



April 30, 2018

Planning and Growth Management Committee  
Toronto City Hall  
100 Queen Street West  
Toronto, ON, M5H 2N2

Dear Chair and Members of the Committee:

**Re: *Proposed Official Plan Amendment – Downtown Plan*  
*409 – 415 Yonge Street and 9 and 17 McGill Street***

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We are the planning consultants for Artis Yonge Street Ltd. (“Artis”), the owners of the site at 409 – 415 Yonge Street and 9 and 17 McGill Street. On behalf of our client, we have reviewed the proposed Downtown Plan and proposed Official Plan Amendment No. 406, which is to come before your Committee on May 1, 2018.

The subject site is municipally known as 409 – 415 Yonge Street and 9 and 17 McGill Street (“the subject site”), and is located on the east side of Yonge Street, less than 50 metres north of Gerrard Street. It is currently occupied by a 19-storey building containing office and retail/commercial uses. To the east of the building is the McGill Parkette, which is owned by Artis but currently leased to the City of Toronto.

Based on our review of the Plan in the context of the site at 415 Yonge Street, we respectfully request the Committee’s consideration of the following:

Complete Community Assessment

Policy 5.3 requires the submission of a Complete Community Assessment to address how development will achieve the goals of complete communities within the existing and planned context. It is not clear from the Downtown Plan what scale of change would trigger this requirement. We recommend providing more clear direction in the Plan because the analysis should differ between smaller-scale infill development and larger-scale new development.

### Mixed Use Areas 2 - Intermediate

The subject site is proposed to be designated Mixed Use Areas 2 – Intermediate. While we are not contesting this proposed designation, Policy 6.25 provides that development in this designation will include low-rise, mid-rise and some tall buildings (our emphasis added). More clarification is required regarding the quantification of ‘some’.

Policy 6.26 provides that the scale and massing of buildings will respect and reinforce the existing and planned context of the neighbourhood, including the prevailing heights, massing, scale, density and building type. On a site such as the subject site, the existing and planned context varies – from the low-rise McGill-Granby neighbourhood to existing and proposed high-rise mixed use buildings in the Yonge Street corridor. It is our opinion that language should be included that takes into consideration this condition in many areas of the City, including the subject site, which are diverse in nature. All contexts should be contemplated.

### Built Form - Improving the Public Realm

The subject site is currently occupied by an existing office building. A development application to permit a rental residential addition to the existing building was submitted in December 2017 and is currently being processed by the City. There are a number of proposed policies that are applicable to base buildings, or policies that would not be met given existing conditions (Policies 9.4 through 9.11). It is our opinion that more clarity should be provided with respect to existing buildings that are retained as part of a redevelopment proposal.

### Housing

Policy 11.1 includes requirements for bedroom mix that will apply to development containing more than 80 residential units. In particular, Policy 11.1.3 requires an additional 15 percent of the total number of units be a combination of 2- and 3-bedroom units. Should proposed developments meet Policies 11.1.1 and 11.1.2, it is our opinion that Policy 11.1.3 only be requires should market demand demonstrate the need for additional 2- and 3-bedroom units over and above the requirement in Policies 11.1.1 and 11.1.2.

Other Comments

In addition to the items outlined above, we have a concern with respect to the way in which the Official Plan Amendment No. 406 and the Downtown Plan are being brought forward for approval. Recognizing that Staff, in their recommendation report, have indicated that the Official Plan Amendment is a conformity exercise to the Growth Plan (2017) under Section 26 of the *Planning Act* and, the nature of the appeal process remains unclear. More clarification is required regarding in this regard.

It is also our understanding that the Downtown Plan policies will be used to evaluate current and future development applications in the Downtown Plan area. As mentioned previously in this correspondence, the subject site is currently subject of a existing and active development application. We are concerned about the potential prejudices that could be imposed by this approach. Given draft Official Plan Amendment No. 406 does not propose any transition polciies for existing development proposals, it is our opinion that a transition period be considered and added to the Amendment to sufficiently address current proposals.

We are continuing to review the available documentation and can provide supplementary correspondence as required. However, based on the foregoing, it is our opinion that the proposed amendments should not be adopted in their current form. If you have any questions, please do not hesitate to contact the undersigned or Claire Ricker of our office at (416) 947-9744.

Yours truly,

**Bousfields Inc.**



Kate Cooper, MCIP RPP

cc. ! *Scott Craig/Armin Martens, Artis Young Street Ltd.*  
*Calvin Lantz, Stikeman Elliot LLP*