

April 30, 2018

Chair David Shiner and Planning and Growth Management Committee Members  
City of Toronto  
100 Queen Street West  
Toronto, ON  
M5H 2N2

Dear Chair Shiner and Planning and Growth Management Committee Members:

**RE: TOcore Downtown Plan Official Plan Amendment, the Recommended Downtown Plan and Five Infrastructure Strategies (Agenda Items PG29.4 through PG29.9)**

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*With more than 1,500 member-companies, BILD is the voice of the land development, home building and professional renovation industry in the Greater Toronto Area. Our industry is essential to Toronto's long-term economic strength and prosperity. In 2016 alone, the residential construction industry in Toronto generated nearly 69,000 on-site and off-site jobs in new home building, renovation and repair – one of the City's largest employers. As a simple rule of thumb, one crane in the sky represents 500 jobs. These jobs paid \$4.0 billion in wages and contributed \$11.5 billion in investment value to the local economy.*

BILD, alongside the members of our Toronto Chapter, has reviewed the May 1<sup>st</sup> Planning and Growth Committee staff recommendation report for the TOcore Downtown Official Plan Amendment, the Final Downtown Plan, and the five companion infrastructure strategies. We are on record as interested stakeholders on these matters, having provided comments throughout the entire TOcore process in addition to coordinating several consultation and engagement sessions between the industry and City Planning staff.

On behalf of the Toronto Chapter members of BILD, we would like to thank City staff for creating several opportunities for the industry to participate and provide feedback on the Proposed Plan, following its draft release in August 2017. In addition to delivering an overview presentation to members at the November Chapter meeting, four thematic meetings with the BILD TOcore Working Group were held to allow more focused, technical discussions to take place on the Proposed Plan's policies. These conversations were then followed-up by a subsequent meeting to advise the BILD Toronto Chapter members on the direction staff were taking on some of the comments we provided. Staff's efforts to ensure open and consistent dialogue with the industry has been meaningful.

We acknowledge that a number of comments and suggested revisions by the BILD Toronto Chapter have informed the final Proposed Plan. Some of these changes, from our perspective, have enabled a more workable policy framework. While steps have been made to address certain concerns of the Toronto Chapter, there are still outstanding items within the Proposed Plan that continue to be problematic. These issues, to name a few, are reiterated below and have been communicated by our members in previous discussions City staff:

a) *Onerous Land Use Replacement Policies and Increased Densities Requirements*

A reoccurring theme within the Proposed Plan are requirements for new development to replace certain land uses existing on a site. This includes, to a certain degree, the replacement of non-

residential gross floor areas in areas like the King-Spadina and King Parliament Secondary Plan (policies 6.8. to 6.11.) as well as the replacement of dwelling rooms if more than ten units would be lost in a redevelopment project (policies 11.13. to 11.4.). Further to the replacement policies, we acknowledge staff have decided to stay the course and require any increasing in density, within the *Health Sciences District*, to be used only for non-residential gross floor area (policies 6.14. and 6.15.).

Again, while we can appreciate the intent of these policies, we believe that greater flexibility should be provided to consider market driven forces and the viability of creating these spaces.

With specific regard to the proposed dwelling room replacement policies under 11.3. and 11.4., these provisions explicitly attempt to regulate the demolition of individual dwelling rooms in the same manner that the demolition of rental units are currently regulated, without consideration for the differences between those types of living accommodations or recognition of the varied uses such dwelling rooms are put to. The rigid nature of these provisions have the potential to effectively sterilize development. Flexibility should be added into the policies to allow for off-site replacement or the replacement of dwelling rooms with rental units, or cash in lieu, if practical.

Furthermore, dwelling rooms are typically located within Rooming Houses, which are subject to a delicate and independent licensing regime. The effect of the proposed wording could require, for example, the replacement of an illegal rooming house, or the maintenance for a period of 20 years vacant dwelling rooms that could not be licensed as a rooming house. Official Plan policies cannot exempt or ignore the elaborate rooming house licensing regime as these draft policies currently do.

Dwelling rooms are utilized in a myriad ways and by a range of individuals. However, it appears that policies 11.3. and 11.4. have been drafted with regard for only one subset of occupants: vulnerable low income, transient tenants. There are a number of other groups that rent and occupy dwelling rooms that the policy ignores including students, business people, and individuals simply looking for medium-term accommodation in excess of what a hotel, but less than as residential lease, typically provides for in the range of 1-6 months. The one-size approach of these proposed policies is inappropriate for these instances and has the potential to lead to negative, nonsensical results. Council and staff are requested to consider amendments in this regard.

#### *b) Housing Mix Policies*

While the prescribed requirements for 2-bedroom and 3-bedroom housing units have been revised, BILD Toronto Chapter members are still of the position that these policies are counterintuitive to the City's affordable housing efforts. Again, the market price for these units remains unchanged and average over \$800 per square foot. City staff are asked to consider the effect of this policy on housing affordability and should allow the industry the creative flexibility to deliver family-sized units and diversify the City's housing stock.

#### *c) Application of Holding By-laws*

While we acknowledge that a Holding By-law is a tool available to municipalities to suspend the advancement of development applications until specific infrastructure or facility deficiencies are addressed, we continue to urge staff and Council to remain sensitive to the impact holding by-laws have on the feasibility of a project. It is imperative that the City identify deficiencies of a site as early as possible in the planning process to add certainty to approvals and allow proactive measures to take place.

In addition to the outstanding comments detailed above, BILD Toronto Chapter members have expressed concern related to the manner in which the Downtown Official Plan Amendment and Downtown Plan are being brought forward for approval. Recognizing that in their recommendation report, staff have positioned the Official Plan Amendment as a conformity exercise to the Growth Plan, 2017 that will require approval from the Minister of Municipal Affairs, the nature of the appeal process tied to these Plans remains unclear. Additional details are requested in this regard.

It is also our understanding that staff seek to use the Downtown Plan policies to inform the evaluation of current and future development applications in the Downtown Plan area. It has come to our attention that many member-properties in this area are subject to ongoing planning processes and could be prejudiced by the proposed approach to the City's enactment of the draft Official Plan Amendment. Given that the draft Official Plan provides no form of transition for development proposals in progress today, we kindly request that a transition period be provided to allow those processes to be completed under the current policy regime.

We trust you will find our comments above helpful as you consider next steps for the adoption of the Official Plan Amendment and proposed Downtown Plan. We kindly ask that you also accept this letter as our formal request for notice regarding any decision made in respect of this matter.

Thank you again for the opportunity to provide feedback. Should you have any questions, please feel free to contact the undersigned.

Sincerely,



Carmina Tupe, B.URPI  
Planner, Policy and Government Relations BILD

*CC: Andrew Farncombe, City of Toronto  
Ann-Marie Nasr, City of Toronto  
Gary Switzer, BILD Toronto Chapter Chair  
Danielle Chin, Senior Manager, Policy and Government Relations BILD  
BILD Toronto Chapter Members*