



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
350-354 Adelaide Street West and 102-118 Peter Street

We are planning consultants to Graywood PA GP Inc. with respect to its property at 350-354 Adelaide Street West and 102-118 Peter Street, located on the north side of Adelaide Street West, west of Peter Street (the “subject site”).

On behalf of our client, we filed a Zoning By-law Amendment application for the site on June 30, 2016 to permit linked 48-storey and 40-storey mixed use buildings, which was deemed complete as of August 9, 2016 (File No. 16 183537 STE 20 OZ). Subsequent to the submission of the application, our client and its team worked collaboratively with City staff to resolve concerns that had been identified with respect to massing, heritage and other matters, resulting in the resubmission of plans in July 2017 for a single 47-storey mixed use building.

Staff issued a final report recommending approval of the revised plans on August 16, 2017 and Council enacted By-laws 1470-2017 and 1471-2017 on December 8, 2017 approving the development. The by-laws were appealed to the Ontario Municipal Board, now the Local Planning Appeal Tribunal (LPAT), by adjacent property owners and have been assigned File No. PL180086. A pre-hearing conference is scheduled for July 25, 2018.

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 applications filed prior to the adoption of the Downtown Plan. In this regard, the above-noted application for the subject site was submitted well 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.

In the event that the subject site is not specifically exempted from the Downtown Plan, it is our opinion that transition provisions should be incorporated into the Downtown Plan so as to ensure that applications that are in process are reviewed on the basis of the planning framework that was in force at the time they were filed. In this regard, the client, consulting team and City Staff have worked collaboratively over an extended time period to arrive at a mutually agreeable built form approach. The Downtown Plan should not negate this process, which was well underway prior to its release.

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. In this regard, “optimization” means making something “as fully perfect, functional, or effective as possible”.

Specifically, we have significant concerns with proposed Policy 6.8 applying to the King-Spadina Secondary Plan Area, which would require the greater of: the replacement of all existing non-residential gross floor area, or a minimum of 25% of the total gross floor area as non-residential uses, including full replacement of cultural spaces. The policy, as currently drafted, provides no flexibility to take into account site size, site-specific conditions, or the impacts that non-residential uses may have on built form.

In particular, the requirement for at least 25% of the floor space to be used for non-residential purposes would effectively diminish the potential for residential intensification depending on the strength of the commercial leasing market e.g. while 60,000 square metres of residential intensification would be achievable if it were possible to lease 20,000 square metres of commercial space, the amount of residential intensification would be limited to 30,000 square metres if only 10,000 square metre of commercial space were able to be leased. In our opinion, such a result would be contrary to the direction to optimize the use of land and infrastructure.

As well, we have concerns with Policy 9.15, which restricts the maximum floorplate size to 750 square metres. Although the policy would allow for consideration of increases in the floorplate size, we are concerned that the policy may be interpreted in an overly restrictive manner with

respect to demonstrating “to the City’s satisfaction” that shadow, wind, sky view and transition impacts can be mitigated.

Furthermore, 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. In our opinion, the concept of “transition” (which is typically related to the juxtaposition of different building scales) is not relevant 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.

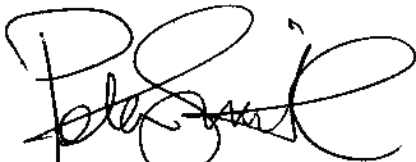
Deferral Request

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: *Adidharma Purnomo, Graywood*
Cynthia MacDougall, McCarthy Tetrault