



**POWER
WORKERS'
UNION**

PG31.7.257

July 20, 2018

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Re: URGENT PG 31.7 - Midtown in Focus: Final Report (Ward 16, 22, 25, 26 - Statutory: Planning Act, RSO 1990) Under Consideration Monday July 23, 2018

The undersigned is counsel to the Power Workers' Union and to the Power Workers' Union Building Corporation (the "Corporation"), which owns the building at 244 Eglinton Ave. East (the "Building", "our site" or "our property"), located on the north side of Eglinton just East of Mt. Pleasant Rd.

We apologize for the late contact with you on this matter, but as indicated below, we just became aware that the above noted matter, which is of grave concern to our clients, will be coming before Council on Monday. This letter is to register our opposition to the proposed Official Plan Amendment as written and to seek to have the proposed height limit contained in the OPA revert to the original staff proposal as described below.

The Corporation, after lengthy negotiations and the approval of its members (a body of about 70 elected officials of the Power Workers' Union), entered into an Agreement of Purchase and Sale (APS) on July 17, 2018 to sell the Building. The deal is set to close on October 1st, but the date for the purchaser to waive conditions is August 14, 2018. The sale is linked to a purchase agreement the Corporation entered into to purchase new office space, which is also set to close on October 1, 2018. Proceeds from the sale of the Building are to be used to purchase the new office space. The Building has been the home of the Power Workers' Union for over 50 years. The aging structure has long been too small for its occupant, which has necessitated the sale and purchase of new property in Toronto.

Just after the final execution of the APS, the purchaser contacted the PWU's Chief Financial Officer, Stephen D'Arcy, to notify him that they will likely have to back out of the APS because their plans to develop a 27-29 storey building on the site of 244 Eglinton Ave. East could well be rendered impossible to carry out as a result of an Official Plan Amendment coming before Council this Monday (July 23).



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The *Midtown in Focus: Final Report* recommends adoption of amendments to the Official Plan and a new Yonge-Eglinton Secondary Plan. A summary is at: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2018.PG31.7>

The recommendation of particular concern to us reads:

“4. City Council adopt Option 3 – 20 and 15 storeys – included as Attachment 3 to the report (June 26, 2018) from the Chief Planner and Executive Director, City Planning as the height limits for new tall buildings in the Soudan Apartment Neighbourhood, Eglinton Green Line, Yonge-Eglinton Crossroads and Red Path Park Street Loop Character Areas”.

The effect of this recommendation, if adopted, would be to cap the height of any building on the block on which the Building is located (Eglinton Green Line) at 15 storeys.

If notice that this proposal was under consideration was sent to the Corporation, nobody at the Corporation has been able to locate it. The first inkling the Corporation was given that the proposal was under consideration was from the purchaser of the Building, and that was 2 days ago.

The revised proposal is mystifying. There are many buildings much taller than 15 storeys in the immediate vicinity of the Building and a 27 storey building on the site of the current Building would not be at all out of character for the area. The Building itself is within a few metres of what will be the Mt. Pleasant LRT station and, in the normal course, one would have thought that both density and development in this type of location would be encouraged.

Indeed, the original draft Official Plan Amendment brought forward by staff contained a height limit of 27-29 storeys, which the purchaser of the Building relied on in entering the APS. This has been changed to 15 storeys without good reason. Given the Building site's proximity to a major transit station and the permitted height of other buildings in the vicinity, it would be appropriate to allow the greater height that was originally proposed in the draft OPA presented by City Staff. It is not appropriate to limit the height to 15 storeys and such a limit would cause immediate commercial harm to the Corporation and the owners of other low rise buildings in the area.

The draft amendments to the Yonge-Eglinton Secondary Plan prepared by City Staff proposed that a maximum building height of 27-29 storeys is appropriate for our property. This proposed height was included in the Draft Official Plan Amendment No. 405 attached to the May 24/2018 Final Staff Report. The proposed height limit is shown on Map 21-12 of the Secondary Plan in the amendment. This height is appropriate for our site for a number of reasons based on Provincial and City policies as follows:

The Policy 1.1.3.2(a) of the Provincial Policy Statement calls for land use patterns which are transit-supportive where transit exists. The Eglinton Subway Station on the Yonge-University Line is approximately 625m west of the site, and an entrance to the Mount Pleasant station on the under-construction Eglinton Crosstown LRT is approximately 40m

east of the site. Our property is well located to take advantage of the existing and forthcoming public transit services and should develop at a higher density to support the new transit expansion. Further, at Policy 1.1.3.6 the PPS calls for new development in designated growth areas to have a compact form and mix of densities which make efficient use of land and infrastructure. The originally proposed 27-29 storey height limit is more appropriate for our site as it provides for a density which will make the most efficient use of the land and existing services.

The Growth Plan for the Greater Golden Horseshoe identifies the Yonge-Eglinton area including our property as an Urban Growth Centre. Section 2.2.3.2 contains a minimum density target of 400 residents and jobs per hectare within each Growth Centre in the City of Toronto. This density is most appropriately located on major roads such as Eglinton Avenue as our property is within the growth centre. Permitting the heights and densities along major streets will ensure excessive development does not enter into lower density residential areas in the centre. Our site is not located adjacent to any low density residential development and would not cause impacts from a taller permitted height. Further, the Growth Plan in Section 2.2.4.3 calls for a minimum density of 160 residents and jobs per hectare in proximity to an LRT station. Again, our site is located approximately 40m from the future Mount Pleasant Station on the Eglinton Crosstown LRT. Restricting the height of future development on our property will adversely impact on the ability to meet this target in relation to this station. The Growth Plan at policy 2.2.4.6 states that land uses and built form which would adversely affect achieving this goal near Major Transit Stations (such as the Mount Pleasant LRT) shall be prohibited. The proposed 15 storey height restriction will adversely affect the ability of the area to achieve the target set out in the Growth Plan.

The Toronto Official Plan growth policies in Section 2.2 call for growth to be directed to centres such as Yonge-Eglinton to concentrate jobs and people in areas well served by surface and rapid transit stations. Our property is already well served by rapid transit, and will be better connected when the Eglinton Crosstown opens in the near future. The reduction in height recommended by the Committee from that originally proposed by City Staff will not aid in the City meeting this policy of the Plan. In addressing the Centres in Section 2.2.2 the Plan calls for development to be conducted in the context of reducing automobile dependency and the transportation demands and impacts of development. Permitting development at our property reduces automobile demand given the high level of transit accessibility. Higher intensity development at our site located at a major intersection will be beneficial as it will reduce pressure for development on lower density areas while maximizing the efficiency of development and the existing and under construction transit services.

The proposed reduction in height for our property does not make sense from a proper land use planning context.

We urge Council to reconsider imposing the 15 storey height limit as in the context of our site, such a limit is inappropriate. The correct height limit should be 27-29 storeys as evaluated and recommended by your planning staff.

Please contact the undersigned if you have any questions and please notify the undersigned of the outcome of the consideration Monday in any event.

Best regards,



Christopher M. Dassios

General Counsel

Power Workers' Union

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