton area.

1. From the 1960s, **the need for a comprehensive study** of the Yonge/Eglinton area and, in particular, the TTC site, has been recommended, repeatedly, and embedded in the amended Yonge-Eglinton Secondary Plan legislation under Section 5.5.3.
2. From 1973, the TTC site has been designated, repeatedly, as a **Special Study Area**, and in the amended Yonge-Eglinton Secondary Plan which has an explicit heading “Special Study Area” under Section 5.5.
3. From 1973, almost every decade, our area ratepayer associations have recommended **the establishment of a Working Group** (sometimes referred to as a planning, as in, citizen planning, Advisory Committee) to review the TTC Buslands and Yonge/Eglinton area. The highlight from Year 2001 was the formation of the Yonge-Eglinton Focused Review Group with Oriole Park Association Board of Directors, Michael Visser and Terry Mills, as co-chairs of this Review Committee at that time.
4. From 1973 to 2009, and onwards, **the height limit of 40 storeys has been documented, repeatedly**, (a) at public meetings, (b) at Standing Committees and City Council meetings, (c) in planning legislation – Official Plan, Yonge-Eglinton Secondary Plan, as amended, and (d) in the Yonge-Eglinton Focused Review Group Final Report.
5. From 2009, the recommendation for **provision of a public park and adequate open space has been documented repeatedly**. In Year 2013, City Council approved \$2 million of Section 37 benefits from the Bazis development on the northeast corner of Yonge/Eglinton.

The May 24, 2013 City Staff Final Report, approved by City Council, stated:

*“The community benefits to be provided and secured at the owner’s sole expense in the Section 37 Agreement are up to \$2,000,000.00 for the acquisition, design and construction of the new park which is to be developed south of the TTC bus barns at Yonge Street and Eglinton Avenue West in consultation with the Chief Planner, City Planning Division, and with the Ward Councillor.”*

Source: City Staff Final Report, From: Director, Community Planning, Toronto & East York District, To: Toronto and East York Community Council, “2263–2287 Yonge Street, 8–10 Eglinton Avenue East, 25 and 25R Roehampton Avenue, Zoning Amendment & Rental Demolition Application under Municipal Code 667 – Final Report”, May 24, 2013, pp. 3, 4.

Common Elements – 60 Years on the TTC Buslands Site (cont'd)

Based on Richard MacFarlane's March 9, 2021 phone discussion with Alex Teixeira, Senior Planner for the TTC site, now Manager (*Acting*), Toronto & East York District, he has been informed that Oxford Properties would probably, in effect, "top up" Section 37 benefits for installation of "above ground amenities" for the public park, so designated.

6. From the 1950s, our **Yonge/Eglinton ratepayer groups** (OPA, SERRA, EPRA, ARECA and, more recently, Stanley Knowles Housing Co-operative, The Republic Residents' Association, The Berwick, QuORA, The Art Shoppe, and others) have a **history of collective involvement and public engagement**.

7. **Contrary to the OMB Member declaration for the Minto Towers appeal decision, the development did set a precedent for future high rise development in the Yonge/Eglinton area.**

"The Board is satisfied the extensive analysis of the Minto site, within the context of the Yonge-Eglinton node and area, *will not automatically create a precedent for other properties*. Those other properties. . .will be required to undergo the same rigorous review that the Minto development has undergone. That, in the Board's view, will result in a 'positive' precedent. .... The evidence produced by the opponents is not sufficient to convince the Board the Minto applications should be refused, or that approval will result in some unsubstantiated, undesirable precedent."

Source: OMB Reports, *Minto YE Inc. v. City of Toronto*, OMB Case No. PL011152, September 18, 2002, Volume 44, Canada Law Book Inc., p, 10.

Subsequent to Minto Towers being approved, developers have referred to the Minto case.

On Nov. 2, 2012, at a meeting with Councillor Josh Matlow regarding Freed Developments and The Art Shoppe at Soudan Avenue and Yonge Street, Patrick Cerullo of South Eglinton Ratepayers' and Residents' Association, said: "Minto Towers should not be used as a precedent."

Furthermore, at a Toronto City Hall meeting on February 19, 2013, with Councillor Josh Matlow, regarding Freed Developments and The Art Shoppe, lawyer Cynthia MacDougall observed: "We've been discussing many heights. It's not in the [growth centre] node. But it's right beside the node", referring to Minto Towers. To which the Councillor reminded her politely that the dotted line for intensification goes right down the middle of Soudan Avenue and, therefore, The Art Shoppe is outside that zone.

Common Elements – 60 Years on the TTC Buslands Site (cont'd)

8. From my case law research, **there have been attempts to request that confidential information be available to the public.** The following are examples.

On **May 8, 2008**, the Court of Appeal For Ontario issued its appeal decision regarding the Toronto Film Media Complex, Toronto Port Lands. Showline Limited wanted access to confidential material from TEDCO about the RFP concerning the “Mega Studio Project”. TEDCO tried to argue that it was arms-length and, therefore, not subject to the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA, established in 1991) which is considered the Bible of the City of Toronto Records and Archives section, where Richard MacFarlane was employed for 30 years. The justices allowed the appeals and argued that TEDCO is subject to the authority of the City of Toronto and City Council. Therefore, the information can be requested.

Source: *City of Toronto Economic Development Corporation v. Information and Privacy Commissioner of Ontario*, Docket File No. C46850 and C46883, 2008 ONCA 366.

On **December 2, 2013**, the Divisional Court of the Superior Court of Justice presided over a case involving a Bus Services Agreement between Miller Transit and the Regional Municipality of York. The application for a judicial review was dismissed.

In her decision, Justice (The Hon.) Susan G. Himel stated: “...public access to information contained in government contracts is *essential* to government accountability for expenditures of public funds.”

Source: *Miller Transit Limited v. Information and Privacy Commissioner of Ontario et al.*, 2013 ONSC 7139, CanLII, <<https://canlii.ca/t/g23nl>>.

On **March 31, 2015**, Catherine Corban, Adjudicator for the Information and Privacy Commissioner of Ontario, issued an Order regarding York Catholic District School Board and access to private records.

The school board received a request for all negotiated leases relating to land that it leases to a third party. Access was denied to the responsive records, in their entirety, pursuant to the mandatory personal privacy exemption at MFIPPA, section 14(1) and the mandatory third party commercial information exemption at section 10(1). This order argued that neither exemption applied. The school board was ordered to disclose the records to the appellant.

Source: *York Catholic District School Board*, 2015, File No. MO-3178, MA13-600, CanLII 17924 (ON IPC), <<https://canlii.ca/t/gh2b3>>.

Common Elements – 60 Years on the TTC Buslands Site (cont'd)

It will be the responsibility of City Council to vote and either adopt the motion, as it is, or adopt with amendments (or defer or refuse to adopt) to release and disclose publicly the requested lease agreement information, subject to legal advice by the City Solicitor, Wendy Walberg, and conditional upon formal written agreement by all parties – the City, TTC, and Oxford Properties Group – CT REIT. As of May 5th City Council meeting, councillors voted 23 to 1, to request the City Manager release the lease information.

9. I draw your attention to **the challenge of constructing a new bus terminal at Yonge/Eglinton**. I have examined this site and accompanying documents fairly extensively. Recently, it struck me that the approach taken with this application has used a presumption that a new bus terminal is required and that nothing else would be entertained.

The following statement is contained in the April 11, 2018 TTC Memorandum “Redevelopment of TTC Lands at Yonge-Eglinton”: *“TTC requires a replacement bus terminal as part of any redevelopment of this site. Strategy and Service Planning has determined that a 7 bay fully accessible bus terminal will be required and should be in close proximity to the TTC station connection point.”*

In my view, this requirement assumes there will be a need for the same level of bus service at Yonge/Eglinton. It ignores the TTC’s own public advisories of reduced bus service as a result of the Eglinton LRT. Why have a new bus terminal at Yonge/Eglinton when the need will be superceded by east-west rapid transit?

City of Toronto and TTC officials have presented this development as an ‘either-or’ solution, based on anticipated revenues from the development itself, used to pay \$80 million for the new bus terminal.

What has been forgotten is that the Yonge/Eglinton terminal was built in 1954, the year I was born. It is 66 years old. It was built to serve largely suburban households north of Eglinton Avenue. The density was much less than it is today. And there was no Eglinton LRT. In 1954, a bus terminal at Canada Square made sense. In Year 2021, it is not as necessary. Instead of building a terminal at Yonge/Eglinton, I would locate the terminal, for example, at the Crosslinks site on Don Mills Road and Eglinton Ave. East. The distance is mid-way between Yonge/Eglinton and Kennedy Road, 30 kilometres in each direction. Don Mills Road is a double arterial street, near a two lane portion of Eglinton Avenue.

This is an ideal location. It splits 34A and 34C bus trips in half, east-west, and it brings bus service closer to single family home residents from Don Mills Road, Overlea Blvd., north to Sheppard, to the south at Danforth, who need to connect to the Eglinton LRT. This is where people need to take a bus, from their suburban homes to LRT station stops.

4. CreateTO Site Comparison – Yonge/Eglinton Buslands vs. Crosslinks  
at Don Mills Road



CreateTO Site Comparison – Yonge/Eglinton Buslands vs. Crosslinks at Don Mills Road

A solid comparison to the TTC site can be found with this Crosslinks development, especially since it is CreateTO that is operating there. As noted, “In May 2010, City Council authorized the transfer of the lands to Build Toronto (now CreateTO).”

The first property, 770 Don Mills Road, has an FSI of 4.15 x the lot area. Three towers of heights ranging from 28, 43, and 52 storeys were proposed. There are 698 parking spaces and 1,431 bicycle spots.

The adjacent property, 805 Don Mills Road, has an FSI of 4.48 x the lot area. Three towers have height ranges of 22, 28, and 34 storeys. There are 970 dwelling units proposed, with 540 parking spaces and 981 bicycle spots.

The area of these two Don Mills Road sites combined is 9 acres, the same size at the CreateTO site at Yonge/Eglinton.

What is interesting is the following statement on page 7 of the 50 page City’s Preliminary Staff Report:

“To the north of the site is the future location of a Toronto Transit Commission bus terminal and secondary access to the future Eglinton LRT station.”

To me, this Don Mills site is an ideal location for a bus terminal which serves residents in all directions. In addition, there is high demand for express bus service to downtown along Richmond Street. This terminal is next to the Don Valley Parkway, a perfect access point to take regular bus passengers to and from downtown every weekday.

If the Canada Square application *demands* a bus terminal, how about considering a reduction? How about having three instead of seven bus bays? It’s a way to try and think creatively, to open up more room on the TTC Buslands property and, in the process, have fewer buses turning in and out and potentially avoiding serious traffic and safety issues.

Rather than focusing on the bus terminal, utilize bus stops near the corner of Yonge/Eglinton. Allow the new Eglinton LRT to take people rather than using the buses.

Again, let us compare this Don Mills site to the Canada Square application.

The City Staff Report states: “A total of 2,377 residential units are proposed across the two [Don Mills] sites.”

“The application proposes *two parkland dedications*. A dedication of 3,270 square metres parkland dedication is proposed at the western edge of the site at 770 Don Mills Road abutting the Don Valley ravine system.”

CreateTO Site Comparison – Yonge/Eglinton Buslands vs. Crosslinks at Don Mills Road (cont'd)

“A dedication of 1,270 square metres is proposed at the centre of the site at 805 Don Mills Road. *Staff will review the size, location and configuration of the proposed parkland dedications as part of the development review.*”

At Yonge/Eglinton, there are 2,701 units proposed. This is comparable 2,377 units at Don Mills. There is a proposed new 1,835 square metre public park at Duplex Avenue. This contrasts with Don Mills where there would be a total of 4,540 square metres of public park space, *more than double the amount of park space on the same size acreage*. This is very telling in terms of what Oxford Properties Group considers adequate.

Lack of Park Space

Claire Ricker completed her graduate degree at Ryerson University studying parkland in the City of Toronto. She pointed to a lack of commitment on finding new sites and dedicating enough parkland.

“We are not doing enough to acquire new park space in the City of Toronto. Between Year 2010 and 2013, the City spent only \$25.9 million on new parkland. In stark contrast, between Year 2011 and 2014, developers contributed almost \$298.5 million in cash-in-lieu payments.”

Source: Claire Ricker, B.A. (Hons.), Guelph University, “An Exploration into the Creation of ‘privately owned publicly accessible spaces’ in Toronto, Ontario”. A major research paper presented to Ryerson University in partial fulfillment of the requirements for the degree of Master of Planning in Urban Development, Toronto, Ontario, 2016.

In addition, at Yonge/Eglinton, 5 towers are proposed – 45, 55, 60, 60 and 70 storeys. At Don Mills, 6 towers are contemplated. But not one building is over 52 storeys.

Ironically, Don Mills Road is a site where greater height would be suitable. There is not a house within a mile of that property. It is adjacent to a freight railway line. And there is a plaza, a car dealership, similar size condo towers, and low-rise apartment buildings at least a quarter of a mile away.

Source: Preliminary City Staff Report, “770 Don Mills Road and 805 Don Mills Road - Official Plan Amendment and Zoning By-law Amendment Application – Preliminary Report”, From: Director, Community Planning, North York District, To: North York Community Council, June 22, 2018.

**5. ORIOLE PARK ASSOCIATION**

10. I want to outline the **Oriole Park Association and our connection to the subject site at Yonge/Eglinton.**

#### Oriole Park Association

The OPA was established in 1954, the same year as the opening of the Yonge subway line. It is no coincidence that the Chaplin Estates community wanted a ratepayer organization to represent them. With anticipated development as a result of the transit line, this association began keeping track of planning issues and encroachment of high rise development near single family residential neighbourhoods.

The OPA's boundaries are triangular: (1) southern edge at Chaplin Crescent, (2) western extremity, Chaplin northwest toward Eglinton Avenue, (3) north to Eglinton Avenue West, and (4) east to Yonge Street.

Oriole Park Association: "We are a not-for-profit ratepayers group working to keep its members and the community informed. The Association strives to promote responsible development, protection of the environment, and the general well being of the residents of the Oriole Park community."

Our web site reads: "The Oriole Park Residents' Association is a volunteer organization committed to represent the interests of our community."

"Our Board of Directors are dedicated volunteers from our community who serve to represent the interests of the residents of Chaplin Estates. With the support of our neighbours, we are committed to organizing and promoting community activities, to encouraging and enabling involvement of residents in issues which affect our community, and to representing the interests of our community when governments and other organizations become involved. Whether renting or owning, all residents within our catchment area are both welcome and encouraged to join the Oriole Park Residents' Association."

OPA Mission Statement: "The Association's aim is to serve the interests of Oriole Park and to address issues of concern to the community in a spirit of cooperation and consensus."

Our Objective: "The objective of the Oriole Park Association is to advance and protect the interests of the members of the Association relating to property and residency."

Through the years, the OPA has developed and kept enhancing its web site. We have several sections, including: (1) emergency contacts; (2) contact information for our municipal councillor, provincial MPP, and federal member of parliament; (3) e-Transfer

Oriole Park Association (cont'd)

for OPA memberships; (4) recent news; (5) history section; (6) planning and development meetings and notices; (7) community development and community issues; (8) past and upcoming events listings; (9) an archival selection of OPA newsletters from previous years; and (10) a member resources section with information on local schools, libraries, parks, and community organizations.

The OPA has had 66 years of activity in the Chaplin Estates community. Our Past Presidents have included Brigadier Rolsa Erich Smythe, D.S.O., M.C. (1954-1967), the Hon. Roy McMurtry, O.C., O.Ont., Q.C., former Attorney-General of Ontario (1971-1973), Phil Mohtadi (2003-2008), Bob Blake (2009-2013), Chris Sellors (2013 to 2016), and current President, Dave McMahon (2016- ).

Our current OPA Board of Directors: Dave McMahon, President; Heather Harris, Vice-President; Daryle Hunt, Vice-President; Steve Sims, Treasurer; Lynne Frank, Deborah Staiman, Shelley Ortved, Bruce Huggins, Nancy Bell, Ron Hutchinson, Allan Wexler, Special Consultant to the Board, and Richard MacFarlane, Special Advisor to the Board.

OPA Archival Files: The City of Toronto's Archives building at 255 Spadina Road has three boxes of OPA records dating from 1954 onwards. In January 2015, Richard MacFarlane added to this by contributing 6 large binders of 1,000 pages of typed meeting minutes and correspondence dating from his tenure as Secretary and Director, Oriole Park Association (Year 2003-2013), and Secretary/Treasurer and Director of the Federation of North Toronto Residents' Associations (Year 2009-2012).

Of particular relevance, the OPA has at least 7 files on Canada Square at City of Toronto Archives, the TTC Buslands dating from 1988 to 1991. (COVID prevented further research, unfortunately).

Membership: \$40.00 for 1 year; \$100.00 for 3 years.

Membership Benefits

“The Association strives to promote responsible development: protection of the environment, responsible land development, acceptable tax increases and the general well being of the residents in Oriole Park community.”

“And, for many years, the Oriole Park Association maintains a close liaison with 53 Division of the Toronto Police Service where we express the neighbourhood's concerns about safety, traffic, break-ins and other enforcement issues. The OPA continues to work hard on your behalf. Please support our efforts by joining us as a new member or renewing your membership. There is strength in numbers and your support is appreciated.”

Oriole Park Association (cont'd)

Other Benefits you will enjoy by joining Oriole Park Association:

- Voting Privileges - Members in good standing are entitled to vote at the Annual General Meeting. Members are also invited to attend community meetings. Please contact [oriolepk@hotmail.com](mailto:oriolepk@hotmail.com) for more information.
- E-Newsletters and Alerts - As a member you will receive notifications of upcoming events, industry news and professional development opportunities. Our e-Newsletters keeps our members well informed while our Community Alerts keep you up to date on breaking news as it happens. Archive newsletters can be found on our website at [www.orioleparkassociation.ca](http://www.orioleparkassociation.ca).
- Membership Savings - Members in good standing receives discounts on ticketed events hosted by Oriole Park Association.
- Advance Notice of all Special Events - As a member you will receive advance notice of our events prior to public notification. OPA holds special events and activities throughout the year such as our Annual General Meeting where issues of special interest to Oriole Park residents are presented and discussed.
- Neighbourhood Networking - OPA hosts events where you can connect with other homeowners, renters, landlords and businesses in our community. An opportunity to get to know some of your neighbours, share ideas and stories, and make new friends. Visit our website for dates and locations. We also participate at Oriole Park Public School's Annual Mayfair.

From the 1950s, the Oriole Park Association has participated in the discussion of planning and development concerns about the Canada Square site. In 1972, the Board joined hands with Yonge/Eglinton area ratepayer groups to provide a height restriction of 30 storeys for the TTC site. In 1988, again, the OPA joined forces with area ratepayers to lobby "*for completion of the special planning studies and for an interim control by-law to permit time for their completion.*" This sounds familiar to today's ratepayer recommendations.

In Year 2001, two OPA Directors assigned to planning and development issues were Michael Visser and Terry Mills, co-chairs of the Yonge-Eglinton Focused Review Group. The outcome led to recommendations for the TTC site. Similar to today's ratepayer associations, in Year 2009, with City Council approval of the Final Report, the Yonge-Eglinton Focused Review Group recommended chiefly that (1) a comprehensive study be initiated, (2) any amendments to the zoning by-law be conditional upon no OMB appeal, and (3) that there be a height limit of 40 storeys through strata plan designation.

Oriole Park Association (cont'd)

As did our Yonge/Eglinton area ratepayer groups, the Oriole Park Association participated in the Midtown In Focus Plan working group and public consultation meetings held from Year 2012 to 2018.

Regarding the Canada Square site, the OPA has been involved since the 1960s in reviewing, and responding to, what has been proposed.

Through the years, the Oriole Park Association has delivered its OPA Newsletter, Spring and Fall, and informed residents about the most recent planning activity on the TTC site.

Here is a sample of entries in the **OPA Newsletter from Spring 2003** when former OPA Directors, Terry Mills and Michael Visser, co-chairs of the Yonge-Eglinton Focused Review Group (2001-2009): “The TTC is pushing to have its land developed at the corner of Eglinton and Yonge. We need your support.”

Development Issues – “The new ‘initiative’ in the works is for the TTC on the southwest block of the Yonge-Eglinton intersection. This potential development site covers an area 5 times greater than the Minto site. Its significance brings everyone to attention within the community, the development industry and within City Hall.”

From Year 2017, the OPA has advised its members and wider community of the Oxford Properties Group – CT-REIT development at annual meetings and kept its Directors informed at Board meetings.

The Oriole Park Association Board viewed as part of its mandate a responsibility to reach out to the wider community and inform as many people as possible about the Oxford – CT-REIT development proposal which is one of the most significant planning applications in 20 years.

**In March 2021, the Board conducted, initially, an on line survey to elicit comments from its members and the wider Oriole Park community.** The results were a cross section of opinions about the Canada Square proposal.

Sample comments are:

“Overall, the development is too big and too massive. The proposed heights of 45 to 70 storeys will overwhelm the Yonge/Eglinton area, which is already overflowing with people. Community infrastructure, educational and social services are stretched to the limit. My biggest concern is the height of the towers, way too high. Where is the plan for infrastructure to accommodate all the people who will move into these towers? How does the green space stay green with no sun?”

Oriole Park Association (cont'd)

“The Canada Square – Canadian Tire REIT proposal calls for 864 car parking spaces but this is just the tip of the iceberg. The traffic implications of cars journeying to and from this site and infiltrating into our neighbourhood are substantial. Has the City Planning Department done a comprehensive traffic study?”

“I looked over the plans. The greed of developers never ceases to amaze me. How will all these new renters and homeowners get to work. The subway is already overcrowded. Where will they send their kids to school? The schools are overcrowded.”

Delivery of OPA Flyer to Households

In April 2021, the Board decided to print and deliver Oriole Park Association flyer to every household within the ratepayer association pie-shaped boundary – south of Eglinton Avenue West, north of Chaplin Crescent, west of Yonge Street, and along Chaplin Crescent as it approaches Eglinton Avenue West.

The flyer, received by residents between April 16th and 19th, 2021, garnered additional remarks and feedback concerning the Oxford Properties – CT-REIT application. Residents sent e-mail comments to Councillor Josh Matlow’s office and the OPA mailbox.

Sample comments in April and May 2021 are:

“Further to an update that I received from the Oriole Park Association, I am contacting you to express my concerns about the proposal for the re-development of this publicly owned land.

“My concerns include the following:

1. The proposed development is massive and will overwhelm the area
2. There is a significant infrastructure deficit (e.g., schools, sewers, water, etc.)
3. There is a striking lack of parks and open public space
4. Traffic congestion and infiltration will worsen
5. There will be an adverse environmental impacts as a result of the demolition and construction on this site”

The second comment is as follows: “At the prompting of the Oriole Park Association, here are my thoughts on the Canada Square proposal: It needs to include more community infrastructure, ideally including a new school given the incredible school overcrowding in the area and further growth to come.”



Oriole Park Association (cont'd)

“A green public square or park of some significance is critical — there will be a lot more people in the area without significantly more public space. Among many other considerations, the current boom in dog ownership will otherwise see much condodwelling dog waste deposited onto local lawns.”

“Don’t let the parking facilities exit onto Duplex or Berwick — exit onto Yonge or Eglinton instead.”

“Similarly, please have the tallest buildings as close to the main intersection (and as far away from the low-density residential neighbourhood) as possible. It looks as though the initial proposal mostly abides by this idea.”

“Try to tilt the balance more toward commercial real estate — there is too little of it in the proposal (and in the area more generally) relative to residential, and commercial buildings have less impact on the neighbourhood.”

“Try to reduce the maximum height of the buildings. Not only are there low density homes literally across the street but every record-setting building increases the precedent for future construction projects. To me, it makes sense that buildings on the west side of Y-E should be shorter than those on the east side since the east side has an apartment neighbourhood that then extends for many blocks further east. The west side abruptly returns to low density residential.”

“I do appreciate that this is meant to be the hallmark development of the neighbourhood, but it can be architecturally remarkable in ways other than sheer height. Topographically, Yonge and Eglinton is already one of the highest points in the city — this further magnifies the effective height of any building.”

“Please don’t forget about issues such as traffic, parking and shadows given the existence of a mature, long standing low-density neighbourhood immediately adjacent. More will need to be done on all three fronts to protect the interests of existing residents. I am hoping for further restrictions on traffic and non-local parking, and I gather there are various strategies architects can pursue to limit the shadow cast by a building (make the building thinner at the top, have the bulk of the building extend east-west rather than north-south).”

Oriole Park Association (cont'd)

“More generally, given the unique arrangement you managed to negotiate with the builder that precludes appealing to the province, this is a real opportunity to demonstrate what our neighbourhood is meant to be – livable, properly scaled, amenity-rich, and so on. Furthermore, let us not rush to set bad precedents when a different provincial government might well be installed in 13 months, potentially easing the pace of midtown intensification subsequently.”

“Thank you for your consideration of these ideas.”

Another sample comment:

“As a resident for the last 8 years, I will begin by thanking you for the important work you have done in our community, including the stop sign at College View and Oriole Parkway, and the enhanced play area at our local public school. We feel very fortunate to have a councillor who takes pride in our community.”

“I am writing today to express my very deep concern about the proposed development of a multi-building, 45-70 storey development near Yonge and Eglinton. Since moving into this beautiful neighbourhood in 2013, we have seen significantly increased traffic, many pedestrian injuries and even deaths, and we have begun to experience sporadic lower water pressure in our house, which was not the case in the earlier years here. As well, our daughter has been in “portables” at school for the last 2 years, because there is not enough classroom space in our local schools for the growing population.”

“This proposed development will add thousands of people in high-rise buildings, which I understand will require substantial demolition and construction in an area that is already heavily affected by the long-term construction associated with the Crosstown. My request for the consideration of the City is to require a substantial upgrade in infrastructure in our area, including schools, sewers, roads and water, PRIOR to the approval of this or any other large developments in our neighborhood.”

“Our quality of life, our safety, and the education of our children depend on this decision. With respect, I ask that you bring my concerns forward and ensure that we can make our community better, not worse, when development comes.”

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The Oriole Park Association has viewed this development application as a crucial part of planning the TTC Buslands properly so that there is sufficient open space, a sizeable public park, adequate transition to neighbouring single family residential houses, and that traffic infiltration and associated impacts are mitigated. Our Yonge/Eglinton ratepayer associations have an opportunity to encourage productive discussions regarding Yonge/Eglinton and the Canada Square site.

## Canada Square – TTC Buslands Site History and Planning Approvals

- 1954 Oriole Park Association Established, Yonge/Eglinton Area Associations Follow
- 1967 Yonge-Eglinton Centre Site Plan Report
- 1970 Confederation of Resident and Ratepayer Associations in Toronto (CORRA) Established
- 1973 Six Area Ratepayer Associations Support Height Limit of 30 storeys on TTC Buslands  
City Council, Report of the Committee on Buildings and Development, Feb. 13, 1973
- 1981 TTC Buslands designated as a Special Study Area
- 1981 Review of Yonge-Eglinton Part II Official Plan
- 1988 Seven Area Ratepayer Associations Request TTC Not Appeal By-Law 974-88 (Dec. 5)
- 2001 Yonge-Eglinton Focused Review Group Established
- 2001 Federation of North Toronto Residents' Associations Established (FoNTRA) (Feb.)
- 2002 OMB Minto Towers Appeal (June 6-11)
- 2002 Official Plan for the amalgamated City of Toronto Approved by City Council (Oct. 30)
- 2003 OPA submits a discussion paper to the Yonge-Eglinton Focused Review Group (June 12)
- 2006 Places To Grow Act (2005) – The Growth Plan, Enacted by Prov. of Ontario (June 16)
- 2007 City of Toronto Act (2006) Bill 53, Statutes of Ontario, came into force Jan. 1, 2007
- 2009 Yonge-Eglinton Focused Review Final Report, Approved at City Council (Jan. 5)
- 2009 Yonge-Eglinton Urban Design Guidelines, Approved by City Council
- 2009 Strata Plan Introduced at City Council (Feb. 23-25) and Approved as amended (May 25)
- 2010 Yonge-Eglinton Urban Design Study, City Council, for Chief Planner (Jan. 26-27)
- 2010 Yonge-Eglinton Centre, OPA 116, Ensure Conformity with Growth Plan (May 11)
- 2012 Midtown In Focus Working Group Established by City Council (July 11)
- 2012 Midtown In Focus Group first met on Sept. 13; began official meetings Nov. 12
- 2014 Eglinton Connects Study, OPA 253, Approved by City Council (May 6)
- 2014 Midtown In Focus – Parks, Open Space and Streetscape Plan, Approved (Aug. 25)
- 2015 Midtown In Focus – Urban Design & Public Realm, OPA 289, Approved by  
City Council (June 10-12)
- 2016 Steering Committee Approved by City Council, involving TTC, Build Toronto,  
City Planning, for Lease Agreement (June 7) To report in Q4 2016.
- 2017 Oxford Properties Group—CT REIT acquired TTC Lands, Master Plan Exercise
- 2017 Oxford Properties Group Begin Public Consultation Meetings (March 2)
- 2017 New Growth Plan, Province of Ontario, In Effect by (July 1)
- 2017 Yonge-Eglinton Secondary Plan Update (Nov. 15)
- 2018 Yonge-Eglinton Secondary Plan, Approved by City Council (July 27)
- 2018 Yonge-Eglinton Secondary Plan Consultation Meeting About Canada Square (June 21)
- 2019 Oxford Properties Group International Design Competition (Five Architects) Completed
- 2019 Toronto District School Board, Yonge/Eglinton Phase 2 Program Area Review Team,  
Meeting 2, regarding serious deficiencies in school capacity, busing etc. (April 23)
- 2019 Growth Plan for the Greater Golden Horseshoe Enacted by the Province (May 16)
- 2019 Yonge-Eglinton Secondary Plan, OPA 405, Approved at City Council (July 23, 2018),  
Amended by Province, In Effect (June 6)
- 2019 Official Plan Amendment 406, Approved by City Council (June 6)
- 2020 Oxford Properties Group Established Web Site (Aug. 27)
- 2020 Growth Plan for the Greater Golden Horseshoe Adopted by City Council (Aug. 28)
- 2021 Canada Square Design, Architecture at City Design Review Panel (Mar. 11 & Apr. 26)
- 2021 Midtown Working Group (Special Study Area Report) Holds First Meeting (May 5)

**6. OXFORD PROPERTIES GROUP – PLANNING RATIONALE**

GROWTH PLAN SUMMARY OPINION:

“The Growth Plan 2019 seeks to accommodate anticipated growth for the region in a sustainable and efficient manner. The Plan encourages intensification, establishes minimum density targets, and promotes the creation of complete communities within Strategic Growth Areas. The Site is located within an MTSA [Major Transit Station Area] and one of the five Urban Growth Centres in Toronto with a minimum density target of 400 residents and jobs per hectare. The Proposed Development incorporates the components of a “complete community” as defined in the Growth Plan, and is compatible with surrounding uses. It provides an appropriate level and form of intensification, makes efficient use of existing and planned infrastructure, and supports future investments in higher order transit along Eglinton Avenue, optimizing the significant public investment in transit infrastructure. By offering a diversity of uses in a vertically integrated development, including retail, office and amenity, and a range of housing unit sizes, the Proposed Development will help support a more complete community. The Proposed Development increases the amount and quality of open space and connectivity within the neighbourhood block. As such, the Proposed Development and its implementing Zoning By-law amendments conform to the policies of the Growth Plan and represents good planning.”

Submitted by Urban Strategies Inc., p. 91.

Official Plan – Section 3.2.3 Parks and Open Spaces

“The Proposed Development incorporates approximately 2 hectares of public and private open space including a central Community Green and mid-block open space, a plaza at the corner of Yonge and Eglinton, parkland fronting Duplex Avenue, a residential courtyard and smaller plaza and open space areas along Berwick Avenue. The proposed program of open spaces will make a substantial contribution to new parks and amenities to support the growth and intensification of Yonge-Eglinton Centre (a, d) and contribute to broader open space objectives such as the Yonge Street Squares. See Section 3.4 of this report for further discussion.”

Submitted by Urban Strategies Inc., p. 108.

Yonge-Eglinton Secondary Plan – Section 3, Parks and Public Realm

“The Proposed Development conforms to the policies in Section 3.1 of the Secondary Plan. The Proposal significantly increasing the amount of open space in Midtown, delivering enhanced public realm, mid-block pedestrian connections and points of transit

### Yonge-Eglinton Secondary Plan – Section 3, Parks and Public Realm (cont'd)

“access. New open spaces and improved streetscaping have been oriented and designed to support Yonge Street and Eglinton Avenue and contribute to public realm moves such as the Yonge Street Squares, Midtown Greenways and Eglinton Greenline. The improvements are seamlessly connected and integrated into the adjacent streetscape to enhance safety, comfort and accessibility. They are supported by building setbacks and landscape strategies that will contribute to the development of a mature canopy. See Section 3.4 of this report for further discussion.”

Submitted by Urban Strategies Inc., p. 116.

“The Proposed Development conforms to the policies in Section 3.3 of the Secondary Plan by contributing new parkland along Duplex Avenue and in total, delivering approximately 2 hectares of publicly-accessible open space to support the recreational needs of the community. The open spaces have been oriented and designed to support access and connectivity through the Site including the proposed new public park on Duplex Avenue. The buildings have been designed to address and animate the open space through a mix of retail, residential and community uses. The open spaces have been designed to support a broad range of activities for people of all ages and abilities. See Section 3.4 of this report for further discussion.”

Submitted by Urban Strategies Inc., p. 118.

### HOLDING PROVISIONS

“The CR Zone set out in the Site-specific By-law contains an “(H)” holding symbol. While this symbol is in place, the maximum total gross floor area is reduced to 4.0 times the lot area, the residential gross floor area to 3.0 times the lot area, and the non-residential gross floor area to 3.0 times the lot area. The maximum height is also reduced to 61 metres above grade.”

“The “(H)” holding symbol may be removed by amending by-law and by meeting conditions related to transportation, servicing and infrastructure improvements, clearances pertaining to site environmental conditions, and the provision of appropriate community benefits. Priority community benefits identified within the Site specific By-law include:

- community facilities including non-profit licensed day care and flexible multi-purpose community space; and/or
- public parkland and park improvements; and/or
- off-site public realm, pedestrian connections, and streetscape improvements; and/or

## HOLDING PROVISIONS (cont'd)

- public art. Furthermore, the removal of the “(H)” holding symbol is subject to land dedications and/or funding for the future Yonge-Eglinton public park and future north-south public road. The former is defined within the Site-specific By-law as a public park along Duplex Avenue, and the latter as a public right-of-way designed to result in an ultimate right-of-way width of at least 18 metres extending from Duplex Avenue to Berwick Avenue.”

Submitted by Urban Strategies Inc., pp. 129, 130. Please see Page 60 in Richard’s report.

## ZONING BY-LAW ANALYSIS

“An assessment of the existing and planned context and discussions with the local community has highlighted the critical need for new open space within Midtown. The Proposed Development responds by reducing the number of towers envisioned within the Yonge-Eglinton Centre Urban Design Guidelines from 7 to 5. This reduction in towers would enable the delivery of approximately 2 ha of new open space, representing over 50% of the Site area. An increase in permitted heights including a relaxation of the angular plane requirements is needed to support delivery of the Proposed Development and the considerable community benefits contemplated therein. There are local Council-approved precedents for a relaxation of angular planes. Zoning By-law 240-2011 (58, 60, 64 and 68 Orchard View Boulevard and 439, 441, 443 and 445 Duplex Avenue) removed the requirement for a 45 degree angular plane constructed from a point 10 metres east of the street line of Duplex Avenue, north of Eglinton Avenue West. Zoning By-law 1038-2014 (2384 and 2388 Yonge Street and 31 Montgomery Avenue) removed the requirement for a 60 degree angular plane constructed from a lot line facing an R (residential) district.”

Submitted by Urban Strategies Inc., p. 131.

### 6.1 PLANNING JUSTIFICATION

“The Proposed Development provides numerous public benefits and represents a remarkable opportunity to redevelop a key site at the heart of Midtown. The proposal delivers on established direction for the site and surroundings to deliver a vibrant, mixed-use node with a rich array of open space and community facilities that will help to contribute to the social and economic life of the Midtown community. Key benefits of the Proposed Development are discussed on the following pages.”

## 6.1 PLANNING JUSTIFICATION (cont'd)

1. RESPONDS TO CITY OBJECTIVES AND IMPLEMENTS THE VISION FOR THE CROSSROAD.
2. DELIVERS A ROBUST AND VARIED SUPPLY OF OPEN SPACE.
3. DELIVERS CONTEMPORARY OFFICE SPACE.
4. SUPPORTS HOUSING CHOICES AND A LIVABLE ENVIRONMENT.
5. PROMOTES A MIX OF USES AND TRANSIT-SUPPORTIVE DENSITY.
6. RESPECTS AND INTEGRATES WITH THE SURROUNDING NEIGHBOURHOOD.
7. SUPPORTS A MORE SUSTAINABLE AND RESILIENT COMMUNITY.

“The Proposed Development is consistent with the Provincial Policy Statement and in conformity with the Growth Plan, City of Toronto Official Plan and OPA 405. The Proposed Development presents a significant city building opportunity to realize the City’s vision for the lands, delivers additional open spaces and community amenities, and provides a complete mix of uses at transit-supportive densities, optimizing public investments in higher-order transit infrastructure. On this basis, it is our opinion that the Proposed Development represents good planning. Implementation of the Proposed Development requires amendments to the existing site specific by-law to allow for a relatively modest increase in density and gross floor area, amended built form criteria, and parking and residential amenity requirements. The Proponent is seeking amendments to these provisions through a Zoning By-Law Amendment, submitted with this application.”

Submitted by Urban Strategies Inc., pp. 140-143.

“Canada Square – Planning Justification, Urban Design & Block Context Analysis, December 18, 2020”.

Figure 16. List of Recent Approved and Proposed Developments.

Submitted by Urban Strategies Inc., p. 15.



**7. OXFORD PROPERTIES WEB SITE**

## Oxford Properties Web Site

I now turn to documenting what Oxford Properties Group, in concert with LURA Consulting, has posted on their web site for the public consultation exercise.

Oxford Properties Group web site reads as follows: “Oxford Properties Group is leading the redevelopment of Canada Square. Oxford Properties Group is the owner, developer and manager of some of the world’s best real estate assets. Oxford’s portfolio encompasses office, retail, industrial, hotels and multi-family residential and spans more than 100 million square feet in global gateway cities and hubs across four continents. Its long-term approach to real estate investment aligns Oxford’s interests to its customers and the communities in which it operates. Oxford is owned by OMERS, the defined benefit pension plan for Ontario's municipal employees.”

Oxford informs readers who is on the Canada Square Project Team.

“The Canada Square project team is composed of a multi-disciplinary team that includes both local and international experts in their respective fields:

Architecture: Adamson Associates Architects, Pelli Clarke Pelli Architects, and Hariri Pontarini Architects

Landscape and Urban Design: OJB Landscape Architecture

Planning and Urban Design: Urban Strategies

Public Engagement: LURA Consulting

Transportation Planning: BA Group

“For more information on the project team, visit the Meet the Team page.”

Oxford writes: “What does the planning and construction process and timeline look like for Canada Square?”

“Oxford is working on a comprehensive master plan for the site and plans to file a Zoning By-law Amendment application with the City of Toronto in late 2020. The first phase of construction would commence after the ECLRT project [Eglinton Crosstown LRT] is complete (anticipated completion is 2022).”

“Would the construction be phased?”

“Construction on the Canada Square site will need to be phased to accommodate the ongoing transit operations on the site. The first phase of the redevelopment will be focused on the northern portion of the site, fronting Eglinton Ave.”

Oxford Properties Web Site (cont'd)

“Why is Canada Square being redeveloped?”

“Canada Square is being redeveloped to realize the full potential of this important site at the heart of Midtown. The redevelopment will allow for a new and exciting mix of uses, enhanced public realm and open spaces, new amenities and improved transit integration. It will also allow for the implementation of various policy objectives from the recently completed Yonge-Eglinton Secondary Plan.”

“Why is a Zoning By-law Amendment (rezoning) process being pursued when the site was rezoned in 2009?”

“Oxford is pursuing a rezoning application for the site given the contextual and policy changes that have occurred at Yonge and Eglinton since the enactment of Zoning By-law 236-2009. These include the Provincial commitment to and investment in the Eglinton Crosstown LRT, and changes to Provincial planning policies that have placed a stronger emphasis on transit investment and intensification. Rezoning the site will allow the site to better respond to the changes that have occurred over the past decade and that continue to shape this area.”

“Why is the community being consulted for Canada Square?”

“The community is being consulted on the redevelopment of Canada Square to inform community members about Oxford’s proposed redevelopment plans and to gather feedback on how the plan can enhance livability at Yonge and Eglinton.”

“What is LURA Consulting’s role?”

“LURA Consulting is a third-party facilitation, public engagement, and consultation firm whose role is to help create a transparent, welcoming, and accessible process where communities can learn about the emerging plans for Canada Square and provide their feedback. As a third party, LURA Consulting does not advocate for any particular outcome of this process.”

“Where does our feedback go?”

“All feedback is collected, compiled, and summarized by LURA Consulting, the third-party independent facilitation and engagement consultant for the Canada Square project. This feedback is periodically reported to Oxford and its design consultants, and is used to inform, as one of several inputs, planning and design decisions for the project.”

Oxford Properties Web Site (cont'd)

“What engagement has been done?”

“In addition to City-led consultation processes that shaped the policy framework for the Canada Square site, Oxford began engaging with the community regarding the future of Canada Square in 2017 through a series of engagement events. These events helped to identify key principles that would help define this landmark destination. Engagement events included walking tours of the site, community idea fairs, open houses, and outreach to local community associations.”

“The 2020 engagement process picks up on where this engagement process left off in 2017 with the intention to hold conversations about detailed planning and design as Oxford prepares to submit its rezoning application.”

“How will the City notify community members of the City’s own public meeting that will take place later in the application process?”

*“The City of Toronto will notify all residents within 120 metres of the subject site by mail with information regarding the City-led community meeting which will be held after the submission of the rezoning application. The Councillor may choose to expand the notification area and will do so when the preliminary report goes to Community Council.”*

“Ask a question about the Canada Square redevelopment.”

“If you have a question that was not answered above, submit it below and our project team will get back to you within 2-3 business days. Also, don't forget to check out the questions other members of the Yonge and Eglinton community have asked.”

“LURA Consulting will moderate all feedback submitted and requests that all discussion on this website be conducted respectfully. LURA Consulting reserves the right to remove comments that are disrespectful or discriminatory.”

Oxford Properties Web Site (cont'd)

“Who’s Listening?”

“These are the people that are listening and responding to your questions.”



**Alexander Furneaux**  
Community Engagement Coordinator  
LURA Consulting



**Christine Fang-Denisov**  
Urban Designer and Planner  
Urban Strategies Inc.



**Sonia Reid**  
Senior Manager, Marketing  
Oxford Properties Group

Oxford Properties Web Site (cont'd)Sample of Questions and Oxford Properties Project Team Replies

Various questions have been submitted, on line, with replies from the Project Team.

Here is one example:

Question/Comment: “A few years ago, we went through this process with RioCan. We attended public meetings and spent a whole Saturday working in groups to come up with suggestions. To my knowledge, none were incorporated. RioCan went ahead with its original plan and left us with its eye sore. No promised public spaces. The extension blocks any possible sunshine where there are a few benches. How is Oxford going to be any different?”

Reply by Sonia Reid, Senior Manager, Marketing, Oxford Properties Group:

“Thank you for your question! While we cannot comment on how other engagement processes with other developers unfolded, Oxford is committed to working closely with the community for the Canada Square site. As you will see in the application that Oxford submitted to the City of Toronto in December 2020, the master plan incorporates a number of themes, concepts and design ideas that were developed from community feedback gathered through the Oxford-led pre-application engagement process.”

“There will be more opportunities to provide feedback on the plan throughout the application review process. If you have not already, please sign up for our mailing list. We will send out an update to our mailing list when there are more opportunities to participate.”

Question/Comment: “How will our building be impacted by road/driveway access? The last meeting I attended we were told there would be a new road to the project. How will this impact us who live at 60 Berwick?”

Reply by Christine Fang-Denissov, Urban Designer and Planner, Urban Strategies Inc.

“Thank you for your question! The new road proposed in the Canada Square application is an expansion of the lane that accesses 60 Berwick today. The new road has been contemplated since 2009 and was a consideration when the 60 Berwick condo was approved by the City of Toronto in 2010. Construction of the new road will be phased to ensure access to the 60 Berwick condo is not impacted. Once the road is built, access to 60 Berwick will be enhanced.”

Oxford Properties Web Site (cont'd)

Question/Comment: “I genuinely cannot believe you have proposed a cul de sac at the middle of a development in one of the most urban intersections in the entire country. It's like you're taking the worst of Humber Bay Shores and plonking it down here, decades after the vehicle-first approach was debunked for the awful planning it is. Drop the cul de sac, re-establish a street wall presence along both Yonge and Eglinton, and make it an urban place. This is like the worst of Hudson Yards all over again.”

Reply by Christine Fang-Denissov, Urban Designer and Planner, Urban Strategies Inc.

“Thank you for your comment! The project team will take all comments into consideration as it continues to refine the design of Canada Square. There will be more opportunities coming in the new year to provide feedback on the submission. Please sign up for our mailing list, if you haven't already, so we can send you an update when the feedback opportunities are available.”

Question/Comment: “We were told at the November 23, 2020 pre-application community meeting, that a copy of the presentation would be available.”

Reply by Alexander Furneaux, Community Engagement Coordinator, LURA Consulting

“Thank you for your question! Oxford intends to submit its application to the City before the end of 2020, at which point the presentation slides from the November 23rd meeting will be posted. When the presentation slides are posted, you will be able to find them on the community meeting event page. If you haven't already, please sign up for our mailing list. We will send out an update to our mailing list when the presentations slides are posted online.”

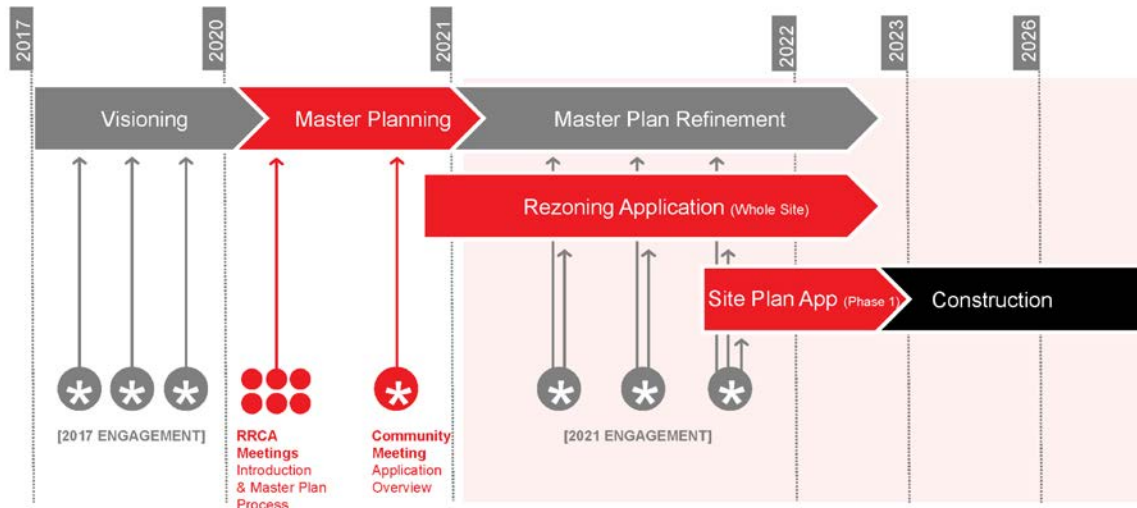
“There will be more opportunities to provide feedback on the plan throughout the application review process. If you have not already, please sign up for our mailing list. We will send out an update to our mailing list when there are more opportunities to participate.”

“Considerations and Opportunities”

“Canada Square presents the unique opportunity to reset and re-imagine the block. It will allow for more green space and street level interaction, strikingly designed architecture and better pedestrian access, and open spaces with pathways enhancing the public realm, creating better connectivity. While exploring designs, there are several considerations to be made for the site.”

Oxford Properties Web Site (cont'd)Oxford Properties Group Time Line for Canada Square Project

“See below for a timeline for the Canada Square project. We are currently in the first phase of the Master Planning stage for the site.”



## Canada Square Project Time Line (Year 2017 to 2026)

“We are here – at the ‘Community Meeting, Application Overview’ Stage.”

**We want to hear your ideas for the future of Canada Square!**

“Oxford is seeking input from the community as it advances the redevelopment of Canada Square. Today’s community engagement on the future of Canada Square builds on feedback received in 2017. This feedback is the starting point for renewed discussions about the future of Canada Square in the coming months.”

Please note: On Monday May 10, 2021, when Richard MacFarlane dialed the phone number (647) 370-9900 to find out more information, a recorded voice mail message gave the date of the first Virtual Community Meeting on November 23, 2020. (Please see Page 44).

Voice mail message: “Thank you for calling the Canada Square by Oxford Properties engagement line. The health and safety of our employees, project team, and the community is our first priority. We will be conducting the first phase of our engagement process using a full spectrum of technology platforms until we can meet again in person. Yonge/Eglinton community members are invited to attend our virtual community meeting on updates to the proposed redevelopment of Canada Square on Monday November 23rd [2020] at 4:00 p.m. Hear from members of the project team about the emerging master plan for the site, opportunities and design constraints.”



“Learn what has been heard from the community to date and discussions about the site, and ask questions. For more information, please visit <canadasquareto.com>. Pre-registration is encouraged but not required. Main menu. For our web site address, say ‘web site’ or press ‘1’. For our e-mail address, say ‘e-mail’ or press ‘2’. To leave us a message, say ‘voice mail’ or press ‘0’. To repeat your options, say ‘repeat’ or press ‘9’.”

### Oxford Properties Web Site (cont’d)

#### **What we’ve heard so far**

“The 2017 community engagement activities gave Oxford great insight into the community’s key priorities for the Canada Square site. Oxford appreciates the time, passion and commitment that the community contributed to the process. The feedback received in 2017 has been valuable in informing recent work on the project as Oxford continues planning for the future of Canada Square. To learn more about the Canada Square Engagement process so far, explore the drop-downs below.”

#### **What has happened since 2017?**

“Following the 2017 community engagement process, Oxford initiated a detailed assessment of the existing site conditions, with a particular focus on current and planned transit facilities (e.g. TTC subway, TTC bus and ECLRT). The transit facilities at Canada Square present unique, site-specific challenges for redevelopment and close coordination with the transit agencies (TTC and Metrolinx) will be required throughout the redevelopment process.” While many aspects of Oxford’s site assessment remain ongoing, it has been determined that the redevelopment will need to be phased to accommodate the active transit operations on the site. Further, the first phase of the redevelopment will occur at the north side of the site which will not be available until the ECLRT project is complete (currently anticipated in 2022).”

“Based on the anticipated completion date of the ECLRT project, and informed by the 2017 community engagement process, in the fall of 2019 Oxford initiated a process to engage a best-in-class design team for the Canada Square redevelopment. The design team was selected in early 2020 and master planning work was initiated.”

“In mid-2020, the project team began to reconnect with local community groups, picking up where the 2017 engagement process left off. As a result of the COVID-19 pandemic, it is anticipated that planned community engagement meetings and events through the summer and fall of 2020 will be held virtually to ensure the health and safety of all participants. In addition, the project team has launched this website to allow broad community participation in the engagement process.”

“For more information about the events in 2017, please visit the [Events](#) page.”

Oxford Properties Web Site (cont'd)Oxford Properties Listed What They Heard From Area Residents**Key Messages from 2017****Community Space**

“Community and public space is needed, and it needs to be exciting, interactive and accessible. Community members expressed a desire for public gathering space near the Yonge-Eglinton intersection and green space towards the southwest side of the site to create a comfortable transition zone to the residential neighbourhood to west. It was important to members to have a four-seasons approach to open space design.”

**Connectivity and Public Transit**

“Connectivity and accessibility are key, both to take advantage of transit and to draw people in and through the site with multiple pedestrian routes that integrate the site with the surrounding community.”

**Architecture and Urban Design**

“Thoughtful design that provides opportunities for beautiful architecture were mentioned. Several community members favoured higher, less densely packed buildings to allow more light to penetrate through the site. There was general consensus on the need to celebrate the Yonge-Eglinton intersection in a unique, bold and practical way.”

**Inclusive and Multi-Generational**

“Space needs to be accessible for a neighbourhood that features a variety of demographics. The community is looking for ‘a place to play from [ages] 0-99’.”

**New Housing**

“More housing with a variety of sizes and specifications is needed in the neighbourhood. Community members noted the need for more rental options catering to broad demographics, including existing residents looking for an option to stay in the neighbourhood.”

**Mix of Uses**

“Many community members expressed that the redevelopment should include employment uses – not just condos. The site should ideally incorporate a mix of uses, including office, retail, residential (rental/condo), and public spaces.”

Oxford Properties Web Site (cont'd)

Oxford Properties Listed What They Heard From Area Residents

**Relevant Retail**

“Space for local retail and services is important to the community.”

**Sustainability**

“Community members expressed a desire for a sustainable, resilient, innovative and exciting development that will last for generations.”

**Tell us what you think!**

“The following activities reiterate feedback on big ideas for the Canada Square site to help the project team understand if there have been any changes in community sentiments about the site and Yonge-Eglinton since 2017.”

“Oxford would like to understand how you currently use the site, and your ideas for the future. Please complete the three (3) activities below.”

1. Current Uses;
2. Priorities;
3. Future Uses

**Current Uses**

“How do you currently use the site and the amenities in the area?”

“Place pins on the map below to tell us what activities and/or amenities you use in the Yonge-Eglinton area. To help orient yourself, the Canada Square site has been highlighted in red on the map.”

**Priorities**

“Informed by feedback received in 2017, Oxford has established nine key priorities for the site. We want to understand how they align with the community's priorities. Click on the spots on the aerial image below to learn more about each priority. Use the ranking activity below to tell us your priorities.”

Oxford Properties Web Site (cont'd)

“Rank the opportunities for the Canada Square redevelopment below from most to least important.”

1. Create a Better Transit Experience
2. Sustainable and Resilient
3. Create a Better Pedestrian Experience
4. Signature Development that Marks the Intersection
5. Community Space
6. Inclusive and Multi-Generational
7. Design Excellence
8. Mix of Uses
9. Places for the Yonge Eglinton Community

“Expand on your choices above.”

Additional Comments by Area Residents

**How do you imagine the transformation of Canada Square?**

“Post your ideas on the future transformation of Canada Square. Use text, photos, images or videos to tell us what you would like to see. Post Your Story.” (8 contributions so far)

Hurray: “I think this is a great development. The bus station has been empty since 2004! That's 17 years ago. The buildings on the site are ugly, and not appropriate for such an active neighbourhood. Like others, I am concerned about traffic in the neighbourhood but hopefully streets can be reconfigured and constrained to limit traffic. I would like to see good street level amenities along both Yonge and Eglinton including shops/restaurants and wide sidewalks to accommodate pedestrians and subway passengers.”

Oxford Properties Web Site (cont'd)Additional Comments by Area Residents (cont'd)**How do you imagine the transformation of Canada Square?**

Large Public Park: “There is already a lack of green space in the area, currently overrun with too many people and will only get worse. I would support the use of a large public park, water features for young kids, playground to service the condo residents of today and the future projects in the pipeline. No more large towers, preserve what's left of the midtown intersection and add some relief with green space, option for gatherings and farmer's markets. Much needed or the value of the midtown will stagnate.”

Green Space: “Incorporate a significant amount of green space surrounded by classic architecture buildings (Central Park uptown) to shake up the glass box jungle Yonge and Eglinton is turning into. We will never get the chance again to have a large park in uptown as once it's built up, it will never be converted. Understanding this is a commercial venture so money must be made, but would be amazing to build around a park and to make the buildings attractive rather than the standard modern glass structure that all of the new builds in the neighbourhood have been.”

Oxford Properties Group – Consultation MeetingsResident Association Meetings (August 11 to 20, 2020)

## Agenda:

1. Introductions and Presentation
  - process and team
  - site and context
  - constraints and opportunities
2. Discussion
  - What we've heard to date
  - Discussion about your priorities
3. Overview of On Line Tools and Next Steps

Oxford Properties Web Site (cont'd)Process To Date

March 2, 2017	Meeting at City Hall
April 27, 2017	Walking Tour of Canada Square Site
May 4, 2017	Community Ideas Fair
June 7, 2017	Councillor Josh Matlow Open House
June 14, 2017	Sherwood Park Residents' Association Annual General Meeting
June 17, 2017	Community Ideas Fair
Year 2017	"Generated Ideas and Redevelopment Principles"
Year 2018	"Initiated Detailed Site Review"
Year 2019/2020	"Assembled the Design Team"
Year 2020	"Prepare Master Plan and Reconnect with the Community"
Year 2021	"Preparing a Comprehensive Rezoning Application"

\* Specific days (e.g. June 14, 2017) above were added by Richard MacFarlane

## WE ARE HERE

"Oxford has assembled a multi-disciplinary team"

Urban Strategies Inc.	Planning, Urban Design, Approvals
Adamson Associates Architects	Architecture
Hariri Pontarini Architects	
Pelli Clark Pelli Architects	
OJB Landscape Architecture	Landscape Architecture
BA Group	Transportation
LURA Consulting	Public Engagement

Oxford Properties Web Site (cont'd)Virtual Community Meeting # 1 (November 23, 2020)

In attendance: Councillor Josh Matlow, Ward 12 (Toronto-St. Paul's), David Driedger, City Planner, City Planning Department, Andrew O'Neil, Vice President of Development, Oxford Properties Group, Personnel from Hariri Pontarini Architects, Urban Strategies Inc., and LURA Consulting.

“Oxford held its first virtual community meeting for the proposed redevelopment of Canada Square on November 23rd, 2020. Review what was discussed in the meeting slides before providing your feedback!”

“The first virtual community meeting was an opportunity to hear from members of the project team about the emerging master plan for the site, opportunities and design constraints, learn what has been heard from the community to-date in discussions about the site and ask questions.”

At the November 23, 2020 public meeting, Oxford Properties did a slide presentation, illustrating an overview of the project, including the planning context.

In summary, here is the Time Line, Commentary about How the Site Relates to the Street, and Planning Context, as portrayed by Oxford:

Advancing the Canada Square Master Plan

2017	Generated Ideas and Redevelopment Principles
2018	Initiated Detailed Site Review
2019	International Design Competition
2020	Prepare Master Plan and Reconnect with the Community
2020/2021	Prepare Comprehensive Rezoning Application

Commentary About The Site

“Strategically positioned at the centre of the city and its growing transit network.”

“One of 4 [Urban Growth] Centres outside of the downtown where growth is being directed.”

“The largest redevelopment site within the Centre.”

“Despite the excellent location and transit connectivity, the site today has a poor relationship with its surroundings. There is a lack of street life along Yonge Street, as the existing buildings relate poorly at grade.”

Oxford Properties Web Site (cont'd)

Virtual Community Meeting # 1 (November 23, 2020) (cont'd)

Planning Context

“At all levels, planning policy directs transit-oriented, mixed use intensification to the [Canada Square] Site.”

Provincial Policy Statement

“Transit-supportive development, optimize transit investments.”

Growth Plan

“Intensification in Urban Growth Centres and Major Transit Station Areas.”

Toronto Official Plan

“Intensification in Centres and Mixed Use Areas, integration of land use and transportation planning, transition between high and low growth areas.”

Yonge-Eglinton Secondary Plan (OPA 405)

“Complete, Green and Resilient Community with strong connectivity and a mix of uses at transit supportive densities.”

Building on a history of planning for the community

2009	Yonge-Eglinton Centre Urban Design Guidelines and Site-Specific Zoning (Zoning By-law 236-2009)
2009-2012	Eglinton Crosstown Environmental Assessment Completed (2009) and Amended (2012)
2014	Eglinton Connects Planning Study Completed
2014-2015	Midtown In Focus: Park, Open Space & Streetscape Plan (OPA 289)



Oxford Properties Web Site (cont'd)

Virtual Community Meeting # 1 (November 23, 2020) (cont'd)

Building on a history of planning for the community (cont'd)

2016-2019 Midtown In Focus and new Yonge-Eglinton Secondary Plan (OPA 405)

2017 New Growth Plan with emphasis on Major Transit Stations

2020 New Provincial Policy Statement with emphasis on transit-supportive development

Since 2009, plans for the Canada Square lands  
have contained a number of consistent ideas

- North-south street connecting Berwick and Duplex
- Urban plaza at Yonge and Eglinton
- Mid-block open space connecting Yonge to Duplex
- Public park with frontage on Duplex
- Activation and animation along streets and open spaces
- Respond to context of Urban Growth Centre and adjacent Neighbourhoods

What We Heard From You – 8 Big Ideas

### **1. Community Space**

“Community and public space is needed, and it needs to be exciting, interactive and accessible. Community members expressed a desire for public gathering space near the Yonge-Eglinton intersection and green space towards the southwest side of the site to create a comfortable transition zone to the residential neighbourhood to west. It was important to members to have a four-seasons approach to open space design.”

Oxford Properties Web Site (cont'd)Virtual Community Meeting # 1 (November 23, 2020) (cont'd)What We Heard From You – 8 Big Ideas (cont'd)**2. Connectivity and Public Transit**

“Connectivity and accessibility are key, both to take advantage of transit and to draw people in and through the site with multiple pedestrian routes that integrate the site with the surrounding community.”

**3. Architecture and Urban Design**

“Thoughtful design that provides opportunities for beautiful architecture were mentioned. Several community members favoured higher, less densely packed buildings to allow more light to penetrate through the site. There was general consensus on the need to celebrate the Yonge-Eglinton intersection in a unique, bold and practical way.”

**4. Inclusive and Multi-Generational**

“Space needs to be accessible for a neighbourhood that features a variety of demographics. The community is looking for ‘a place to play from [ages] 0-99’.”

**5. New Housing**

“More housing with a variety of sizes and specifications is needed in the neighbourhood. Community members noted the need for more rental options catering to broad demographics, including looking for an option to stay in the neighbourhood.”

**6. Mix of Uses**

“Many community members expressed that the redevelopment should include employment uses –not just condos. The site should ideally incorporate a mix of uses, including office, retail, residential (rental/condo), and public spaces.”

**7. Relevant Retail**

“Space for local retail and services is important to the community.”

**8. Sustainability**

“Community members expressed a desire for a sustainable, resilient, innovative and exciting development that will last for generations.”

Oxford Properties Web Site (cont'd)

Virtual Community Meeting # 1 (November 23, 2020) (cont'd)

What has changed since Year 2017

- Continued pace of development in Yonge-Eglinton Centre
- Opening of Eglinton Crosstown LRT delayed to 2022
- Retail landscape has continued to transform. Outside of regional malls, larger format retail is declining
- Potential structural effects of COVID-19 on retail landscape are unknown, however they may exacerbate transformation
- COVID-19 may also lead to greater need for more open space in cities

Building on the Ideas You Shared With Us in 2017

What are the most important opportunities for the redevelopment of Canada Square?

How will my feedback be used?

Feedback gathered in this consultation phase will be used to:

- Understand how the community interacts with Canada Square.
- Reaffirm the planning and design principles of the plan vision.
- Explore inspiration for the design and use of Canada Square.

“Sign up for the mailing list! Sign up for our mailing list and stay connected with us as the project develops!”

“Subscribe to receive an e-mail notification when the engagement web site is updated with new information, opportunities to provide feedback, and engagement events.”

“To receive an email notification when these website updates occur, please sign-up to the project mailing list!”

Oxford Properties Web Site (cont'd)

Consultation Meeting on Saturday June 17, 2017

Agenda

- Process – How we got here –Where we're going
- Our Big Ideas –What we shared with you – What you shared with us
- Inspiration Imagery
- Next Steps

How We Got Here

1. City of Toronto Official Plan
2. By-law No. 236-2009
3. Urban Design Guidelines (2009)

Process: Where We're Going

Our community engagement program has three phases.

Phase 1 Spring 2017 (Site Visioning, Idea Fair)

Phase 2 Summer 2017 (Stakeholder Interviews, Draft Directions, Open House)

Phase 3 Fall 2017 (Plans and Supporting Documents, Plans Open House,  
Application Submitted)

Canada Square

1. City of Toronto Policy
2. Property Owner Aspirations
3. Existing Property Conditions and Constraints
4. Community Input

Oxford Properties Web Site (cont'd)

Our Big Ideas

1. New housing
2. Job creation
3. Relevant retail
4. Connectivity and public transit
5. Community space
6. Sustainability
7. Architecture and urban design
8. Inclusive and multi-generational

Our big ideas

1. **New Housing** – You told us new housing needs to:

- consider needs of today's residents and future generations
- be inclusive, offer more rental options

2. **Job Creation** – You told us Canada Square needs to:

- increase the quantity and diversity of job types at Yonge and Eglinton
- include office and retail on Yonge

3. **Relevant Retail** – You told us the community needs:

- a variety of retail and restaurants
- a balanced quantity of retail space

4. **Connectivity and public transit** – You told us the site needs to:

- provide easy access to public transit
- allow pedestrians to move to and through the site
- provide access to bicycle parking

Oxford Properties Web Site (cont'd)

Our big ideas (cont'd)

**5. Community Space** – You told us the community needs:

- meaningful and engaging public space at corner of Yonge and Eglinton
- transitioning green space on Duplex
- multiple open spaces with light penetration

**6. Sustainability** – You addressed the importance of:

- leading environmental practices and energy efficiency rankings
- high quality, lasting architecture and four season landscape design

**7. Architecture and urban design** – You told us architecture needs to:

- reflect the prominence of the neighbourhood
- connect commercial space and streetscape

**8. Inclusive and multi-generational** – You told us Canada Square should:

- welcome people of all ages and stages
- reflect the neighbourhood's diversity
- be planned for all seasons

Responding to what we've heard

1. Community Space is needed and it needs to be exciting, interactive and accessible.
2. Connectivity and accessibility to public transit are key to take advantage of transit and draw people in and through the site.
3. Canada Square should be inclusive and multi-generational.
4. Include a mix of uses including employment.
5. There should be new housing with more housing variety.
6. Provide relevant retail – space for local retail and services.
7. Explore opportunities for thoughtful and beautiful architecture and urban design.
8. Development should be sustainable, resilient and innovative.

Oxford Properties Web Site (cont'd)Responding to the changing context

- Since 2009 there has been substantial development in Yonge-Eglinton Centre resulting in the need for greater public amenity.
- The Eglinton Crosstown LRT has been designed, construction is underway, and there is a better understanding of how new development should integrate with it.
- The retail landscape has continued to transform. Outside of regional malls, larger format retail is declining.
- Potential effects of COVID-19 on retail landscape are unknown, however they may exacerbate transformation.
- COVID-19 has highlighted the important role of open space in our city.

**The Emerging Master Plan**Delivering on the ideas of the 2009 guidelines

1. A plaza at the intersection of Yonge and Eglinton.
2. A mid-block connection linking Yonge Street to Duplex Avenue.
3. A new 'L-Shaped' street running from Berwick Avenue to Duplex Avenue.
4. A public park along Duplex Avenue.
5. Street level uses that activate and contribute to the public realm.

Four Key Moves Have Been Developed To Evolve the 2009 Plan**1. Concentrating development to create a larger central open space.**

Deliver a significant signature open space that more than doubles what was proposed in the 2009 study. Open space over top the bus terminal. Creates the potential for a new destination open space for the Midtown community.

Would contribute to the Yonge Street Squares. The scale of the new parks and amenity space provided would be greater than the total area of open space envisioned by the Yonge Street Squares and previous plan combined.

Oxford Properties Web Site (cont'd)

Four Key Moves Have Been Developed To Evolve the 2009 Plan (cont'd)

**2. Creating a community space towards the centre of the site.**

Will support the upper level public realm with a covered outdoor space.

**3. Reinforcing key desire lines.**

New east-west and north-south promenades will help to stitch the site into its surroundings.

**4. Creating a series of precincts with distinct identities that relate to the surrounding context.**

A mixed-use precinct to the north, within closest proximity to transit investment.  
A residential precinct to the south, to provide transition to existing neighbourhoods.  
A central precinct with a dynamic open space program that stitches the site together.”

The Canada Square Master Plan

Key Stats:

- Five mixed-use towers with heights peaking at the intersection of Yonge and Eglinton and scaling down to the south and west
- Reducing the overall number of towers from 7 (originally contemplated in 2009) to 5, while achieving a similar overall density
- Tower heights ranging from  $\pm 255\text{m}$  (T1) to  $\pm 160\text{m}$  (T5)
- Over  $\pm 2,700$  new residential units, predominantly purpose-built rental
- Over 60,000 m<sup>2</sup> of contemporary office space
- 2.0 hectares of open space
- Various community amenities including  $\pm 1,000$  m<sup>2</sup> community space
- Various transit Infrastructure improvements
- Striving for excellence in sustainability and resilience



Oxford Properties Web Site (cont'd)

Delivery New Amenity For Midtown

2 hectares of new open space for Midtown. A new public park on Duplex.

A Central Community Green.

A 10,500 sq. ft. of Community space.

Located at the centre of the development.

- Potential to accommodate day care and other community services.
- Double the size of the Mount Pleasant Branch of the Toronto Public Library.
- Double the amount of meeting space available at the Northern District Branch of the Toronto Public Library.

An accessible central transit entrance.

Turning the grade differences into an asset.

Connecting the Yonge Eglinton Crossroads to the park with a new landscaped plaza.

Delivering Amenity at each Phase of the Development.

Organizing buildings and uses to define and animate the public realm while providing a clear address for new residential development.

Transitioning Heights.

Summary and Next Steps

The redevelopment of the site will deliver 6 key benefits.

1. Realizes the vision set out by the City and community since 2009.
2. Delivers social infrastructure and significant open space.
3. Delivers contemporary office space within the centre.
4. Delivers density and a mix of uses to support transit investment.
5. Supports a more complete and connected community.
6. Strives for excellence in sustainability and resilience.

Oxford Properties Web Site (cont'd)

Time Line

2017 Visioning – 2017 Engagement

2020 RRCA Meetings – Introduction and a Master Plan Process

2020 Community Meeting – Application Overview

2021 Engagement

2021 Master Plan Refinement

2021 Rezoning Application (whole site)

2021 Site Plan Application (Phase 1)

2022 to 2026 and continuing Construction

“Please visit the Canada Square Digital Engagement Hub.”

Mobility Overview

Key Stats:

- Implements new “L-shaped” street connecting Berwick Avenue to Duplex Avenue.
- Normalizes Berwick and Yonge intersection.
- Incorporates Eglinton Crosstown LRT 100% drawings for Yonge Street and Eglinton Avenue.
- Accommodates new TTC bus terminal in Phase 1.
- ± 860 parking spaces (three levels beneath Phase 1 and two levels beneath Phase 2).
- ± 2,900 bicycle parking spaces.
- 12 loading spaces (4 Type B, 5 Type C, 3 Type G)

8. City Planning Slide Presentation, June 7, 2017, by Alex Teixeira, Senior Planner

City Planning Slide Presentation, June 7, 2017, by Alex Teixeira, City Planner

“Planning A Great City Together – TTC Bus Barns and Canada Square Planning Framework”, Report by Alex Teixeira, Senior Planner, City of Toronto, June 7, 2017.

Planning Framework

City of Toronto Official Plan

– Policy document, planning decisions must be consistent with the Official Plan.

Centres (2.2.2)

- Centres encourage significant employment, housing and services to be concentrated in dynamic mixed-use settings, allowing people to live close to their work or easily get to their jobs via transit.
- Encourage public squares and parks, community gardens, public art, and a comfortable environment for pedestrians and cyclists.

Yonge and Eglinton Centre

- Strategically located on the Yonge Subway and future Eglinton LRT transit lines, this area will continue to develop as both an employment centre and living area.
- Development will occur in a manner sympathetic to the area context.
- Improvements will be made to the pedestrian realm, and new parks and open spaces will be created.

Mixed Use Areas (4.5)

- Will absorb most of Toronto’s growth.
- Create of a balance of uses that reduce automobile dependence, meet the needs of the community and provide new jobs and homes.
- Variable scale and density subject to area context.
- New buildings will frame streets, minimize shadow impacts, transition toward lower scale areas and provide an attractive, safe and comfortable pedestrian environment.

City Planning Slide Presentation by Alex Teixeira, City Planner (cont'd)

Yonge-Eglinton Secondary Plan

- Located within a Mixed Use Area “A” in the Yonge-Eglinton Centre
  - Development of the greatest height density and scale is within Mixed Use Area ‘A’
  - Major concentration of office and retail employment which also accommodates residential, institutional and other commercial uses
  - New parks and open spaces
  - Compatible with surrounding residential built form
  - Wider sidewalks and enhanced public realm
  - New pedestrian connections through larger blocks

Yonge-Eglinton Secondary Plan – Area Specific Policy

City Initiated - Approved in 2009

New development is required to provide:

- a new public road extending east and south from Duplex Avenue to Berwick Avenue.
- a sensitive transition in height, density and scale through the use of at least building setbacks and to the adjacent lands in designated Neighbourhoods.
- a compatible stepping down of heights from Block A (highest) to Block C (lowest) as shown on the map to this site and area specific policy.

Zoning By-Law 236-2009

CR - Commercial and Residential

- CR permits wide variety of Commercial and Residential uses
- Maximum 7 times density R2
- Residential-Wide variety of residential uses
- Maximum 4 times density

City Planning Slide Presentation by Alex Teixeira, City Planner (cont'd)

Permitted Building Heights

Block A - 120 metres (40 storeys) (North)

Block B - 85 metres (25 storeys) (Middle)

Block C - 56 metres (17 storeys) (South-west)

Transition –Angular Plane from Neighbourhoods

- 45 degree angular plane on Duplex Ave. from Duplex Cres. to Berwick Ave.
- 60 degree angular plane on Duplex Ave. from Duplex Cres. to Eglinton Avenue.

Yonge-Eglinton Centre Urban Design Guidelines

Intended to build on the Official Plan and Zoning By-laws in order to:

- ensure new development “fits” within the existing neighbourhood context;
- provide open space and pedestrian linkages to encourage movement in and around Yonge Eglinton Centre;
- establish the relationship of built form to adjacent streets and open spaces; and
- provide direction for the public realm and clarify streetscape elements, views and vistas and public art.

“Buildings should be oriented in a way that appropriately defines the street.”

“Size, scale and use should reflect the context of the neighbourhood and recognize the differences around the....”

“Taller buildings should be located closer to Yonge Street and Eglinton Avenue and new development should comply with the existing angular planes for Duplex Avenue.”

City Planning Slide Presentation by Alex Teixeira, City Planner (cont'd)H - Holding SymbolDisplayed in Alex Teixeira's Slide Deck Presentation on June 7, 2017

As stated in the amended Yonge-Eglinton Secondary Plan, the Holding Symbol denotes that this development application cannot be approved until City Council is satisfied with the following provisions to accommodate the development:

- transportation improvements
- infrastructure and servicing including public transit, storm water management,
- the provision of community facilities and accommodations for pedestrians.

Will the Holding Symbol (“H”) still be a firm condition until submission of a Site Plan Control application which is to the satisfaction of the City, whereby all decisions about infrastructure, servicing, and community benefits have been dealt with (i.e. community facilities, public realm, non-profit licensed day care, flexible multiple purpose community space, public park land dedication and/or improvements, and Section 37 benefits)?

As quoted in the Yonge/Eglinton Secondary Plan:

6. “Blocks zoned with the “(H)” symbol shall not be used for any purpose permitted by this By-law, other than as provided for in Section 5, until the “(H)” symbol has been removed in whole or in part by amending by-law upon submission of a Site Plan Control application to the satisfaction of the City, in accordance with the Yonge-Eglinton Secondary Plan policies and the Yonge-Eglinton Centre Urban Design Guidelines, and when Council is satisfied....” (p. 44)

I have also re-read comments about the interim control by-law. When asked a few years ago, then chief planner Jennifer Keesmaat advised against using this. Only in rare instances is this invoked. However, it is in *The Planning Act*, R.S.O., 1990, p. 62.

**Interim control by-law**

38.(1) “Where the council of a local municipality has, by by-law or resolution, directed that a review or study be undertaken in respect of land use planning policies in the municipality or in any defined area or areas thereof, the council of the municipality [i.e. City of Toronto, City Council] may pass a by-law (hereinafter referred to as an interim control by-law) to be in effect for a period of time specified in the by-law, which period shall not exceed one year from the date of the passing thereof, prohibiting the use of land, buildings or structures within the municipality or within the defined area or areas thereof for, or except for, such purposes as are set out in the by-law.”

9. History of Resident Concerns about Yonge/Eglinton and the TTC Buslands



History of Resident Concerns about Yonge/Eglinton and the TTC BuslandsSouth Eglinton Ratepayers' and Residents' Association (SERRA)

Miria Ioannou, "Saving Toronto's Midtown", Living Toronto, May 15, 2019.

"The Midtown in Focus plan, unanimously passed by Toronto City Council in 2018, has been languishing, ignored, on Minister Steve Clark's desk for six months. With the Yonge and Eglinton neighbourhood bursting at the seams, not only with massive, numerous towers, but also with the Metrolinx LRT, the community has reached a breaking point. Eight years in the making, the Midtown in Focus plan would only affect future development and none of the towers currently being built or those that have already been approved. If the Provincial Government does not approve the plan by June 6 [2019], it may be allowed to die."

"Andy Gort, President of the South Eglinton Ratepayers' and Residents' Association, gives a short history lesson, "Back in 2006, the province designated the Midtown Yonge-Eglinton area as an 'Urban Growth Centre' and the party started for the developers, aided by the Ontario Municipal Board (OMB). Now it's time to tell the developers and the province they have overstayed their welcome and to party somewhere else." Mr. Gort worries about the many problems of overbuilding including the lack of school capacity, demonstrated by the signs from the Toronto District School Board on new condos saying there is no space at local schools for children moving in. He is further troubled by the overwhelming stress on neighbourhood infrastructure such as the sewage system, overcrowded and unreliable transit, lack of day care, recreation facilities, public green spaces and even vanishing office space."

Resident concerns about development impacts on the TTC Buslands are not new.

As far back as April 1972, there have been documented concerns. On January 10, 1973, five area ratepayer associations, including the Oriole Park Association, met with the Province and City of Toronto officials and submitted their requests in Report No. 5 of the Committee on Buildings and Development, February 13, 1973, for "*height limits and bylaw controls*" for the TTC lands on the s.w. corner of Yonge/Eglinton. In response to a possible Canada Square development involving a hotel, apartment, and commercial complex, "*Residents are concerned about the overpowering effect such a building would have on single family housing areas to the west and south and the traffic which would be generated by such a large complex.*"

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

In his Feb. 12, 1973 letter, Peter Hayden, then OPA President, stated: “*The Oriole Park Association hereby indicates its support for the height limitation proposal to be put before your Committee today and hopes that you will see fit to put the proposed by-law before City Council.*”

Valid concerns about the TTC Buslands continued, in the 1980s.

**Oriole Park Association May 1986 Newsletter:** “Barrie Gordon, an OPA Director, neatly sums up apprehension about the development: ‘In the months and years ahead, there will be other commercial developers and uncaring individuals who will attempt to change or bend the by-laws to serve their own selfish ends. Preserving the existing by-laws and preventing the establishment of unwanted precedents is the only way to protect the investment in our properties and to safeguard the unique character of our community.’”

**Oriole Park Association September 1987 Newsletter:** “There is and will be development on our borders. When this development is appropriate in scale and usage to the surrounding environment, we should welcome it as an enhancement to our community. It is when developments are not appropriate in scale and usage that problems arise.”

“We are fortunate in having an area plan (the Yonge-Eglinton Plan, Part II) which was put into place some years ago after much study of the area by your OPA and other area associations in cooperation with the planning department of the day. *It was the purpose of the Plan to protect the residents from unwanted and unworthy developments, and it is at our peril that gross divergencies from the Plan should be allowed.*”

The efforts by our area ratepayer associations have a long history, from the 1970s onward. In 1981, this TTC site was declared a ‘Special Study Area’. That declaration has historical context. Here is an example of our area ratepayer association concerns in 1988. Collectively, we requested the withdrawal of an appeal by the TTC regarding these lands. Therefore, the record shows that not much has changed.

**December 5, 1988,** Letter From: Area Ratepayer Associations, To: Metro Toronto Chairperson, Transportation Committee, City Hall. Subject: “TTC/Canada Square Lands at Yonge and Eglinton”.

Joint Letter from: Oriole Park Association, Avenue Road Eglinton Community Association, North Toronto Forest Hill Ratepayers’ Association, Lytton Park Residents’ Association, Sherwood Park Residents’ Association, Deer Park Ratepayers’ Group Inc., South Eglinton Residents’ and Ratepayers’ Association.

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

“Recently, the Toronto Transit Commission voted to appeal to the Ontario Municipal Board By-law No. 974-88 of the City of Toronto regarding the above lands. The purpose of this letter. . . is to request your intervention in persuading the TTC to withdraw its appeal. Our reasons are as follows:

“In **1981**, when Toronto City Council had before it the Yonge-Eglinton Part II Official Plan, these lands were designated a *Special Study Area*. The purpose of this designation was to provide for special planning studies of the designated lands; until these studies were completed, however, the effect was to leave them open to greater building densities than would otherwise have been permitted.”

“In the meantime, development on the site continued in a manner agreed by all parties to be haphazard and uncontrolled. Seeing this, local residents’ associations lobbied for completion of the special planning studies, and for an interim control bylaw to permit time for their completion.”

“In **1988**, the City of Toronto Planning Department brought forward a planning report which contained, among other things, a recommendation for down zoning the subject lands, together with a recommendation to allow the developer to regain some portion of the lost density in exchange for sound planning. Seven local residents’ associations supported this report which was adopted unanimously by Toronto Land Use Committee and, subsequently, by City Council. This report led to the by-law [974-88] which the TTC now wishes to appeal.”

Concerns about the impact of proposed development continued during the 1990s, as follows. **Oriole Park Association October 1990 Newsletter:** “Our goal has been to preserve the neighbourhood as a stable, peaceful, safe and healthy place to live for people of all ages. . . . If you are concerned about any of the following – the proposed 30 storey office tower over the bus terminal at Yonge and Eglinton, with 300 residential units at Duplex and Berwick. . . please attend the Annual Meeting to hear more information and voice your concerns.” Hollis Rinehart, President, OPA

**Oriole Park Association Board Meeting of November 13, 1990:** “The President [Hollis Rinehart] outlined the major issues facing the Association. a) Canada Square. *Another of the ongoing series of working committee meetings was held.* The Association’s position regarding the bus barns was again put forth. No major new progress in the discussions was noted. The next meeting is to be November 26th in the Canada Square Board Room, 5th Floor, 2200 Yonge.”

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

\* **Oriole Park Association Fall 2005 Newsletter:** “The Association’s Annual Meeting will be held on **November 29, 2005**. Special guest speaker, Charles Wheeler, Manager, Property Development Department, TTC. Mr. Wheeler will describe the TTC’s plans for a new permanent bus terminal at Yonge and Eglinton and how it will fit in with development at the site. This is a terrific opportunity for residents to hear about the plans for the buslands.”

\* **Nov. 15, 2007** At a public meeting organized by former Councillor Michael Walker, he said City Council should agree to and establish: (1) 40 storey height limit used in sale of TTC lands; (2) Fairness monitor to oversee development; and (3) a public park for the site.

\* **Nov. 20, 2008**, Letter from Michael Walker to Gary Wright, then Chief Planner: “*the strata plan (40 storey height max.) should be a priority – on the future TTC Buslands sale or lease agreement.*”

\* **January 22, 2009** Yonge-Eglinton Centre Focused Review Planning Study – Public Meeting, North Toronto Memorial Community Centre.

In attendance: Councillor Michael Walker, James Parakh, Program Manager, Urban Design, City of Toronto, Joe Nanos, Manager, City of Toronto Planning, Sarah Phipps, City Planner. About 130 residents attended this meeting. Meeting minutes by Richard MacFarlane, Oriole Park Association.

Among the City Council recommendations, “amend the Official Plan to ensure the objectives will be implemented, have a bylaw amendment for s/w quadrant regarding *proper height transition in residential neighbourhoods.*”

James Parakh, Program Manager, Urban Design, City of Toronto: “It has always been our intention to guide development to fit into the context of the area. No traffic from the new development will infiltrate the residential area. For Duplex Avenue, we worked with the Yonge-Eglinton Focus Group and the applicant to reduce the scale of development.”

On May 25, 2009, Councillor Walker was able to have a motion passed by City Council creating a “strata plan” to restrict the height on this site to 120 metres. In order to enshrine this strata plan in the city’s Official Plan, the OPA has joined an appeal to the Ontario Municipal Board as described below.

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)Ontario Municipal Board – Appeal of Official Plan Amendment and Zoning Bylaw Amendment

**March 16th, 2009** A letter was submitted to the City of Toronto by the South Eglinton Ratepayers' and Residents' Association (SERRA), and registered with the Ontario Municipal Board, on behalf of area ratepayers' associations.

The letter appealed City of Toronto bylaw amendments for the Yonge-Eglinton Centre. It stated that at both the June 2006 and January 2009 City of Toronto public meetings, the inclusion of a "strata plan" was supported by City staff and residents. "The initial defeat of Councillor Michael Walker's motion on February 25th, 2009 is contrary to the conclusions arrived at in good faith by the Yonge-Eglinton Centre Focused Working Group. Further, it does not reflect the spirit and intent of the Zoning Bylaw."

Oriole Park Association Letter – OMB Appeal

In support of the South Eglinton Ratepayers' and Residents' Association (SERRA), the Oriole Park Association delivered a July 31st, 2009 letter to the Ontario Municipal Board pre-hearing session on August 4th which supported the OMB appeal and agreed with the strata plan approach to limiting height and density on city-owned land.

Ontario Municipal Board Pre-Hearing of August 4th, 2009

At the OMB pre-hearing on August 4th, SERRA expressed its concern about the TTC lands, that the wording about zoning is deficient. The City of Toronto strike during June/July created a backlog of delayed public meetings. Future scheduling was uncertain but the parties agreed to continue their communications. The Oriole Park Association was granted "participant status" at the upcoming OMB hearing.

\* **Oriole Park Association October 2009 Newsletter:** "As most of you know, the TTC would like to re-develop the former bus bays between Yonge Street and Duplex Avenue. Many area residents expressed concerns about the density of any future development and the need for height limits."

\* **March 1, 2010** Public Consultation Meeting, Premium Properties, North Toronto Community Centre, Statement by Councillor Michael Walker about TTC Buslands.

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

\* **March 3, 2010** Yonge/Eglinton Urban Growth Centre Boundaries, Public Meeting, North Toronto Memorial Community Centre.

\* **March 9, 2010** North York Community Council Meeting, Attended by 100 residents, including presidents and directors of area ratepayer associations. Motion: northwest corner of Yonge/Eglinton. Item NY32.49, RioCan Revised Rezoning Application. There were various presentations, including the following. Please note the suggestion for a “*comprehensive study on all four corners at Yonge/Eglinton.*”

Jordan Applebaum, Chair, Eglinton Park Residents' Association

“The ratepayer associations in the area have collectively and individually opposed this application. Shadows are cast over the neighbourhood that are impacting the residents. The Eglinton Park Residents' Association urges you to vote against this application or at least defer it until a more comprehensive study is done on all four corners at Yonge/Eglinton. In the Official Plan, Yonge/Eglinton has been identified as being deficient in open space. We cannot afford to lose this open space.”

\* **March 24, 2010** Councillor Michael Walker – Public Meeting – N/W Corner of Yonge/Eglinton, North Toronto Memorial Community Centre. 40 people attended this meeting.

Q11: “Was there ever a discussion of having a publicly accessible open space across the street, on the TTC buslands?”

Christian Ventresca, City Planner, reply: “The guidelines for the TTC buslands provide for a park from 2,000 to 2,500 square metres. This was approved in February. Then it was appealed. And most of the issues have been resolved.”

Q11: “So why is this so contentious?”

Councillor Michael Walker, reply: “That is referring to a park halfway down to Berwick. It will come forward when it is due to be redeveloped. That's how we will get that. This park is not seen as related. The objective is to create open spaces on all four corners. We reiterated it at the charrette.”

Q13: “I infer, from what you've said, that you're reasonably optimistic that there will be a park?”

Councillor Michael Walker, reply: “That will be a condition for development [on the TTC Buslands site] when we go through the process.”

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

\* **March 24, 2010** Councillor Michael Walker – Public Meeting – N/W Corner of Yonge/Eglinton (cont'd)

Q28, Paula Greco, Sherwood Park Residents' Association: "This is a plan that has limitations. You have the authority to make demands on the developer. Where I see difficulty is for the office space. The type of jobs is the issue here. You should encourage long term stable jobs. That is what we should be trying to attract. If you're going to sacrifice that, what you're sacrificing your open space for is for minimum wage employment. The greater good is not served. You have all the words you need for open space. But you don't have all the words you need to replace open space with retail. You value minimum wage retail on what is basically our city square."

Paula Greco's remarks about office and retail space and long term employment, in some respects, relate to the TTC Buslands site today.

Paul Byrne, Manager, Central Section, Community Planning, North York District, City of Toronto, replied: "You have to look at open space as a whole."

\* **March 26, 2010** City Initiated Official Plan Amendment – Yonge/Eglinton Growth Centre, City of Toronto Staff Report, Planning and Growth Management Committee

There are numerous references cited in City planning reports about protection of neighbourhoods. A March 26, 2010 City Staff Report from the Planning Department included a section entitled 'Community Consultation – Summary of Conclusions'. On page 5, the report stated: "*A primary finding of the consultation was that there is a need to ensure stable residential neighbourhoods continue to be protected from the effects of intensification. As such, the location of the Urban Growth Centre boundary is crucial.*"

\* **September 23, 2010** The Oriole Park Association referred to the protection of the adjacent single family neighbourhood in a letter from Bob Blake, President of the OPA, delivered to Gary Wright, then Chief Planner of the City of Toronto.

*"That the City Planning Department will deliver on its often publicly-stated commitment to retain the existing characteristics of the stable single family neighbourhood that is adjacent to the Yonge-Eglinton UGC's south-west boundaries. I refer specifically to the single-family houses on the west side of Duplex Avenue and on Duplex Crescent, south of Eglinton Avenue to Berwick Avenue, the single family and semi-detached homes on both sides of Duplex Avenue south of Berwick Avenue, as well as the single family and semi-detached homes on the south side of Berwick Avenue."*

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

\* **Oriole Park Association March 2011 Newsletter:** “In late September 2010, the OPA delivered a letter from our Board of Directors to Gary Wright, Chief Planner and Executive Director of the City of Toronto Planning Department, voicing our concern about the Yonge/Eglinton boundaries and requesting clarification that these boundaries would remain as delineated and not encroach onto residential areas, especially Berwick Avenue to the south.”

\* **Oriole Park Association May 2012 Newsletter:** “We are also concerned about excessive proposals by developers for high-rise condominiums on the perimeter of the neighbourhood and have been making representations accordingly.”

\* **July 21, 2012** City Council established the Midtown Planning Group “*to create a proactive and comprehensive strategy for planning initiatives in the Yonge-Eglinton area of Midtown. The Midtown Planning Group consists of the three local councillors, representatives of local residents associations and City staff from both the North York and the Toronto and East York District offices. ....The Master Plan will act as a guide for public open space initiatives in the study area and will inform developers of the City's expectations with respect to the design and construction of parks, open spaces and streetscapes.*”

\* **Sept. 13, 2012** Introductory Midtown Ratepayer Group meeting with Terry Mills (chair), hosted by Ann King (secretary), at Stanley Knowles Housing Co-op.

\* **October 23, 2012** Preliminary Midtown Group Meeting with Yonge/Eglinton ratepayer associations, hosted by Geri Berholz of The Republic Residents' Association.

\* **October 24, 2012** TTC meeting when 2180 and 2200 Yonge Street were EXCLUDED from any height restrictions. TTC report said: “*The office buildings at 2180 Yonge St. and 2200 Yonge St. are excluded from the Council resolution (which approved strata plan, limiting the height to 120 metres or 40 storeys).*”

\* **Nov. 7, 2012** Oriole Park Association Annual General Meeting, Speech by newly appointed Jennifer Keesmaat, Chief Planner, City of Toronto, regarding *City planning at Yonge/Eglinton (referred to TTC Buslands)*.

At the OPA meeting on November 7, 2012, Jennifer Keesmaat talked about strata plan:

“The next meeting I had today was a meeting about strata. And for those of you who don't know what strata is, it's a real estate tool. It's not actually a planning tool. But strata is a mechanism whereby the city transfers lands to an organization such as Build Toronto which is the development arm of the city.”



History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

Jennifer Keesmaat: “Strata is a legal mechanism whereby the city can constrict the amount of development right, if you will, that it is transferring. And this is a way, this is a tool, of limiting the amount of development [limiting the height] that might take place on a certain site. We’re trying to figure out what the best mechanism is to ensure that we are getting development [TTC Buslands site] that is in keeping with the goals and objectives of a neighbourhood [such as the Chaplin Estates community].”

\* **Nov. 12, 2012** First Official Midtown Planning Group Meeting with Councillor Josh Matlow, Y/E ratepayer associations, Jennifer Keesmaat, Chief Planner, and City staff.

\* **Oriole Park Association, Spring 2013 Newsletter:** “There are, of course, still many challenges ahead such as the development of the Art Shoppe location and the TTC buslands; we will diligently monitor these and such other as may come before us as we move forward into the future.”

\* **August 8, 2013** City of Toronto’s Planning Division launched “Planners in Public Spaces”, an outreach initiative, with a kick-off event on August 20 from 11 a.m. to 3 p.m. at Nathan Phillips Square. The initiative includes pop-up information booths at events across the city where residents can learn about planning issues, the role of City planners and find out how they can get involved in planning their city.

\* **Nov. 16, 2016** Oriole Park Association Annual General Meeting, Remarks by Councillor Josh Matlow, Ward 12 (Toronto-St. Paul’s):

"It's a pleasure to be with you tonight. I want to provide you with an update about what is happening in our Ward."

"Years ago, I initiated the Yonge/Eglinton Secondary Plan Review. Currently, we're reviewing the infrastructure, for example, the state of the pipes in the ground, the schools, and transit crowding. This report should come out early next year."

“You will recall, on February 23, 2009, when Councillor Michael Walker tabled a motion in Council to approve a strata plan which sought to limit height for development on the TTC Buslands at Yonge/Eglinton. I worked with Michael on this file and, as you know, in subsequent years, there have been efforts by developers to build on this land.”

“In this connection, I made three demands on Build Toronto:

(1) Build Toronto must respect the agreement made with the Oriole Park Association.

“This is called honouring a contract. They must be committed to it.”

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

(2) There needs to be a remarkable public land there. This property deserves a great public space, a park. Please see my web site for more information.

(3) Regarding leverage, this is public land. This belongs to us. We don't need to haggle with Oxford Properties who owns it. They need to sign, legally, that they give up their rights to go to the Ontario Municipal Board.”

It is important to note: There was no agreement with the Oriole Park Association.

\* **March 2, 2017** introductory meeting by Councillor Josh Matlow, with Oriole Park Association, Yonge/Eglinton ratepayer associations, City officials and Oxford Properties architects and planning consultants. (Meeting minutes by Richard MacFarlane, OPA)

\* **April 27, 2017** Initial public consultation by Oxford – Walking Tour of TTC Buslands site organized by Oxford Properties Group, open to all ratepayer associations and area residents. (Meeting minutes by Richard MacFarlane, OPA)

\* **May 1, 2017** Web Announcement by Councillor Josh Matlow “Re-imagining Yonge and Eglinton’s Canada Square / TTC Bus Barns Public Meeting”.

Councillor Matlow wrote: “For too many years, the TTC Bus Barns property at the southwest corner of Yonge and Eglinton was left as a derelict eyesore in the heart of our community. More recently, this site has been actively used as a construction staging area for Metrolinx’s Eglinton Crosstown LRT.”

“I believe it’s time to ensure that there is a plan in place so that these lands, along with rest of the Canada Square property, can be thoughtfully redeveloped when the LRT is completed. Leaders of our local residents’ associations and I have had initial meetings with Oxford Properties, the developer of the site, and I have already informed them of four expectations I have on behalf of our community:”

1. That any new development be based on good urban planning principles and be respectful of the City of Toronto’s Official Plan.
2. That any new development demonstrate an appropriate transition in scale to the adjacent neighbourhood.
3. That plans be devised with the community and be respectful of local residents’ feedback and not be appealed to either the OMB or the proposed Local Planning Appeal Tribunal.

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

Councillor Josh Matlow (cont'd): 4. “Any plan for the site must include a truly remarkable public space that would provide necessary public realm for both local residents and visitors alike. My vision is for a public space that one would find in cities like Rome, New York, London and Paris, rather than the concrete mediocrity we’re accustomed to in Toronto.”

“Please join me and City Staff in a discussion about how you would like to see the TTC Bus Barns and Canada Square properties be redeveloped. The meeting will take place on Wednesday, June 7 at 7:00 p.m. at the North Toronto Collegiate Institute Commons (17 Broadway Avenue). To view the community notice for this meeting, please click [here](#).”

\* **May 4, 2017** Ideas Fair (First of Two Meetings), Hosted by Oxford Properties Group, for residents to share their ideas about the TTC Buslands master plan. To quote the **OPA Spring 2017 Newsletter**: “To encourage the maximum involvement from area residents, Oxford Properties and Brook Pooni will be hosting a series of Idea Fairs, beginning on the evening of Thursday May 4th. More specific details will follow. Members of the area ratepayers associations will be walking the site with Oxford Properties on April 27th to open in earnest the discussion regarding redevelopment of the site.”

\* **May 9, 2017 Canadian Tire-REIT -- First Quarter Investor Conference Call**

“Last week, Oxford Properties, our co-owner and development manager at our Canada Square property at Yonge and Eglinton in Toronto hosted the first public consultation meeting [Oxford Properties Group Ideas Fair, May 4, 2017] in support of our re-development of the property. While it is early days and the timing of the redevelopment is connected to the timing of the Eglinton crosstown LRT, we are pleased with the progress Oxford is making. At nearly 99 percent occupancy, we are also pleased with the holding income we have on the property.”

Sam Damiani, TD Securities “Just on Canada Square, Ken, I just want be clear. When you talk about sort of the development there obviously tied in with the TTC work, is the redevelopment of your asset going to be only starting after that crosstown Eglinton LRT is complete, or is the intent to have something underway while that’s under construction?”

Ken Silver, Chief Executive Officer “Sam, it’s not yet clear yet exactly what the development plan will be or the timetable for the development plan. It is possible that subject to all the pieces falling into place that we could start redevelopment before the crosstown LRT is completed, but that’s not a certainty at this point.”

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)**May 9, 2017 Canadian Tire-REIT - First Quarter Investor Conference Call** (cont'd)

Ken Silver, Chief Executive Officer “Clearly we see, as everybody does, that urban intensification is a much more important and stronger theme than it was four or five years ago, and there have been a lot of—certainly in the largest markets in the country a lot of momentum behind that.”

Ken Silver, Chief Executive Officer “We certainly have sites that we think are potential redevelopment sites, and I would describe it simply as in the long run. I mean if they’re subject to longer term Canadian Tire leases then one of two things needs to happen is we need to work with Canadian Tire to understand how we would redevelop the property and what would happen to the Canadian Tire store, and obviously we would need to have Canadian Tire willing to open up the leases. At the same time though, we are comfortable with a notion of seeing how this theme evolves and understanding the economics of the urban intensification program. Clearly, we have a high degree of comfort with our investment in Canada Square. If we were going to intensify anything the corner of Yonge and Eglinton seems like a good place to be. But we are interested in seeing how people do handling the development risk and seeing what the returns are on some of the purpose-built residential, for example.”

Michael Smith, RBC Capital Markets “Thank you and good afternoon. Just on your head office at Yonge Eglinton, I know it’s early on but I’m just curious how did the meeting go and was there any rough presentations made, or was it just sort of like here’s five different possibilities, all loose kind of concepts?”

Ken Silver, Chief Executive Officer “Hi Michael, it’s Ken. I think you’re referring to in my comments I talked about a public consultation meeting [Oxford Properties Group – Ideas Fair, May 4, 2017].”

Michael Smith, RBC Capital Markets “Yes.”

Ken Silver, Chief Executive Officer “With respect to Canada Square. It was the first public meeting so it was an introductory session. It wasn’t specific to any specific designs or plans. It was really designed to get feedback from the community as to their priorities, as to their interests in terms of what they would like to see as part of a redeveloped Canada Square. It was not at all a contentious meeting or anything like that.”

Michael Smith, RBC Capital Markets “Okay, great. That’s it for me. Thanks.”

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History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

\* **May 10, 2017** Oxford Properties Memorandum – Summary of Community Comments, Canada Square Walking Tour, To: Councillor Josh Matlow and RAs.

\* **June 3, 2017** Midtown In Focus Public Workshop Meeting at North Toronto Collegiate Institute.

“Ward 22 councillor Josh Matlow, who initiated Midtown in Focus with former Ward 16 councillor Karen Stintz, said, “I believe that infrastructure, along with social services, needs to keep up with the pace of growth in the Yonge-Eglinton community.”

“Uses for the former bus barns at the Eglinton station were also discussed, with proposals to add green space. Ward 25 Councillor Jaye Robinson said, there should be a Midtown council and argued for a downtown relief line as “critical to this community.” André Le Roux from the Sherwood Park Residents’ Association has been involved in the Midtown in Focus project since its inception. He said it is important that future condominium and large building tower projects in the neighbourhood have the ground floor available to the public.”

“Others echoed the sentiment that they would like to see varied stores and commercial space at the bottom levels of buildings. It was agreed the neighbourhood does not need another mall, already having the Yonge-Eglinton Centre. Although some mixed feelings were expressed during the workshops, overall, residents and representatives were happy the “city has finally got it.” Feedback from the meeting will be considered when the plan for midtown goes to council late this year. In summer the city will be holding several consultation events.”

Andrea Freedman, “Community has say in building livable Yonge-Eglinton”, Streeter (News, Views & Things To Do in Our Neighbourhoods), June 8, 2017.

\* **June 7, 2017** Public meeting hosted by Councillor Josh Matlow, “Re-imagining Yonge and Eglinton’s Canada Square.”

To quote the OPA web site: “Please join Councillor Josh Matlow and City Staff in a discussion about how you would like to see the TTC Bus Barns and Canada Square properties be re-developed. The meeting will take place on Wednesday, June 7 at 7:00 p.m. at North Toronto Collegiate Institute Commons (17 Broadway Avenue).”

Councillor Josh Matlow: “For too many years, the TTC Bus Barns property at the southwest corner of Yonge and Eglinton was left as a derelict eyesore in the heart of our community. More recently, this site has been actively used as a construction staging area for Metrolinx’s Eglinton Crosstown LRT.

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

Councillor Josh Matlow: “I believe it’s time to ensure that there is a plan in place so that these lands, along with rest of the Canada Square property, can be thoughtfully redeveloped when the LRT is completed. Leaders of our local residents’ associations and I have had initial meetings with Oxford Properties, the developer of the site, and I have already informed them of four expectations I have on behalf of our community:

1. That any new development be based on good urban planning principles and be respectful of the City of Toronto’s Official Plan;
2. That any new development demonstrate an appropriate transition in scale to the adjacent neighbourhood;
3. That plans be devised with the community and be respectful of local residents’ feedback and not be appealed to either the OMB or the proposed Local Planning Appeal Tribunal; and
4. Any plan for the site must include a truly remarkable public space that would provide necessary public realm for both local residents and visitors alike. My vision is for a public space that one would find in cities like Rome, New York, London and Paris, rather than the concrete mediocrity we’re accustomed to in Toronto.”

\* **June 14, 2017** Sherwood Park Residents’ Association – Annual General Meeting

In attendance: Ben Daube, President, SPRA, Councillor Jaye Robinson, Councillor Josh Matlow, Claire McIntyre, Vice President in charge of media relations, Oxford Properties Group.

“It [Oxford Properties Group] will re-develop the TTC-owned Canada Square lands on the southwest corner of Yonge and Eglinton Ave. This development is seen at City Hall and elsewhere as something of a call to greatness on behalf of Toronto. Nothing has been prepared and presented and such work will not begin until the LRT project is finished after the turn of the decade.”

Source: The South Bayview Bulldog, June 14, 2017.

\* **June 17, 2017** Ideas Fair, Second Meeting Organized by Oxford Properties Group, 7:00 p.m., at Yonge/Eglinton

\* **Year 2018** Oxford Properties conducted a ‘Detailed Site Review’

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

\* **February 10, 2018** Councillor Josh Matlow hosted a public open house at North Toronto Collegiate Institute to discuss how social services and physical infrastructure can accommodate existing and projected growth in the Yonge-Eglinton Secondary Plan area.

\* **April 4, 2018** “Revitalization of Yonge-Eglinton Bus Barns Site Takes Major Step Forward”, Councillor Josh Matlow’s web site.

Councillor Matlow wrote: “As Midtown residents know all too well, the former TTC bus barns site at the South West corner of Yonge & Eglinton was a derelict eyesore for well over a decade and is now a construction staging ground for the Metrolinx Eglinton Crosstown LRT. With the completion of the Crosstown in 2021, it is important that we start planning for the future now to help ensure that this site doesn’t remain a blight on the area for one moment longer than is necessary.”

“A major hurdle in the way of moving forward with planning for the site is that approximately 75% of the property is encumbered with existing long-term commercial leases. That’s why I’m pleased that City Council approved a report for a new deal with the long-term lessees for a new ground lease relating to redevelopment of the property.”

\* **April 4, 2018** “Revitalization of Yonge-Eglinton Bus Barns Site Takes Major Step Forward”, Councillor Josh Matlow’s web site. (cont’d)

“The deal was negotiated by Build Toronto (now CreateTO), in consultation with the TTC, City Real Estate Services and City Planning. The proposed transaction has been developed within the new City real estate model to achieve key city building objectives, including unlocking the value of City assets through transit oriented development.”

“I will continue to make it clear to the City that any proposal for this site must include a remarkable public square, right at the corner, to even be considered by our community.”

\* **May 4, 2018** “Revitalization of Yonge-Eglinton Bus Barns Site Takes Major Step Forward”, Councillor Josh Matlow’s web site, repeated posting.

“As Midtown residents know all too well, the former TTC bus barns site at the South West corner of Yonge & Eglinton was a derelict eyesore for well over a decade and is now a construction staging ground for the Metrolinx Eglinton Crosstown LRT. With the completion of the Crosstown in 2021, it is important that we start planning for the future now to help ensure that this site doesn’t remain a blight on the area for one moment longer than is necessary.”

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

Councillor Josh Matlow: “A major hurdle in the way of moving forward with planning for the site is that approximately 75% of the property is encumbered with existing long-term commercial leases. That’s why I’m pleased that City Council approved a report for a new deal with the long-term lessees for a new ground lease relating to redevelopment of the property. The deal was negotiated by Build Toronto (now CreateTO), in consultation with the TTC, City Real Estate Services and City Planning. The proposed transaction has been developed within the new City real estate model to achieve key city building objectives, including unlocking the value of City assets through transit oriented development. I will continue to make it clear to the City that any proposal for this site must include a remarkable public square, right at the corner, to even be considered by our community.”

\* **June 21, 2018** Community consultation meeting, as directed by Planning and Growth Management Committee, to solicit public comments about height limits on the TTC Buslands property (among other midtown districts).

About 140 residents attended this meeting. *“Approximately two thirds of the feedback from participants did not favour additional height. The reasons included that building heights were already tall enough and concerns that additional workers would aggravate congestion in the area. Some participants stated that Midtown was losing its character with the increasing density and should not become like the Downtown.”* (p. 8)

\* Oxford Properties completed an International Design Competition for this site.

\* **July 23, 2018** Midtown In Focus Plan approved subject to Official Plan Amendment 405 approved with amendments by City Council.

\* **November 7, 2019** Oriole Park Association Annual Meeting. There was discussion concerning the TTC Buslands site, as follows.

Oriole Park Association Annual Meeting of Nov. 7, 2019, Councillor Josh Matlow

Josh Matlow spoke about his efforts to limit height at Yonge and Eglinton (Sammy’s Garage at Hillside; The Art Shoppe at Soudan) As Josh Matlow said, “We’re trying to use every leverage we can to never lose sight of the public realm, to ensure the character and rhythm of the street is secured for future generations.”

He talked about the need for a “significant public square” on the TTC Buslands, the southwest corner of Yonge/Eglinton. He referred to ‘strata plan’, a policy introduced by former Councillor Michael Walker in February 2009, at City Council, to limit the height there.



History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

Josh Matlow commented, “We have an opportunity to get it right. I want to see a large significant public space, like public spaces in Chicago and New York City.”

He spoke about pedestrian and traffic safety, the need for better enforcement of traffic violations, and the “Vision Zero” initiative supported by the Mayor John Tory and City Council.

At the Oriole Park Association Annual Meeting of November 7, 2019, Richard MacFarlane presented some background and context to the ‘strata plan’ debate.

“Years ago, the OPA and other ratepayer activists thought that with proper strata plan controls in place, an appropriate height limit would be 40 storeys, and no higher, at the centre of that property. Then the height stepping down to 25 storeys, then to 14 storeys, or thereabouts, as you approach the sidewalks, and roadway. Much like the Berwick does at 17 storeys, and stepping down with an angular plane, at the south end.”

On February 24/25, 2009, Councillor Michael Walker spoke about that history, at City Council:

“Out of the Minto fiasco came a proposal to review zoning by-law requirements. The Yonge-Eglinton Focused Review group met for several years and we attended all the meetings. We met for four years. It had consensus from the community, City and planning staff, and the TTC. *On May 17, 2006, the Toronto Transit Commission approved development control mechanisms where the principal control would be strata, establishing an upper limit.* We then held a public meeting at which there was general support for the plan.”

Michael Walker also spoke about a prior commitment to use ‘strata plan’, and also, that there would be a public park: “At the request of the TTC, I held a public meeting on November 15, 2007. I was surprised at the consensus by the public and City officials at this meeting, and the numbers proposed, with real support for commercial and office usage. Four points were established, including the affirmation that a strata plan would be used in the sale of TTC lands, that there would be a fairness monitor to oversee the planning and development process, and that there would be a park for Yonge-Eglinton Centre.”

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)OPA Annual Meeting of November 7, 2019 (cont'd)

There was a *reason why* the councillors voted down strata plan. It was to try and give the developer(s) the height, with little or no restrictions or limitations. The lawyers and planning consultants can use the terminology to argue their case for more height. These are weasel words that planners use at OMB hearings.

As Councillor Karen Stintz said that evening at City Council: “We have a planning proposal that permits two 40-storey towers. There is a small irony here. *If this Council wants to guarantee no political interference, then we should put the strata plans in the plan. If the strata is in place, the development will happen. But it will happen as it should, a smooth process. Without strata plans, there is risk that we will drag out the planning process for another five years.* It needs to be consistent. We want to ensure we put things in place with maximum value to the community, the developer, and the TTC. Councillor Michael Walker is proposing a win-win-win solution.”

The City solicitor argued it was premature to use “strata plan” but “may” instead of “shall” could be used. If Council agreed to “shall”, there would have to be an Official Plan amendment, heard at the Ontario Municipal Board, regarding height limits, the solicitor said. So it is not a given about height limits on the TTC Buslands. But it should be.

Michael Walker also spoke about a prior commitment to use ‘strata plan’, and also, that there would be a public park: “At the request of the TTC, I held a public meeting on November 15, 2007. I was surprised at the consensus by the public and City officials at this meeting, and the numbers proposed, with real support for commercial and office usage. Four points were established, including the affirmation that a strata plan would be used in the sale of TTC lands, that there would be a fairness monitor to oversee the planning and development process, and that there would be a park for Yonge-Eglinton Centre.”

On February 24/25, 2009, City Council voted 15 to 16 against Councillor Michael Walker’s motion to have ‘strata plan’, by only one vote, at 12:40 a.m.

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

- \* **May 25, 2020** Consultation Zoom meeting with Midtown BIA Leadership
- \* **May 25, 2020** Consultation Zoom meeting with The Republic Residents' Association Board of Directors
- \* **May 26, 2020** Consultation Zoom meeting with Oriole Park Association Board of Directors
- \* **May 28, 2020** Consultation Zoom meeting with Eglinton Park Residents' Association Board of Directors
- \* **June 2, 2020** Consultation Zoom meeting with South Eglinton Ratepayers' and Residents' Association Board of Directors
- \* **June 4, 2020** Midtown Planning Group Meeting # 1 WebEx – Virtual Teleconference

“Cassidy Ritz, [Project Manager, Strategic Innovative Policy and Analysis, City of Toronto], City Planning, hosted the WebEx session and welcomed the attendees to the MPG meeting. She started with an overview of the agenda and invited councillors to give their opening remarks. Ms. Ritz then facilitated introductions of the planning team and the attendees. A total of 27 Midtown Planning Group members participated in the meeting.”

“Councillors Mike Colle (Ward 8) and Josh Matlow (Ward 12), and Rachel Van Fraassen (Ward 15, on behalf of Councillor Jaye Robinson) shared their thoughts and concerns about planning in the area. They highlighted potential issues in the provincial amendments to the Yonge-Eglinton Secondary Plan and in Bill 108...and community consultation.”

Cassidy Ritz – “Will Oxford Properties be part of this? We did cite it as a special site.”

Jason Brander, Acting Senior Planner, City of Toronto, North York District, West Section, Community Planning Division

“We have had discussions as to the timing of the development application and public consultation. Once we get the details, it will be brought to the community as soon as possible.”

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

June 4, 2020 Midtown Planning Group Meeting # 1 WebEx – Virtual Teleconference (cont'd)

Q: “Will the Canadian Tire/Oxford block development be part of Midtown Planning Group? That group is presently meeting with representatives in the Yonge and Eglinton area.”

Cassidy Ritz – “This is being dealt with separately (outside of the MPG) and has been flagged as a special study.”

Oren Tamir, Manager, City of Toronto, Community Planning, Toronto & East York, Midtown Section (Wards 11 and 12)

“There are some conversations around consultation with encouragement to the developers to engage with residents. This is still early in the process and details will be released to the community as soon as possible.”

\* **June 12, 2020** Consultation Zoom meeting with Quantum Owners and Residents Association (QuORA) Board of Directors

Oxford Properties, Prepared by Urban Strategies Inc.

Public Meetings – August 11 to 20, 2020, Presentation slides from the Resident Association meetings. On line, there was no record which ratepayer associations were involved.

\* Oxford Properties prepared a Master Plan for the Canada Square site.

\* **Aug. 11, 2020** Consultation Zoom meeting with The Berwick condo residents.

\* **Aug. 12, 2020** Consultation Zoom meeting by Oxford Properties for Oriole Park Association members. To quote the OPA web site: “As a member of the Oriole Park Association, you are invited to attend a virtual meeting to hear the project team discuss feedback received from previous engagement events and describe the master planning process that will be undertaken for Canada Square.”

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

\* **Aug. 13, 2020** Consultation Zoom meeting held by Oxford Properties for Minto Tower – QuORA ratepayer association and residents

\* **Aug. 14, 2020** Consultation Zoom meeting held by Oxford Properties for the Eglinton Park Residents' Association

\* **Aug. 17, 2020** Community consultation Zoom meeting about Canada Square TTC Buslands issues hosted by Avenue Road – Eglinton Community Association

ARECA stated on their web site: “Resident Association Meetings provided an opportunity for community members from local resident, ratepayer, and condo associations to meet with the project team, learn about the context of Canada Square, and provide feedback on opportunities and concerns they have about the proposed redevelopment.”

“ARECA has arranged for you to attend a virtual meeting to hear the project team discuss feedback received from previous engagement events and describe the master planning process that will be undertaken for Canada Square. This is the south-west corner of Yonge and Eglinton above the Subway.”

Oxford Properties is preparing to engage the Community for the future of Canada Square, continuing a process that began in 2017. ARECA has been involved with this future development since the outset and will be involved into the future.

Details are here...[Canada\\_Square\\_ARECA\\_Meeting\\_August 17, 2020](#).

The online session will be held from 4:00 – 5:00 p.m., Monday the 17th of August. Go to [zoom.us/join](https://zoom.us/join) and enter the following meeting details.

\* **Aug. 18, 2020** Consultation Zoom meeting held by Oxford Properties for South Eglinton Ratepayers' and Residents' Association (SERRA)

\* **Aug. 20, 2020** Consultation Zoom meeting held by Oxford Properties for The Republic Residents' Association

\* **September 8, 2020** Notice by Avenue Road – Eglinton Community Association (ARECA) that Oxford Properties Group has launched its Canada Square web site.

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

“Canada Square Launches Web Site.” “Canada Square, the south-west corner of Yonge and Eglinton has launched a web site located at <https://canadasquareto.com/>. This massive site has been much discussed for re-development for many years and seems to be in-play in the years to come.”

\* **Oct. 19, 2020** Eglinton Park Residents’ Association Annual General Meeting, with Oxford Properties officials in attendance.

\* **Nov. 17, 2020** Oxford Properties Group Pre-Application Meeting with Midtown – Yonge/Eglinton Area Ratepayer Association representatives

\* **Nov. 23, 2020** Oxford Properties held a Zoom meeting (Virtual Community Meeting # 1) about community feedback on their master plan, and the consultation process. Area ratepayer association representatives attended this virtual meeting.

Example notification posted on November 13, 2020 by the Avenue Road – Eglinton Community Association (ARECA).

“Oxford Properties Group is currently planning for the **redevelopment of Canada Square at the intersection of Yonge Street and Eglinton Avenue**. You are invited to join the project team for a virtual community meeting to learn about the master plan development process to-date, how community input has shaped the plan so far, and how to provide feedback. **Meeting Information:** When: Monday November 23rd, 2020 at 4:00 p.m. Where: WebEx Virtual Event. RSVP: Registration is NOT required; however, those who do register will be sent a meeting reminder by via email. Visit our website to register for the community meeting. To learn more about Canada Square, sign-up for project updates, and provide feedback on the emerging master plan, please visit [canadasquareto.com](https://canadasquareto.com/).”

Example notification posted in November 2020 by The Republic Residents’ Association.

**Canada Square: one of the largest areas in our neighbourhood is being redeveloped VIRTUAL MEETING -- NOVEMBER 23, 2020 4:00 p.m. - 5:30 p.m.**

“As Yonge-Eglinton community members, you are invited to attend a virtual community meeting on the proposed redevelopment of Canada Square.”

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

The Republic Residents' Association (cont'd): "Hear from members of the project team about the emerging master plan for the site, opportunities and design constraints, learn what has been heard from the community to-date in discussions about the site and ask questions."

"The site is located on the southwest corner of Yonge and Eglinton, bounded by Eglinton Avenue, Yonge Street, Berwick Avenue, and Duplex Ave. For information on the redevelopment go to: Canada Square."

Virtual Zoom Community Meeting # 1

**November 23, 2020** 4:00 p.m. to 5:30 p.m.

Oxford Properties Group – Consultation Web Site Content

Attendees listed as: Councillor Josh Matlow, David Driedger, City Planner, City of Toronto, LURA Consulting, Andrew O'Neil, Oxford Properties, Urban Strategies Inc., and Hariri Pontarini Architects.

"Oxford held its first virtual community meeting for the proposed redevelopment of Canada Square on November 23rd, 2020. Review what was discussed in the meeting slides before providing your feedback!"

"The first virtual community meeting was an opportunity to hear from members of the project team about the emerging master plan for the site, opportunities and design constraints, learn what has been heard from the community to-date in discussions about the site and ask questions."

Responding to what we've heard

1. Community Space is needed and it needs to be exciting, interactive and accessible.
2. Connectivity and accessibility to public transit are key to take advantage of transit and draw people in and through the site.
3. Canada Square should be inclusive and multi-generational.
4. Include a mix of uses including employment.

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

Responding to what we've heard (cont'd)

5. There should be new housing with more housing variety.
6. Provide relevant retail – space for local retail and services.
7. Explore opportunities for thoughtful and beautiful architecture and urban design.
8. Development should be sustainable, resilient and innovative.

Oxford Properties Group – Consultation Web Site Content

Delivering on the ideas of the Year 2009 guidelines

1. A plaza at the intersection of Yonge and Eglinton.
2. A mid-block connection linking Yonge St. to Duplex Ave.
3. A new 'L-Shaped' street running from Berwick Ave. to Duplex Ave.
4. A public park along Duplex Avenue.
5. Street level uses that activate and contribute to the public realm.

Four Key Moves Have Been Developed To Evolve the Year 2009 Plan

1. Concentrating development to create a larger central open space.

Would contribute to the Yonge Street Squares.

The scale of the new parks and amenity space provided would be greater than the total area of open space envisioned by the Yonge Street Squares and previous plan combined.

2. Creating a community space towards the centre of the site.

Will support the upper level public realm with a covered outdoor space.



History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

Oxford Properties Group – Consultation Web Site Content (cont'd)

Four Key Moves Have Been Developed To Evolve the Year 2009 Plan (cont'd)

3. Reinforcing key desire lines.

New east-west and north-south promenades will help to stitch the site into its surroundings.

4. Creating a series of precincts with distinct identities that relate to the surrounding context.

A mixed-use precinct to the north, within closest proximity to transit investment.  
A residential precinct to the south, to provide transition to existing neighbourhoods.  
A central precinct with a dynamic open space program that stitches the site together.

The Canada Square Master Plan

Key Stats:

Five mixed-use towers with heights peaking at the intersection of Yonge and Eglinton and scaling down to the south and west.

Reducing the overall number of towers from 7 (originally contemplated in 2009) to 5, while achieving a similar overall density.

Tower heights ranging from  $\pm 255\text{m}$  (T1) to  $\pm 160\text{m}$  (T5).

Over  $\pm 2,700$  new residential units, predominantly purpose-built rental.

Over 60,000 m<sup>2</sup> of contemporary office space.

2.0 hectares of open space.

Various community amenities including  $\pm 1,000$  m<sup>2</sup> community space.

Various transit Infrastructure improvements.

Striving for excellence in sustainability and resilience.

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)Oxford Properties Group – Consultation Web Site Content (cont'd)The Canada Square Master Plan (cont'd)

A 10,500 sq. ft. Community Space

Located at the centre of the development.

Potential to accommodate day care and other community services.

Double the size of the Mount Pleasant Branch of the Toronto Public Library.

Double the amount of meeting space available at the Northern District Branch of the Toronto Public Library.

\* **Dec. 7, 2020** Strategy Zoom Meeting with Area Ratepayer Associations, to prepare for the December 8th meeting with Oxford Properties Group.

\* **Dec. 8, 2020** Virtual Zoom Meeting with Councillor Josh Matlow, Ratepayer Associations, City officials, and Oxford Properties.

\* **Dec. 18, 2020** Letter by Urban Strategies Inc., Oxford planning consultant, claiming that “*building heights that are commensurate and compatible with the surrounding context.*” This is incorrect. Omitted was the tallest building height of 70 storeys.

\* **Dec. 21, 2020** Formal application submitted by Oxford to City Planning Division.

\* **Dec. 23, 2020** article: “Under the proposal, the tallest building will be 60 storeys and 255 metres tall, and the shortest, 45 storeys, according to Oxford.”

Not true. Two days earlier, Oxford applied for 5 tower heights of 45, 55, 60, 70, 60 storeys. Until their formal submission, *70 storeys was never revealed at any time by Oxford, including meetings with Councillor Josh Matlow and area ratepayers.*

\* **Feb. 23, 2021** Joint Y/E ratepayer association letter delivered to City planning and Community Council, identifying serious issues about the Oxford application

\* **Feb. 23, 2021** City Planning Staff – Preliminary Report to Toronto and East York Community Council, Midtown Ratepayer Associations’ Letter and Attached Details

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

\* **Feb. 24, 2021** Motion to defer Preliminary City Staff Report about the application due to serious concerns with application, until next Toronto & East York Community Council meeting on April 21, 2021

\* **March 3, 2021** The Republic Residents' Association (RRA) Annual General Meeting

“At the RRA Annual General Meeting on March 3, 2021 the following updates were presented on current and proposed developments in our neighbourhood. Each location has a link to the developer's website.” (RRA web site, March 15/20, 2021)

**Canada Square (Southwest corner of Yonge & Eglinton)**

- This Oxford Group project would encompass a full city block; Yonge to Duplex, Eglinton to Berwick; includes 5 towers (2700 units) and a community space within the block;
- The developer has conducted many community consultations but has yet to address the major concerns expressed by the community including:
- near absence of community services and facilities such as schools, day cares, community/recreation centre, social services, or cultural amenities;
- insufficient on-site parkland dedication;
- grossly insufficient emphasis on employment space relative to residential;
- lack of environmental considerations with the complete destruction of all the structures on the site;
- absence of a defining vision for a 21st century community, environmental, economic, and social hub of city-wide and national significance.
- Several local community organizations (including the RRA) are working together to address these issues; these include: the Eglinton Park Residents' Association (EPRA), the South Eglinton Ratepayers' and Residents' Association (SERRA), the Stanley Knowles Housing Co-operative, the Oriole Park Association (OPA), the Berwick Condominium Corporation, the Quantum Owners and Residents Association (QuORA) [Minto Towers].

\* **March 5, 2021** Joint Y/E ratepayer association letter sent to Gregg Lintern, Chief Planner, FoNTRA, City Planning staff, area councillors outlining serious issues.

\* **March 5, 2021** Daryle Hunt, Vice-President and a Board of Director, Oriole Park Association, sent an e-mail to the City of Toronto Planning Department about the Yonge-Eglinton Secondary Plan reference for a required Comprehensive Study requirement:

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

Daryle Hunt, Vice-President and Board of Director, Oriole Park Association: "I am enquiring about the Canada Square Development where Oxford Properties submitted a Rezoning Application on December 21, 2020. Since this location is classified as a Special Study Area it appears that a mandatory city initiated Comprehensive Study was required. Was this study done, and if so where can I access as copy?"

The reply from Alex Teixeira, Senior Planner, who oversees the Canada Square file:

"The last comprehensive study for this site was completed in 2009. Given that Oxford has submitted an application for almost the entire block, we will be able to assess the area in a comprehensive manner as part of our review of the application in accordance with the special study policies of the Yonge-Eglinton Secondary Plan."

\* **March 5, 2021** Daryle Hunt, Vice-President and a Board of Director, Oriole Park Association, sent an e-mail to LURA Consulting about the change in height ranges, as follows:

"As you are aware, height is usually one of the key issues with any high rise construction. In our preliminary discussions in the fall of 2020 about the Canada Square redevelopment, proposed heights of the towers was ranging from 35-65 storeys. Suddenly when the Rezoning Application was submitted, the range increased from 40-70 storeys. Was this an arbitrary increase in height or was it trade-off for some additional features?"

The response received from Alexander Furneaux, Community Engagement Coordinator, LURA Consulting:

"Thank you for reaching out. I've noted your question and passed it along to the planning and design team, along with the comments and questions from the letter submitted to TEYCC by OPA and the other resident associations at Yonge-Eglinton. The project team is intending to organize a meeting in the coming weeks to discuss these comments and questions – I will be in touch ahead of this meeting to confirm the date and time, and ensure there is representation from all the resident, ratepayer, and condo associations who authored the letter to TEYCC."

Alexander Furneaux's reply must be put into context with the Urban Strategies report submitted with the Oxford Properties Group application on December 21, 2020:

"In concert with the significant investment in new transit infrastructure, building heights and densities within the area have been increasing over time. Recent approved and proposed applications feature buildings with heights of 65 storeys (211 metres) at 1 Eglinton Avenue East and 65 storeys (208 metres) at 36 Eglinton Avenue West."

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

“Generally, the scale and intensity of development declines in proportion to the distance from Eglinton Station at the intersection of Yonge and Eglinton.”

Source: “Canada Square -- Planning Justification, Urban Design & Block Context Analysis”, produced by Urban Strategies Inc., December 18, 2020, p. 14.

The Urban Strategies Inc. chart, on page 15, lists recent approved and proposed development sites, and the heights. What Oxford fails to indicate in this report is that out of the 34 sites, 9 are from 3 to 12 storeys, 3 are from 13 to 19 storeys, 16 are from 25 to 39 storeys, and only 8 are from 44 to 65 storeys. Further, that the 36 Eglinton Avenue West site is under review and it (65 storeys) was *refused* by the City Planning Department.

Oxford Properties note that they deviate from the Yonge Eglinton Centre Urban Design Guidelines in the following statement:

“Since 2017, Oxford has been working towards a master plan, that achieves many of the objectives initially set out for the site in 2009. The Proposed Master Plan (the “Proposal”) sets out a comprehensive design for the southwest corner of the Yonge Eglinton Crossroads. The Proposal builds on the key directions contained within the Guidelines to introduce a new mixed-use development organized around a large signature open space envisioned to be a destination for the broader Midtown community. By and large, the Proposal is in keeping with the Guidelines. *However there are two areas where the Proposal for Canada Square varies from the Guidelines: Massing and Angular Planes and Tall Buildings.* It is expected that through consultation with City Staff, the Councillor’s office and area stakeholders, updated urban design guidelines could be developed that respond to the unique characteristics of the subject site and the Proposal.”

Source: Urban Strategies Inc., “Canada Square – Urban Design Guidelines”, December 18, 2020, p. 3.

Then, under the heading “Next Steps”, Oxford states they will continue to work on refining the urban design guidelines:

“Oxford will continue to work with the City, Councillor’s office and area stakeholders to refine the proposal through the statutory approvals process. Through those discussions we will work towards a refresh of the Urban Design Guidelines, where appropriate.”

Source: Urban Strategies Inc., “Canada Square – Urban Design Guidelines”, December 18, 2020, p. 7.

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

Yonge/Eglinton site currently has three connected buildings – 6, 17, 18 storeys (Canada Square Tower, 2200 Yonge St., 17 storeys, construction 1962; Canada Tire / TV Ontario building, 2180 Yonge St., 18 storeys, construction 1972)

**Community objections to Canada Square project result in call for 'do-over'**

According to a report in the *Toronto Star*, March 30, 2021, by Tess Kalinowski:

*“Councillor Josh Matlow says his residents want a do-over on the Oxford Properties Group’s \$2.5-billion redevelopment proposal on the Canada Square site at the southwest corner of Yonge Street and Eglinton Avenue.*

**Community objections to Canada Square project result in call for 'do-over'**

The *Toronto Star*, March 30, 2021, by Tess Kalinowski (cont'd)

*“Before the city’s planning department rules on rezoning, the midtown councillor wants a “special study area report” that would reconsider Oxford’s December application.*

*“He is asking council to approve a report that would gather input from a committee of residents’ and tenants’ associations, businesses, community groups and neighbouring councillors, who would work with planning and other city departments to look at the community services, affordable housing, space and economic-development requirements of the area.*

Here is the link to the full article: “Thousands of new homes are proposed in \$2.5 billion Yonge and Eglinton project. Councillor Josh Matlow says locals don't see many community services – or a school.”

**March 11, 2021** City of Toronto Design Review Panel, Virtual Zoom Meeting. James Parakh, Program Manager, Urban Design, again spoke about the importance of not allowing traffic infiltration to the south and west along Duplex and Berwick Avenue, *as he did 12 years ago* at the Yonge-Eglinton Centre Public Meeting of January 22, 2009.

“Very much important from the community perspective was this new road connecting Duplex to Berwick. The reason being is to make sure that a traffic did not infiltrate into the neighbourhoods.”

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)**March 30, 2021** QuORA Annual General Meeting – Posted On Line

“You are invited to the QuORA Annual General Meeting, Tuesday March 30, 2021, 6:30 p.m. via Zoom Webinar. All Quantum North & South residents and owners welcome.”

“Town Hall on Canada Square development, 2161 Yonge construction, new park behind the Art Shoppe condos, pedestrian safety, bike lanes, outdoor dining on Yonge.”

Special guests: “Our Councillor Josh Matlow and Alex Teixeira (Senior Planner, City of Toronto, responsible for the Canada Square application). What's happening with Canada Square development. Oxford Properties has proposed the addition of 2,700 new residences and no additional office space for a major redevelopment of Canada Square. It includes some green space but only 10,000 square feet for community use. QuORA has joined with 4 other Midtown ratepayer groups, a neighbouring condo corporation and the Federation of North Toronto Residents' Associations [FoNTRA] to oppose this application. The proposal doesn't meet the needs of our community. Instead of more residential towers, this city-owned site should provide innovative jobs, schools and day cares, social and cultural amenities.”

“We have asked City Planning to conduct a comprehensive study, with community participation. Such a study is legally required before the City considers any development application for Canada Square. Learn about the vision of Midtown ratepayer groups at the AGM. And hear the perspectives of our Councillor and City Planning.”

Key players

- Developer (50/50 joint venture)
- Oxford Properties (OMERS - Ontario Municipal Employees Retirement System)
- CT REIT (Canadian Tire Corporation)
- City of Toronto
- City Council
- Toronto East York Community Council (TEYCC)
- TTC
- CreateTO
- City Planning
- Councillor Josh Matlow, Ward 12, Toronto St. Paul's
- Alex Teixeira, Senior Planner, Midtown Section, Community Planning
- Resident associations and other community groups

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)**March 30, 2021** QuORA Annual General Meeting (cont'd)Some recent events

- 2009 City adopts Canada Square zoning by-law
- Mid-2018 City Council approves contract with Oxford-led group
- Summer 2018 Bylaw: comprehensive study to precede considering application
- Year 2017/2020 Oxford-led community events
- Dec. 21, 2020 Oxford submits Zoning Bylaw Amendment (ZBA) application
- January 2021 City Planning initiates ZBA review/study
- Feb. 3, 2021 City Planning prelim ZBA report to Community Council
- Feb. 23, 2021 RAs ask TEYCC for separate comprehensive study
- Feb. 24, 2021 TEYCC defers consideration of Planning Report
- Mar. 26, 2021 Councillor Matlow commits to work towards comprehensive study

Big picture: 5 key issues

1. City of Toronto owns this land. TTC signed confidential 99-year (x2) conditional lease with Oxford & CT REIT in 2018.
2. In parallel, 2018 City legislation mandated comprehensive review before considering any Canada Square application. This did not happen.
3. Oxford Zoning Bylaw Amendment (ZBA) application (Dec. 2020):
  - Reputed investment: about \$2.5 billion
  - Gross floor area 2.991M square feet: 78% residential. 21% office. 0.7% retail. 0.35% community.
  - Heights greatly exceed City rules & standards. Overpower Quantum towers.
  - City benefits: new bus barns & 2 subway entrances worth \$80M+. Plus, annual rent (amount undisclosed). Community space: 10k square feet.
4. Oxford ZBA application, now under standard City Planning review, is nearly compliant with current zoning bylaw, so risk of approval.
5. But application not compliant with broader policies affecting site.



History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

**March 30, 2021** QuORA Annual General Meeting (cont'd)

Government Policies

1. Provincial government Growth Plan (2020): part of Midtown including Canada Square is one of five Urban Growth Centres, requiring commercial, recreational, cultural and entertainment uses
2. Y-E Secondary Plan (City/Province): civic/cultural hub, community services and facilities, draw visitors from across Toronto
3. Community services/facilities study (2018): Midtown needs to fill gap regarding full range of CS & F resulting from ongoing intensification and demographic change
4. 2018 Official Plan Amendment 205 (City/Province) requires comprehensive planning exercise prior to considering zoning changes to Canada Square site

Growing Midtown Group coalition opposes application

Midtown Resident Associations (covers all 4 Yonge-Eglinton quadrants)

- Quantum Owners & Residents Association (QuORA)
- South Eglinton Ratepayers' and Residents' Association (SERRA)
- Oriole Park Association (OPA)
- Eglinton Park Residents' Association (EPRA)
- The Republic Residents' Association

Midtown tower corporations

- Berwick Condominium Corporation
- Stanley Knowles Housing Co-operative

Federation of North Toronto Residents' Associations [FoNTRA]

Plus several other Toronto resident associations and several City councillors.

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

**March 30, 2021** QuORA Annual General Meeting (cont'd)

QuORA/Midtown Group assessment of community needs

- Vision: green economy innovation focus
- Innovative job destination for residents and Crosstown/Line 1 users
- Live and visual arts cultural destination
- Lots of day care
- Schools: primary and post-secondary
- Fitness facilities, big pool
- Community centre
- Social services
- Affordable housing
- In a public park setting

**April 21, 2021** Toronto & East York Community Council Meeting, Remarks by Councillor Josh Matlow, Ward 12 (Toronto-St. Paul's).

“I’m going to move to defer this indefinitely. As you all know, at [City] Council [on April 8, 2021], I moved a motion, with your support, to create a community Working Group, to create a very clear vision for the Canada Square site, to support our quality of life, to ensure that Toronto Lands Corporation, on behalf of the Toronto District School Board [TDSB] who just spoke about the need for a new public school which I’m working very closely on, with Trustee Shelley Laskin.”

“And, moreover, we’re looking at a very clear vision for how this [Canada Square] site can be used creatively in support of the community, with the community engaged. What I intend to do is, once we finish this Working Group process, which we are about to undertake. And we have that Special Study concluded, then I will be releasing the Preliminary [City Staff] Report so that we can have a full and informed conversation with the community, where we have the Special Study [Report] in front of the community, along with the Oxford proposal, and then we can have that discussion about how we move forward.”

“So, all parties are aware of this. All parties are engaged. And, as you know, from the motion approved at [City] Council, we’re going to have to do a lot of hard work over the next several weeks, to come back to the community with that Special Study [Report] concluded. Thank you.”

.....

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

Councillor Josh Matlow (cont'd): “There has been a long standing lease on the Canada Square lands which the public owns – the City of Toronto, through the TTC, owns. But there has been a long standing lease that another group had rights to, and then they sold it to Oxford. And they had another 70 plus years existing on that agreement.”

“So they brought forward their application. And there were a lot of buildings there and some open space but there was really a token gesture of any real community benefits.”

“So that’s why I brought forward the motion at the last [City] Council meeting [April 8, 2021], to introduce the Working Group, to engage the community in a Special Study on the [Canada Square] site to determine what really our goals are, referring to, for example, the Midtown In Focus Plan that we created together, along with other works that we’ve done. And then to ensure that the goals of the community are genuinely reflected in whatever we end up approving on public land.”

“I was able to achieve an agreement, a condition, that along with the fact that there would be a local development process, a community process, where there would be community consultation with our neighbourhood, [that] this would not be appealable to the OMB [Ontario Municipal Board], now called LPAT [Local Planning Appeal Tribunal].”

“So, in other words, we *don’t* have the same *pressure* as a typical development application *always has*. We’re thinking that if we don’t, for example, do things *this second*, that they [Oxford Properties Group] will run to the LPAT. That’s not going to happen here because we have the condition, given that it’s public land, the very unique context. We have that condition in there that they are not going to be able to do that. So, what this motion is all about is ensuring that the request of the community to help inform the work of the Working Group, is responded to.”

“I can tell you that I had a meeting recently with many of the leaders of the residents’ associations, along with CreateTO, and [City] Planning Staff. And everyone is comfortable with what is in here. Okay, CreateTO and Planning also were fine with this. So I’m not asking them to do anything that they would object to.”

“This will also provide transparency and trust as a basis for the discussion moving forward because, as you know, there are others who are making the lease agreement that CreateTO did into something that ‘it is not’ and ‘was not’. So it is important that all the information just be on the table [so that] people [can] see it with their own eyes.”

“And also to recognize that the lease agreement is only as good as what we end up supporting on the [Canada Square] site to the development process. In other words, the lease agreement is *entirely conditional*. *And it will only move forward if we decide it will move forward.*”

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

Councillor Josh Matlow (cont'd): “The last thing I’ll mention, and I’ll speak to it now, so I’ll save you some time on the other Item. The only reason that I moved the other Item as [to defer it indefinitely] rather than month-by-month [deferral], is that we always get scolded if we keep deferring things, month-to-month. And I was trying to save you from that, because we don’t have the pressure of the OMB now.”

“It is absolutely important now – Planning Staff is on board, the community is on board – to finish this Special Study process, so when we do hold the public meeting, we have all the information in front of everyone.”

“Of course we’re going to consult with the wider community. It’s going to be done before the summer. But we’ve got to do it in a way that has the trust and the confidence of the community. And that’s what I’m meaning. So I’m asking you for some faith in this process.”

“If we don’t do it this way, what will happen is that the leaders of the residents’ associations, and many, many thousands of residents who are following the work we are doing and are already deeply engaged in consultation – from me, and them – is that they will not trust this process. They will see that there’s a ‘fix’ in. They will not see any real effort to address the real priorities of the neighbourhood that was set as an Urban Growth Centre by the Province, years ago, without any assuredly [assurances] that the quality of life would keep pace with the growth that we’re experiencing.”

“And this will end up just being a long running, awful, messy controversy, without any productive effort at a table where people can actually get some work done and achieve a plan that really works for people rather than *just a developer*.”

“People need to have confidence in that goal. So, I ask you to support this. I ask you to support the deferral to June motion that will be presented after this. And I ask you for your confidence in achieving a process supported by an inter-Divisional team of [City] Staff, to get us to a place where the community actually is happy with the result. And I hope you would expect the same from all of your colleagues in the work that you’re doing, such as Councillor [Brad] Bradford [Ward 19, Beaches-East York] just did – his good work on Woodbine. And Councillor [Mike] Layton [Ward 11, University-Rosedale] just did – his good work for Chinatown.”

*“This is what we’re here for. You know, things are not always linear. Processes don’t always work with every single context! Sometimes you need to consider the reality on the ground, and the people that you’re working with. And then make sure that the process adapts, and is agile enough to actually achieve something good.”*

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

Councillor Josh Matlow (cont'd): “And that’s what we’re doing. So I would appreciate your support. And so would my community.”

.....  
“I will speak to my revised motion, if I may. My revised motion is similar to my last motion. But I will make it specific to June [that the Item be deferred until the June 24, 2021 Toronto and East York Community Council meeting]. And the reason that I am making it specific to June is that is when we are completing our Working Group process as part of the Special Study for Canada Square.”

“And, moreover, when we actually have the community meeting, it will be a full public meeting, as full as it can be on line. And it will happen. It’s just a matter if it’s going to happen right now or before we complete the Special Study Working Group process, which [City] Council supported. Or would we do it in isolation where we’re only looking at the Oxford proposal, without the advantage of sharing with the community the outcome of the Special Area Study for Canada Square.”

“And I’ve been working really closely with Planning Staff on making sure we do this *well*. Right now, we’re about to hire a facilitator [Bruce Davis] for the Working Group. We’re engaging everyone – from the leaders of the residents’ associations, tenant’s associations, BIAs, other organizations, my neighbouring Councillors.”

“Because, to Councillor Fletcher’s point, even though this is in the Toronto and East York Community Council area, and it’s in my Ward, Ward 12, regardless of my relationship with the other two councillors, I recognize that they represent adjacent neighbourhoods that should be represented at the table. It’s not about us, it’s not about them. It’s about the community.”

“We are a Midtown community. This site has the opportunity to serve the neighbourhood. And that’s what we want to achieve. And, by the way, and also the school trustees – Shelley Laskin [Trustee, Ward 8, Eglinton-Lawrence and Toronto-St. Paul’s] and Rachel Chernos Lin [Trustee, Ward 11, Don Valley West], because we want to achieve a school there [at Canada Square].”

*“But the most important thing that I can tell you is that I’m working with a group of residents who really do want to say ‘yes’ to something. They just want to say ‘yes’ to something that they really believe will contribute to our quality of life.”*

“The Oxford proposal? They listened to us about creating open space. I think there could be better design there. But there are a lot of large buildings with really a token amount of community space in the podium of one of the buildings. And the podiums are insular.”

History of Resident Concerns about Yonge/Eglinton and the TTC Buslands (cont'd)

Councillor Josh Matlow (cont'd): “There’s a lot of work that needs to be done on this. And there’s a lot of really innovative, good ideas – creative ideas – coming from the community that they want to work on. Let’s give them that opportunity. So that when we go back to the wider neighbourhood, at the community meeting, we can *share* that vision, we can *share* those ideas.”

“Yes, we will review Oxford’s proposal. Let’s try to put all that together and achieve something. Because if we don’t do it that way, people will walk away from the table. And then there will *only be a fight*, rather than a real effort amongst well meaning grown ups, to get back to a table, and achieve something special for this neighbourhood that’s needed a lot of social services, and infrastructure, and open space – *for years!*”

“This is not just a typical Yonge and Eglinton speech. *This actually is a historic moment that we have.* And I’m asking you for some *faith*. I’m trying to move forward a process and bring people together, and *get somewhere.*”

“And if we move ahead with the Oxford proposal before we achieve this Special [Area] Study, *it won’t work. And you’ll lose the confidence of the neighbourhood.*”

“And there’s justifiable criticism, walking into this process in the first place. Their confidence needs to be earned by the work that we do.”

“The last thing I will mention is that because I was able to get that condition, that there would be no appeal, it doesn’t mean that this is limitless. It just means that we’re not up against the wall. It means that we have the space to do this work well. And then come back to the community with it [the Special Study Area Working Group Report]. And I ask you for your support.”

**10. KEY PLANNING REPORTS, CITY STAFF REPORTS, MEMORANDA**

Key Planning Reports, City Staff Reports, Memoranda

**February 13, 1973** City of Toronto, Report No. 5 of the Committee on Buildings and Development, “Amendment to Zoning By-Law Regarding Development Controls and Height Restrictions in ‘C’ Zones North of the Belt Line”, Attachment: “Summary of Zoning By-Law Amendments Requested by Local Associations, North of Belt Line”, pp. 758-779.

Representatives from five area ratepayer associations met with the local alderman to express their concerns about the Canada Square site and development pressures. They supported height limits of 30 storeys (formerly using 300 feet as an Imperial unit measurement) on this property.

Bedford Park, Lytton Park, Oriole Park, Sherwood Park, South Eglinton Ratepayers’ and Residents’ Association. In addition, the North Toronto Amalgamated Ratepayers’ Association, forerunner to the Federation of North Toronto Residents’ Associations (FoNTRA), added their support of height limits to development at Yonge/Eglinton.

Please note that these five ratepayer associations recommended a Citizen’s Advisory Planning Committee be established in 1973, the same as recommended today in Year 2021, almost 48 years later.

It was duly recommended “that Council and the Planning Board, in consultation with residents and businesses in the areas *establish a Citizen’s Advisory Planning Committee* that will advise the Planning Board and Council as to its recommendations concerning zoning amendments, that may result in buildings in excess of the [height] limits established.”

“The existing zoning on the Canada Square site still allows over a million square feet of floor space to be built. A promotional brochure for the development indicates a ‘70-storey-plus hotel, apartment and commercial complex’ planned for the remainder of the site.”

“Residents are concerned about the overpowering effect such a building would have on single family housing areas to the west and south and the traffic which would be generated by such a large complex.”



Key Planning Reports, City Staff Reports, Memoranda (cont'd)

**February 13, 1973** Report No. 5 of the Committee on Buildings and Development (cont'd)

“Height limits and building setbacks. . .should be thoroughly validated and changes developed in consultation with the community and property owners.”

Peter Hayden, then President of the Oriole Park Association, submitted his letter: “The Oriole Park Association hereby indicates its support for the height limitation proposal...and hopes you will see fit to put the proposed by-law before City Council.”

“In the absence of any planning study and clearly identified objectives which have been understood and agreed to by the community, the requested Zoning By-law amendments should not be considered at this time.”

Very similar to today’s declarations by our Yonge/Eglinton area ratepayer associations. There was a 70 storey building proposed in 1973. Forty-eight years later, there is a 70 storey structure as part of the Oxford application.

In 1981, City Council designated these lands as a ‘Special Study Area’. “Local residents’ associations lobbied for completion of the special planning studies and for an interim control bylaw to permit time for their completion.”

**December 5, 1988** Joint Letter From Yonge-Eglinton Area Ratepayer Associations (Oriole Park Association, Avenue Road – Eglinton Community Association, North Toronto Forest Hill Ratepayers’ Association, Lytton Park Residents’ Organization, Sherwood Park Residents’ Association, Deer Park Ratepayers’ Group Inc., South Eglinton Ratepayers’ and Residents’ Association), To: Metro Toronto Transportation Committee Chairperson. Subject: “TTC/Canada Square Lands at Yonge and Eglinton”.

This is precisely what our Yonge/Eglinton ratepayer associations are asking for today.

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

**2001** Yonge/Eglinton Focused Review Group is established.

In **2003**, the Yonge/Eglinton Focused Review Group set down a list of recommendations.

They wrote: “(1) recommendations should be incorporated into an RFP prior to its release; (2) Proponents must waive their right of appeal to OMB; (3) Proponents must agree in advance to pre-set development caps and limits on height and density.”

The Yonge/Eglinton Focused Review Group certainly advocated for adequate public consultation and that a comprehensive study should be done for the TTC site.

**April 3, 2003** Letter from Graham Tulett, Manager – Property Development, TTC, to Raymond David, Manager, Community Planning – South District, City of Toronto, “Redevelopment of TTC’s Yonge Eglinton Bus Terminal Lands”.

Among concerns by ratepayer associations: “proponents must agree in advance to pre-set development caps and limits on height and density, recommendations of the Focused Review Group...should be incorporated into the RFP prior to its release, proponents must waive their right of appeal to OMB, and transition in scale from Yonge Street office towers to low density residential.”

Similar concerns have been identified by area ratepayer organizations today. The same condition of no appeal has been stipulated by Josh Matlow, our local councillor.

**March 1, 2005** Provincial Policy Statement issued under Section 3 of *The Planning Act*.

**November 28, 2005** Toronto Transit Commission Board Report. “Declare Surplus A Portion of Yonge-Eglinton Bus Garage”.

“Prior to submitting a detailed surplus/land exchange report to the Commission *both the local Councillor and the community would be consulted* and the property implications of any proposed land exchange (or jurisdictional transfer of land for a park) would be through the normal City Property Management Committee process for the declaration of surplus property.”

“The initial declare surplus report and a future public report on the exact lands to be exchanged is intended to demonstrate the TTC’s commitment to an open and transparent process recognizing that ultimately the financial aspects of the real estate transaction would be the subject of a confidential real estate report to be considered by the Commission and Council.”

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

**January 5, 2009** City Staff Report, “City-Initiated Official Plan and Zoning By-law Amendments, Yonge-Eglinton Focused Review – Final Report”, To: Planning and Growth Management Committee, and then to City Council.

“The results of the Yonge-Eglinton Centre Focused Review are recommended Official Plan policies to guide new development and ensure compatibility with surrounding neighbourhoods, design guidelines to ensure high quality architecture and streetscapes, and zoning provisions for the southwest quadrant of Yonge-Eglinton to implement the vision. In addition, critical to the success of the vision are improvements to open spaces and other public amenities in the area.”

The Focused Review Group identified five key initiatives that would guide future development and implement the vision for Yonge-Eglinton Centre. These initiatives formulated with community input are as follows:

1. Compatible built form and exceptional urban design.
2. Improvements to Public Transit.
3. Public parkland and community benefits.
4. Nurturing the Yonge-Eglinton Destination.
5. Monitoring and continued community involvement.

Councillor Michael Walker took the hard work of the Yonge-Eglinton Focused Review Group further by introducing ‘strata plan’ to limit the height and by advocating strongly for a sizable public park on this site.

**January 5, 2009** City Staff Report, “City-Initiated Official Plan and Zoning By-law Amendments, Yonge-Eglinton Focused Review – Final Report” (cont'd)

As Terry Mills, Co-Chair of this Focused Review Group, wrote in his submission to City Council, “This ‘strata plan’ would allow the TTC to. . .remove the ability of a developer to go to the OMB over the prescribed height. The Focused Review Working Group pushed strongly for this mechanism and our support hinges upon its inclusion. If the City will not confirm the use of a strata plan, then my neighbourhood may not be protected from over-development of these lands.”

Source: Terry Mills, Submission to Planning and Growth Management, PG23.1.7, Yonge-Eglinton Centre Focused Review – Final Report, 2009.

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

**January 5, 2009** The final report of the *Yonge-Eglinton Centre Focused Review*, dated January 5, 2009, records on page 4 that Section 2.2.2 of the Official Plan “*directs that the Secondary Plan for each Centre will protect adjacent Neighbourhoods from encroachment of larger scale development.*”

In fact, the report explicitly promises, on page 5, that established low rise residential neighbourhoods located to the northwest, southeast, and southwest of Yonge-Eglinton Centre “*shall remain stable, and their designation as Neighbourhoods in the Official Plan is intended to protect their character.*”

On page 6, the report states, “*The surrounding established Neighbourhoods have remained stable areas protected from encroachment of larger scale development by firm boundaries in the Official Plan and appropriate transition in scale and intensity of activity from within the Centre to surrounding Neighbourhoods.*”

Section 4.2 of the Yonge/Eglinton Secondary Plan, Mixed Use Area ‘A’ (Yonge-Eglinton Focused Area), reads: “*In considering new development proposals, particular regard will be had in avoiding adverse impacts resulting from height, scale and density on abutting Neighbourhoods and on other Mixed Use Areas.*”

**February 18, 2009** As Secretary and a Board of Director with the Oriole Park Association, I wrote a strong letter to Toronto City Council, dated February 18, 2009, PG23.1.8. The OPA had no elected President at that time. I composed the letter and it was accepted by our Board. I arranged to have Steve Sims, Treasurer and Director of the OPA, sign it on behalf of the Board.

In that letter, I declared: “While we recognize that revenue from the sale of TTC lands will be beneficial to fund transit infrastructure and upgrades, we are very concerned about the potential for the City of Toronto to agree to land sales that will maximize the dollar value, allowing greatest height and density allowances, at the expense of the residents who live in the immediate area and the surrounding community.”

In this Oriole Park Association letter, I supported the recommendation for a “Fairness Monitor” to oversee any Request For Proposals (RFPs) on the Canada Square lands, as City Council approved. However, twelve years later, I have yet to see this implemented.

In addition, I quoted Margaret Fischer, Director, Legal Services, City of Toronto, who declared at the City Council meeting of February 23-25, 2009 that “*the zoning bylaw provides the ultimate protection.*” I said then that the OPA disagreed. And I say now, the OPA still disagrees with this sweeping statement about zoning.

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

**February 23-25, 2009** City Council adopted City Planning staff recommendations to amend the Yonge-Eglinton Secondary Plan to reflect the conclusions of the Yonge-Eglinton Focused Review Group – the study of the Yonge-Eglinton Centre (OPA 63).

Recommendations

1. Creation of a public park; 2. 45 degree angular plane; 3. 60 degree angular plane; 4. Use of strata plan to enforce the 120 metre (40 storey) height limit; and 5. Provision of a new road, mid-block, exiting onto Berwick and Duplex Avenue.

**March 16, 2009** Letter by Andy Gort, President of the South Eglinton Ratepayers' and Residents' Association. In that letter, Andy Gort wrote: "Heights contained in Zoning Bylaws are historically not set at upper limits; one of the reasons for this is to extract capital benefits from applicants under Section 37 of *The Planning Act* via further site-specific amendments to the Zoning Bylaw. It is in this sense that Zoning Bylaws are normally not maximums."

SERRA continued: "By not adopting these amendments, *City Council has effectively broken the agreement with the neighbourhood residents that was reached in the Working Group process*. For this reason and planning grounds stated above, in our opinion, *the City has acted in bad faith and the resulting Official Plan and Zoning Bylaw amendments constitute bad planning.*"

Yonge/Eglinton area ratepayer associations would have none of this disregard for the effort and recommendations by the Yonge/Eglinton Focused Review Group and residents and ratepayer organizations. In March 2009, SERRA appealed to the Ontario Municipal Board. This was a clear declaration that SERRA and neighbouring Yonge/Eglinton area associations were not going to accede to developer interests regarding height.

**April 22, 2009** City Staff Report – From: Deputy City Manager and Chief Financial Officer and Chief Corporate Officer, To: Executive Committee, City of Toronto: "Principles of a Real Estate Strategy and Declaration of Surplus for Sale/Transfer or Turnover to Build Toronto", Appendix 1 "Principles of a City Real Estate Strategy", Appendix 3 (a), "Parts of 2200 Yonge Street (Yonge-Eglinton) – Ward 22".

This April 22, 2009 Staff Report had an amendment about the need for prior consultation, and to submit a report about the history of the property, which is worth noting:

"d. *Prior to the declaration of surplus, sale or turnover of any property, there be prior consultation with the local Councillor(s) and as part of that consultation staff be requested to submit a written report on the history of the property and an outline of local considerations that should be taken into consideration be prepared.*"

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

Furthermore, the amendments spoke about having protocols:

“The Executive Committee also: 2. requested staff to submit a further report to the Executive Committee as soon as possible, on how Build Toronto will be developing potential protocols around community involvement, architecture, public open space, design and environmental standards.”

Also, prior to any land transfer, the City requests proper notification to the local Councillor: “...provides for notice to the local Councillor prior to the disposition of a property.”

**April 27, 2009** TTC Board Meeting. Subject: “Build Toronto – Transit Properties”. TTC Board approved the transfer of transit properties to Build Toronto including a portion of the TTC Lands at Yonge-Eglinton (bus garage property, Part 4 in Appendix A).

**May 4, 2009** Memorandum, “EX32.5 – Principles of Real Estate Strategy and Declaration of Surplus for Sale/Transfer or Turnover to Build Toronto”, From: Councillor John Filion, To: Mayor and Executive Committee.

“I am writing to express my extreme concern with the complete lack of consultation prior to this report coming forward and, in particular, with the recommendations related to 5171 Yonge Street, 10 Empress Avenue & South Side of Kingsdale Avenue.”

“Prior to amalgamation, North York Planning staff designated a portion of this property as Open Space, in part to make up for the ever-increasing parkland deficiency within the North York City Centre and, in part, to compensate for the loss of the Rose Garden, directly opposite this site on the other side of Yonge Street, which the City of North York had sold to Imperial Oil for a head office building.”

“Unfortunately, only a small portion of the site was designated for green space, but it has always been my intention to push for a larger park in the context of a development proposal. If a deal is structured properly, this would not require the city to forego revenue, as the density from the parkland could be transferred.”

“I was astonished to read in the report to Executive Committee that it is recommended that the land be transferred “*conditional on Build Toronto obtaining an amendment to the Official Plan permitting the disposal of land in the Parks and Open Space Area.*”

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

Councillor John Filion (cont'd): “I suspect that many other councillors have sites which merit similar consideration. If not, then I would ask that consideration of the site shown on Appendix 3(e) be deferred pending consultation with the local councillor, local Parks staff regarding open space issues, local Planning staff regarding Official Plan issues, and local ratepayer groups regarding any wish by the city or its agency to seek an Official Plan amendment related to open space or use.”

This is fairly similar to the kind of challenges in providing enough public park space at Yonge/Eglinton.

**May 11, 2009** Build Toronto, Minutes of Meeting of the Board of Directors, Build Toronto Inc., “Land Transfers & Turnovers from the City – Update”. Received above City Staff Report of April 22, 2009 “for information”.

**May 25, 2009** Councillor Michael Walker’s motion for strata plan was amended. “Shall limit the height” became “May limit the height”.

**May 25-27, 2009** City Council declared surplus for turnover to Build Toronto a portion of the TTC Lands at Yonge-Eglinton, specifically, Part 3, and the bus garage property (shown as Part 4 in Appendix A).

**March 26, 2010** A City Staff Report from the Planning department included a section entitled ‘Community Consultation – Summary of Conclusions’. On page 5, the report states: “*A primary finding of the consultation was that there is a need to ensure stable residential neighbourhoods continue to be protected from the effects of intensification. As such, the location of the UGC boundary is crucial.*”

**October 24, 2012** Toronto Transit Commission Report. Subject: “Yonge/Eglinton – Transfer of Leaseholds to Build Toronto”. “Declare surplus a portion of the land under the office buildings located at 2180 Yonge Street and 2200 Yonge Street illustrated as Parts 1 and 2, Parts 3 and 4 as shown on Appendix 1 for the purpose of transfer to Build Toronto.” Funding: “Build Toronto will guarantee that TTC will continue to receive 10 years of future rent from the Ground Leases.”

“Furthermore, EX32.5 (as amended by Council at its meeting of May 25, 2009) declares surplus only the portions of the Canada Square site involving the “strata” parcels including below grade fee simple rights as above grade “air” rights to a maximum of designated heights, effectively limiting the heights of buildings constructed on the lands. The office buildings 2180 Yonge St. and 2200 Yonge St. are excluded from EX32.5 and the Council resolution.”

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

**May 24, 2013** City Staff Final Report to Toronto and East York Community Council.

*“The community benefits to be provided and secured at the owner's sole expense in the Section 37 Agreement are...up to \$2,000,000.00 for the acquisition, design and construction of the new park which is to be developed south of the TTC bus barns at Yonge Street and Eglinton Avenue West in consultation with the Chief Planner, City Planning Division, and with the Ward Councillor.” pp. 3, 4.*

This was the Bazis development on the northeast corner of Yonge/Eglinton designating funds for the public park at Canada Square.

**June 10-12, 2015** City Council adopted Official Plan amendments to the Yonge-Eglinton Secondary Plan (OPA 289) that implement...the urban design and public realm policies of the Midtown In Focus Public Realm Plan. (Subsequently under appeal at the OMB).

**December 2015** Council approved Official Plan Amendment # 320 regarding: (1) Healthy Neighbourhoods, (2) Neighbourhoods, and (3) Apartment Neighbourhoods. **The intent is to strengthen and clarify policies “to support the [Official] Plan’s goals to protect and enhance existing neighbourhoods.....”**

**April 27, 2016** TTC Staff Report – From: Chief Executive Officer, To: TTC Board. “Redevelopment of TTC Lands at Yonge-Eglinton”. TTC Board requested report back in Q4 2016 [i.e. October 2016] on recommendations for redevelopment and forwarded same to Executive Committee and the City of Toronto’s Chief Corporate Officer for consideration.

**May 2, 2016** Memorandum (EX15.10A) from Vincent Rodo, Chief Financial & Administration Officer, TTC to Ulli Watkiss, City Clerk, regarding the TTC report, “Redevelopment of TTC Lands at Yonge-Eglinton”. Motion approved: “Authorize staff to participate in the Yonge-Eglinton Steering Committee with roles noted in the report”, “Authorize that the information provided in the confidential attachment is to remain confidential until completion of any transactions relating to the sale or redevelopment of the lands.” Also approved: “That this report also be forwarded to the Chief Corporate Officer, City of Toronto.”

**May 5, 2016** City Staff Report – “Redevelopment of TTC Lands at Yonge-Eglinton”, From: Chief Corporate Officer, To: Executive Committee, City of Toronto. “This report recommends that Build Toronto (including TTC and City staff) negotiate with long-term tenants on the Lands and report back to City Council in Q4 2016 [i.e. Oct.-Dec.] regarding options to enable redevelopment of the Lands as a mixed-use, transit-oriented hub.”



Key Planning Reports, City Staff Reports, Memoranda (cont'd)

Regarding strata plan, the content reads: “*use of strata title to enforce the 120 metre [40 storey] height limit.*” Furthermore, this staff report declared: “*Any application on the [TTC] Lands should be guided by the objectives outlined above.*” It cannot be any clearer than that.

Further, it declared: “Any application on the [TTC] Lands should be guided by the objectives outlined above, be in keeping with the intent of the Yonge-Eglinton Secondary Plan and the Midtown In Focus Public Realm Plan and align with directions emerging from the Yonge-Eglinton Secondary Plan review underway.”

Source: City Staff Report, “Re-development of TTC Lands at Yonge-Eglinton”, May 5, 2016, pp. 2, 4.

**June 7, 2016** City Council adopted “Redevelopment of Toronto Transit Commission Lands at Yonge-Eglinton”. City Council requested “Build Toronto, in consultation with the TTC, Real Estate Services and City Planning, to negotiate directly with the long-term lessee(s) at Yonge and Eglinton regarding options for redeveloping the lands, and to report back to City Council with an evaluation of options and a recommended plan for advancing redevelopment.”

**2017** In Year 2017, a Transportation Assessment of the Yonge-Eglinton area was being conducted as part of the Midtown in Focus study. A City of Toronto “Transportation Assessment Study” for this site area concluded:

*“There are limited opportunities to physically increase road capacity, and there is a need to protect adjacent stable communities from excessive traffic infiltration. Existing peak hour conditions on the roads are busy, with some intersection movements approaching or at capacity.”*

*“When you combine all of these proposed developments, the result is simply overwhelming. I frankly do not see how the Eglinton-Yonge Centre can accommodate this much development in such a confined space. There is already a shortage of green space and social amenities, not to mention sunlight, at this location.”*

*“I am surprised that the planners have let this development get so far through the approval process without raising serious flags of over-development, service deficiencies, overcrowding and environmental degradation.”*

*“The buildings are too tall. They overshadow all the other buildings at the south side of Eglinton. The shadows in the park and green space will make them forever in darkness.”*

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

**April 11, 2018** TTC Memorandum. From: Chief Executive Officer, To: TTC Board – “For Action – with Confidential Attachment”, Redevelopment of TTC Lands at Yonge-Eglinton.

“The TTC’s property at Yonge-Eglinton is a large 9.3 acre parcel with significant development potential at a major transit hub of both the existing Line 1 subway and Metrolinx’s Eglinton Crosstown LRT which is under construction. The value of the property and future development rights is primarily driven by its location at the intersection of these two major transit facilities on the Yonge corridor. Development of this prime land holding is beneficial to the City in many respects; however, a critical element in the redevelopment is the protection of the transit infrastructure and integration of transit access within the redevelopment scheme in order to provide excellent integrated transit services and connections.”

“The TTC Board and City Council approved a series of guiding principles (Appendix 2) with respect to negotiation of the commercial and technical transaction with the Tenant. Staff has addressed each of these principles during the negotiation process, as discussed in Confidential Attachment 1. With the approval of the TTC Board and Toronto Council, TTC, City and CreateTO (formerly Build Toronto) staff established a Steering Committee which provided direction to lead negotiating staff from CreateTO with respect to the negotiations with the Tenant’s representatives. Extensive discussions of technical, financial, legal and planning components for the proposed redevelopment schemes were held over the past 17 months.”

“External financial, appraisal and legal advisors (Brookfield Financial, CBRE and Torys LLP, respectively) were retained to provide independent expert advice with respect to proposals presented. In addition, TTC staff undertook technical assessments of proposed modifications to TTC facilities, as well as providing technical requirements and guidance on opportunities and constraints to guide proposal development and refinements, in order to protect both existing TTC assets and future requirements.”

“With respect to the planning process, there has been some preliminary work done by both the City and the Tenant to address planning requirements. Future applications related to the redevelopment will follow the normal planning process through the City including public and local Councillor consultations, and TTC technical reviews in order to ensure proposed structures and changes to TTC facilities comply with TTC requirements and standards.”

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

“In summary, all of the guiding principles for the redevelopment have been satisfied and staff recommends proceeding with a transaction on the basis of the details and terms provided in Confidential Attachment 1.”

Appendix 1 – TTC Lands Yonge Eglinton Lands (Parts 1 - 4) and Lands Encumbered by Long Term Leases (Parts 1, 3 & 4). [Unencumbered Lands – Part 2].

**April 16, 2018** Memorandum (EX33.7a) from Kevin Lee, Head of Commission Services, TTC, to Ulli Watkiss, City Clerk, regarding the lease agreement. “Direct that the information provided in the Confidential Attachment 1 remain confidential until add lease amendment agreements have been executed by the parties.” “At a Special Meeting held on April 16, 2018 the TTC Board...[recommended] that: The Board approve that the major lease terms (“the Lease Terms”) substantially as provided in Confidential Attachment 1.”

**April 24, 2018** City Council, Item EX33.7, “Update on the Ground Lease Amendment for the Toronto Transit Commission Lands at Yonge-Eglinton (Canada Square)”.

**April 26, 2018** City Council adopted the motion. “2. City Council authorize the TTC: as Landlord, to enter into a lease amendment agreement with current tenants, which may include Cansquare (Canada 8) LP, CT [Canadian Tire] REIT LP, and OPG [Oxford Properties Group] Investment Holdings LP (which are subsidiaries of Northam Realty, CT REIT and Oxford Properties), or other related corporations satisfactory to the CEO and Deputy City Manager, Internal Corporate Services (the “Tenant”), on the property shown as parts 1-4 in Appendix A (the “Lands”)...with such other terms and conditions as may be deemed appropriate...”

**July 20, 2018** Letter from Goodmans LLP, Law Firm Representing Oxford Properties

Here are highlights of this letter.

Oxford "supports the City's proposal to engage in a further comprehensive study to guide development on the Property. Oxford's main comment is to confirm that the comprehensive study mandated for Canada Square (Policy 5.5.3) will examine and balance the range of objectives for the site.”

“Given its location contiguous with existing and under construction public transit, the Property has significant potential, but will need to be planned thoughtfully given the physical constraints associated with the transit infrastructure, grade differences, and public realm objectives for the Property.”

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

“It should also be recognized that the City has significant control over the future use and development of this Property by virtue of the fact that the land is in public ownership, which weights in favour of a broader scope for the comprehensive study.”

**July 20, 2018** Letter from Goodmans LLP (cont'd)

There is a heading in this letter – “Comprehensive Study of Canada Square”.

“As an engaged and supportive development partner, Oxford participated in the Midtown in Focus planning process, has reviewed the Plan, and supports the City’s proposal to engage in a further comprehensive study to guide development on the [Canada Square] Property.”

At the same time, the letter’s content deliberately leaves open a question about the terms of reference for such a study.

“Oxford’s main comment is to confirm that the comprehensive study mandated for Canada Square (Policy 5.5.3) will examine and *balance the range of objectives* for the site.”

Oxford contends that the comprehensive study is “mandated” by the Yonge-Eglinton Secondary Plan, as amended by the Province of Ontario. Indeed, a comprehensive study is required. It was recommended years ago, and repeatedly, for this very site.

This leads to the question. If it is mandated and, in principle, Oxford supports this study, should City councillors not support the Councillor Josh Matlow and Councillor Kristyn Wong-Tam motion on April 7th?

The councillors should, and did, garnering enough votes to adopt the motion.

But Oxford lists policy requirements in the Yonge-Eglinton Secondary Plan which, in their words, “*should be refined*” in doing a comprehensive study.

1. parkland conveyances
2. new road conveyances
3. publicly accessible spaces and connections
4. setback and step back requirements
5. required percentages of residential and non-residential uses
6. requirements for unit mix and size
7. calculation of Section 37 benefits

Key Planning Reports, City Staff Reports, Memoranda (cont'd)**July 20, 2018** Letter from Goodmans LLP (cont'd)

Oxford recommends *revising* Section 5.5.1 of the Yonge-Eglinton Secondary Plan.

*“This will allow the City and Oxford to address the unique advantages and challenges of the Property.”*

This is an indirect way of *challenging the existing zoning bylaw*, the approved height limitations, approved setbacks, and the Plan’s policies and guidelines.

In short, Oxford wants to engage but they want to do it in a way that achieves, first and foremost, their goals and objectives. The hidden aspect to the lawyer’s letter is to set the stage for challenging the City’s planning legislation.

Oxford believes that agreeing to the comprehensive study requirement will supposedly assuage our area ratepayer associations. Oxford has clearly forecast the ratepayer associations advocating this special study. Directly or indirectly, consciously or unconsciously, Oxford has been preparing a strategy on how to deal with it.

**July 23, 2018** A City of Toronto ‘Midtown In Focus’ Final Report, submitted to City Council that day, adopted the following strategies:

“19. City Council request the Deputy City Manager, Cluster B, the Deputy City Manager, Cluster A, the Chief Financial Officer, the Director, Real Estate Services, and the Toronto Public Library, in consultation with other appropriate Divisions and Agencies to coordinate and prepare Infrastructure Implementation Strategies for:

- a. the Midtown Parks and Public Realm Plan;
- b. the Midtown Community Services and Facilities Strategy;
- c. municipal servicing (water, wastewater and storm water) capital upgrades in coordination with improvements required to the public street network; and
- d. transportation-related infrastructure upgrades required to support continued growth and intensification in Midtown.”

**May 16, 2019** *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (2019) (the Growth Plan) was brought into effect.

**July 2019** Yonge-Eglinton Secondary Plan, as amended, was approved.

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

On page 9, strata plan to limit height was recorded as follows:

6. Southwest quadrant of Yonge and Eglinton

b) *“strata plans to limit height **may** be utilized on city-owned lands to implement the objectives of this Plan.”*

Source: Amended Yonge-Eglinton Secondary Plan, 2019, p. 9.

Yonge-Eglinton Secondary Plan, as amended by OPA 405

5.5.3 Development in the southwest quadrant of the Yonge-Eglinton Crossroads Character Area will address the following development criteria:

a. *“a comprehensive study will be undertaken prior to considering any amendments or variances to the Zoning By-law. Any resulting Zoning By-law amendment or variances will meet all applicable policies of this Plan;*

b. a new public street extending east and south from Duplex Avenue to Berwick Avenue will not be precluded. Land conveyances will be required from privately-owned sites to implement the new public street;

c. strata plans, as appropriate, may be utilized to limit height on City-owned lands to implement the objectives of this Plan;

d. a sensitive transition in height, density and scale will be provided through the use of building setbacks and step backs in addition to any height limitations to adjacent lands designated Neighbourhoods; and

e. a compatible height gradation will be provided by stepping down buildings heights from the southeast corner of Yonge Street and Eglinton Avenue (highest) to the northwest corner of Berwick Avenue and Duplex Avenue (lowest).”

Source: Schedule III to OPA 405, Yonge-Eglinton Secondary Plan, “Special Study Areas”, pp. 39, 40.

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Key Planning Reports, City Staff Reports, Memoranda (cont'd)

If you examine the amended Yonge-Eglinton Secondary Plan, you will observe the wording – *“particular regard will be had in avoiding adverse impacts on abutting Neighbourhoods.”* This is critical regarding the way in which the Oxford Properties Group application should properly respect the Zoning By-law. Again, in exceeding the height limit for all 5 towers, it does not respect the zoning by-law.

Yonge-Eglinton Secondary Plan, as amended by OPA 405 (cont'd)

## 4.2 Mixed Use Area ‘A’ (Yonge-Eglinton Focused Area)

*“In considering new development proposals, particular regard will be had in avoiding adverse impacts resulting from height, scale and density, on abutting Neighbourhoods and on other Mixed Use Areas.”* (p. 4)

## 5. YONGE- EGLINTON CENTRE

5.7 *“New development in the Yonge-Eglinton Centre will be compatible with maintaining the character of surrounding Neighbourhoods.”*

5.8 *“New development in the Yonge-Eglinton Centre will maintain a high quality of life and residential amenity for existing and new residents and will implement the Built Environment policies of the Official Plan.”* (p. 7)

Source: Yonge-Eglinton Secondary Plan, as amended, 2019, p. 7.

**December 2020** LURA Consulting, Canada Square Redevelopment – Public Consultation Strategy Report, Prepared by LURA for Oxford Properties Group.

**December 18, 2020** Letter by Urban Strategies Inc., Oxford planning consultant, claiming that *“building heights that are commensurate and compatible with the surrounding context.”* This is incorrect. Conveniently omitted, initially, is the tallest building of 70 storeys.

From: Christine Fang-Denissov, MCIP, RPP, MRAIC, Principal, Urban Strategies Inc.  
Craig Lametti, MCIP, RPP Principal, Partner, To: David Driedger, City Planning,  
Toronto City Hall.

cc: Andrew O’Neil, Vice-President, Oxford Properties Group  
Oren Tamir, Senior Planner, City of Toronto  
James Parakh, Program Manager, Urban Design, City of Toronto

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

Letter by Urban Strategies Inc., Dec. 18, 2020 (cont'd): "Urban Strategies Inc. is acting on behalf of Oxford Properties Group ("Oxford") on behalf of the leasehold and freehold owners (OPG INVESTMENT HOLDINGS GP INC. and CT REIT (YONGE EGLINTON) GP CORP) in submitting this Zoning By-law Amendment application for the redevelopment of the Canada Square site (the "Site")."

"The Site is a 3.7 hectare parcel of land located at the southwest corner of Yonge Street and Eglinton Avenue in Midtown Toronto. The Site is comprised of several properties, including 2180-2210 Yonge Street, 15 Eglinton Avenue West, and 20 and 46 Berwick Avenue. Today, the Site includes four buildings with office and retail uses, the TTC Eglinton Station and related facilities, the Eglinton Crosstown LRT (ECLRT) construction staging area, and an elevated parking structure. The Site is located at the future interchange of the north-south Line 1 TTC subway and the east-west Line 5 ECLRT."

"Planning for the redevelopment of the Site has been ongoing for many years and includes the passing of a site-specific by-law in 2009 (236-2009), as well as the Midtown in Focus Planning Study which led to the passing of OPA 405 in 2019. Since 2017, Oxford has been working to realize the potential of the Site, building on the earlier planning studies and informed by direct community engagement, and a detailed assessment of the various site constraints and opportunities. In 2019, Oxford completed an international design competition to select the master plan design team. This led to the development of a refined master plan (the "Proposed Development") that accounts for the unique site considerations and constraints, while delivering on many planning and policy objectives from the earlier studies and providing additional open space and amenities."

"The Proposed Development envisions the redevelopment of the Site with five mixed-use towers, a generous open space program, and transit infrastructure improvements. The proposal integrates with the Eglinton transit station and provides streetscape enhancements along all fronting streets. In total, the Proposed Development contains approximately 2,700 residential units, approximately 61,000 square metres ("SM") of non-residential GFA (comprised of approximately 59,000 SM of office GFA and 2,000 SM of retail GFA), approximately 1,000 SM of community space, and approximately 2 hectares (50% of the site) of open space."

"The Proposed Development is consistent with the Provincial Policy Statement (PPS) and conforms to the Growth Plan for the Greater Golden Horseshoe 2019 (Growth Plan). It conforms to the 2006 City of Toronto Official Plan policies (2019 Office Consolidation, and OPA 479 and 480), and the Yonge-Eglinton Secondary Plan (OPA 405). However, an amendment is required to the site-specific by-law (236-2009) to permit the Proposed Development and enable its design to respond to changes in the local context."



Key Planning Reports, City Staff Reports, Memoranda (cont'd)

Letter by Urban Strategies Inc., Dec. 18, 2020 (cont'd): “With Yonge-Eglinton Centre being one of the four Centres in the City of Toronto Official Plan, the area has experienced significant change since the passing of By-law 236-2009. There is also a better understanding of the Site and its constraints including: how development must integrate alongside transit; redevelopment phasing requirements to ensure uninterrupted transit operation; and the technical considerations for development atop/around the transit station. In response, the Proposed Development seeks a different form of development than what was contemplated in 2009. Specifically, it seeks amendments to provisions related to height, density, parking ratios and angular planes.”

“The requested amendments to the heights and angular planes are to enable the delivery of a significant amount of new open space (2 hectares, 50% of the Site) for the Midtown community. The open space is achieved through a reduction in the number of towers (5 in the proposed plan, compared to the 7 envisaged in 2009) and with building heights that are commensurate and compatible with the surrounding context. The Proposed Development also seeks a modest increase of approximately 0.5 FSI above the maximum of 7.0 times density contemplated in By-law 236-2009.”

“In support of the Zoning By-law Amendment, the following digital materials are enclosed:

1. Signed Application Form;
2. Fee Schedule for the Zoning By-law Amendment;
3. Planning Application Checklist;
4. Project Data Sheet;
5. Boundary Plan and Topographical Survey, prepared by J.D. Barnes Limited and dated November 20, 2020;
6. Architectural Drawing Set, prepared by Adamson Associates Architects and dated December 17, 2020;
7. Digital Building Mass Model, prepared by Adamson Associates Architects and dated December 2020;
8. Landscape Drawing Set, prepared by the Office of James Burnett (OJB) and dated December 18, 2020;

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

Letter by Urban Strategies Inc., Dec. 18, 2020 (cont'd):

9. Planning Rationale, Urban Design and Context Analysis, prepared by Urban Strategies Inc. and dated December 18, 2020;

10. Urban Design Guidelines, prepared by Urban Strategies Inc. and dated December 18, 2020;

11. Community Services and Facilities Study, prepared by Urban Strategies Inc. and dated December 18, 2020;

12. Shadow Impact Study, prepared by Urban Strategies Inc. and dated December 18, 2020;

13. Draft Zoning By-law Amendment, prepared by Urban Strategies Inc. and dated December 2020;

14. Public Consultation Strategy, prepared by Lura Consulting and dated December 2020;

15. Urban Transportation Considerations Report, prepared by BA Consulting Group and dated December 2020;

16. Servicing and Stormwater Management Report, prepared by WSP and dated December 18, 2020;

17. Toronto Green Standards Checklist, prepared by Purpose Building and dated December 2020;

18. Energy Strategy, prepared by Purpose Building and dated December 17, 2020;

19. Tree Inventory and Preservation Plan Report and Tree Preservation Plan, prepared by Kuntz Forestry Consulting Inc. and dated December 18, 2020;

20. Pedestrian Level Wind Study, prepared by Gradient Wind Engineers & Scientists and dated December 18, 2020;

21. Noise and Vibration Feasibility Study, prepared by HGC Engineering and dated December 16, 2020;

22. Geo-technical Engineering Report, prepared by Terraprobe Inc. and dated December 16, 2020;

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

Letter by Urban Strategies Inc., Dec. 18, 2020 (cont'd):

23. Hydro-geological Study, prepared by Terraprobe Inc. and dated December 16, 2020; and

24. Phase 1 Environmental Site Assessment, prepared by Terraprobe Inc. and dated December 16, 2020.

“All materials have been submitted electronically via secure transfer link, as provided by Greg Whitfield, Planning Consultant, on December 18, 2020.”

“Urban Strategies is pleased to submit these reports and plans on behalf of Oxford and looks forward to working with the City to process this application. Please do not hesitate to get in touch with me directly should you have any questions regarding this application.”

**December 21, 2020** Formal application submitted by Oxford to City Planning Division.

Time Line as submitted by Alex Teixeira, Senior Planner

1. Application Received – December 24, 2020
2. Application Circulated to City Divisions for Feedback – January 6, 2021
3. Preliminary Report Presented to Community Council/PGMC
4. Committee/Community Council Meeting
5. City Council Decision

Statutory Public Meeting Notification

“The formal notice of any public meeting held by the City will be sent to: property owners within 120 metres (400 feet) of the property; anyone submitting a written request to the City Clerk's Office to be notified; and anyone providing their name and contact information on this Comments sheet.”

“The personal information on this form is collected under the authority of the *City of Toronto Act, 2006*, the *Planning Act*, and the *City of Toronto Municipal Code*.”

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

Statutory Public Meeting Notification (cont'd): “The City collects this information to enable it to make an informed decision on the relevant issue(s). Individuals who submit correspondence should be aware that any personal information in their communication will become part of the public record. The City will make it available to the public, unless the individual expressly requests the City to remove the personal information. Questions about the collection of this information may be directed to the Planner listed above.”

**February 23, 2021** Joint Y/E ratepayer association letter delivered to City planning and Community Council, identifying serious issues about the Oxford application.

**February 23, 2021** City Planning Staff – Preliminary Report to Toronto and East York Community Council, Midtown Ratepayer Associations’ Letter and Attached Details.

**February 24, 2021** Councillor Josh Matlow presented his motion to defer the Preliminary City Staff Report at Toronto and East York Community Council due to serious concerns with application, until their next TEYCC meeting on April 21, 2021. His motion was adopted.

**March 5, 2021** Joint Y/E ratepayer association letter sent to Gregg Lintern, Chief Planner, FoNTRA, City Planning staff, area councillors outlining serious issues.

**March 11, 2021** City of Toronto Design Review Panel – Meeting 4. Presentations: Alex Teixeira, City Planner, City of Toronto, James Parakh, Program Manager, Urban Design, City of Toronto, Hariri Pontarini Architects, Pelli Clarke Pelli Architects, OJB Landscape Architecture, Purpose Building. 12:20 p.m. to 1:50 p.m.

Alex Teixeira, Senior Planner

“The Secondary Plan also says that a comprehensive study is required before considering any amendment to the by-laws that are in force now and that’s important. Because we need to look at the block as a whole as we move forward with any changes to the Plan. That was developed in Year 2009.”

“It was a city initiated study that ended in 2009 and allowed for 7 times density of the site with commercial and residential uses, a 120 metre height limit [40 storeys] at Yonge and Eglinton, and then going down to 85 metres [25 storeys] on the southern portion of the site.”

“Also important in the zoning by-laws is transition to the neighbouring area. So there is a 45 degree angular plane transition to the neighbourhood south of Duplex Crescent. And a 60 degree angular plane transition to the ‘Neighbourhood’ designated areas north of Duplex Crescent.”

Key Planning Reports, City Staff Reports, Memoranda (cont'd)Alex Teixeira, Senior Planner (cont'd)

“It also identifies a [public] park being required along Duplex and a road through the site.”

“From Duplex to Berwick, and for the Yonge-Eglinton Secondary Plan, the enforced plan now requires a sensitive transition from high density and scale through setbacks and any other ways of doing this to the adjacent designated Neighbourhoods. That includes a *stepping down of heights* from the southwest corner of Yonge and Eglinton to the lowest heights at the northwest corner of Berwick and Duplex.”

Alex Teixeira “Yonge-Eglinton Crossroads Character Area”

“It’s designed to be a major destination for retail office uses. And stresses the importance of the public squares. Building heights will peak at the crossroads. The anticipated height range for buildings is between 35 and 65 storeys with a gradual transition down in all directions, including a maximum base building height of 8 storeys.”

“You will notice a bit of a discrepancy in terms of the Official Plan heights [which are] from 35 to 60 storeys and the 120 metres [40 storeys] provided in the existing enforced zoning by-laws [as of February 23-25, 2009 City Council approved].”

James Parakh, Program Manager, Urban Design

“Very important from the community perspective was this new road connecting Duplex to Berwick. The reason being is to make sure that traffic did not infiltrate into the neighbourhoods and all of the access could be provided from this new road.”

“The concept plan. . .the townhouses on Duplex Avenue transitioning up, the public park along Duplex Avenue, the new road, a pedestrian connection to Yonge Street, and a gradation of height from Yonge and Eglinton down to Duplex and Berwick.”

Andy O’Neil, Vice-President, Development, Oxford Properties Group

“There’s a long history of planning and considerable policy that guide future development of the Canada Square. The proposal builds not only on the past planning studies but also several years of stakeholder engagement site analysis and diligence that go back approximately four years, to 2017.”

Key Planning Reports, City Staff Reports, Memoranda (cont'd)Andy O'Neil, Vice-President, Development, Oxford Properties Group (cont'd)

“We think that our proposal achieves a number of city and community building objectives while delivering on many of the policy objectives that have long been targeted for this important location in midtown.”

“This includes transit supportive density at the Yonge-Eglinton Crossroads, delivery of sustainable, contemporary office space. Public realm improvements and amenity as well as transportation and infrastructure upgrades.”

**April 7, 2021** “The Future of Yonge and Eglinton’s Canada Square: Supporting Midtown Residents’ Quality of Life – by Councillor Josh Matlow, seconded by Councillor Kristyn Wong-Tam”. Item MM31.27, Adopted as amended. Direction: City Council request Gregg Lintern, Chief Planner, to establish a Working Group, provide a Special Study Area Report with Guiding Principles for redevelopment of the site, to the June 24, 2021 Toronto and East York Community Council meeting. Further, to amend the Special Study Area to include both sides of Yonge/Eglinton, the north side, due to the unprecedented number of revised development applications with greater height and densities.

**April 8, 2021** City Council Zoom Meeting – Remarks concerning the confidentiality of the lease agreement.

Councillor Jaye Robinson

“A report came to Council in 2018. It had some parts which were confidential. Could they be made public at this time?”

Gregg Lintern

“I believe staff will address that question.” [meaning, CreateTO and City legal staff].

Don Logie, Vice-President, Development, CreateTO

“I don’t believe it was intended to make it public, but we may be open to that.”

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

**April 16, 2021** Joint Statement Issued by Councillor Mike Colle and Councillor Jaye Robinson regarding the release of the confidential lease agreement.

“At the upcoming May [5th] Toronto City Council meeting Councillor Mike Colle will be moving a motion, seconded by Councillor Jaye Robinson, calling for the public release of the 200-year lease agreement for the redevelopment of a vital public asset, the Canada Square lands located at 2200 Yonge Street.”

“This public property is critical to the future of one of Toronto's major crossroads, Yonge and Eglinton, and its impacts not only on the three Wards it abuts (Ward 8, 12, and 15), but also a major transit hub as the Yonge Subway Line and future Eglinton Crosstown LRT Project intersect here.”

“Without full disclosure of the agreement between all parties, it will not be possible for the local Residents' Associations and the public at large to make fully-informed decisions on the future of these critical lands.”

“Nine Residents' Associations and Community Groups have made efforts to stop the development process until the site undergoes a Comprehensive Regional Review. City Council has heard their requests and passed a resolution pausing development until this review is complete.”

*“Given the importance and impact of this Billion Dollar development on the City's public lands in Midtown Toronto, it is critical that the real estate agreement be made public before any decisions are made regarding the existing Development Application.”*

**- Mike Colle, Toronto City Councillor Ward 8, Eglinton-Lawrence**

*“The development of the Canada Square lands will have a significant impact on the future of Yonge-Eglinton. This is a rare opportunity to create a new landmark community hub on City-owned land in the centre of the neighbourhood. Our infrastructure and community services are already at capacity, and a proposal of this scale should include infrastructure improvements, green space, and community benefits. It is critical that the community is given an opportunity to participate in a full and transparent process with access to all pertinent information.”*

**- Jaye Robinson, Toronto City Councillor Ward 15, Don Valley West**

Key Planning Reports, City Staff Reports, Memoranda (cont'd)

**May 4, 2021** City of Toronto, Report For Information, “Supporting Canada Square Working Group Process with Additional Information (Lease Background)”, From: Wendy Walberg, City Solicitor, To: City Council, Ward 12 (Toronto-St. Paul’s).

“This report supplements and provides lease background information requested by Toronto and East York Community Council "Supporting Canada Square Working Group Process with Additional Information", being Item TE24.96 which was adopted on April 21, 2021.”

**May 4, 2021** City of Toronto, Report For Action, “Supporting Canada Square Working Group with Additional Information about the Yonge-Eglinton Centre Focused Review – Supplementary Report”, From: Gregg Lintern, Chief Planner and Executive Director, City Planning, To: City Council, Ward 12 (Toronto-St. Paul’s), Planning Application No. 20 232714 STE 12 OZ.



**11. ONTARIO MUNICIPAL BOARD DECISIONS**

Ontario Municipal Board DecisionsTop of the Tree Development near Yonge/Eglinton -- Refused

Sept. 14, 2009 A landmark OMB appeal decision for the Yonge/Eglinton area was issued by Susan de Avellar Schiller, OMB Member, regarding Top of the Tree Developments Inc. There was an attempt by Top of the Tree to build a 9 storey slab and 25-storey tower above, just north of Yonge and Eglinton, at Helendale, Roselawn, and Duplex. This is at a major transit hub and in an area already dotted with skyscrapers, failed because parts of the land needed for the project are designated 'Neighbourhood'. The OMB ruled it was not in the public interest or the principles of good planning to change that.

Susan de Avellar Schiller wrote: "Given the considerable extent of existing Apartment Neighbourhood and Mixed Use designations both within and beyond the 500 metre radius of Yonge and Eglinton that surrounds the subject lands and forms part of the planning context for those lands, the Board finds that maintaining the Neighbourhood designation on the subject lands is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe, is reasonable, appropriate, represents the principles of good community planning and is in the public interest. The appeals by Top of the Tree Developments Inc. are dismissed."

Her remarks encapsulate everything that is important regarding the principles of good planning for this area. Led by then President, Jordan Applebaum, Eglinton Park Residents' Association members were jubilant with this relatively rare positive result.

Source: *The Top of the Tree Developments Inc.*, 2009, OMB File No. PL080492.

Municipal Guidelines vs. Official Plan Policies and Objectives

"In reviewing numerous Board decisions it is clear that the Board consistently acknowledges that municipally initiated guidelines that do not form part of a municipality's official plan, do not constitute policy under the *[Planning] Act* and therefore are not given the same weight as official plan policy or zoning by-laws. However when read in concert with relevant municipal official plan policies, guidelines are considered an important tool that should not be discounted or overlooked."

Mary Flynn-Guglietti, McMillan LLP, "What Weight Should Municipally Initiated Guideline Documents Be Given in Land Use Planning Approvals?" Ontario Bar Association, January 20, 2016, pp. 3, 4.

Ontario Municipal Board Decisions (cont'd)

McMillan LLP Web Site: “Mary Flynn-Guglietti is one of Canada’s leading municipal land use planning and property development lawyers with over 30 years’ experience in the practice of administrative law, municipal law, commercial real estate law, environmental law and expropriation law. She acts for developers, ratepayers and municipalities on major construction and infrastructure projects. Mary has extensive experience obtaining approvals of citywide and site-specific official plan amendments, rezonings, subdivision approvals, severances and minor variances. She leads the firm’s Municipal, Land Use Planning & Development Group.”

Reid Rossi, OMB Member. Tenure: May 31, 2004 to May 30, 2016.

Source: *One-Ten Yorkville Ltd., Re* (2014), 82 OMBR 461.

Reid Rossi, Ontario Municipal Board Member, declared:

“Although the issue of what weight should be given to municipally initiated guideline documents in land use planning approvals has been a matter of some debate over the years it is clear from reviewing past and recent decisions of the Board that *guidelines cannot be ignored*. The Board acknowledges that municipally initiated guidelines that are not part of a municipality’s official plan are not policy within the statutory framework of the *[Planning] Act*.”

“However, municipally initiated guidelines do express Council policy and are intended to advance the vision, objectives and policies of municipal Official Plans. *Guidelines that flow from clear articulated Official Plan policies are considered an important tool that should not be discounted or overlooked*. This does not mean that guidelines should be rigidly applied, rather, regard should be had to the guidelines and in particular their intent and relevancy to existing Official Plan policies. The applicability of weight to be applied to any particular guideline will depend the facts of each case and the approved policies of the municipality.”

Ontario Municipal Board Decisions (cont'd)Richmond Hill OMB Decision Regarding Green Space

Ana Bassios, Richmond Hill Planning Commissioner, formerly, planner for the Metro Toronto Planning Department during the 1990s. Richard MacFarlane knew Ana Bassios when he was employed at central records with Metro Toronto Planning Dept. at that time.

An Ontario court has overturned a decision by the Ontario Municipal Board and is backing Richmond Hill's town council in a *dispute with condo developers over the amount of green space needed to accompany new developments*. Richmond Hill planning commissioner Ana Bassios says the Divisional Court's decision "*speaks to the limits of the Ontario Municipal Board's jurisdiction to disregard the community's planning.*"

She says there are two issues at stake: the creation of adequate parkland in this particular case, and *the general principle that municipalities should be able to plan their own growth, especially when they do so in accordance with established planning regulations.*

Source: CBC News, September 18, 2016.

Ian James Lord, Panel Chair, Decision, Court Services, Toronto, Local Planning Appeal Tribunal, Thursday November 23, 2017, regarding 311 Chaplin Crescent, at Eglinton Avenue.

"I agree that current construction trends demonstrate an increase in building size potentially density on a lot and can be considered, even expected as an element of a demolition and new construction or a substantial rebuild. That increase, however, should be grounded on more than architectural drawings attesting to construction feasibility. It should have a rationale beyond "it is within the range experienced in the 'general neighbourhood'." p. 15 of 23.

"Moreover, I find insubstantial vague references to property location, being near Eglinton Avenue as an 'edge condition' to be any form of justification in a substantive sense. Increasing the gross floor area permitted for some property types may well be justified 'because of proximity to Eglinton Avenue and its available higher order public transit'.

"However, for residential single detached dwellings within a Neighbourhood designation where 'stability' is recognized, 'fit' is mandated and change is to be 'gradual', the rationale seems a recipe for disruption."

"Where Council has sought to recognize and encourage higher densities and greater heights, massing and built form, it has done so with specific policies, 'Avenue designations', and zoning regulatory adjustments. None of these factors were said to be present or applicable to the subject property. Here, the proposed increment in FSI was couched in a single rationale: *'that's what the plans show'*." p. 16 of 23.

**12. SECTION 37 BENEFITS**

### Section 37 Benefits

City Planning Division Strategic Initiatives, Planning & Analysis.

“A Protocol for Negotiating Section 37 Community Benefits was adopted by City Council at the meeting of December 11-13, 2007. The Protocol was requested by Planning and Growth Management Committee and is another form of guideline. The Protocol deals with the process by which community benefits are negotiated by City Planning staff, with the involvement of the Ward Councillor and with community consultation.”

“To assist with the implementation of Section 5.1.1 of the Official Plan, Height and/or Density Incentives (Official Plan Policies attached as Appendix A in this document).”

“These Guidelines are intended to assist in the implementation of the policies of the Official Plan contained in Section 5.1.1: Height and/or Density Incentives. Facilities, services or matters (community benefits) obtained through height and/or density incentives are secured pursuant to Section 37 of the *Planning Act*.”

“These Guidelines must be read in conjunction with the policies of the Official Plan. If any conflicts arise between Official Plan provisions and these Guidelines, the Official Plan provisions will prevail.”

“Section 37 authorizes a municipality with appropriate Official Plan provisions to pass zoning by-laws involving increases in the height or density otherwise permitted by the Zoning By-law, in return for the provision by the owner of community benefits. The community benefits must be set out in the zoning by-law. The community benefits may be secured in an agreement which may be registered on title.”

“The term “community benefits” reflects the City’s priority on providing public benefits within the local community in which the contributing development project is located. The increase in height and/or density is an incentive to the developer to provide community benefits at no cost to the City.”

## 2. Implementation Principles of Section 37

2.1 The proposed development must represent good planning.

2.2 Community benefits and the increase in height and/or density must be set out in the zoning by-law.

2.3 Section 37 community benefits should be specific capital facilities, or cash contributions to achieve specific capital facilities.

### Section 37 Benefits (cont'd)

2.4 There should be an appropriate geographic relationship between the secured community benefits and the increase in height and/or density in the contributing development.

2.5 No citywide formula, or quantum, exists in the Official Plan or these Guidelines for determining the level of Section 37 benefits.

2.6 Typical community benefits are listed in the Official Plan, (policy 5.1.1.6), but this list is not exhaustive.

2.7 Matters required to support a development may also be secured in a Section 37 agreement as a legal convenience.

2.8 Good architecture and good design are expected of all developments, as a matter of course, and are not eligible Section 37 benefits.

2.9 Section 37 cash contributions toward capital facilities should be over and above the facility costs that will be funded through development charges (DC's).

2.10 Section 37 is an essential tool for implementing certain Official Plan Housing and Heritage Resources policies when there is an increase in height and/or density.

2.11 The Ward Councillor should always be consulted by City Planning staff prior to any negotiation of Section 37 community benefits.

2.12 City Planning staff should always be involved in discussing or negotiating Section 37 community benefits with developers/owners.

### 3.13 Contributions Toward Leased City Facilities

“The securing of improvements to capital facilities, including cash contributions toward such facilities, that are leased by the City, is a legitimate Section 37 community benefit, provided there is a lengthy securing of the facilities in the lease arrangements for the benefit of the general public. For example, cash contributions could be secured toward improvements to a community centre that is leased by the City. The secured community benefits should comply with the principles contained in the Official Plan Section 37 policies and in these Guidelines and should be capital facilities which remain in the public domain for a lengthy period.”

Section 37 Benefits (cont'd)

“There should be an existing lease, or an existing lease that is renewable at the City’s option, to secure the facilities for at least 15 years, and preferably 25 years, from the time the community benefit is provided to the City. If a shorter term than 15 years remains on an existing lease, or if no lease has yet been signed, then the community benefit should either not be considered or should be made conditional upon the appropriate lease being secured by the City. In such a conditional situation, the Section 37 agreement could secure an alternative community benefit that would take precedence in the event that the appropriate lease provisions are not realized.”

4. Guidelines for Securing Specific Official Plan Policy Requirements

“The use of a Section 37 agreement to secure the achievement of these explicit Official Plan policy requirements should not be construed to mean that the basic policy requirements are open to negotiation or can be weighed against other, “optional” community benefits.”

4.6 New Affordable Ownership Housing

“Relevant Official Plan Policies: Section 3.2.1 (Housing), policies 4, and 9(b); Section 3.3 (Building New Neighbourhoods), policies 1(e) and 3(d).”

“New affordable ownership housing, as an alternative to affordable rental housing, may be secured when fulfilling policy requirements of the Plan on large sites or new neighbourhoods. It is not a community benefit that can be optionally chosen under the Height and Density Incentive policies alone. The following must be addressed in the Section 37 agreement:

- a) The minimum number of units is 7;
- b) The specific units must be designated in the Section 37 agreement;
- c) The affordable units must be provided prior to or commensurate with the progress of the construction of the other housing;
- d) The maximum sale prices will be set by the City and calculated based on the definition of affordable ownership housing in the Official Plan; and
- e) Provisions will be made to the satisfaction of the City to ensure that all purchases are by owner-occupiers, and that speculation is discouraged.”



Section 37 Benefits (cont'd)5.5 Community Services and Facilities Space

Relevant Official Plan Policies: Section 3.2.2 (Community Services and Facilities); Section 3.3 (Building New Neighbourhoods)

“For the purpose of these guidelines, community services and facilities include non-profit libraries, publicly funded schools, recreation facilities, community centres, community health centres, family resource centres, public meeting spaces and multi-use facilities, or any other facility operated or directly funded by a government agency or non-profit institution for the purpose of providing human services. Child care facilities are addressed separately in section 5.4, below.”

“Where community services and facilities space is secured as a community benefit, the following conditions shall generally apply and be secured in the Section 37 agreement. It is intended that there be flexibility in these conditions to allow for consideration of the specific circumstances:

- a) The space is to be provided for a term of 99 years on a turn-key basis, with nominal rent (i.e. \$2 per annum) and with property taxes, occupancy and maintenance costs funded by the developer. The developer is responsible for constructing, furnishing, finishing and equipping the space and for payment of all applicable development charges, park levies and any other up-front development costs.
- b) Generally, the City will conduct a selection process to identify a non-profit service provider to operate in the space. Where deemed appropriate by the City, and the developer agrees, the developer shall issue a request for proposals for the space, and the Chief Planner must approve the developer’s choice of operator/service provider; and
- c) The size, location, materials and design are to the satisfaction of the City and meet all licensing and Ontario Building Code requirements.”

“Section 37 cash contributions are generally not appropriate for the purposes of directly funding capital construction of publicly funded school buildings given the Province’s jurisdiction and role in financing such construction through the funding formula. Cash contributions toward capital construction of school buildings, public or private, are not eligible Section 37 community benefits. However, important community services and facilities not provided by the school boards may be housed within, or associated with, school buildings, or located on school properties, where the general community has reasonably open access and/or the service provider has reasonably long term security of tenure. Such services and facilities could include child care, or various human services. There may be capital costs unique to such community services and facilities space, towards which Section 37 cash contributions may be appropriate.”

### Section 37 Benefits (cont'd)

“Section 37 cash contributions may also be appropriate towards the municipal capital costs of providing community services and facilities on school properties or within school buildings where joint funding/use agreements are in place, and thus could also include pools and other indoor recreational facilities and service program space where the municipality has a funding and long-term public access agreement with the school board.”

“Such Section 37 cash contributions can not only assist in providing important community services and facilities, but in doing so also indirectly help mitigate pressures to close schools or even sell school properties. Cash contributions toward the capital needs of community services and facilities space on publicly funded school properties, provided appropriate public access and long-term tenure are adequately secured, can thus be a particularly effective community-building strategy and should be encouraged.”

“Cash contributions toward capital construction or capital improvements to community services and facilities on properties leased by the school boards is possible provided the above conditions are met and the leasing arrangements ensure that the community will benefit for at least 15 years.”

## 5.6 Non-Profit Child Care Facilities

Relevant Official Plan Policies: Section 3.2.2 (Community Services and Facilities)

“Recognizing that the total cost of a non-profit child care facility may not be financially feasible for smaller developments, more than one development can contribute funds toward the provision of such a facility. The community benefit can thus involve an onsite facility or a cash contribution toward a specific day care facility in the local area. As discussed in the previous section, Section 37 cash contributions toward the capital needs of non-profit child care facilities located on publicly funded school properties, provided long term tenure is secured, may be a particularly effective community-building strategy.”

### 5.4.1 General Terms

- a) The developer shall construct, finish, furnish and equip a child care facility sufficient to accommodate 52 to 86 children aged 0 to 6 years. The exact size of the child care will be to the satisfaction of the City and the owner;
- b) The interior space shall provide for 110 square feet per child, and the exterior space shall provide 60 square feet of usable playground space per child;

### Section 37 Benefits (cont'd)

c) Child Care space must meet criteria within the *Day Nurseries Act*; Planning & Design Guidelines for Child Care Centres from the Ministry of Child Services and Youth Services; the CAN/CSA-Z614-14 Children's Play Spaces and Equipment or equivalent; the Toronto Accessibility Guidelines; all provincial codes and municipal planning, zoning and by-law criteria and if the proposed operator will be servicing subsidized spaces the Operating Criteria for Child Care Providing Care in the City of Toronto must be followed; and

d) The developer must either select an existing non-profit child care operator with a proven track record in providing licensed child care, or establish a new non-profit corporation with the majority of members being the parents of children enrolled in the program, to the satisfaction of the City.”

#### 5.4.4 Lease

a) The operator and the developer shall enter into a lease for 3-25 year terms, and one 24 year term. The lease shall ensure that the facility is free of all rent, the cost of all utilities and municipal services supplied to the facility, care taking costs, repair and maintenance costs, property damage, liability insurance, realty taxes, development charges, park levies and any other up front development costs, and local improvement charges; and

b) In the event that the facility is no longer required for licensed day care purposes, the lease shall acknowledge the City's right to establish another non-profit community service use in the premises.

#### 5.9 Improvements to School Board Playgrounds

“Cash contributions toward the capital improvement of school board playgrounds are eligible Section 37 community benefits where the playground serves as a local park, where the public will continue to have reasonable access for the foreseeable future, and where there is no local City-owned parkland performing a similar function in the same community that could otherwise benefit from the cash contribution.”

#### Determination of Appropriate Types of Community Benefits

“A general determination of community benefit priorities in an area anticipating potential intensification need not await the receipt by the City of a planning application. It is desirable and encouraged that an analysis and identification of existing and potential needs and services be done in advance of the receipt of any planning application. The purpose of such analysis is to assist in setting the determination of appropriate type(s) of community benefits as set out elsewhere in this protocol.”

Section 37 Benefits (cont'd)

“Such advance determination could be very beneficial to the community, the developer(s) and the City, and is encouraged, with the involvement of the Ward Councillor, City Planning staff, the local community and the relevant service provider(s) or facilitators, (e.g. community support, advocacy and other non-profit service groups, City representatives from Parks, Forestry and Recreation, Transportation Services, Children’s Services, Public Art Coordinator, school board staff, etc.). A summary list of potential Section 37 community benefits, and where possible estimated values/costs of such benefits, should be produced at the end of the advance determination process.”

“The determination of appropriate type(s) of community benefits for a specific application will conform to the relevant Official Plan policies in the specific context of the application, and the community benefits must bear a reasonable planning relationship to the increase in the height and/or density of a proposed development including, at a minimum, having an appropriate geographic relationship to the development and addressing planning issues associated with the development. The following additional matters, which are listed in no particular order, may play a role:

- i) Consultation with Ward Councillor;
- ii) Consultation with other City Divisions;
- iii) Knowledge on the part of City Planning staff, Councillor or other City staff of local community needs;
- iv) Council approved studies or assessments outlining community needs, including any advance assessment of community benefit priorities;
- v) Consultation with the local community; and
- vi) Interests of the applicant.”

Consultation with Ward Councillor

- i) Ward Councillor will be consulted by City Planning staff prior to any discussions or negotiations regarding Section 37 benefits with the applicant;
- ii) City Planning staff will provide Ward Councillor with the following information as soon as it is available:

Section 37 Benefits (cont'd)

- Advice as to whether Section 37 benefits are appropriate and desirable;
- Appropriate types of benefits, based on any information previously assembled, as noted above;
- Advice regarding the implications for community benefits of Official Plan policies and other relevant considerations in the context of the specific application; and

Calculated range of land values of the density increase(s) (derived from estimates from Facilities and Real Estate Division (FRED) provided to City Planning Division of a range of land values of a basic unit of density).

iii) Further consultation between City Planning staff and the Ward Councillor may occur as necessary and/or as agreed upon between them.

Community Consultation

- i) Community consultation meeting(s) and the statutory public meeting provide the public with opportunities to comment on the proposed development and the appropriate type and/or level of Section 37 community benefits;
- ii) Any further community consultation on Section 37 issues would be coordinated by the Ward Councillor; and
- iii) Consultation with the community by City Planning staff and/or the Ward Councillor in advance of receipt of development applications, to help determine priorities for community benefits, is encouraged, as addressed above.”

Other Issues

- i) City Planning staff should coordinate Section 37 negotiations:
  - City Planning staff is responsible for compliance with Official Plan policy and for recommending an appropriate decision on the application, including an appropriate package of Section 37 community benefits where applicable;
  - Where the Ward Councillor independently pursues discussions with an applicant on Section 37 benefits, Community Planning staff handling the application should be consulted prior to such discussions.

Section 37 Benefits (cont'd)

ii) Timing of Section 37 negotiations in relation to discussion of other planning issues:

- The possibility of pursuing Section 37 negotiations should be raised as early as possible in discussions of an application, based generally on the scale of the project and the increase in height and/or density, or as otherwise set out in the Official Plan policies, *without committing in principle or otherwise to any increase in height or density or both;*
- Section 37 discussions need not await resolution of all other issues, and the timing approach on each application may vary; and
- The appropriate package of Section 37 benefits is a planning issue to be resolved, along with other planning issues associated with a development application.”

iv) A summary list of recommended Section 37 community benefits and, where possible, estimated values/costs of such benefits, should be included in the “Financial Impact” section of final planning reports.”

Appendix A - Approved Section 37 Policies of the Official Plan  
(Section 5.1.1, Height and/or Density Incentives)

1. Zoning by-laws, pursuant to Section 37 of the *Planning Act*, may be enacted to permit more height and/or density for a use than is otherwise permitted by the zoning by-law for that use in return for the provision of community benefits in the form of capital facilities to be set out in the zoning by-law together with the related increase in height and/or density, subject to the following:

- a) the capital facilities must bear a reasonable planning relationship to the increase in the height and/or density of a proposed development including, at a minimum, having an appropriate geographic relationship to the development and addressing planning issues associated with the development;
- b) the development must constitute good planning, be consistent with the objectives and policies of this Plan, and comply with the built form policies and all applicable neighbourhood protection polices; and
- c) the use of Section 37 must be contingent upon adequate infrastructure to support the development.

Section 37 Benefits (cont'd)(Non-Policy) Sidebar located opposite Policy 1:

“This Official Plan recognizes that planning issues related to a proposed development go beyond consideration of matters necessary to support that particular development. They include consideration of appropriate amenities and services in the local community within which the development is to be located. In other words, the planning issues may go beyond appropriate built form, use, compatibility, direct impact, site planning, adequate servicing and the proper functioning of the development to include the adequacy of, for example, the green space system, community services and facilities, the bike way network, arts and cultural facilities, the public transit system and other aspects of the public realm. These amenities and services are important in maintaining the quality of life in the City while accommodating intensification and thus may have a reasonable planning relationship to the new development.”

7. “Section 37 community benefits will be selected on the basis of local community needs, intensification issues in the area, the nature of the development application, and the strategic objectives and policies of this Plan. Priority will be given to the provision of on-site or local community benefits.”

Source: City of Toronto Web Site, “Section 37 Benefits, Protocol for Negotiating Section 37 Benefits”, pp. 1-35.

There is an instructive passage (please see below) in a City of Toronto Staff Report, December 8, 2005, from the Chief Planner to the Planning and Transportation Committee, regarding the Union Station Master Plan.

Section 37 and Good Planning

“The term ‘density bonusing’ is often used in conjunction with Section 37, and can lead to a false impression of the effect of Section 37. That term implies that inappropriately large buildings will result as developers offer more and more benefits to receive greater and greater density or height. .... An unfavourable and false image is created of developers ‘buying’ bonus density or height through the provision of benefits and, implying a lack of proper planning evaluation of the increased height or density.”

“A fundamental principle contained in the Official Plan policies and implemented consistently by City Planning staff is that the proposed development must represent good planning. In planning applications involving Section 37, the general approach is that a proposed development involving height and/or density increases that is not otherwise appropriate, cannot be ‘bought’ with a package of Section 37 community benefits, no matter how generous. A Section 37 package of benefits is negotiated when the proposed density and/or height increase is justifiable.”

Section 37 Benefits (cont'd)

“There is no citywide Section 37 formula, or quantum, to determine the amount of community benefits to be provided.”

“Section 37 is a planning tool, not a revenue tool, and the package of community benefits for any proposed development. . .is expected to have a planning justification.”

“There should be a planning relationship existing between the contributing development and the Section 37 community benefits. Such a relationship is considered to exist if the contributing development, as well as the surrounding local community, will benefit from the provision of the specific community benefits.”

Source: City of Toronto Staff Report, From: Chief Planner, City Planning Division, To: Planning and Transportation Committee, “Union Station Precinct – Implementation of Master Plan, Ward 28 (Toronto Centre-Rosedale)”, December 8, 2005, pp. 4-5.



**13. OXFORD PROPERTIES GROUP – MEDIA NEWS RELEASES**

Oxford Properties Group – Media News ReleasesMedia and Newspapers – Posted Articles On Line, Yonge and Eglinton and Canada Square Redevelopment

Oxford Properties Group has carried out an extensive public relations exercise to promote the Canada Square site.

In a fulsome review of the media, I have copied no less than 45 pages of news stories, comprising more than 35 articles, about the Canada Square – Oxford Properties Group application. Please see pages 149 to 152 for the list. This is an almost unprecedented volume of published stories about the presumed ‘unparalleled success’ of this project, even before any official approvals have been granted by City Council and the City of Toronto.

Clearly, this public relations strategy was initiated by Oxford Properties Group as of November 2020 to coincide with their latest round of consultation Zoom meetings from late November to early December 2020 and their delivery of the formal application on December 21, 2020. Many of the published articles were posted from December 21, 2020 to April 2021. This was a coordinated and timed effort by Oxford Properties Group to position itself in ‘best light’.

Essentially, news outlets copy pasted the Oxford news release onto their web sites, with a standard, and repeated Oxford credit photograph of the site. News organizations were local, national, and international in scope, ranging from *The Toronto Star* to the *Financial Post*, *Bloomberg Financial*, *Construction Canada*, and *Real Estate News*.

**14. CreateTO CONSULTATION**

### CreateTO Consultation

Web Site: “CreateTO is a multi-disciplinary team of real estate experts with experience in property management, development, planning, portfolio strategy and partner relations that supports our new mandate. Together, we look to create opportunities and solutions to build a better tomorrow.”

### “Our Projects” – Project History – 2200 Yonge Street

“Build Toronto (now part of CreateTO) looked into potential development opportunities on this land in consultation with the City of Toronto, the Toronto Transit Commission and with the local Councillors. There is a tremendous opportunity for a mix of uses that will serve as a centre for this mid-town area of Toronto at the intersection of two rapid transit systems. CreateTO assisted in negotiating a lease with Oxford Properties. The proposal is currently going through the City’s planning process.”

### Creating Connections Across the City

“We take a holistic approach to the way we plan for, build and develop neighbourhoods across Toronto. We engage with community members, local residents and stakeholders to ideate, create and find solutions during the development process. These personal connections build a solid foundation for our practices to ensure we deliver on projects that are recognized and celebrated by the community.”

### Executives

“Building on the strengths of partnerships and working collaboratively with City stakeholders, external partners and community members, our Executive Team upholds CreateTO’s mandate to develop innovative real estate solutions that are effective in their design and delivery.”

### Development & Major Projects

“We have a unique focus on supporting the City of Toronto in identifying, improving and developing City-owned property. Our Development & Major Projects Team spearheads this work to create spaces and communities that are more liveable, sustainable, recognized and celebrated.”

### Strategic Development

“The teams within Strategic Development collaborate with various groups, partners and stakeholders to identify opportunities that maximize the experience of Toronto, as well as leverage portfolio assets to deliver on innovation, economic and community benefits.”

“Through leasing, land management and brownfield reclamation, our team of property management experts also work to support the vision to transform the Toronto Port Lands and other underutilized lands into new opportunities.”

CreateTO Consultation (cont'd)Bill Bryck appointed CreateTO's President & CEO – October 11, 2013

“BUILD TORONTO’s Board of Directors is pleased to announce the appointment of William (Bill) Bryck as the corporation’s new President & CEO. The appointment follows a thorough CEO selection process approved by Toronto City Council. Bill brings over 30 years of real estate experience, with a focus on public development. Most recently, Bill was the President & CEO of Parc Downsview Park Inc. (PDP), a corporation established by the Government of Canada to develop the former Downsview military base into a “unique urban recreational green space for the enjoyment of future generations.” Bill led the vision for the 572-acre sustainable community that integrates extensive residential and commercial uses along with a 200-acre national urban park.”

The question to be asked is where was CreateTO after Year 2017?

The answer by CreateTO in a March 10, 2021 voice mail was that their consultation program regarding this site had ended when Oxford Properties worked with the City and TTC officials to negotiate a lease agreement from 2016.

"Your inquiry on the CreateTO Yonge/Eglinton Plan to the Deputy Mayor's Office has been passed to CreateTO. This is Nicole calling from CreateTO. I just wanted to let you know that while the CreateTO team assisted in negotiating the lease with Oxford, we're no longer involved, and the proposal is currently working its way through the City's planning process. I just wanted to get back to you and give you these details. If you have any further questions, you can give me a call and I can find the appropriate person to answer your question. Thank you and have a nice day."

When Councillor Frances Nunziata enquired about consultation meetings by CreateTO, at the April 26, 2018 City Council meeting, the response by Don Logie, Vice-President, CreateTO, was considered by the councillor to be less than satisfactory. Apparently, these meetings with local stakeholders elicited no specific public comments to warrant detailed meeting minutes. Councillor Nunziata said that CreateTO did not communicate in her Ward.

Question by Councillor Frances Nunziata

“Thank you. What I’d like to ask is, what sort of consultation meetings have you had with the community, other than going ‘in camera’ and talking about the ‘in camera’ part of it? Have you consulted with the community at all because in light of an incident in my Ward where you didn’t communicate at all with my constituents, what have you done in this case?”

CreateTO Consultation (cont'd)

Reply by Don Logie, CreateTO

“We’ve had numerous discussions with Councillor Matlow whose Ward this is in, and had, I believe, three public meetings on the proposed development, on this proposed development.”

Question by Councillor Frances Nunziata

“So the community was *involved*? And the community is in *support*?”

Reply by Don Logie

“I think I’ll leave that to Councillor Matlow.”

Question by Councillor Frances Nunziata

“Well, *why* can’t you answer the question? *Why can’t you answer the question?* Were you *not* at the meeting?”

Reply by Don Logie, CreateTO

“One of us was at the meeting. I was at two of the meetings, and I did not, I did not see any opposition, but there was no vote or anything that I could tell you about.”

Deputy Speaker: “I’m wondering if our Chief Planner [Gregg Lintern] could give a response as well.”

Reply by Gregg Lintern, Chief Planner

“Through the Deputy Speaker, the nature of the meetings was to introduce the proponent, the potential proponent, because it’s still not a deal until Council says it’s a deal, but to introduce the potential proponent to the community, begin to establish a relationship with the community groups that work at Yonge and Eglinton, of which there are many. We had three discussions. I attended one myself. And right now, the discussion was just about principles and ideas – nothing specific – because there are no specific plans yet.”

Question by Councillor Frances Nunziata

“So all that discussion with the community was done prior to any negotiation at all?”

CreateTO Consultation (cont'd)

Reply by Gregg Lintern

“I think it was concurrent. There were negotiations happening at a [City] staff level, and at a CreateTO level. And obviously, the community were not privy to the details of that. They were talking more about the principles of development, and what we should look forward to, when and if we do a development on the site.”

Question by Councillor Frances Nunziata

“But the community was aware of who had an interest on the site?”

Gregg Lintern: “Yes, I believe so.”

Question by Councillor Frances Nunziata

“So they were aware of what was happening?”

Gregg Lintern: “Yes, I believe so.” [off microphone comment]

Councillor Frances Nunziata: “Because that didn’t happen in my Ward. Thank you.”

Confidentiality of Lease Agreement

On May 5, 2021, City Council approved a Councillor Mike Colle and Councillor Jaye Robinson motion, supplemented by a separate motion by Councillor Josh Matlow, which requested the City Manager to release the confidential lease agreement details. Additional lease information was attached to that motion.

“The city’s real estate agency CreateTO said it is working on a briefing note to accompany the publication of the lease, likely next week.”

“Oxford Properties vice-president, development, Andrew O’Neil, said the company respects council’s decision to publish the agreement.”

“Our development proposal is guided by existing city of Toronto planning policy and will deliver a comprehensive, transit-supportive master plan for midtown, including much needed purpose-built rental housing and the most significant investment in new office space at Yonge and Eglinton in a generation,” the company said in an e-mail Friday.

“We look forward to working with all stakeholders through the planning process and to receiving comments from the city and the local community,” it said.

Source: Tess Kalinowski, Real Estate Reporter, “ ‘Ridiculously massive’ development at Yonge and Eglinton to get added public scrutiny”, The Toronto Star, Friday May 7, 2021.

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TTC Buslands – Canada Square Zoom Meeting, Tuesday April 6, 2021. 20 pp.

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TTC Buslands – Canada Square, Virtual Zoom Meeting with Midtown Ratepayer Associations and Councillor Josh Matlow March 26, 2021. 9 pp.

Community Consultation Zoom Meeting, 50, 60, and 90 Eglinton Avenue West and 17-19 Henning Avenue, March 2, 2021. 23 pp.

Please note: The same official overseeing Canada Square is involved in the 90 Eglinton Ave. West application – David Pontarini. B.Arch, OAA, AAA, AIBC, FRAIC, International Association AIA, Founding Partner, Hariri Pontarini Architects.

Peter Smith, the planning consultant, referred explicitly to the TTC Buslands in terms of height, as follows: A second diagram was displayed – ‘Surrounding Building Heights Diagram’.

At the March 2, 2021 Zoom meeting, Peter Smith noted, “This diagram illustrated all condominiums approved, those under consideration, and condominiums which are at the initial application stage. The pattern of tall buildings has continued to evolve since the original application was filed in Year 2016. *On the TTC Buslands site, Oxford Properties has just filed an application, including five towers, two of them being 60 and 70 storeys.*”

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Question by Richard MacFarlane, Oriole Park Association: “Regarding the TTC buslands on the southwest corner of Yonge/Eglinton, are there any heights proposed there? I understand there's going to be a development there.”

Reply by Paul Bain, City Planner: “The maximum allowable height is 40 storeys. This was handed over to Build Toronto. Councillor Michael Walker was instrumental in putting the caveat through his motions at City Council that it would not be over 40 storeys.”

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“This report supplements and provides lease background information requested by Toronto and East York Community Council "Supporting Canada Square Working Group Process with Additional Information", being Item TE24.96 which was adopted on April 21, 2021.”

“The Future of Yonge and Eglinton’s Canada Square: Supporting Midtown Residents’ Quality of Life – by Councillor Josh Matlow, seconded by Councillor Kristyn Wong-Tam”. Item MM31.27, Adopted as amended, April 7, 2021.



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Schedule III to OPA 405, Yonge-Eglinton Secondary Plan, "Special Study Areas", 2019, pp. 39, 40.

Letter from Goodmans LLP, Oxford Properties Group legal firm, regarding Midtown and the Canada Square – TTC Buslands site, July 20, 2018.

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*My sincere appreciation and thanks to my Oriole Park Association colleagues – Dave McMahon, President, Daryle Hunt, Lynne Frank, Heather Harris, and Allan Wexler who have worked very hard to ensure our community is informed, and have assisted my efforts and the work of our larger ratepayer Working Group.*

*Based on 20 years of prior work on planning and development issues at Yonge/Eglinton, this background research report was prepared by Richard MacFarlane, Special Advisor, Oriole Park Association, principally from November 1, 2020 to May 10, 2021.*

*All information has been obtained from hard copy material and/or web sites, on line, displaying publicly accessible information. Every effort has been made to achieve accuracy. If there are errors, please do not hesitate to contact me.*

*This report was done solely on my initiative for which I accept full responsibility.*

*Richard MacFarlane*

*<rnmacfarlane@gmail.com>*

# History of the TTC Buslands – Canada Square at Yonge and Eglinton

Prepared by

Richard MacFarlane, Special Advisor  
Oriole Park Association

April 2021

Research Report submitted to: Toronto City Council on April 5, 2021

In Support of: Item # MM31.27

Motion by Councillor Josh Matlow, Ward 12 (Toronto – St. Paul’s)  
and Councillor Kristyn Wong-Tam, Ward 13 (Toronto Centre)

“The Future of Yonge and Eglinton's Canada Square:  
Supporting Midtown Residents' Quality of Life”

E-Mail To: <councilmeeting@toronto.ca>

April 5, 2021

Toronto City Hall  
100 Queen Street West, West Tower, 12th Floor  
Toronto, Ontario M5H 2N2

Attention: Marilyn Toft

Re: MM31.27 –The Future of Yonge and Eglinton's Canada Square: Supporting  
Midtown Residents' Quality of Life

Dear Mayor Tory and Members of City Council,

I am writing to support the motion to be presented on April 7, 2021 by Councillor Josh Matlow, Ward 12, and Councillor Kristyn Wong-Tam, Ward 13.

#### Introduction

As you know, Oxford Properties Group and CT-REIT submitted their formal application to City Planning on December 21, 2020. They are proposing to re-develop the Yonge/Eglinton Canada Square Buslands in conjunction with construction of a new bus terminal facility.

I have been a long time resident in the Chaplin Estates community. Since 1985, I have resided in North Toronto, first on Soudan Avenue near Bayview, from 1987 at Manor Road East near Mt. Pleasant Road, and from 1992 to 2013, on College View Avenue, south of Eglinton, at Elmsthorpe Road, directly across from Oriole Park Junior Public School.

From Year 2002 to the present, I have spent up to 20 years researching and evaluating the planning policies and guidelines as they pertain to this Yonge/Eglinton site. In my capacity as Secretary and Director of the Oriole Park Association, Year 2003 to 2013, and Secretary-Treasurer and Director of the Federation of North Toronto Residents' Associations (FoNTRA), Year 2009 to 2012, I have attended and typed minutes, comprising 1,000 typed pages, upwards of 200 public meetings, 20 Committee of Adjustment hearings, and 15 major OMB appeals.

In November 2013, I moved to Don Mills. Such is my admiration for residents of the Chaplin community that I remained active with Oriole Park Association as an advisor and member. My primary objective has been to assemble, over a 20 year span, a typed record of every action, policy, and statement possible about the TTC Buslands. This is so that residents and ratepayer groups can be in a better position to more fully understand the background to this site, and respond accordingly, and effectively. ....2

I wish to provide City Council with a fulsome outline of the history of this Yonge/Eglinton site. The Canada Square re-development application is the culmination of over 50 years of proposals to develop and ameliorate this property in terms of providing enhanced transit, commercial, community, and residential living spaces.

#### Canada Square Application – Oxford Properties Group and CT-REIT

From the 1950s, this site has been subject to various development scenarios. In the 1970s, one concept was to build a 70 storey hotel and commercial complex. Another idea was to construct a 50 storey hotel. During the 1980s and 1990s, Canada Square came up for discussion time and again. Local residents were concerned about height and density with anticipated development on the southwest quadrant of Yonge/Eglinton. The development pressure accelerated in the past 20 years with the approval of Minto Towers in 2002.

The applicant, Oxford Properties Group and CT-REIT, seeks to amend the Site Specific Zoning By-law 236-2009 to vary performance standards including but not limited to building height, density and angular plane requirements. This 9.2 acre site is designated as Mixed Use Areas ‘A’ for urban intensification, and adjacent to a major transit node.

Phase 1 of the development is proposed to include a new bus terminal, replacement of two pedestrian access points to the subway station, an access point to the Crosstown LRT, and significant components of the open space network including the public plaza at Yonge and Eglinton, a central community green space and a covered outdoor area.

The two existing 6 and 18 storey office buildings at 2180 and 2190 Yonge Street, the parking facility, and decommissioned bus terminal, would be demolished.

The applicant wants to construct in the first phase Tower 1 at 60 storeys, including 3 levels of mechanical. The first floor would contain 644 square metres of retail space. Floors 1 to 27 would contain 56,873 square metres of office space, and floors 27 to 60 would contain 420 residential units comprised of 38 studio apartments (9%), 210 one-bedroom apartments (50%), 138 two-bedroom apartments (33%) and 33 three-bedroom apartments (8%). Overall, there are 2,701 units proposed.

Subsequently, there would be 4 predominantly residential towers including Tower 2 at 70 storeys, Tower 3 at 60 storeys, Tower 4 at 55 storeys, and Tower 5 at 45 storeys. Towers 2 and 3 would include retail uses along Yonge Street and Tower 5 includes community uses near the centre of the property.

The proposed 21,853 square metres of open space would constitute about 50% of the site. There would be a new 1,835 square metre public park at Duplex Avenue. Additional amenities include a central courtyard.

Let us begin by reviewing the provincial policy direction.

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Provincial Policy Statement, 2005

The Provincial Policy Statement was issued under Section 3 of *The Planning Act* and was in force on March 1, 2005. It writes about minimum levels of intensification as if this is the only aspect to city planning. Nowhere in this 37 page report is there any mention of the maximum amount of urban intensification in a large municipality such as the City of Toronto. It attempts to direct growth. But it does not deal with capacity issues. It refers to infrastructure but it does not address the issue of the lack of infrastructure in relation to urban development.

As Councillor Josh Matlow wrote in his June 29, 2018 submission to City Council: “In 2006, the Province designated Yonge and Eglinton as a Growth Centre *without providing funding to support the mandated population intensification*. Local residents know all too well that this imbalance has had significant impacts.”

Applicability to City Policies and Guidelines

This policy document states that a decision of a municipal council, and comments and advice on a planning matter “*shall be consistent with*” the Policy Statement. (p. 24)

Yet it does not define what that consistency is all about. At the Ontario Municipal Board and Local Planning Appeal Tribunals, planning lawyers consistently argue about interpretation of provincial policies and guidelines, and their applicability to the City of Toronto’s Official Plan and secondary plans. The lawyers claim that policies and guidelines are merely “descriptive” instead of “prescriptive”, as if these guidelines have little or no effect on providing limits to urban growth and proper planning.

City planners appear to disregard their own guidelines which have been exhaustively reviewed by residents in affected areas and recommended for approval. Not only approval, but enforcement. A zoning bylaw, developed from discussion of the issues and concerns of the community, should be adhered to. Bylaws should not be the *starting point* for negotiating further allowances.

Zoning Bylaw, Height, the Strata Plan, and City Council Decorum

A perfect example of disregarding the zoning bylaw concerns height. We see that Oxford Properties Group has proposed five towers with heights of 45, 55, 60, 60, and 70 storeys. The starting point for height is over the approved zoning bylaw limit of 40 storeys. This maximum was established, years ago, with the hard work of the Yonge/Eglinton Focused Review Group and Councillor Michael Walker.



Zoning Bylaw, Height, the Strata Plan, and City Council Decorum (cont'd)

Strata plan, to limit the height to 40 storeys, was first submitted to City Council as a Michael Walker motion at its February 23-25, 2009 meeting and the vote was 15 in favour to 16 against. I was there, for nine hours, sitting in the public gallery, writing down the key words spoken, to form a typed document, among many I have completed, which remains as a tangible record to this day.

In my view, it was the height of disrespect for this very important Council motion that the item kept being deferred until, finally, at midnight, strata plan was discussed. In fact, they even adjourned at 8:30 p.m. to celebrate Councillor Joe Mihevc's birthday, in the middle of that Council meeting. Further, instead of an electronic recorded vote, Council decided to do the vote "by show of hands". For such a crucial vote on an important issue, again, this was disrespectful. I waited from 2:00 p.m. until 12:40 a.m. when the vote was taken.

The Issue of 'May' Versus 'Shall' Limit the Height

Michael Walker re-submitted his motion and, on May 25, 2009, that strata plan was approved by Council. The City solicitor, Margaret Fischer, Director, Legal Services, advocated a 'watering down' of the resolution and it became, in effect, "may limit the height" instead of "shall limit the height", much to the dismay of the Yonge/Eglinton ratepayer community.

2180 and 2200 Yonge Excluded From Strata Plan and Height Limits

In addition, at its October 24, 2012 meeting, the TTC excluded two parcels of land, 2180 and 2200 Yonge Street, from strata plan height restrictions. Yet there was little explanation forthcoming by the TTC or the City of Toronto as to what this exactly meant or the implication of that decision. To me, it was tantamount to allowing *unlimited height* on those parcels of land which includes the Canadian Tire building.

History of the TTC Buslands – Canada Square Site

Since 1954, the year I was born, Yonge and Eglinton has been the focus of City planners and City of Toronto transportation officials. The Yonge Street subway line was completed that year. The bus terminal was built on this site in 1954. It's no coincidence that our Oriole Park Association was established in 1954. In consequence, greater development followed up that transit corridor to Yonge and Eglinton. From the 1960s, the TTC Buslands was under threat to be developed.

Five Area Ratepayer Associations Recommend Height Limit at City Council in 1973

The great concern by Yonge/Eglinton residents and ratepayer associations has a long history. On January 10, 1973, representatives of five area ratepayer associations met with the City of Toronto Planning Board about “*amendments to the Zoning By-law as to the imposition of height limits and set-back restrictions*” relating to the Eglinton Part II Plan.

In February 1973, Report No. 5 of the Committee on Buildings and Development submitted a report from the chief planner. The subject was “Development in ‘C’ zones north of the Belt Line”, and that is, Yonge/Eglinton.

The chief planner was requested to report on establishing “*a bylaw necessary to control development.*”

I draw your attention to the wording:

*“This concern and opposition is not necessarily against development in general, but rather based on the specific relationship between new and existing developments and the impact new developments could have on local traffic circulation. The permissive nature of the Zoning By-law does not allow for the resolution of these problems nor the achievement of public objectives within the context of its present provisions.”*

Please note the concern about *traffic* and the issue of *achieving public objectives*.

Specific Developments Proceeding under the Zoning By-law: “*They are the Canada Square development on T.T.C. lands at the south-west corner of Yonge and Eglinton.*”

“The existing zoning on the Canada Square site still allows over a million square feet of floor space to be built. A promotional brochure for the development indicates, [and I doubt you would realize this], a ‘70-storey-plus hotel, apartment and commercial complex’ planned for the remainder of the site.” (p. 760)

*“Residents are concerned about the overpowering effect such a building would have on single family housing areas to the west and south and the traffic which would be generated by such a large complex.”* (p. 760)

“Height limits and building setbacks....should be thoroughly validated and changes developed *in consultation with* the community and property owners.” (p. 762)

Peter Hayden, then President of the Oriole Park Association, submitted his letter: “*The Oriole Park Association hereby indicates its support for the height limitation proposal...and hopes you will see fit to put the proposed by-law before City Council.*” (p. 776) ....6

Five Area Ratepayer Associations Recommend Height Limit at City Council in 1973  
(cont'd)

Here is the recommendation in 1973 which applies today – the need for a conditional planning study (also called a comprehensive study of Yonge/Eglinton and the TTC Buslands).

*“Changes to the Zoning By-law which are not in conformity with the Official Plan can be made only after a planning study has been done to justify the necessary Official Plan amendment.”* (p. 762)

*“In the absence of any planning study and clearly identified objectives which have been understood and agreed to by the community, the requested Zoning By-law amendments should not be considered at this time.”* (p. 763)

Representatives from five area ratepayer associations met with the local alderman to express their concerns about the Canada Square site and development pressures. They supported height limits of 30 storeys (formerly using 300 feet as an Imperial unit measurement) on this property.

Bedford Park, Lytton Park, Oriole Park, Sherwood Park, South Eglinton Ratepayers’ and Residents’ Association. In addition, the North Toronto Amalgamated Ratepayers’ Association, forerunner to the Federation of North Toronto Residents’ Associations (FoNTRA), added their support of height limits to development at Yonge/Eglinton.

Please note that these five ratepayer associations recommended a Citizen’s Advisory Planning Committee be established in 1973, the same as recommended today in Year 2021, almost 48 years later.

It was duly recommended “that Council and the Planning Board, in consultation with residents and businesses in the areas *establish a Citizen’s Advisory Planning Committee* that will advise the Planning Board and Council as to its recommendations concerning zoning amendments, that may result in buildings in excess of the [height] limits established.”

A map was attached entitled “Summary of Zoning By-law Amendments Requested by Local [Ratepayer] Associations North of Belt Line”.

Source: City of Toronto, Report No. 5 of the Committee on Buildings and Development, Amendment to Zoning By-Law Regarding Development Controls and Height Restrictions in “C” Zones North of the Belt Line, Appendix A, February 13, 1973, pp. 758 –779.

Area Ratepayer Association Recommendation for Comprehensive Study Is Not New

The above City Council meeting illustrates that a joint ratepayer association request to do a comprehensive study on the TTC Buslands property is not new. Almost every decade from the 1970s, study requests have been presented at Council.

On January 12, 2021, an on line publication (Livable) noted: “The application’s planning rationale, authored by Urban Strategies Inc, explains that Canada Square has been subject to an extensive history of planning and design within the city, including *a comprehensive study composed by the City of Toronto in 2009.*”

Indeed, the requirement for a comprehensive study in this ‘Special Study Area’ was built into the Yonge-Eglinton Secondary Plan and still is in force, in the amended Plan, from July 2019. ‘Special Study Area’ has its own heading in the Secondary Plan.

5.5.3 Development in the southwest quadrant of the Yonge-Eglinton Crossroads Character Area will address the following development criteria:

- a. *a comprehensive study will be undertaken prior to considering any amendments or variances to the Zoning By-law. Any resulting Zoning By-law amendment or variances will meet all applicable policies of this Plan;*
- b. a new public street extending east and south from Duplex Avenue to Berwick Avenue will not be precluded. Land conveyances will be required from privately-owned sites to implement the new public street;
- c. strata plans, as appropriate, may be utilized to limit height on City-owned lands to implement the objectives of this Plan;
- d. a sensitive transition in height, density and scale will be provided through the use of building setbacks and stepbacks in addition to any height limitations to adjacent lands designated Neighbourhoods; and
- e. a compatible height gradation will be provided by stepping down buildings heights from the southeast corner of Yonge Street and Eglinton Avenue (highest) to the northwest corner of Berwick Avenue and Duplex Avenue (lowest).

Therefore, this motion and this request by our Yonge/Eglinton area ratepayer associations was not prepared without history from the past about the Canada Square site. It is based on approved City planning legislation as amended by the Province of Ontario.

Area Ratepayer Association Recommendation for Comprehensive Study Is Not New (cont'd)

It has been repeatedly demonstrated that our Oriole Park residents and area ratepayer associations such as Eglinton Park Residents' Association (EPRA) and South Eglinton Ratepayers' and Residents' Association (SERRA) have worked together as a team to study and recommend valid changes to planning policies and guidelines.

Yonge-Eglinton Focused Review Group

The Yonge-Eglinton Focused Review Group, engaged from Year 2001 to 2009, proved this. With Terry Mills and Michael Visser as Co-Chairs of this committee, the Oriole Park Association recommended a much better planning framework, based on height limits and limiting intensification particularly at the Canada Square site.

A City Staff Report on January 5, 2009 was about the Yonge-Eglinton Focused Review Group Final Report submitted to Planning and Growth Management Committee, and then to City Council in 2009.

*“The results of the Yonge-Eglinton Centre Focused Review are recommended Official Plan policies to guide new development and ensure compatibility with surrounding neighbourhoods, design guidelines to ensure high quality architecture and streetscapes, and zoning provisions for the southwest quadrant of Yonge-Eglinton to implement the vision. In addition, critical to the success of the vision are improvements to open spaces and other public amenities in the area.”*

Source: “City-Initiated Official Plan and Zoning By-law Amendments, Yonge-Eglinton Centre Focused Review – Final Report”, To: Planning and Growth Management Committee, January 5, 2009, p. 12.

The Focused Review identified five key initiatives that would guide future development and implement the vision for Yonge-Eglinton Centre. These initiatives formulated with community input are as follows:

1. Compatible built form and exceptional urban design.
2. Improvements to Public Transit.
3. Public parkland and community benefits.
4. Nurturing the Yonge-Eglinton Destination.
5. Monitoring and continued community involvement.

Yonge-Eglinton Focused Review Group (cont'd)

Councillor Michael Walker took this effort further by introducing 'strata plan' to limit the height and by advocating strongly for a sizable public park on this site.

As Terry Mills, Co-Chair of this Focused Review Group, wrote in his submission to City Council, "This 'strata plan' would allow the TTC to. . .remove the ability of a developer to go to the OMB over the prescribed height. The Focused Review Working Group pushed strongly for this mechanism and our support hinges upon its inclusion. If the City will not confirm the use of a strata plan, then my neighbourhood may not be protected from over-development of these lands."

Source: Terry Mills, Submission to Planning and Growth Management, PG23.1.7, Yonge-Eglinton Centre Focused Review – Final Report, 2009.

As Secretary and a Board of Director with the Oriole Park Association, I wrote a strong letter to Toronto City Council, dated February 18, 2009, PG23.1.8. The OPA had no elected President at that time. I composed the letter and it was accepted by our Board. I arranged to have Steve Sims, Treasurer and Director of the OPA, sign it on behalf of the Board.

In that letter, I declared:

"While we recognize that revenue from the sale of TTC lands will be beneficial to fund transit infrastructure and upgrades, we are very concerned about the potential for the City of Toronto to agree to land sales that will maximize the dollar value, allowing greatest height and density allowances, at the expense of the residents who live in the immediate area and the surrounding community."

In this Oriole Park Association letter, I supported the recommendation for a "Fairness Monitor" to oversee any Request For Proposals (RFPs) on the Canada Square lands, as City Council approved. However, twelve years later, I have yet to see this implemented.

In addition, I quoted Margaret Fischer, Director, Legal Services, City of Toronto, who declared at the City Council meeting of February 23-25, 2009 that "*the zoning bylaw provides the ultimate protection.*" I said then that the OPA disagreed. And I say now, the OPA still disagrees with this sweeping statement about zoning.

Yonge-Eglinton Focused Review Group (cont'd)

Led by Andy Gort, President of the South Eglinton Ratepayers' and Residents' Association, our area ratepayer associations would have none of this disregard for the hard work and recommendations by the Yonge/Eglinton Focused Review Group and residents and ratepayer organizations in the Yonge and Eglinton area. In March 2009, SERRA appealed to the Ontario Municipal Board.

In their March 16, 2009 letter, Andy Gort wrote: "Heights contained in Zoning Bylaws are historically not set at upper limits; one of the reasons for this is to extract capital benefits from applicants under Section 37 of *The Planning Act* via further site-specific amendments to the Zoning Bylaw. It is in this sense that Zoning Bylaws are normally not maximums."

SERRA continued: "By not adopting these amendments, *City Council has effectively broken the agreement with the neighbourhood residents that was reached in the Working Group process.* For this reason and planning grounds stated above, in our opinion, *the City has acted in bad faith and the resulting Official Plan and Zoning Bylaw amendments constitute bad planning.*"

This was a clear declaration that SERRA and neighbouring Yonge/Eglinton area associations were not going to accede to developer interests regarding height.

Advocating a New School

Councillor Josh Matlow has moved the discussion into the present day by advocating for a school as part of anticipated community benefits that will leave a proper legacy for area residents and visitors to Midtown.

I view this site as the last opportunity to have City planning work for us rather than against us. It is the final chance to develop something which truly relates to the needs of our residents who are in need of more open space and greater school capacity.

Canada Square – How About No New Bus Terminal?

I am making a recommendation that you may not have considered.

Canada Square – How About No New Bus Terminal? (cont'd)

With focused deliberation, I have been examining the planning documents for years regarding the Canada Square TTC Buslands site. It strikes me that the challenge with planners, the TTC, and the City's CreateTO personnel (formerly Build Toronto) is that they are trying to use the Oxford application for 5 towers, from 45 to 70 storeys, as a method to pay for the \$80 million bus terminal. It has become, essentially, an 'either-or' solution, without an alternative.

Has the City Planning Department given any thought about the idea of not having a new large bus terminal on the TTC Buslands site?

City planners and Oxford Properties Group should recognize that the reason why the Eglinton LRT was approved in the first place is to take pressure off the roads. The Eglinton LRT, going west to east, and east to west, is designed, presumably, to take the majority of buses off of streets located near major intersections.

Why not continue to use Yonge and Eglinton as regular bus stops, the bus shelters being close to all four corners, instead of building a large bus terminal on the site?

If you look at the Crosslinks site at Don Mills Road and Eglinton Avenue East, it is on 60 acres of land. That property borders a double lane arterial road – Don Mills Road – and two lanes along a wider stretch of Eglinton Avenue East at Wynford Drive.

It could be a preferred site for a new bus terminal which would serve residents travelling from their suburban homes, north and south of the Eglinton LRT, from Sheppard in the north to Danforth in the south.

The transit challenge today is how to serve our suburban residents who are spread out in urban areas. How to bus them to the Eglinton LRT line going east-west.

The answer, I believe, is to relocate the Yonge/Eglinton bus terminal to Don Mills Road at the Crosslinks property. That is where the suburbs need bus service, not at one of the highest density zones in the City of Toronto.

Don Mills is mid-way between Yonge/Eglinton and Kennedy Road. It is 30 km. from Yonge Street to Don Mills Road. Similarly, it is about 30 km. from Don Mills Road to Kennedy Road, toward the Scarborough Town Centre. It can satisfy the great need for bus connections there, with shorter trips and turn-arounds. That site would also be a perfect hub for express bus service to and from downtown, travelling along the Don Valley Parkway.



Canada Square – How About No New Bus Terminal? (cont'd)

Conversely, if you build a large new bus terminal at Canada Square site, you force bus riders to take the very long journey, up to 60 km., from Yonge/Eglinton to Kennedy Road, for instance, on bus route 34A, and the destination to Concorde Place on 34C.

Remove the Yonge/Eglinton Bus Terminal – Greatly Reduce The Cost

The 1954 Yonge/Eglinton bus terminal served its purpose at that time when the area was largely suburban. It has outlived its purpose today. With the Eglinton LRT, this bus terminal will be redundant. The passengers who would have taken a bus at the terminal can board the Eglinton LRT.

Removing the Yonge/Eglinton bus terminal from the development equation would greatly reduce the cost. The TTC would be constructing a new underground concourse and pedestrian connections to the Yonge subway. With lower costs, this would effectively eliminate the ‘either-or’ and ‘must-have’ solution. The City Planning Department could then propose a plan for this site which respects the zoning bylaw for height – approved at 40 storeys.

If you remove that bus terminal, the need (and the inevitable planning and economic rationale which goes with it) for height is decreased.

Height Increase Rationale – To Help Pay For the \$80 Million Bus Terminal

I surmise that the real reason Oxford Properties increased their ‘ask’ from 65 to 70 storeys, in essence, was to help pay for the \$80 million bus terminal. To my knowledge, Oxford never informed the ratepayer associations before they submitted their formal application. When we met with Oxford officials on March 2, 2017, as an introduction to consultation, height was not discussed. The big picture and overall master plan concepts were put forward.

As three years went on, we were not informed about 70 storeys, even though we enquired about the height. In my recollection, there was only a reference to 60 storeys. Regardless, 70 storeys was never mentioned until a certain point, or after the December 21, 2020 application was submitted.

As an example, *Urban Toronto* is quoted as saying that “*under the proposal, the tallest building will be 60 storeys and 255 metres tall, and the shortest, 45 storeys, according to Oxford.*” Only 60 storeys, not 70.

Height Increase Rationale – To Help Pay For the \$80 Million Bus Terminal (cont'd)

It may be likely that 70 storeys was recorded at the beginning of Year 2021. A January 12, 2021 publication, *Livable*, stated that “*Towers T2 and T3 would reach heights of 70 and 60 storeys,*”

Oxford Publicizing their Master Plan – Public Relations Exercise

Not only that, there was a gap in consultation, from Year 2019 to 2020. And then in November and December 2020, all of a sudden it seemed, Oxford held consultation meetings, using Zoom technology, with ratepayer groups. At the same time, their public relations arm sent their professionally designed press release to numerous media outlets, praising their Master Plan.

I personally copied onto a Word document and then counted up to 45 typed pages of press release material from media outlets such as *Bloomberg News, The Financial Post, The Toronto Star, Real Estate News Exchange, World Construction Network, Skyscraper City, and Urban Toronto.*

Clearly, Oxford Properties Group organized an extensive public relations strategy to ‘sell’ their Master Plan as if it was already achieved and approved by the City and affected Yonge/Eglinton community.

The *Construction Canada* bulletin, published on December 28, 2020, is one example, among many, of the Oxford campaign to publicize this development.

“The rezoning application marks an exciting milestone for the re-development plan and builds on the stakeholder engagement process that Oxford initiated back in 2017,” said Andrew O’Neil, vice-president, development, at Oxford Properties. “Through continued collaboration with stakeholder groups including the local community, the City of Toronto, and transit agencies, we believe our master-plan proposal will deliver significant community benefits and unlock the potential of this technically complex, transit-connected site in the heart of Midtown Toronto.”

Amid niche market phraseology and architectural and design jargon, a December 23, 2020 statement in *Urban Toronto* expresses the uncertainty of this development as follows:

Oxford Publicizing their Master Plan – Public Relations Exercise (cont’d)

“With office vacancy rates increasing and apartment rental rates and condo prices dropping amid a surplus of new supply, it is unclear whether COVID has brought a temporary, but significant bump in the road, or might be the bell-weather that presages a longer term reckoning on property economics, city configuration and how we work and live. Despite the office and condo markets softening, Oxford and other commercial landlords appear to be banking on the return to corporate offices. This site would be Oxford's largest development in Toronto.”

Oxford Real Estate Development Projects in Toronto and Mississauga

Oxford Properties Group, a world-wide commercial real estate firm, is not new to the Greater Toronto Area. Oxford is owned by OMERS which has a pension portfolio of \$110 billion, a sizable amount serving the retirement needs of 500,000 provincial employees, including City of Toronto retirees. Oxford has large, complex projects here at Union Park on Front Street West at \$3.5 billion, the EY Tower at Richmond and Adelaide Street, Yorkdale Shopping Centre at Allen Road and Highway 401 near Dufferin Street, and the re-development of Square One in the City of Mississauga.

I invite you to look at Oxford’s statement for the Yorkdale Shopping Centre:

“Since acquiring the property in 1998, we have invested over \$500 million improving and expanding the property. We’ve introduced leading-edge smart technologies and advanced analytics, sophisticated air filtration and cleaning systems and protocols, sustainability features like a green roof, solar panels and centre-wide natural day-lighting and facilities and programs to accommodate customers with special needs and nursing mothers and young families. At the same time, we’ve almost doubled the footprint, tripled both the sales volume and net operating income, quadrupled the asset value and generated industry-leading dwell times and customer loyalty.”

Yonge/Eglinton Growth Forecasts

The Yonge/Eglinton area is forecast to grow by over 50,000 residents in the next decade. This is population growth has adversely affected our community for years, and this intensity will continue to adversely affect all of our community services and infrastructure.

Designated in Year 2006 as one of four (some sources claim five) Growth Centres by the Province of Ontario, the Yonge/Eglinton area has intensified for 15 years to the point where its population is far beyond what was originally contemplated.

Yonge/Eglinton Growth Forecasts (cont'd)

City staff reported in May 2018 that Yonge-Eglinton centre, which is made up of the intersection and some areas immediately surrounding it, is the most densely populated urban growth centre in the entire Greater Golden Horseshoe. The population of 20,000 people and 20,000 employees is set to double, based on already approved and projected developments.

The 'Places to Grow' report states that "*urban growth centres will be planned to achieve, by 2031 or earlier, a minimum gross density target of 400 residents and jobs combined per hectare for each of the urban growth centres in the City of Toronto.*" (p. 14)

Current density amounts to 600 people and jobs per hectare, making it one of the densest places in Canada. The Yonge-Eglinton centre has exceeded the province's target of 400 people and jobs per hectare by 2031 as set out in the province's Growth Plan in 1991 — well before that plan came into force in 2006. Additionally, the downtown urban growth area is expected to meet its provincial growth target 10 years ahead of schedule.

The Yonge transit line carries over 700,000 passengers every week. The TTC's capacity of up to 30,000 transit riders per hour has been surpassed. Current figures are anticipated to grow up to 30 per cent in the next decade.

Councillor Josh Matlow and Councillor Kristyn Wong-Tam express their concerns in the motion they are submitting to City Council on April 7th.

*"Unfortunately, the Province did not ensure that community services and infrastructure would keep up with the pace of growth. As a result, there is a recognized dearth of amenities in the neighbourhood such as parks, recreation space, child care, and more."*

Supporting infrastructure, schools, and community facilities in the Yonge/Eglinton area have not kept up to the insatiable demand for high density development.

Provincial Policies and Guidelines – Planning for Infrastructure Requirements

"Comprehensive review means an official plan amendment which is initiated or adopted by a planning authority. . .is integrated with planning for infrastructure and public service facilities."

Source: Provincial Policy Statement 2005, p. 29.

Provincial Policies and Guidelines – Planning for Infrastructure Requirements (cont'd)

Part V: Policies (Page 4)

1.1 MANAGING AND DIRECTING LAND USE TO ACHIEVE EFFICIENT DEVELOPMENT AND LAND USE PATTERNS

1.1 *“Healthy, liveable and safe communities are sustained by. . .ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs.”*

1.1.3.8 “Planning authorities shall establish and implement phasing policies to ensure the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.” (pages 5, 6)

1.6 “INFRASTRUCTURE AND PUBLIC SERVICE FACILITIES 1.6.1 and shall be provided in a coordinated, efficient and cost-effective manner to accommodate projected needs. Planning for infrastructure and public service facilities shall be integrated with planning for growth so that these are available to meet current and projected needs.” (page 10)

The Province’s guidelines, contained in their ‘biblical’ report entitled *“Places to Grow – Better Choices, Brighter Future, Proposed Growth Plan for the Greater Golden Horseshoe”*, November 2005, and in the *Places to Grow Act, 2005*, have not been updated to reflect this exponential growth. Yet the developer lawyers, planning consultants, and OMB judges at Ontario Municipal Board hearings continue to reference this provincial guideline as if it is an eternal prescription for the Yonge/Eglinton area.

I find it ironic that this provincial report was prepared by the Ministry of Public Infrastructure Renewal. Yet infrastructure, presumably their focus, has not been adequately addressed in planning and development decisions which impact our Yonge and Eglinton area.

*A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (2019) (the Growth Plan) was brought into effect on May 16, 2019, and municipalities are required to revise their official plans to ensure conformity. The Minister of Municipal Affairs and Housing established a deadline of July 1, 2022 to complete the required conformity exercise. The work involved is substantial – undertaking a Growth Plan conformity exercise and Municipal Comprehensive Review (MCR). Municipalities across the province are in various stages of review. The City of Toronto has now taken the first steps to initiate its official plan review.

Province of Ontario – Changes to the Growth Plan

On June 16, 2020, the Minister announced proposed changes to the Growth Plan, “including updates and policy changes to the population and employment forecasts, a change to the Plan horizon year, a new Land Needs Assessment methodology, adjustments to the aggregates policy framework, and new policies to address Major Transit Station Areas within Provincially Significant Employment Zones.”

The consultation period closed on July 31, 2020, and municipalities incorporated these changes into their MCRs and conformity exercises. The proposed amendments can be found on line, from the Ministry of Municipal Affairs and Housing web site access.

Source: Blake Cassels Graydon LLP Christie E. Gibson and Julia Pierdon, “City of Toronto Growth Plan Conformity & Municipal Comprehensive Review: What You Need to Know to Get Ready”, Municipal, Planning, and Environmental Law, June 16, 2020.

Provincial Changes to ‘Midtown In Focus’ and ‘TO Core’ Plans

The news that the province had substantially amended both the city’s “Midtown in Focus” and “TO Core” plans without consultation came as a shock and great disappointment to City councillors, City planners, and residents who spent years working on those plans which will shape those communities for decades to come.

As Jennifer Pagliaro of the *Toronto Star* wrote, “*The changes. . . appear to strip both plans of strongly-worded language setting out the principle that development should not outpace available infrastructure like community centres, parks and sewer capacity while at the same time allowing vastly taller and denser development than previously considered or consulted on.*”

“In the case of midtown — which includes the Yonge-Eglinton area, one of the most densely populated places in the country — the maximum building heights now anticipated under the provincial decision are in some areas *more than double what was set out by the city.*”

Jennifer Pagliaro, City Hall Bureau, “Province overrules Toronto on plans for midtown, downtown to allow taller, denser towers”, The Toronto Star, June 5, 2019.

Most striking is that the provincial amendments to ‘Midtown In Focus’, the ‘TO Core’, and Yonge-Eglinton Secondary Plan are not subject to appeal.

Adherence to the Height Limitations at Canada Square Site

I request strongly that the City of Toronto adhere to its own zoning bylaw for the Canada Square site. This bylaw was the result of eight years of study and evaluation by the Yonge-Eglinton Focused Group. From July 2012, there was six years of further study, commitment, and consultation by area ratepayer associations in developing the Midtown In Focus Plan.

Even after the Province of Ontario amended the Yonge-Eglinton Secondary Plan, it still has its own specific guidelines concerning height, density, and avoiding adverse impacts for the TTC Canada Square property.

Strata Plan in the Amended Yonge-Eglinton Secondary Plan

The ‘strata plan’, approved by City Council on May 25, 2009, was maintained in the amended Yonge-Eglinton Secondary Plan. This should be respected but, to this day, it has not been. All Oxford Properties Group tower heights *exceed* 40 storeys.

6. Southwest quadrant of Yonge and Eglinton

b) “strata plans to limit height may be utilized on city-owned lands to implement the objectives of this Plan.”

Source: Amended Yonge-Eglinton Secondary Plan, 2019, p. 9.

Strata Plan in the City Staff Report of May 5, 2016

A City Staff Report on May 5, 2016 also refers to the adopted recommendations at City Council meeting of February 23-25, 2009, which reflected the conclusions of the Yonge-Eglinton Focused Review Group. This included ‘strata plan’.

The content reads: “*use of strata title to enforce the 120 metre [40 storey] height limit.*” Furthermore, this staff report declared: “*Any application on the [TTC] Lands should be guided by the objectives outlined above.*” It cannot be any clearer than that.

Source: City Staff Report, “Re-development of TTC Lands at Yonge-Eglinton”, To: Executive Committee, May 5, 2016, pp. 2, 4.

Amended Yonge-Eglinton Secondary Plan – Avoiding Adverse Impacts on Adjacent Neighbourhoods

If you examine the amended Yonge-Eglinton Secondary Plan, you will observe the wording – “*particular regard will be had in avoiding adverse impacts on abutting Neighbourhoods.*” This is critical regarding the way in which the Oxford Properties Group application should properly respect the Zoning By-law. Again, in exceeding the height limit for all 5 towers, it does not respect the by-law.

4.2 Mixed Use Area ‘A’ (Yonge-Eglinton Focused Area)

*“In considering new development proposals, particular regard will be had in avoiding adverse impacts resulting from height, scale and density, on abutting Neighbourhoods and on other Mixed Use Areas.”* (page 4)

5. YONGE- EGLINTON CENTRE

5.7 “New development in the Yonge-Eglinton Centre *will be compatible with* maintaining the character of surrounding Neighbourhoods.”

5.8 “New development in the Yonge-Eglinton Centre will maintain a high quality of life and residential amenity for existing and new residents and will implement the Built Environment policies of the Official Plan.” (page 7)

Source: Amended Yonge-Eglinton Secondary Plan, 2019, p. 7.

Comprehensive Study Recommendation – Councillor Josh Matlow and Councillor Kristyn Wong-Tam Motion to City Council, April 7th, 2021

This April 7th, 2021 motion at City Council requests that a comprehensive study be done and a community-based Working Group be established to review the Oxford proposal. Further, that there is a commitment to more fulsome public consultation.

Letter from Goodmans LLP – Solicitors Representing Oxford Properties Group

A letter dated July 20, 2018 from Oxford Properties Group’s solicitor, Goodmans LLP is a response to the ‘Midtown In Focus’ Final Report but also refers to the Yonge-Eglinton Secondary Plan as amended by the Province, relating to Canada Square.



Letter from Goodmans LLP – Solicitors Representing Oxford Properties Group (cont'd)

Here are some of the highlights of this letter.

Oxford "supports the City's proposal to engage in a further comprehensive study to guide development on the Property. Oxford's main comment is to confirm that the comprehensive study mandated for Canada Square (Policy 5.5.3) will examine and balance the range of objectives for the site."

"Given its location contiguous with existing and under construction public transit, the Property has significant potential, but will need to be planned thoughtfully given the physical constraints associated with the transit infrastructure, grade differences, and public realm objectives for the Property."

"It should also be recognized that the City has significant control over the future use and development of this Property by virtue of the fact that the land is in public ownership, which weights in favour of a broader scope for the comprehensive study."

There is a heading in this letter – "Comprehensive Study of Canada Square".

"As an engaged and supportive development partner, Oxford participated in the Midtown in Focus planning process, has reviewed the Plan, and supports the City's proposal to engage in a further comprehensive study to guide development on the [Canada Square] Property."

At the same time, the letter's content deliberately leaves open a question about the terms of reference for such a study.

"Oxford's main comment is to confirm that the comprehensive study mandated for Canada Square (Policy 5.5.3) will examine and *balance the range of objectives* for the site."

Oxford contends that the comprehensive study is "mandated" by the Yonge-Eglinton Secondary Plan, as amended by the Province of Ontario. Indeed, a comprehensive study is required. It was recommended years ago for this very site.

This leads to the question. If it is mandated and, in principle, Oxford supports this study, should City councillors not support the Councillor Josh Matlow and Councillor Kristyn Wong-Tam motion on April 7th?

The councillors should.

Letter from Goodmans LLP – Solicitors Representing Oxford Properties Group (cont'd)

But Oxford lists policy requirements in the Yonge-Eglinton Secondary Plan which, in their words, “*should be refined*” in doing a comprehensive study.

1. parkland conveyances
2. new road conveyances
3. publicly accessible spaces and connections
4. setback and step back requirements
5. required percentages of residential and non-residential uses
6. requirements for unit mix and size
7. calculation of Section 37 benefits

Oxford recommends *revising* Section 5.5.1 of the Yonge-Eglinton Secondary Plan.

*“This will allow the City and Oxford to address the unique advantages and challenges of the Property.”*

This is an indirect way of *challenging the existing zoning bylaw*, the approved height limitations, approved setbacks, and the Plan’s policies and guidelines.

In short, Oxford wants to engage but they want to do it in a way that achieves, first and foremost, their goals and objectives. The hidden aspect to the lawyer’s letter is to set the stage for challenging the City’s planning legislation.

Oxford believes that agreeing to the comprehensive study requirement will supposedly assuage our area ratepayer associations. Oxford has clearly forecast the ratepayer associations advocating this special study. Directly or indirectly, consciously or unconsciously, Oxford has been preparing a strategy on how to deal with it.

Special Study Area Report Recommended

Councillor Josh Matlow and Councillor Kristyn Wong-Tam recommend a report be produced concerning consultation with the community and the Working Group.

*“The City Planning officials, following Working Group meetings, provide a *Special Study Area report* to the June 24, 2021 TEYCC meeting.”*

A ‘Special Study Area’ was documented in the Yonge-Eglinton Secondary Plan as approved legislation. This should reinforce the importance of the motion. Whether it does or not is debatable.

Confidentiality – Lease Arrangements

Over time, there have been questions by residents from the Yonge/Eglinton area about the confidentiality of the lease arrangements for the Canada Square site. Initially in Year 2005, it appears, the TTC stated its case regarding confidentiality, and their commitment to transparency.

The TTC Board report of November 28, 2005 stated: *“Demonstrate the TTC’s commitment to an open and transparent process recognizing that ultimately the financial aspects of the real estate transaction will be the subject of a confidential real estate report to be considered by the Commission and Council.”*

A City Staff Report on April 22, 2009 recommended that 22 properties be declared surplus, initially. The list included in Appendix 3 (a) “Parts of 2200 Yonge Street (Yonge/Eglinton).”

The report comments are intriguing.

“TTC ownership, new bus terminal and LRT requirements. New official plan and zoning policies and urban design guidelines approved by City Council on February 23 and 24, 2009. Affordable Housing interest.”

This April 22, 2009 City Staff Report had an amendment about the need for prior consultation, and to submit a report about the history of the property, which is worth noting.

*“d. Prior to the declaration of surplus, sale or turnover of any property, there be prior consultation with the local Councillor(s) and as part of that consultation staff be requested to submit a written report on the history of the property and an outline of local considerations that should be taken into consideration be prepared.”*

Furthermore, the amendments spoke about having protocols.

“The Executive Committee also: 2. requested staff to submit a further report to the Executive Committee as soon as possible, on how Build Toronto will be developing *potential protocols* around community involvement, architecture, public open space, design and environmental standards.”

At a TTC Board meeting on April 27, 2009, they recommended their properties be declared not just surplus, but *conditionally* surplus. The TTC identified 10 properties, and the Canada Square lands were “Property # 7” in Attachment # 2.

A chart listed – former Eglinton bus terminal, approx. 8,731 square metres or 2.15 acres, Turnover Agreement type. ....23

Confidentiality – Lease Arrangements (cont'd)

On April 27, 2016, City Council received a TTC Staff Report which recommended to City Council the establishment of a Yonge-Eglinton Steering Committee which would endorse guiding principles regarding the re-development of the Canada Square property. Also, that the TTC would request City staff to report back in the fourth quarter of Year 2016, i.e. October, *“on recommended arrangements for re-development, including commercial terms.”*

The question I ask is why were the Yonge/Eglinton area ratepayer associations not part of that Steering Committee? We could excuse ourselves if anything was confidential, or any particular financial item could be "redacted" from a report. But we should have been at the table when that committee met from June 2016 to October 2016.

Regarding confidentiality, *“Authorize that the information provided in the confidential attachment is to remain confidential until completion of any transactions relating to the sale or re-development of the lands.”*

Confidentiality was reinforced, using the same statement quoted above, in the TTC's May 2, 2016 memorandum from Vincent Rodo, Chief Financial and Administration Officer, TTC. Therefore, the aspect of confidentiality appears to have been stated all along. The fuller understanding of what this meant is another story.

On April 16, 2018, the TTC issued their memorandum which approved the recommendation in Confidential Attachment 1, and authorized the TTC to enter into negotiations with the current tenants. Furthermore, the TTC *“direct that the information provided in the Confidential Attachment 1 remain confidential until all lease amendment agreements have been executed by the parties.”* Councillor Josh Colle, son of Mike Colle, was the Chair of the TTC at that time.

In addition, there were expenses for the negotiations that had to be reimbursed, as follows: *“The Board grant authority to reimburse CreateTO (formerly Build Toronto) for expenses incurred related to negotiations of the proposed lease amendment contained within this report up to \$2.0 million.”*

On April 24, 2018, the City of Toronto's Deputy Manager of Internal Corporate Services gave his reason why the attachment was confidential: *“This report is about a proposed or pending land acquisition by the City or one of its agencies or corporations.”*

At the City Council meeting on April 26, 2018, the city councillors adopted a resolution which authorized the TTC to enter into a lease amendment agreement with current tenants, and any ancillary agreements as required.

Confidentiality – Lease Arrangements (cont'd)

Confidential Attachment 1 “*remain confidential until all lease amendment agreements have been executed by the parties, as it relates to a proposed or pending acquisition or sale of land by the City or local board.*”

That part is quite clear. Whether we agree with it or not, lease arrangements are deemed to be confidential until the lease agreements have been signed by the parties concerned.

On July 20, 2018, Oxford’s legal firm, Goodmans LLP, submitted a letter to City Council which refers to Canada Square. Goodmans LLP listed 5 leasehold owners, as follows:

1. Oxford Properties Group (OPG) Investment Holdings GP Inc.
2. Canadian Tire (CT) REIT (Yonge Eglinton) Inc.
3. 2180 Yonge (Canada 8) Holdings Limited
4. 2190 Yonge (Canada 8) Holdings Limited
5. 2200 Yonge (Canada 8) Holdings Limited

The Goodmans letter stated: “Oxford is the development manager for the leasehold owners [listed above] of Canada Square, *who are currently in negotiations*, to expand their interest in the Property for the purpose of redeveloping the Property....”

In July 2018, negotiations were still in progress. However, no one from Oxford indicated explicitly this continued negotiation at the March 2, 2017 meeting with Councillor Josh Matlow and Oxford officials, and our area ratepayer associations.

Mark A. Cote, Vice-President, Development, Oxford Properties Group Inc., said: “Three years ago, we bought a leasehold interest in Canada Square. Our aspiration is to develop this Yonge/Eglinton block in a collaborative fashion, in consultation with area ratepayers.”

This was a stated promise by a Vice-President, Development, Oxford Properties.

William Bryck, President and CEO of Build Toronto, now CreateTO, declared: “If anyone thinks this is Build Toronto trying to force development, this is not true.”

Gary Pooni, President, Brook Pooni Associates Inc. conveyed his thoughts about public engagement: “I’d love to ask you what is the best way to engage your community. This helps us and it helps you.”

Councillor Josh Matlow asked: “Gary Pooni, you’ll prepare an engagement strategy?”

Mr. Pooni nodded his head and indicated he would. Yet I did not see a tangible indication of follow up.

History of the Canada Square Site – Charles Wheeler, TTC and Councillor Josh Matlow

The Yonge/Eglinton TTC Buslands have been referred to at numerous public meetings in the long history of this development site.

Charles Wheeler, Manager, TTC Property Development, gave direct statements at the Oriole Park Association Annual Meeting on November 29, 2005. This is why we invited him to speak about the TTC Buslands.

“This property has been under-utilized for 50 years. You can change the appearance. Developing the site can generate revenue for the TTC. We’re facing a \$60 million shortfall. We are trying to have the developer pay for part of the cost of development.”

Charles Wheeler of the TTC continued: “We want to achieve the highest and best use of the land. We agreed to delay the RFP until the planning process was finished (until the public was consulted). The fear is that all these proposals will be defeated at the Ontario Municipal Board. The Province of Ontario decides whether it would go to the OMB, not the City of Toronto.”

“We could say that we won’t sell lands up to 30 storeys as a possible condition of sale. This would be putting a constraint on the upper limits to development. Therefore, the developer would conclude that going to the OMB is useless. We are looking at protecting the interests of the community.”

As well, Councillor Josh Matlow has commented about Canada Square at the following Oriole Park Association Annual Meetings – January 20, 2011, March 29, 2011, and November 16, 2016.

On November 16, 2016, Councillor Matlow stated:

“You will recall, on February 23, 2009, when Councillor Michael Walker tabled a motion in Council to approve a strata plan which sought to limit height for development on the TTC Buslands at Yonge/Eglinton. I worked with Michael on this file and, as you know, in subsequent years, there have been efforts by developers to build on this land.”

“In this connection, I made three demands on Build Toronto.”

(1) “Build Toronto must respect the agreement made with the Oriole Park Association. This is called honouring a contract. They must be committed to it.”

(2) “There needs to be a remarkable public land there. This property deserves a great public space, a park. Please see my web site for more information.”

History of the Canada Square Site (cont'd)

Councillor Josh Matlow continued: (3) “Regarding leverage, this is public land. This belongs to us. We don't need to haggle with Oxford Properties who owns it. They need to sign, legally, that they give up their rights to go to the Ontario Municipal Board.”

City Council Meeting on April 26, 2018

At the April 26, 2018 City Council meeting, Councillor Josh Matlow commented extensively about the Canada Square site.

“Madam Speaker, when this was first being negotiated under the prior mayor [Mayor Rob Ford] during the last term, it actually almost went off the rails. There were suggestions about building something that doesn't reflect at all what was in the 'strata' agreement [to limit height to 40 storeys], what is in the Official Plan. And certainly what was consulted on with the community.”

“And I want to give a lot of credit to Bill Bryck, [President and CEO, from Year 2013] from Build Toronto, now we call it Create Toronto [CreateTO], along with our current team, and our planning department, and others who, I think, have done a remarkable job of putting the discussion back on track. Respecting, as Councillor Shiner pointed out, with his very good questions, respecting the [Yonge/Eglinton] Secondary Plan, respecting the Official Plan, respecting the agreements with the Chaplin Estates residents and the Oriole Park Association community, along with discussions with SERRA [South Eglinton Ratepayers' and Residents' Association] and other ratepayer associations [such as Eglinton Park Residents' Association], and community members around the neighbourhood. For far too many years, the [TTC] bus barns have been left as essentially a derelict eyesore.”

“Madam Speaker, for far too long, the bus barns at Yonge and Eglinton have been left as an eyesore. Now, in more recent years, it has been transformed into a far better purpose. It has been used as a staging area for the Metrolinx LRT. But, in the next few years, there's going to be a change there. And I think it's incredibly responsible and important that we are proactively working with partners to ensure that we don't just struggle to figure out a plan once the LRT project is done. But that there is, in fact, a plan there to move forward with revitalizing that corner of Yonge and Eglinton, with the kind of development that is appropriate for the site and respects our Official Plan. *That's* the direction that we are going in. What the motion today does, and what the [City] staff recommendations today do, is move us forward with a framework to be able to do that, where you put all the parcels of land, you unpack all those different wires in the box, and you put it all together so we can move forward with the plan.”

City Council Meeting on April 26, 2018 (cont'd)

“I’m happy to say as well that Oxford and all partners have agreed that, along with being respectful of the Official Plan, that a remarkable public realm, as I’ve been advocating for, for years, along with the community, will be part of this plan. So at the corner of Yonge and Eglinton, there will be a remarkable public space.”

“You look at Rome, you look at London, you look at Paris, you look at New York. You look at great cities around the world. They’ve done amazing work, where there have been mobility hubs, where there have been transit hubs. With having not just sort of clunky spaces but *really special* public realm for people to congregate in or local employees to come and have lunch at, a destination for people to arrive at. That’s what we’re going to do at Yonge and Eglinton. This is the heart of Midtown. And we want to do something special.”

“I also add that this has been a consultative project, that the community has been engaged in meetings and discussions with Oxford, and other partners. And, as we move forward, getting closer to the pre-app. [pre-application] stage, Oxford is *committed* to sharing more and more information to ensure that the public *is* on board, and we all are in concurrence with the direction that we’re going. Lastly, I’d like to just add that this is, I think, something important to the entire city because this is, I think, an important way to plan with the community, with the development partners, and with the City in a way that isn’t in conflict but actually goes step by step, together, to build something that provides community benefits, that has respect for development, that will be unappealable, and that will increase the public realm, and the standard of public realm, in our city. Thank you.”

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The nature of the discussion at this City Council meeting of April 26, 2018 was a hesitancy by Don Logie, Executive Vice-President, Development, CreateTO, together with intentions to portray a positive, introductory experience with Oxford officials, City staff, and residents from the Yonge/Eglinton area.

I want to stress that Councillor Josh Matlow’s remarks conveyed consultation with his constituents. Throughout his term of office, Josh Matlow has shown that he meets first with his ratepayer associations and affected residents before interfacing with a developer.

Starting in 2017, the four year history of Oxford Properties has involved some apprehension among residents. On the surface, there appears to be, among other concerns, a misunderstanding about the timing and release of lease information. However, it is incumbent upon Oxford to have initiated proper and prompt consultation with the community, to have demonstrated that everything is as transparent as they claim it is. And to have worked with ratepayer groups and the residents they serve to ensure the process is up front, and that complete information about their proposal is readily available. Frankly, I am not entirely convinced that this is the case. ....28



City Council Meeting on April 26, 2018 (cont'd)

Councillor David Shiner

“So, if I could go through you, I guess it’s to the staff of CreateTO. Without going into the numbers, which are ‘in camera’ items, can you give us a quick public purview of what’s in front of us?”

Mr. Don Logie, CreateTO

“Yes I can. Madam Speaker and Council, this is a lease that exists today with Northam, CT-REIT, and Oxford, of most of the TTC lands at Yonge and Eglinton. The lease lasts for another 30 to 50 years. There’s three leases, in fact. They last for another 30 to 50 years. They reserve the right to the leaseholder – that is, the three tenants – to do any development on there. And there is only one small piece which is the former bus barns, that is not included in this lease, on this block. The time left on the lease is not sufficient for these tenants to reinvest in the property and create anything new.”

“So they have come to us and asked for a request for an extension of the lease. And so we have, at the request of [City] Council, spent the last 18 months with a committee of, working with the TTC, because it’s their land, and a committee of City Planning, Real Estate, Finance, and others at the City, to renegotiate the lease.”

“What you have before you today is a renegotiated lease that extends the lease term to 99 years, includes the former [TTC] bus barns in it, and increases the revenue to the TTC through a re-development plan of some \$1.5 billion which the tenants intend to invest to completely, to add more office, residential, and retail to the site. And to create a new TTC bus terminal underground, right adjacent to the new Metrolinx station and the TTC subway station, to provide additional protections to the TTC in maintaining their infrastructure. And we worked carefully through this process, also with a financial advisor, Brookfield, and had an appraisal done by CBRE which we ensured maintained the value of the property.”

“There are a number of other benefits to this, including affordable housing, of course, a brand new revitalized Centre, new office, and substantial cash, um, in terms of, to the City, in terms of ‘DCs’, taxes, etc.”

Question by Councillor David Shiner

“Mr. [Don] Logie, as well, because it’s through CreateTO, the concern, always, is that someone will have the rights to a property and build beyond what is in our Official Plan or what is permitted by the City. And so, I want to know whether, in this particular application, the leasees will be bound to work within the planning framework that we have in place and/or the new ‘Midtown In Focus’ framework?”

City Council Meeting on April 26, 2018 (cont'd)

Reply by Don Logie, CreateTO

“Yes, a key feature of this lease, a key addition to this lease is that the tenants cannot appeal a decision of this Council. So, they have to work within the planning framework, to arrive at the best development solution.”

Question by Councillor David Shiner

“Now I also understand that they were looking for an extension at the end of it [the lease term], because people look for leases on land now that is longer than 99 years. Am I correct that one will be permitted? However, the clock will be reset, and they will have to pay at market rates, at that time. So, in other words, if that’s the case, it’s like selling the property twice?”

Reply by Don Logie, CreateTO

“That’s true. The existing market value of the TTC’s land is being recovered in the first term, will then be able to recover it again, in the second term.”

Question by Councillor David Shiner: “Based on whatever the market might be then?”

Reply by Don Logie, CreateTO: “That’s right.” Councillor David Shiner: “Thank you.”

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It was the CreateTO response, and the Chief Planner response, to councillors who enquired about the lease arrangements and consultation by CreateTO, which left questions about public involvement and, to some extent, a lack of understanding by the public and our ratepayer community about the lease negotiations – their timing, and overall parameters.

Councillor Frances Nunziata (Deputy Speaker): “I’m wondering if our Chief Planner [Gregg Lintern] could give a response as well.”

Reply by Gregg Lintern

“Through the Deputy Speaker, the nature of the meetings was to introduce the proponent, the potential proponent, because it’s still not a deal until Council says it’s a deal, but to introduce the potential proponent to the community, begin to establish a relationship with the community groups that work at Yonge and Eglinton, of which there are many. We had three discussions. I attended one myself. And right now, the discussion was just about principles and ideas – nothing specific – because there are no specific plans yet.”

City Council Meeting on April 26, 2018 (cont'd)

Question by Councillor Frances Nunziata

“So all that discussion with the community was done *prior to any negotiation at all?*”

Reply by Gregg Lintern

“I think it was concurrent. There were negotiations happening at a [City] staff level, and at a CreateTO level. And obviously, the community were not privy to the details of that. They were talking more about the principles of development, and what we should look forward to, when and if we do a development on the site.”

Question by Councillor Frances Nunziata

“But the community was aware of who had an interest on the site?”

Gregg Lintern: “Yes, I believe so.”

Question by Councillor Frances Nunziata

“So they were aware of what was happening?”

Gregg Lintern: “Yes, I believe so.”

Councillor Frances Nunziata: “*Because that didn't happen in my Ward. Thank you.*”

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History of the Canada Square Site – Comments About Strata Plan, Height, Transition

At the November 7, 2019 Oriole Park Association Annual Meeting, OPA member Richard MacFarlane commented about Canada Square and the issue of height limits.

“Years ago, the OPA and other ratepayer activists thought that with proper strata plan controls in place, an appropriate height limit would be 40 storeys, and no higher, at the centre of that property. Then the height stepping down to 25 storeys, then to 14 storeys, or thereabouts, as you approach the sidewalks, and roadway. Much like the Berwick does at 17 storeys, and stepping down with an angular plane, at the south end.”

Source: Oriole Park Association Annual Meeting, November 7, 2019, Meeting minutes prepared by Richard MacFarlane, Special Advisor, Oriole Park Association, p. 12.

History of the Canada Square Site – Remarks by City Planners at Public Meetings

City planners, including Paul Bain, Tim Burkholder, Joe Nanos, and James Parakh stated that the height limit is 40 storeys at various public meetings.

Over 130 residents attended a meeting on January 22, 2009, indicating their concern about Canada Square. James Parakh, Senior Urban Designer, City of Toronto, said: *“It has always been our intention to guide development to fit into the context of the area.”*

Joe Nanos, Manager of Community Planning, City of Toronto, also commented: *“The City of Toronto owns a significant amount of vacant TTC lands. We wanted to come up with a comprehensive plan that is compatible with the planning area [Yonge/Eglinton]. We want a policy framework to guide area development. There are a number of issues. It is important that high density mixed use in a stable residential area has a proper transition from one to the other. This was identified at the public meetings.”*

Source: Yonge-Eglinton Centre Focused Review Public Meeting, North Toronto Memorial Community Centre, January 22, 2009, Minutes prepared by Richard MacFarlane, Secretary and Director, Oriole Park Association, pp. 2, 3.

Paul Bain, Project Manager, City Planning, commented at the March 3, 2010 Yonge/Eglinton Urban Growth Centre Boundaries Public Meeting at North Toronto Memorial Community Centre.

Richard MacFarlane asked, *“Regarding the TTC Buslands on the southwest corner of Yonge/Eglinton, are there any heights proposed there? I understand there’s going to be a development there.”*

Paul Bain replied: *“The maximum allowable height is 40 storeys. This was handed over to Build Toronto. Councillor Michael Walker was instrumental in putting the caveat through his motions at City Council that it would not be over 40 storeys.”*

Source: Yonge/Eglinton Urban Growth Centre Boundaries Public Meeting, North Toronto Memorial Community Centre, March 3, 2010, Meeting minutes prepared by Richard MacFarlane, Oriole Park Association.

At a Planning and Growth Management Committee meeting of February 4, 2009, Councillor Karen Stintz (Eglinton-Lawrence) remarked:

*“I’d like to speak in support of Councillor Michael Walker's motions. He is trying to strengthen the intent of the work [planning and consultation] that has been done. It would be a shame if we were to take this land [Yonge/Eglinton] and use all the height. It would undermine the relationship that we've developed with the residents of the community.”*

Summary Observations

The Canada Square property at Yonge/Eglinton is much too valuable to be developed only on a monetary basis, to seek profits at the expense of the community.

The very definition of city planning is to serve the people. Eugenio Faludi, a highly respected town planner who worked with the former City of Toronto, created an urban planning framework for numerous towns and cities across Canada. In a 1944 speech to architectural students at the University of Toronto, Faludi declared that “*planning is for the people.*” Never a truer word was spoken.

We should remind ourselves that a key section in the former Metro Toronto Planning Department was called the “Development Control Division”. With amalgamation in 1998, the City Planning Department changed the name to “Development Services”. This change is indicative of an approach within the municipal government culture which permits developers to submit proposals that go beyond the Official Plan and Secondary Plan guidelines, zoning and bylaws created by the Planning Department in the first place.

As legions of citizens have said in the City of Toronto, and elsewhere, “why have zoning and bylaws if you can’t enforce the rules?”

Amid the COVID pandemic, it would be tempting for City officials to seek additional funds from other sources. Cities are beset by deficits. The rationale might be to allow unreasonable urban development and intensification on the altar of revenue generation. This would be short sighted, and at the expense of the people we serve.

Strongly Recommend Support of the Motion

I strongly urge our City of Toronto councillors and the City Planning Department to re-examine planning priorities and the needs of this TTC – Canada Square property, not solely as a revenue generating source for the City and the TTC but to ensure a valuable legacy of creating additional employment, with proper community facilities, an adequate public park, sufficient open space, and providing a long overdue educational facility for our children.

To this end, I ask His Worship Mayor John Tory and City Councillors to support the motion by Councillor Josh Matlow and Councillor Kristyn Wong-Tam so that a Working Group can be established to discuss the salient issues. And that further public consultation will be demanded for this important site.

Richard MacFarlane, Special Advisor and Member, Oriole Park Association  
(former resident of Chaplin Estates on College View Avenue, as of November 2013, living in Don Mills, Ontario)

c.c. His Worship Mayor John Tory <mayor\_tory@toronto.ca>; Councillor Josh Matlow, Ward 12, <councillor\_matlow@toronto.ca>; Councillor Jaye Robinson, Ward 15 <councillor\_robinson@toronto.ca>; Councillor Mike Colle, Ward 8 <councillor\_colle8@toronto.ca> and to all City Councillors and Planning Staff





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