



Project No. 17263

April 30, 2018

Planning & Growth Management Committee
City of Toronto, City Hall
100 Queen Street West,
Toronto, ON M5G 1P5

Dear: Chair, Planning & Growth Management Committee,

**Re: Proposed Official Plan Amendment No. 406
Draft Downtown Plan
110-128 Cumberland Street, Toronto, ON**

Overview

On behalf of our client, 1358023 Ontario Ltd. and 2442604 Ontario Ltd., owners of the above-noted subject site, we are pleased to submit this letter with respect to the proposed Official Plan Amendment No. 406 (“OPA 406”) which implements the draft Downtown Plan. The purpose of this letter is to alert the City to the potential transit-supportive intensification opportunities that will effectively be nullified if the proposed designations for the subject site are brought into effect..

The subject site is located within the *Downtown* urban growth centre and forms part of two major transit station areas, one of which is the Yonge-Bloor Gateway Hub, as identified in the Metrolinx Regional Transportation Plan. The subject site is located 25 metres from the nearest entrance to the Bay subway station on the TTC’s Line 2 (Bloor-Danforth) and forms part of the “primary zone” (i.e., within 250 metres) of the Yonge-Bloor Gateway Hub as set out in the Metrolinx Mobility Hub Guidelines. The Mobility Hub Guidelines expressly state that “*density targets within mobility hubs should ideally exceed the policies in the Growth Plan pertaining to urban growth centres.*”

Additionally, the subject site is located in an area that contains a wide range of retail, residential, office, and institutional uses of regional and international significance. These land uses serve as an important destination within Toronto. Within the interior portions of the Yorkville neighbourhood, adjacent to the subject site, there is a wide variety of building types and scales, including low-rise, mid-rise and tall buildings. Many of the existing mid-rise buildings located within the

interior portions of Yorkville have been constructed over the last two decades, and there are approved mid-rise buildings in the area that are presently under construction.

Within this existing and planned context, the subject site is an appropriate and desirable location for mixed-use intensification in keeping with the policy framework set out in the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Regional Transportation Plan, and the City of Toronto Official Plan, all of which support intensification on sites well-served by municipal infrastructure, including higher order public transit.

In the Downtown Plan, the subject site is proposed to be designated as *Mixed Use Areas 4 – Local* on Map 41-3 (Proposed Downtown Plan). The Yorkville neighbourhood, in which the subject site is located, is proposed to form part of the Ramsden Park-Yorkville Park District as shown on Map 41-8 (Park Districts).

The proposed *Mixed Use Areas 4* designation limits potential intensification and redevelopment opportunities by restricting new buildings to a low-rise scale that is generally four storeys or less in height on a site that is immediately opposite the Bay subway station. In our opinion, the proposed “planned” context for the subject site as prescribed in the draft Downtown Plan effectively sterilizes future development to what exists today. It is unlikely that any mixed use development (including replacement of the existing buildings at a similar scale) could occur on the subject site with the implementation of the *Mixed Use Areas 4* policies.

It is our opinion that this approach to the “planned context” for the subject site (and the wider Yorkville neighbourhood in general) does not conform with the Growth Plan, specifically Policy 2.2.4(9) which prohibits land uses and built form that would adversely affect the achievement of transit supportive densities within a major transit station area. Based on preliminary massing studies prepared by our office, the subject site could reasonably support the development of a mid-rise building that would conform with the built form and transition policies of the draft Downtown Plan.

The Staff Report accompanying the proposed OPA 406 acknowledges that a major transit station area assessment may be undertaken as part of a future municipal comprehensive review for development around subway stations. However, it is our opinion that the prescriptive nature of the proposed *Mixed Use Areas 4* policies


together with detailed and distinct designation boundaries is premature in advance of a major transit station area assessment.

The policies and boundaries of each of the *Mixed Use Areas* designation effectively operate in a similar manner to a zoning by-law by restricting the potential height and density through a strict approach to built form criteria. This prescriptive approach to development is premature in advance of the completion of a major transit station area assessment which identifies the appropriate scale and intensity of development required to support higher order public transit in accordance with the Growth Plan.

Based on the foregoing, it is our opinion that the proposed policies and boundary delineation of the *Mixed Use Areas 4* designation are inappropriate and do not constitute good planning. It is our opinion that the proposed OPA 406 and the draft Downtown Plan are not consistent with the PPS and do not conform with the Growth Plan. We respectively ask the Committee to defer adoption of the proposed planning instruments.

Trusting this is satisfactory to your needs at this time. Should you have any questions or comments on the foregoing, please do not hesitate to reach out to our office.

Yours truly,

Bousfields Inc.

Robert G. Glover MCIP, RPP, FRAIC, OAA