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July 23, 2018

Via E-Mail

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

Attention: City Clerk, clerk@toronto.ca

Dear Sirs:

**RE: Midtown in Focus: Final Report, PG 31.7
3 Broadway Avenue, Starlight Investments**

We act on behalf of Starlight Investments (“**Starlight**”), one of the largest providers of rental housing in the City and the owner of the property known as 3 Broadway Avenue, located at the southeast corner of Yonge Street and Broadway Avenue (the “**Property**”).

Option 3 in the June 26, 2018 Supplementary Report Is Contrary to Provincial Policy and Good Planning

We are writing further to the letter dated July 3, 2018 from our client’s planning consultants, Bousfields Inc. As set out in that letter, our client was generally supportive of the direction taken in the May 24, 2018 Final Report (with a few suggestions of how that recommendation could be enhanced).

As you are aware, at their meeting of July 5, 2018, Planning and Growth Management (“**PGM**”) adopted what was set out as “Option 3” in a supplementary planning report that was prepared by Staff at the request of PGM. Among other things, Option 3 results in the recommended building height for our client’s property dropping from 20-23 stories to just 8 stories. Our client opposes the recommendation of Option 3 in the strongest terms.

PGM’s recommendation of Option 3 was essentially without merit and appears to be nothing more than a politically driven run around of a multi-year planning process to develop a new midtown secondary plan. The Bousfields letter of July 3, 2018, as well as many other letters submitted to both PGM and City Council detail all of the ways that Option 3 runs contrary to both good planning and

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provincial policy and we adopt those submissions. In addition to those submissions, we would point out once again that our client is in the business of rental housing. Reducing the development potential of their property is an unnecessary (and unsupported) restriction in the potential rental housing available in the City, something that will contribute to the City's shortage of rental units.

Adoption of Option 3 Would be Unfair and Without Planning Rationale

Of particular concern with the recommendation of Option 3 is the manner in which it was done. After an almost three year consultation period, the final report of the Midtown in Focus process was to be heard and voted on at the June meeting of PGM. At this time, PGM instructed City Planning to hastily prepare a list of alternatives to the recommendation Planning Staff had been working toward for years, and to quickly hold a further community consultation meeting on those options to allow the public to vote on their preference. Unsurprisingly, the majority of people in attendance at such a meeting choose Option 3 (without any planning rationale to support their decision) and this was then taken up by PGM as their recommendation to Council at their July 5, 2018 meeting.

To say that such a process is unfair and unjust is putting it mildly. For PGM to throw away three years of extensive planning, as well as the recommendation of its own planners, to adopt an option created at a whim in the last few weeks is clearly poor planning, arbitrary and unsupportable.

Request Council Reject Option 3

Given the above we request that Council that they not adopt Option 3 and return to the original Staff recommendation (in the May 24, 2018 Final Report) with the beneficial amendments recommended in the Bousfields letter of July 3, 2018.

Please provide us with written notice of all decisions and any further consideration of this matter and related matters.

Yours truly,

BENNETT JONES LLP



Andrew L. Jeanrie

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