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VIA EMAIL

May 6, 2016

Toronto and East York Community Council
City of Toronto
City Hall, 2nd Floor, West Tower
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Ms. Ellen Devlin, Administrator, Toronto and East York Community Council

Dear Ms. Devlin:

Re: **Public Meeting – May 10, 2016 (Item No. TE16.4)**
Lower Yonge Precinct Plan (File No. 12 253083 STE 28 OZ)
Preliminary Comments
CP REIT Ontario Properties Limited and Loblaw Properties Limited
10 Lower Jarvis Street
Toronto, ON
Our File: **CHO/TOR/14-01**

We are the planning consultants for CP REIT Ontario Properties Limited ("CP REIT") and Loblaw Properties Limited ("Loblaw"), owners and tenant, respectively, of lands known municipally as 10 Lower Jarvis Street in the City of Toronto (the "Subject Lands"), which are developed for a Loblaws supermarket and other retail and service uses, as well as associated parking.

CP REIT and Loblaw have been participating in the ongoing Lower Yonge Precinct Plan process. On April 29, 2016 CP REIT and Loblaw were made aware of the Staff Report dated April 22, 2016, including the draft SASP and Lower Yonge Precinct Plan dated April 2016.

At this time, our preliminary comments on behalf of CP REIT and Loblaw for the April 22, 2016 draft SASP policies are as follows:

- Maps J2 to J8: Subject to the determination of the final alignment of the extension of the Harbour Street (shown as running straight through the Subject Lands), in order to accommodate a northern Block 7 that is as large as possible, a bend at the New Street at the Subject Lands should be considered as part of the Municipal Class EA for phases 3 and 4 of the Transportation Master Plan;
- Map J8 and Section 6.5.4: We request that the Maximum Number of Towers in Block for the northern block (Block 7) of the Subject Lands be increased to 3, in order to provide flexibility to accommodate the multiple towers that may be possible within the context of the other SASP policies depending on the ultimate location of the Harbour Street extension through the Subject Lands to be determined through the Lower Yonge Municipal Class EA, while approaching the maximum density (floor area ratio) under Section 6.5.12 for the combined northern (Block 7) and southern (Block 8) blocks;

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- Map J9 and Section 6.5.10: We request that the Tower Area Ratio of the average floor plate of development block above base building be determined through the zoning amendment process for redevelopment proposals in the context of the City's Tall Building Guidelines, in order to provide flexibility in approaching the maximum density (floor area ratio) under Section 6.5.12 for the combined northern and southern blocks on the Subject Lands;
- In general, for several of the draft SASP policies there is a need to distinguish between "development" and "redevelopment" in order to clarify that modest expansions/modifications to the existing Loblaws development will not trigger the following SASP policies, including;
  - Section 4.5.1: We request that "for redevelopment proposals" be added after "Zoning and site plan control";
  - Section 4.5.2: We request that "within redevelopment proposals" be added after "Active uses will be located";
  - Section 4.6.5: We request that "development" be changed to "redevelopment";
  - Section 5.3.3: We request that "development" be changed to "redevelopment";
  - Section 7.13: We request that "for redevelopment" be added after "each application for rezoning" and that "development" be changed to "redevelopment";
- Section 6.5.9: We request flexibility as to the 30 m separation distance between towers, measured immediately above base buildings, in order to provide flexibility to accommodate the multiple towers on Block 7 that may be possible within the context of the other draft SASP policies depending on the ultimate location of the Harbour Street extension through the Subject Lands. As noted in the Staff Report, the 30 m separation distance is more stringent than the City's Tall Building Guidelines. Accordingly, we request that the separation distance be determined through the zoning amendment process for redevelopment proposals in the context of the City's Tall Building Guidelines;
- Section 6.5.12: We request that the maximum net density (after road and required park conveyances) for each property, as referenced on Map J2 for the Subject Lands, be increased to 14.0 times the net property area;
- Section 7.1.8: We request that "land" be changed to "development blocks"; and
- We request that the Noise, Odour and Air Quality Study that was prepared for the City as a background study to the draft SASP be released for review.

At this time, our preliminary comments on behalf of CP REIT and Loblaw for the Lower Yonge Precinct Plan dated April 2016 are as follows:

- Section 1.1 of the draft SASP states that the SASP will be read in conjunction with the Precinct Plan. We note from the Implementation Section of the Precinct Plan that "the Precinct Plan should be interpreted as a guiding document. It provides a framework within which to achieve the vision set out for Lower Yonge. Specific performance standards such as building setbacks and parking standards will be set out in site-specific zoning by-laws for the development of each property. Environmental Assessments (EAs) for the development of public infrastructure will further prescribe final street and block configurations and public realm concepts." (p. 6)
- In instances where the Precinct Plan is less flexible than corresponding policies within the draft SASP, we request confirmation that the Precinct Plan is in fact a

guiding document as opposed to Policy, where there is flexibility in application as opposed to the various aspects being required for redevelopment proposals. Examples include:

- Section 4.71 and Map J4 of the draft SASP indicates that POPS will be determined through the zoning amendment process for redevelopment proposals, whereas Figure 4.37 shows passageways within or between building sites (POPS);
- Section 5.2.1 of the draft SASP strongly encourages new development to achieve Tier 2 of the Toronto Green Standard (TGS), whereas the Precinct Plan, Section 7.1, states that development is expected to comply with Tier 2 of the TGS;
- Section 5.3.4 of the draft SASP encourages access points for all redevelopment to be located on Freeland and New Streets, whereas the Precinct Plan, Section 4.2.3 states that the only recommended vehicular access points for residents, employees, visitors and commercial uses are on Freeland and New Streets;
- Section 6.1.6 of the draft SASP provides for flexibility in terms of the phasing of the office and employment uses in order to accommodate the potential phasing of the redevelopment/relocation of the supermarket to the northern Block 7 prior to redevelopment of the southern Block 8 of the Subject Lands, whereas the Precinct Plan, Section 5.1.1, states that a phasing plan will be required to demonstrate that the non-residential component will be delivered with the residential component;
- Section 7.3.1 of the draft SASP only requires redevelopment projects to be brought to the Waterfront Toronto Design Review Panel, whereas the Precinct Plan Section 10.1 states that all buildings and site development will be required to complete the Waterfront Toronto Design Review Panel process, which would capture modest expansions/modifications to the existing Loblaws development; and
- Additional examples can be shared with Staff as required.

- Similarly, we request confirmation as to the application of the Precinct Plan in the review of redevelopment proposals where there are aspects that are not reflected in the draft SASP. For example:
  - Section 5.2.1, setbacks of the Precinct Plan describes minimum setbacks from New Street of 3 m (the draft SASP Map J7 indicates that base building setbacks will be subject to the Lower Yonge Municipal Class EA); and
  - Section 5.2.1 base buildings of the Precinct Plan states that ground floor uses within the Ground Floor Animation Zone should have separate and unique entries on average every 7 to 10 m and that ground floor uses should have a minimum floor-to-ceiling height of 5 m.

We would welcome the opportunity to meet with Staff to discuss our preliminary comments.

Please also accept this correspondence as our request for notification of any decision(s) by the Committee and/or City Council regarding this matter.

We trust that the enclosed information is satisfactory. Should you have any questions, or require further information, please do not hesitate to call.

Yours very truly,

ZELINKA PRIAMO LTD.

Jonathan Rodger, MScPl, MCIP, RPP
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