



April 30, 2018

BY E-MAIL - pgmc@toronto.ca

Planning and Growth Management Committee
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Attention: Nancy Martins, Secretariat Contact

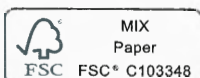
Dear Members of the Planning and Growth Management Committee:

**Re: TOcore: Downtown Plan Official Plan Amendment
Item PG29.4 | Planning and Growth Management Committee | May 1, 2018
Request for Deferral**

We are the solicitors for The Governing Council of the University of Toronto (the "**University**"). The University filed correspondence with Strategic Initiatives, Policy and Analysis, City Planning Division on July 18, 2017 and November 11, 2017 and meet with City Staff on June 28, 2017 and January 15, 2018. The University has reviewed the materials that form Item PG29.4 including proposed Official Plan Amendment No. 406 ("**OPA 406**") and proposed Secondary Plan 41 – Downtown Plan (the "**Secondary Plan**"), and is pleased to see the addition of clarifying language in Section 1.6 of the Secondary Plan, which results in the University of Toronto Secondary Plan prevailing in the event of conflict.

However, the University has a few remaining concerns about OPA 406 and the Secondary Plan. As such, the University asks that the Planning and Growth Management Committee defer consideration of Item PG29.4 until such time as these concerns have been addressed and OPA 406 and the Secondary Plan are revised accordingly. The University's remaining concerns are as follows:

- OPA 406 and Policy 6 focus on the Health Sciences District as the prime location for the expansion of healthcare facilities and related research, educational and commercial functions. The continued use by the University for institutional purposes must be recognized.
- Post-secondary institutions should clearly be exempted from a number of policies in the Secondary Plan. As publicly-funded entities with development cost constraints and limited land available for development, to provide first responder facilities or community service facilities, or other public facilities, is inappropriate and will negatively impact post-secondary institutions. Moreover, these policies fail to acknowledge the significant amenity provided by these institutions, in and of themselves. Further, policies respecting unit sizes and dwelling rooms clearly do not take into account dwelling units provided by post-secondary institutions, which are subject to different requirements and constraints.



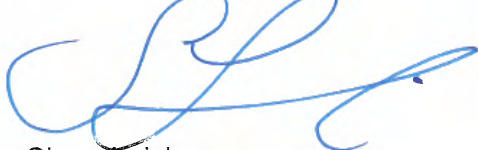
We request that the following policies be amended to explicitly exclude post-secondary institutions:

- Policy 5 – Complete Community Assessments
 - Policy 6.41 – first responder facilities
 - Policy 7 – parkland contribution and the provision of POPS
 - Policy 10.1 – 10.4 – community service facilities
 - Policy 11.1 – 11.4 – unit sizes and dwelling rooms
 - Policy 14.15 – Community Benefit Agreements
- The University is also concerned with the requirement for near-zero emissions development. Many institutional buildings, particularly wet lab buildings, cannot meet this standard. Special exception or recognition for such institutional buildings is required.
 - Sections 9.4, 9.29.3 and 9.29.4 respecting setbacks and built form do not adequately consider site specific context. For example, the Spadina Avenue frontage along the St. George campus edge can be improved with new development with active frontages being brought forward to the street. Further, there are lands designated Neighbourhoods within the St. George Campus that are otherwise surrounded by lands used for University purposes that should appropriately develop at a higher scale. Greater flexibility in the application of these policies is required.

Thank you for your consideration of these comments. We ask that the Committee defer consideration of this item until further review and revision can be made to address these significant concerns. Please provide us with written notice of all further steps in this matter.

Yours truly,

Cassels Brock & Blackwell LLP



Signe Leisk

SL/CEG
Encl.



Strategic Initiatives, Policy and Analysis, City Planning Division
Metro Hall
55 John Street, 22nd Floor
Toronto, ON

ATTN: Andrew Farncombe, Project Manager
Ann-Marie Nasr, Manager

Re: TOCore Proposed Downtown Plan dated August 18, 2017

Mr. Farncome and Ms. Nasr,

I am writing on behalf of the University of Toronto (the "University") with respect to the TOCore Proposed Downtown Plan dated August 18, 2017 (the "Plan"). This correspondence is further to my letter dated July 18, 2017, enclosed, regarding the TOCore Proposals Report and my meeting with the City on June 28, 2017 regarding the same.

As the largest landowner within TOCore, alignment with the proposed St. George Secondary Plan is a priority for the University. In the interest of providing continuing feedback on the TOCore efforts, please accept this correspondence as our preliminary comments on the Plan.

Section 3.14

- We are seeking clarification on the meaning of the term "zero-emission ready".

Section 5.3

- We recommend that this policy only apply where comprehensive planning has not already occurred. For instance, application of this policy to the St. George Secondary Plan lands is not appropriate as the lands are already undergoing comprehensive review through the proposed new secondary plan.

Section 6.2.1

- We are concerned with the City's suggestion that it can regulate the interior spaces of developments, and recommend that the wording "and its interior spaces" be removed from this policy.

Sections 6.6.5 and 6.19

- The requirement of 3 hours sunlight in all cases does not take into consideration many areas of the Downtown where this may not be achieved today and may not be possible in the future.

Section 6.10

- Zero setback has been determined to be appropriate throughout many areas of the Downtown. However, this policy implies that setbacks will be required in all cases. We request amending



this policy to indicate that where setbacks are required, they will comply with the subpolicies listed. Please also clarify the meaning of the term “unencumbered”.

Sections 6.11 and 6.13

- A 6 metre setback may not be appropriate in all instances, nor should a greater setback be required of institutional uses. The proposed policy does not allow for area specific deviations or flexibility for positive architectural expressions into the setback area. Such specificity should not be included in an official plan.

Sections 7.4 & 7.5

- Please revise confirmation in this policy to clarify that the parkland requirements do not apply to institutional uses.

Section 7.40

- We request that this policy be amended to include the language “where feasible”, as many properties, particularly in dense areas of Downtown where buildings are built to the lot line, are not able to accommodate trees.

Section 8.12

- This policy does not recognize the fact that several of the properties within the Health Sciences District are owned and operated by the University of Toronto. The continued use by the University for institutional purposes must be recognized.

Section 8.15.1

- A complete university campus requires a range of ancillary uses to serve its needs, including commercial, residential and employment. There is no planning basis to restrict such land use where it otherwise complies with the land use designation.

Section 8.33.5

- This policy conflicts with Section 8.15 and fails to recognize that institutions, such as the University, own property on Priority Retail Streets. An exception for institutional uses should be provided.

Sections 9.3-9.8, and 9.12-9.14

- While institutional uses may also benefit the greater community, institutional lands must be prioritized for institutional uses. We request that these policies be amended to explicitly exclude institutional uses and *Institutional Areas*.

Section 10.22

- Whether access can or should be provided to a rapid transit station is context specific. Please clarify what is meant by “proximity”, and allow flexibility to acknowledge that in some instances such a connection is not feasible.



Sections 11.1-11.3 and 11.4-11.5

- These policies are not applicable to post-secondary institutional residences. Please revise these policies accordingly to exclude post-secondary institutions.

Sections 12.1-12.4 and Side Bar: Cultural Spaces

- The definition of "cultural spaces" is overly broad and could include institutional or commercial uses. These policies should explicitly exclude institutional uses and commercial uses.

We look forward to continuing to work with the City in furtherance of the goals of TOCore and the St. George Secondary Plan.

Christine Burke
Director, Campus and Facilities Planning
University of Toronto

cc.

Marian Prejel, Strategic Initiatives, City Planning Division
Paul Johnson, Community Planning, City Planning Division

Encl.



July 18th, 2017

Marian Prejel
Senior Planner, City Planning Division
Metro Hall
55 John Street, 22nd Floor
Toronto, ON

Dear Ms. Prejel,

Re: TOCore Proposals Report

I am writing on behalf of the University with respect to the TOCore Proposals Report (the "Report"). As the largest landowner within the proposed TOCore boundaries, alignment with the proposed St. George Secondary Plan is a priority for the University. We appreciate the opportunity to have met with the City on June 28th to review the Report and provide comments.

As discussed, the University has the following comments and concerns with the Report and, in particular, its potential impact on the existing University of Toronto Secondary Plan and proposed St. George Secondary Plan area:

World Renowned Institutions (Page 15)

- Given the relative landownership and employment created by the area institutions, the economic contribution of institutions to TOCore should be emphasized here. It is also important to recognize the importance of partnerships in the delivery of institutional uses.
- We understand from our meeting that the City is revising this language.

Net-zero Buildings (Pages 23, 27, and 147)

- While the University supports efforts to decrease environmental impacts, it is not possible to achieve net zero academic buildings, particularly with lab space. The proposed policy should indicate that net-zero buildings are a goal, not a requirement (see text and Policy Direction J7).
- We understand from our meeting that the City is revising this language and considering net zero as a goal, not a requirement.

Post-Secondary Institutions (Page 52)

- A distinction is made between the University and all other universities in Toronto, specifically with respect to the challenge of ensuring that sufficient space exists for future institutional growth, implying that the University does not also face this challenge. It should be recognized that this is a challenge for all area post-secondary institutions, including the University.
- We understand from our meeting that the City is reviewing this language and the distinction that is currently made between the University and other post-secondary institutions.



Post-Secondary Institutions (Page 53)

- Scarborough and Mississauga campuses should not be referred to as “satellite” campuses, or as providing “additional capacity”. These are separate campuses in the tri-campus system. They provide their own programs and have independent space needs.
- We understand from our meeting with the City that this language will be removed.

Post-Secondary Institutions (Page 53)

- Policy Direction B15 proposes to redesignate all land used by the University as Institutional. This is contrary to the existing official plan and proposed mix-use mapping. While the University is very concerned that all Institutional lands remain Institutional, mixed-use designations continue to be appropriate at existing locations at the edge of campus, given their site context and ability to support a range of uses.
- We understand from our meeting with the City that no mixed-use lands will be changing to institutional, and ask that this be made clear in any revisions to the language.

TOCore Green Space System (Page 64)

- There is no applicable policy direction accompanying this map. It is unclear how this mapping will be implemented. In particular, it currently includes development sites within the campus. Please clarify.

Publicly Accessible Open Space (Pages 75 and 82)

- While all University land is open and accessible, these should not be identified as PoPs. Nor is it appropriate to provide (as per Policy Direction C37) that public access be secured on University property. University land is not subject to any taking as per its governing legislation.
- We understand from our meeting with the City that PoPs will not be required for the University through TOCore policies, and ask that this be made clear in any revisions to the language.

Urban Forest as Infrastructure (Page 76)

- Policy Direction C26 should not apply to lands used by the University. The St. George campus contains an abundance of trees. It is also an urban campus with significant space needs. Imposing further tree planting requirements fails to balance these interests.

Access to Sunlight (Pages 91, 92, and 100)

- While the University seeks to minimize shadow impacts by new development, it must be recognized that the St. George campus is an urban context with significant space needs. The proposed restrictions on new shadows and preserving sunlight are overly restrictive and will significantly impact proposed development on the campus.

Heritage Mapping (Page 103)

- There are errors in the proposed mapping. Further clarification is also needed as to the operative policies that will be associated with this map.
- We understand from our meeting with the City that no new heritage policies will be introduced in addition to those in OPA 199, and ask that this be made clear in any revisions to the language.



Community Services and Facilities (Page 134)

- Policies H3 and H4 are not applicable to institutional development. This should be clarified.
- While the University has previously partnered with the City to provide recreational facilities, this must be by mutual agreement and not imposed by policy.
- We understand from our meeting with the City that these policies will not apply to the University, and ask that this be made clear in any revisions to the language.

We look forward to continuing to work with the City in furtherance of the goals of TOCore and the St. George Secondary Plan.

Sincerely,

Christine Burke
Director, Campus and Facilities Planning
University of Toronto

cc.

Paul Johnson, Community Planning, City of Toronto
Pino DiMascio, Urban Strategies