



Project No. 17109

May 22, 2018

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

Dear Mr. Mayor and Members of City Council:

Re: *Item PG29.4 May 22, 2018 Council Meeting*
TOcore: Downtown Plan Official Plan Amendment
1 Front Street West

We are the planning consultants for 1 Front Street West Holdings Ltd. with respect to its property at 1 Front Street West (the Dominion Public Building), located on the south side of Front Street, between Yonge Street and Bay Street (“the subject site”).

Our client acquired the subject site from the Federal government in early 2017. Since that time, our client and its consulting team have been working closely with City staff and community representatives on plans that will serve as the basis for a future development application for the subject site. The anticipated form of development will include retention of non-residential uses within the existing building as well as new residential uses.

Dating back to prior to our client’s purchase of the site, 1 Front Street West has been the subject of ongoing review and study by the City, in conjunction with the Bay Park Centre (CIBC Square) office development at 141 Bay Street, since November 2016. Specifically, at its meeting of November 8, 2016, City Council requested the Chief Planner and Executive Director, City Planning to report back to the Toronto and East York Community Council early in 2017 on amendments to the approved zoning on the property located at 1 Front Street West.

Pursuant to this direction, staff prepared a preliminary report dated August 15, 2017, regarding a City-initiated zoning amendment process to review the existing site-specific zoning for the property. The rezoning being considered by staff includes a framework for the overall context and block planning, adequate separation distance from existing and proposed buildings surrounding the property, and a more desirable tower placement on the historically designated Dominion Public Building on the site.

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

Transition

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

Consistency/Conformity with Provincial Policies

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

In this regard, the Downtown Plan does not take into account Provincial policy directions to optimize the use of land and infrastructure, particularly along transit and transportation corridors, and in particular within the Downtown Toronto urban growth centre and in “major transit station areas”. In this regard, “optimization” means making something “as fully perfect, functional, or effective as possible”.

Specifically, based on our review, it is not clear whether proposed Policy 6.2.3, which specifies that development within the Financial District will only contain office and non-residential gross floor area for any increase in density above the existing as-of-right permissions contained within the in-force Zoning By-law, is to be applied on an area-wide basis or a site-by-site basis. If it were to be applied rigidly on a site-by-site basis, it is our opinion that it could unnecessarily restrict residential development in the Financial District, which would be a generally undesirable outcome. Particularly on smaller sites, which predominate in the Financial District, it is likely that development on individual sites will be either all-residential or all non-residential, while the overall mix of development within the Financial District will continue to result in both employment growth and population growth. Prohibiting increased residential density on any given site within the Financial District will almost certainly serve to restrict overall levels of intensification, contrary to the intent of the Province’s “optimization” policies.

In the case of the subject site, the proposed and approved development within the city block bounded by Front Street West, Bay Street, Lake Shore Boulevard and Yonge Street, including the subject site and the Bay Park Centre office development, will result in a significant increase in the amount of office gross floor area, while the planned residential uses on the subject site will not exceed the amount of residential uses contemplated for the entire block. At a minimum, we would accordingly request that Policy 6.2.3 be revised to allow for residential density to be considered on a city block basis.

As well, we have concerns with the possible interpretation of Policy 9.26.3, which states that, for tall building to tall building relationships, built form adjacencies “will require transition” to the planned context, through the application of a separation distance, orientation of the tower portions of the building, and, as appropriate, through stepping down of heights. Given the context of the subject block, it is our opinion that “transition” (which is typically related to the juxtaposition of different building scales) is not a relevant concept to be applied to “tall to tall” built form adjacencies.

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

Deferral Request

The foregoing is not a comprehensive list of all the concerns that would arise from the application of the Downtown Plan to the subject site. Based on the concerns which arise from the policies outlined above which could significantly affect the future development of the subject site, we request that the approval of the Downtown Plan be deferred by Council, at least as it applies to the subject site, so that all of the concerns can be discussed with Planning staff and the results be reported to Council.

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

Yours very truly,

Bousfields Inc.



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

cc: *Art Phillips, Larco Investments*
Cynthia MacDougall, McCarthy Tetrault