

July 18, 2018

Mayor John Tory and Members of Toronto City Council
Toronto City Hall
100 Queen Street West
Toronto, Ontario
M5H 2N2

Mayor John Tory and Members of Toronto City Council,

RE: PG 31.7 Midtown in Focus: Final Report (Ward 16, 22, 25, 26 - Statutory: Planning Act, RSO 1990)
& BL 44.1 Enactment of Bills for TOcore: Downtown Plan, Official Plan Amendment No. 406

With more than 1,500 member-companies, BILD is the voice of the land development, home building and professional renovation industry in the Greater Toronto Area. Our industry is essential to Toronto's long-term economic strength and prosperity. In 2016 alone, the residential construction industry in Toronto generated nearly 69,000 on-site and off-site jobs in new home building, renovation and repair – one of the City's largest employers. As a simple rule of thumb, one crane in the sky represents 500 jobs. These jobs paid \$4.0 billion in wages and contributed \$11.5 billion in investment value to the local economy.

Further to our April 16th letter to City Staff and our July 4th letter to the Planning and Growth Management Committee, Toronto Chapter members of the Building Industry and Land Development Association (BILD) have been closely following the Midtown in Focus plan and are concerned by its proceedings.

We acknowledge that on June 12, 2015 Council directed City Planning to undertake a review of the Yonge-Eglinton Secondary Plan in consultation with other City Divisions, using a robust and high standard of public consultation. Subsequent updates/reports to Council over the next 3 years (July 2016, July 2017, October 2017, November 2017, December 2017, June 2018), crystalized in a recommendation from City Planning Staff in June 2018 to support the Draft Plan that was presented to Committee on June 7, 2018. This Draft Plan included an analysis as to how the 3 years of study and public consultation amounted to the height prescriptions for the various sections of Yonge/Eglinton. This represents extensive engagement and due process.

Notwithstanding such extensive study and public consultation, BILD members are significantly concerned that this process was circumvented at the Statutory Public Meeting, when the Committee supported a request, from Councillor Robinson, that a further community consultation meeting be held to solicit feedback from the public on lowering the building heights.

We understand that 140 people attended the further community consultation meeting held on June 21, 2018 and at that meeting three built form/height options were presented with the question, "Which of the height options do you prefer and why?" This is very concerning as no analysis was provided as to how the new 'built form/height options' were arrived and not surprisingly, 84 of 140 people in the room decided that the shortest heights were the best option. It appears that 84 people, hastily put together at one community meeting, are now driving the process for the future development of the Yonge and Eglinton area, rather than, the recommendation of the City's own professional Planning Staff, after conducting 3 years' worth of study and consultation.

This is a very unfortunate play of events – as it is clear that a substantial planning process is being circumvented at the eleventh hour by NIMBY-ism. We urge Council to not simply approve the preferred option of a select group of people from a last-minute community meeting, but rather have a higher regard for the extensive consultation process that took place prior the last-minute community meeting, or defer the approval altogether, until the three built form/height options can be appropriately studied and justified.

In addition to the outstanding comments detailed above, as we said in our April 16th and July 4th letters, the inclusion of affordable housing requirements within this plan is premature, especially given that the Province announced inclusionary zoning regulations on April 11th and a City-wide study is underway/not complete. We believe it makes good sense to wait for the city-wide study to be brought forward/completed and that would inform future secondary plans.

Finally, BILD Toronto Chapter members have also expressed concern related to the manner in which the secondary plans for Midtown in Focus and TOcore are being brought forward for approval. Recognizing that staff have positioned both of these plans as a Section 26 conformity exercise to the Growth Plan, 2017 that if approved, will have no right of appeal to the Local Planning Appeals Tribunal. We believe it is unjust to allow approval under Section 26 of the *Planning Act* because that was not how the plans were originally introduced. BILD has also received a number of legal opinions that question the reasonableness and fairness of this implementation method. We would strongly encourage City Council to not adopt this Plan under Section 26 of the *Planning Act*.

BILD Toronto Chapter members, your community-building partners, thank you in advance for taking our comments above with thoughtful consideration. If you have any questions or comments, please do not hesitate to contact the undersigned.

Sincerely,



Danielle Chin, RPP MCIP
Director, Policy & Government Relations

CC: *Gregg Lintern, Chief Planner & Executive Director, City of Toronto*
Edward Birnbaum, Senior Advisor, Office of the Mayor, City of Toronto
BILD Toronto Chapter members