



Project No. 1809

June 6, 2018

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

Members of Planning & Growth Management Committee:

**Re: Item PG30.4, June 7, 2018**  
**Midtown in Focus: Final Report**  
**Greenrock Properties**

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As you are aware, we are the planning consultants to Greenrock Real Estate Advisors ("Greenrock") with respect to the above-noted matter.

As we noted in our February 23, 2018 letter, which reviewed the draft Secondary Plan adopted for the basis of public consultation by City Council on December 5, 6, 7 and 8, 2017, Greenrock is a longstanding multi-residential rental property owner in the Yonge-Eglinton neighbourhood, that has developed and continues to own multiple properties. Greenrock has a strong interest in continuing to grow the community and its multi-residential rental stock in the area. Among other lands within the Yonge-Eglinton Secondary Plan Area, Greenrock is the manager and owner of, or has a development interest in, the following lands:

1. 45 Balliol Street and 57-93 Balliol Street;
2. 50-64 Merton Street;
3. 216-240 Balliol Street, a portion of 200 Balliol Street, and 195-221 Davisville Avenue; and
4. 225 Davisville Avenue.

We have reviewed these four properties with respect to the proposed Official Plan Amendment (OPA) No. 405 released for review on May 18, 2018. Subject to the additional comments below, the comments we provided in our February 23, 2018 letter remain valid. The February 23, 2018 letter has been appended to this report as **Appendix 1**.

We have a number of concerns with the proposed approval process, and continue to have broad and specific concerns with the proposed OPA, which are described below. In particular, it is our opinion that the proposed secondary plan, as currently

drafted, is not consistent with the Provincial Policy Statement and does not conform with the Growth Plan.

1. Finally, in our opinion, the proposed OPA cannot reasonably be considered to be part of a municipal comprehensive review and/or a provincial plan conformity exercise and, therefore, is not properly subject to Section 26 of the *Planning Act*.

Section 26(3)(a) requires Council to consult with the approval authority (in this case, the Ministry) and with prescribed public bodies with respect to any revisions to the official plan that may be necessary. There is no evidence that the Ministry was consulted with respect to the revisions required as part of the exercise, and even if so, the public has no information on that consultation or its results.

In addition, Section 26(3)(b) requires Council to hold a special public meeting that is open to the public to discuss the revisions to the official plan that may be required. There is no evidence that such a meeting was held. While the special meeting of Council scheduled for June 7, 2018 (i.e. this Planning and Growth Management Committee meeting) purports to be the special public meeting required by Section 26(3)(b), we are of the view that it cannot properly be considered the required statutory meeting as it will not serve as an opportunity for members of the public to provide input on the “revisions that may be required” to bring the Official Plan into conformity with Provincial policies and plans (a meeting that in any event should occur near the beginning of the process).

Furthermore, it is our opinion that the proposed OPA cannot be considered a provincial conformity exercise, as it is not consistent with the PPS and does not conform with the Growth Plan, both of which contain a number of policies that promote intensification and compact built form, particularly in areas well served by public transit.

Finally, it is our opinion that the proposed OPA cannot be considered the result of a “municipal comprehensive review” because it does not provide density calculations within the Major Transit Station Areas and none of the documents presented to the public during and in support of the review process appear to provide any density calculations in terms of job and persons per hectare, as required by the Growth Plan.

2. We continue to fundamentally disagree with the proposed Secondary Plan's approach of limiting the amount of tall building development potential on specified sites across the proposed Secondary Plan area without the benefit of more thorough planning and urban design analysis that accompanies a site-specific development application.

Additionally, we continue to disagree with the approach of limiting tall building development potential to only specified sites. Both of these approaches appear to conflict with the policies of the PPS and Growth Plan.

**We recommend that Section 5.3 of the proposed secondary plan be revised and Schedules 21-11 to 12-16 be removed, and that tall building development potential and maximum height be determined through a combination of site-specific analysis, applying the applicable built form and design policies, the zoning by-law, and applicable guidelines.**

**Should you disagree with revising the Secondary Plan, we have the following alternative site-specific recommendation.**

3. For the reasons set out in our February 23 2018 letter, and as demonstrated through the massing analysis diagrams included in that letter, we recommend the following.

Policy 2.4.1 proposes that “the boundaries of the Midtown Transit Station Areas maximize the size of the area and the number of potential transit users within walking distance of each station. Proposed Policy 2.4.2(a)(ii), which applies to the “Secondary Zone” portions of designated “major transit station areas”, clarifies that development will “transition down in height and scale to surrounding Built-up Zones”.

In this regard, 45 Balliol Street and 57-93 Balliol Street and 50-64 Merton Street are located within a height context that includes existing buildings with heights significantly greater than 17-19, including the 28-storey MYC Condos (southeast corner of Merton Street and Yonge Street), the 30-storey building known as Balliol Park located at 118 Balliol Street, northeast of the site, and the 30-storey building known as 77 Davisville, located immediately across Balliol Street from the site.

In addition, Policy 5.4.9 of the proposed Secondary Plan encourages height variability within the permitted height ranges, with the highest heights located in closest proximity to transit stations. The height ranges shown on

Map 21-14 do not appear to fully embrace this approach. In particular, the proposed height ranges along Merton Street and Balliol Street which are 14-16 and 17-19 storeys respectively, do not allow for sufficient variety of height to contribute to the skyline of Midtown and do not appear to support the transition of height upwards towards the transit stations.

Further with respect to 50-64 Merton Street, while we acknowledge and appreciate the revision which now permits a tall building on the site, it is our continued opinion that the site is an appropriate location for a taller building.

With respect to 195-221 Davisville Avenue, the recommendations in our February 23, 2018 letter continue to apply.

With respect to 225 Davisville, while we acknowledge the revision removing the “No Tall Building Potential or Infill Potential” identification and identifying the existing building’s footprint as “No Additional Storeys on Top of Existing Building”, and the balance of the site as “Midtown Infill Apartment Neighbourhood Building”, it is our opinion that this new designation continues to be needlessly restrictive and does not allow for creative redevelopment solutions that would be already be subject to the rental housing replacement policies of the Official Plan.

In our opinion, this site is a candidate site for creative approaches to infill development, and should not be limited by the restrictive Midtown Infill Apartment Neighbourhood Building policies (5.3.51-5.3.57). In our experience, there are other ways in which infill development of tall buildings could and should occur. Given the large site area, there may be creative solutions to intensifying the site that are unnecessarily limited by the references to height, with no apparent rationale for having done so.

Given the above, we recommend the following revisions to the Secondary Plan, should you disagree with the recommendations in Paragraph 2 above:

**A height range in the order of at least 28 to 30 storeys should be applied to 45 Balliol Street and 57-93 Balliol Street.**

**A height range in the order of at least 32 to 34 storeys should be applied to 50-64 Merton Street.**

**A height range in the order of at least 11 to 12 storeys should be applied to 195-221 Davisville Avenue, as opposed to 8 storeys.**

**The “No Additional Storeys on Top of Existing Building” identification be removed from the building footprint at 225 Davisville, and any additions to the top of the building should be controlled through the appropriate built form policies and guidelines.**

**Subsection (a) of Policy 5.3.55 should be removed, in order to permit additions on top of existing apartment buildings 11 storeys or higher, subject to the appropriate built form policies and guidelines.**

As well, we have identified a number of other concerns with the proposed secondary plan policies, as set out below:

1. Generally speaking, while there is a further recognition of potential for development in the secondary plan area, the plan continues to be overly prescriptive in terms of its built form policies. Matters related to floor plate size (e.g. Policy 5.3.41), separation distance (e.g. Policy 5.3.36, and setback as well as heights and locations of the podium (e.g. Policy 5.3.34), among other matters, are already sufficiently addressed by the City’s Tall Building Guidelines and Mid-rise Building Design Guidelines. It is our opinion that such detailed numerical standards are inappropriate and undesirable in a policy document. If this and similar policies are to be included, the relaxation of height limits becomes even more important in terms of achieving transit-supportive intensification on the subject sites.
2. Policy 5.3.32 is overly prescriptive with respect to the minimum ratio of open space, requiring a ratio of open space to building footprint of 45:55. This ratio may be overly prohibitive with respect to accommodating institutional and commercial uses in the area. As noted above, it is our opinion that such detailed numerical standards are inappropriate and undesirable in a policy document. If this and similar policies are to be included, the relaxation of height limits becomes even more important in terms of achieving transit-supportive intensification on the subject sites.
3. Policy 5.3.45 appears to suggest that separation distance between towers should be coordinated between sites. However, it also states that each site should provide half of the required separation distance on the site. Achieving half the required separation distance may not always be necessary as some of the existing towers are situated further away from their respective property lines. In addition, there is no relief provided for non-conforming neighbours.



Thank-you for your consideration of these comments, and the comments set out in our February 23, 2018 letter.

If you require any clarification or wish to discuss these matters further, please do not hesitate to contact me, or Mike Dror, Senior Planner, of our office.

Yours very truly,

**Bousfields Inc.**

A handwritten signature in black ink, appearing to read "T. Kasprzak".

Tom Kasprzak, MCIP, RPP

cc: *client*  
*Jane Pepino, Aird & Berlis*

Project No. 1809

February 23, 2018

Paul Farish, MCIP, RPP  
Senior Planner, Strategic Initiatives, City Planning  
City of Toronto  
Metro Hall, 22nd Floor, 55 John Street  
Toronto, ON M5V 3C6

Dear Mr. Farish:

**Re: Midtown in Focus: Proposed Yonge-Eglinton Secondary Plan Update**

We are the planning consultants to Greenrock Real Estate Advisors (“Greenrock”) with respect to the above-noted matter. Greenrock is a longstanding rental multi-residential property owner in the Yonge-Eglinton neighbourhood, that has developed and continues to own multiple properties. Greenrock has a strong interest in continuing to grow the community and its rental multi-residential stock in the area.

Among other lands within the Yonge-Eglinton Secondary Plan Area, Greenrock is the manager and/or owner of, or has a development interest in, the following lands:

1. 45 Balliol Street and 57-93 Balliol Street;
2. 50-64 Merton Street;
3. 216-240 Balliol Street, a portion of 200 Balliol Street, and 195-221 Davisville Avenue; and
4. 225 Davisville Avenue.

We have reviewed these four properties with respect to the proposed Yonge-Eglinton Secondary Plan adopted by City Council on December 5, 6, 7 and 8, 2017 for the basis of public consultation. This letter includes a brief overview of the existing policy and regulatory framework that applies to each site, a review of the policy framework proposed to be applied through the Secondary Plan, and our concerns and recommendations.

**Policy & Regulatory Framework**

Sites 1, 3 and 4, with addresses on Balliol Street and Davisville Avenue, are designated *Apartment Neighbourhoods* on Map 17 – Land Use of the City of Toronto Official Plan. Site 2 (50-64 Merton Street) is designated *Mixed Use Areas*.



The in-force Yonge-Eglinton Secondary Plan does not apply any additional land use designations in the Secondary Plan, nor are they subject to any site and area specific policies. Generally, the Secondary Plan directs higher density residential development proposals within the *Apartment Neighbourhoods* to sites with nearby subway station access, and, in *Mixed Use Areas*, promotes street-related retail, service uses, and residential uses, while ensuring a compatible relationship of uses with residential uses in adjacent residential areas.

The four sites are zoned as follows by the in-force Toronto Zoning By-law No. 438-86:

- Site 1 is zoned **R2 Z2.0**, with a height limit of 38.0 metres and an overall permitted density of 2 times the lot area;
- Site 2 is zoned **CR T2.0 C2.0 R2.0**, with a height limit of 21.0 metres and an overall permitted density of 2 times the lot area;
- The south portion of Site 3 is zoned **R2 Z0.35**, with a height limit of 38.0 metres and a permitted density of 0.35 times the lot area, while the north portion of Site 3 (the rear of 200 Balliol Street) is zoned **R2 Z0.6**, with a height limit of 38.0 metres and a permitted density of 0.6 times the lot area (the overall permitted density would be approximately 0.48 times the lot area); and
- Site 4 is zoned **R2 Z0.6**, with a height limit of 38.0 metres and an overall permitted density of 0.6 times the lot area.

The R2 (Residential) zone permits a wide range of residential uses including apartment buildings, as does the CR (Commercial Residential) zone, which also permits a wide range of non-residential uses.

### **Proposed Yonge-Eglinton Secondary Plan Update**

We have reviewed the proposed Yonge-Eglinton Secondary Plan adopted by City Council on December 5, 6, 7 and 8, 2017 for the basis of public consultation, and have the following concerns:

1. It is our opinion that the proposed secondary plan, as currently drafted, is not consistent with the 2014 Provincial Policy Statement ("PPS") and does not conform with the 2017 Growth Plan, both of which contain a number of policies that promote intensification and compact built form, particularly in areas well served by public transit.

Generally speaking, we fundamentally disagree with the proposed Secondary Plan's approach of limiting the amount of tall building



development potential on specified sites across the proposed Secondary Plan area without the benefit of more thorough planning and urban design analysis that accompanies a site-specific development application.

Additionally, we disagree with the approach of limiting tall building development potential to only specified sites. Both of these approaches appear to conflict with the policies of the PPS and Growth Plan.

Aside from failing to consider site-specific characteristics that contribute to some existing sites' tall building development potential, this approach also fails to consider the possibility of lot assembly in creating new sites that can accommodate a tall building while meeting all of the proposed Secondary Plan's built form policies. Maps 21-5, 21-6, and 21-7 include some properties that have not yet been assembled (such as Site 3) as having tall building or infill development potential. However, this appears to have been done on a piecemeal basis, and there are multiple missing opportunities such as Site 2 and a portion of Site 3 (described further below in Recommendations #2 and #3).

In addition, it is our opinion that the proposed imposition of numerical height limits (and other such numerical standards) is generally inappropriate and undesirable in a policy document and is more appropriately included in a regulatory document (the zoning by-law) or a guideline document. Fundamentally, the imposition of numerical standards in an Official Plan has the potential to pre-judge appropriate methods and key principles of development and architectural design, and to unnecessarily trigger the requirement for site-specific Official Plan amendments.

When the City undertakes a study of a large area of land with various degrees of development intensity, such as the Yonge-Eglinton Area, it is understandably very challenging to conduct a thorough analysis of various sites and their site-specific ability to achieve built form and policy goals to predetermine the appropriateness of specific heights. It is much more appropriate to conduct those analyses when a site-specific application is submitted with numerous consultant reports and further information to better allow the thorough review of site-specific considerations.

Limiting both the location of tall buildings and their maximum heights within the Secondary Plan document, runs counter to the objectives of the PPS and 2017 Growth Plan of promoting intensification and compact built form, and optimizing the use of land and public investment in infrastructure and public service facilities.



Growth Plan Policy 2.2.1(2)(c) provides that, within settlement areas, growth will be focused in delineated built-up areas, strategic growth areas, locations with existing or planned transit (with higher order transit being prioritized where it exists or is planned), and areas with existing or planned public service facilities. Accordingly, Schedule 3 of the Growth Plan forecasts a population of 3,190,000 and 1,660,000 jobs for the City of Toronto by 2031, increasing to 3,400,000 and 1,720,000, respectively by 2041.

The recently released 2016 Census indicates that population growth in Toronto is continuing to fall short of the Growth Plan forecasts. At a point that is now midway through the 2001-2031 forecast period, the 2016 population of 2,731,571 (which would translate to an estimated population of 2,825,123, using the same undercount percentage as determined for the 2011 Census) is only 39.2% of the way toward achieving the population forecast of 3,190,000 by 2031, whereas, at the approximate halfway point between 2001 and 2031, we would expect the actual growth to be closer to 50%.

Staff have not provided an alternative calculation with respect to meeting intensification goals.

**We recommend that Policies 3.3.4 and 3.3.5 be revised and Schedules 21-5, 21-6, 21-7, 21-8, 21-9 and 21-10 be removed, and that tall building development potential and maximum height be determined through a combination of site-specific analysis, applying the applicable built form and design policies, the zoning by-law, and applicable guidelines.**

**Should you disagree with both of the above recommendations, we have the following alternative site-specific recommendations (Recommendations #2-5).**

2. A portion of Site 1 (57-93 Balliol Street) is identified as having “Infill Development Potential”, with a maximum height of 17-19 storeys on Maps 21-6 and 21-9, respectively. We are of the opinion that the height limit of 17-19 storeys is unnecessarily restrictive and does not consider a number of factors.

First, the height context includes existing buildings with heights significantly greater than 17-19, including the 28-storey MYC Condos (southeast corner



of Merton Street and Yonge Street), the 30-storey building known as Balliol Park located at 118 Balliol Street, northeast of the site, and the 30-storey building known as 77 Davisville, located immediately across Balliol Street from the site.

Policy 3.3.1(a) provides for “a variety of building types with a range of heights to reinforce existing character, promote localized sense of place and create a legible skyline for Midtown that reinforces the area structure when viewed from key vantage points within the broader city” (our emphasis). As well, within the “major transit station areas” designated as “Secondary Zones” on Map 21-2, Policy 3.1.6(a)(ii) provides that “the intensity of development will be markedly less than the Station Area Core with transitions in height and scale to adjacent areas”. Given that heights in the 30-storey range already exist immediately adjacent to 57-93 Balliol Street), it is our opinion that a similar height should be contemplated on Site 1, with transition in height and scale occurring on properties outside of the “Secondary Zone” (i.e. north of Davisville Drive, east of Paiton Crescent and south of Merton Street). In that regard, 57-93 Balliol Street is located in the approximate geographic centre of the “Secondary Zone”.

Second, it is our opinion that the 17-19 height limit is unnecessarily restrictive as it does not appear to fully consider the minimal resulting built form impacts. After applying all of the applicable proposed built form policies (see Appendix A), and evaluating the resultant shadow impact, it is our opinion that a tall building of at least 28 to 30 storeys would be appropriate given the current height context.

**As such, it is our opinion that a height range in the order of at least 28 to 30 storeys is more appropriate on Site 1.**

3. Site 2 (50-64 Merton Street) is a potential assembly of 64 Merton Street, currently owned by Greenrock, and 50 Merton Street, currently owned by the Girl Guides of Canada (“Guides”). Both properties are designated as being part of a “Midtown Special Place”, and specifically “Merton Street”, on Map 21-12. Both are also identified as having “No Tall Building Potential or Infill Potential” on Map 21-6.

We are concerned that designating the properties as having no tall building potential does not take into account the potential for tall building development on a site-by-site basis, and, more generally, does not consider that, through lot assembly, the assembled site is able to accommodate a tall building. While the sites have not been formally



assembled, the ownership parties have been actively discussing a potential partnership.

The anticipated redevelopment proposal would implement Policies 4.5.6.1, 4.5.6.2, and 4.5.6.3 of the “Merton Street” “Midtown Special Place” character area, which envision the area as being mixed use in character, including non-residential uses, with new development replacing existing office spaces and providing additional office spaces on site. It is the intention of both the Guides and Greenrock to return to the site as part of any redevelopment proposal, to in fact expand their offices to approximately 50,000 square feet of office space (Guides) and 10,000 square feet of office space for Greenrock. This proposal would retain two existing employers within the “Merton Street” “Midtown Special Place”, resulting in an estimated minimum of 240 jobs (200 for the Guides and 40 for Greenrock) in close proximity to a subway station.

While, individually, neither property is large enough to accommodate a tall building while meeting all of the proposed built form policies in the draft Secondary Plan, an assembled site can. Through a site-specific analysis of these two properties, we find that the assembled site can accommodate a tall building while meeting the relevant built form policies proposed for the “Merton Street” “Midtown Special Place” in Section 4.5.6 and for Tall Buildings in Section 3.3.4.

Specifically, given the assembled site’s width of approximately 47 metres, a tall building can be constructed with a maximum floor plate of 750 square metres (Policy 3.3.14), that is set back a minimum of 12.5 metres from the side and rear property lines (Policy 3.3.14) and 3.0 metres from the face of the base building along Merton Street (Policy 3.3.17), while setting the entire building back 3.0 metres from Merton Street (Policy 3.2.28). See Appendix A for an illustration.

With respect to an appropriate height limit, given the current height context and the proximity to Site 1 (57-93 Balliol Street), it is our opinion that a minimum height of approximately 32 to 34 storeys would be appropriate.

**As such, we recommend that the 50-64 Merton Street properties be redesignated as lands with “Tall Building Potential” on Map 21-6. In our opinion, a height range of at least 32 to 34 storeys would be appropriate.**



4. Generally speaking, Site 3 is designated as having “Tall Building Development Potential” on Map 21-6, taking into account the potential land assembly of the properties fronting Balliol Street (216-240 Balliol Street) and the rear of 200 Balliol Street. However, we are concerned that both the maximum height of 20-23 storeys proposed by Map 21-9 and the limited boundary of the potential assembly is unnecessarily restrictive.

Given the presence of *Neighbourhoods* immediately northwest of the site and the June Rowlands Park immediately northeast, we have analyzed the shadow impacts of a taller building on the site. Our shadow study showed that a tall building with a minimum height of 26-28 storeys could be accommodated on the site, depending on tower location and configuration, meeting all of the proposed relevant built form policies, with no new net shadowing on any portion of June Rowlands Park and limited shadowing on properties designated *Neighbourhoods* (see Appendix A).

In addition to a potential tall building framing the Balliol Street portion of the site, our analysis has demonstrated that a mid-rise building up to approximately 11 or 12 storeys could be accommodated along Davisville Avenue, generally on the lands at 195-221 Davisville Avenue. This could be achieved with no new net shadow impacts on June Rowlands Park and limited shadow impacts on lands designated *Neighbourhoods*.

Policy 3.3.4 defines a “tall building” as having a height greater than the maximum mid-rise building height identified for each Character Area in Section 4 of the plan. According to Map 21-12, the site is located in the “Midtown Apartment Neighbourhoods”, and specifically the “Davisville Apartment Neighbourhood” character area, which does not have any specific policies in Section 4. Section 4.3, “Apartment Neighbourhoods”, does not include maximum mid-rise building heights for the “Midtown Apartment Neighbourhoods”. Nevertheless, it is our interpretation of the Secondary Plan as drafted that an 11- or 12-storey height at this location would be considered a tall building.

**In light of this, and given that we have demonstrated that an 11- or 12-storey height can be achieved without significant built form impacts, we recommend that either:**

- (a) **the “Tall Building Potential” designation applying to 216-240 Balliol Street and a portion of 200 Balliol Street on Map 21-6 be extended to include 195-221 Davisville Avenue; or**



**(b) a maximum mid-rise height limit of at least 11 to 12 storeys be included in Section 4.3 of the Secondary Plan.**

5. Site 4 (225 Davisville) is currently developed with a 24-storey slab rental apartment building located in the approximate centre of the site, while the majority of the site is occupied by landscaping, surface parking and driveways.

The site is identified as having “No Tall Building Potential or Infill Potential” (emphasis added) on Map 21-6. However, it is our opinion that this designation is needlessly restrictive and does not allow for potential additions, partial demolitions or even total demolitions, all of which would be subject to the rental housing replacement policies of the Official Plan.

In our opinion, this site is a candidate site for creative approaches to infill development, and should be identified as having infill development potential subject to proposed Policy 3.3.13 of the draft Secondary Plan.

However, we are also concerned that the Policy 3.3.13 only permits additions on top of existing apartment buildings greater than 10 storeys and additions resulting from partial demolition of apartment buildings less than or equal to 10 storeys. In our experience, there are other ways in which infill development of tall buildings could and should occur. Given the large site area, there may be creative solutions to intensifying the site that are unnecessarily limited by the references to height, with no apparent rationale for having done so.

**We recommend that the lands at 225 Davisville be identified as having “Infill Development Potential” on Map 21-6.**

**We also recommend that the words “that is greater than 10 storeys in height” be removed from Policy 3.3.13(a) and the words “that is equal to or less than 10 storeys in height” be removed from Policy 3.3.13(b).**

6. In addition to the above site-specific concerns, we have significant concerns with proposed Policy 3.6.2, which would require 30% two-bedroom units and 20% three-bedroom units, and would specify minimum unit sizes of 90 square metres for half of the two-bedroom units and 106 square metres for half of the three-bedroom units. Similar to our comments above, such detailed numerical standards are inappropriate in a policy document. Furthermore, if such policies are to be introduced in the Official Plan, that should be done on a City-wide basis with the requisite



comprehensive study and the opportunity for broad-based consultation. There is no apparent rationale for imposing such requirements in Yonge-Eglinton when they do not apply elsewhere in the City.

7. We have similar concerns about the proposed affordable housing provisions in Policy 3.6.4, which would require 10% of the total residential gross floor area as Affordable Rental Housing or 15% of the total residential gross floor area as Affordable Ownership Housing or a combination of the above. Moreover, no definitions are provided for Affordable Rental Housing or Affordable Ownership Housing, and it appears from a review of proposed Section 5.3 that affordable housing would not be an eligible Section 37 contribution, contrary to the City-wide policies in Policy 5.1.1(6) of the Official Plan. Similar to the proposed unit size policy addressed above, if such policies are to be introduced in the Official Plan, it should be done on a City-wide basis with the requisite comprehensive study and opportunity for broad-based consultation.
  
8. Finally, it is our opinion that proposed Policy 5.3.5, which provides that the amount of a monetary Section 37 contribution will be equal to 25% of the incremental market value of the gross floor area, is inappropriate in a number of respects. First, as with the unit size and affordable housing policies, any such policy should be considered on a City-wide basis. Second, a formulaic approach to Section 37 contribution is specifically rejected in the City's Section 37 implementation guidelines. Third, while the City's practice has been to use a percentage of the incremental increase in land value as a guideline for calculating a Section 37 contribution, that percentage has historically been 7-15% of the increased land value, not 25%.

Thank-you for your consideration of these comments. If you require any clarification or wish to discuss these matters further, please do not hesitate to contact me, or Mike Dror, Senior Planner, of our office.

Yours very truly,

**Bousfields Inc.**

A handwritten signature in black ink that reads "T. Kasprzak". The signature is fluid and cursive, with "T." at the beginning and "Kasprzak" following it.

Tom Kasprzak, MCIP, RPP



cc: *client*  
*Jane Pepino, Aird & Berlis*

A P P E N D I X A:  
MASSING ANALYSIS

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A

February  
2018

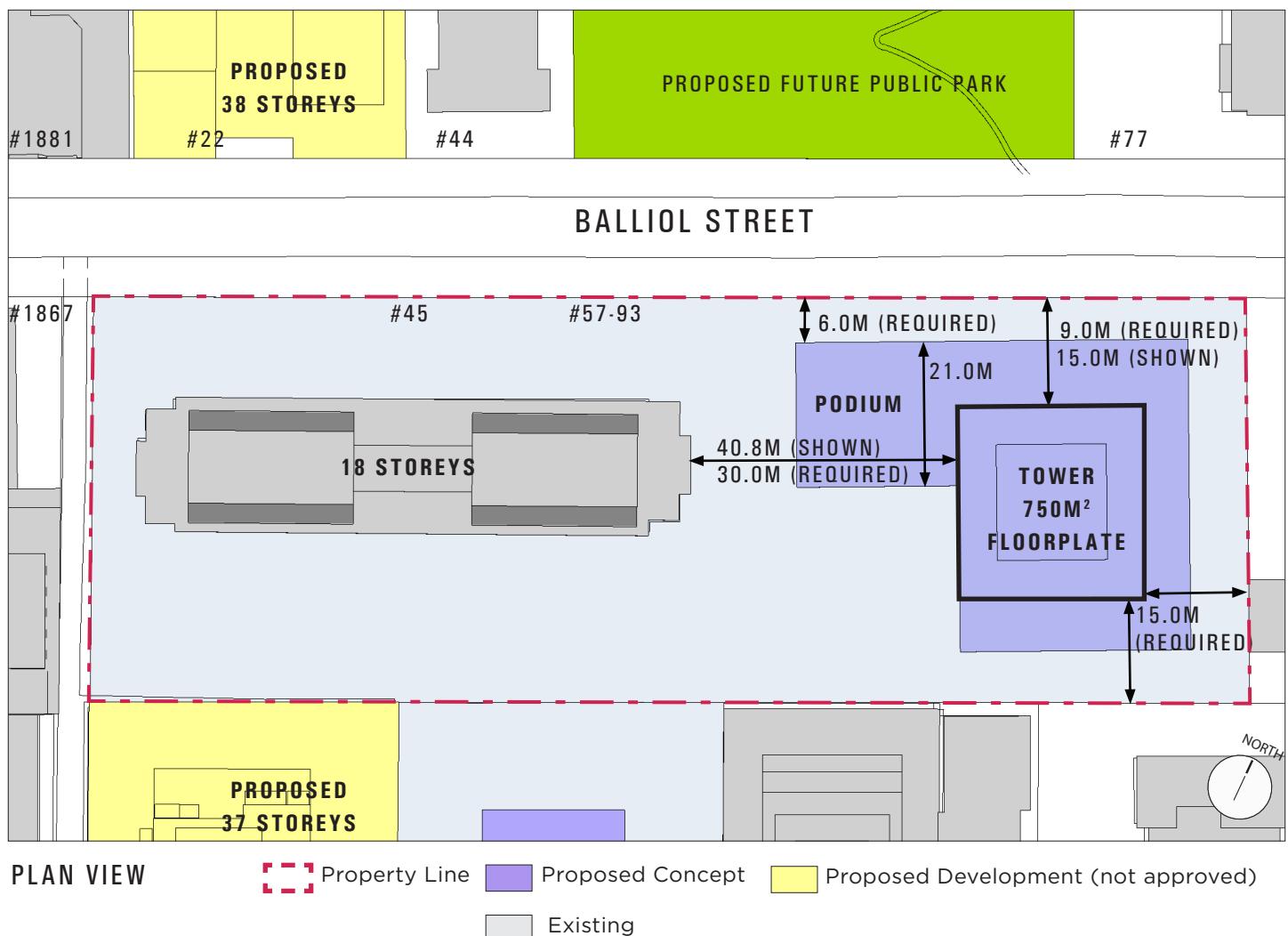
# SITE 1

45-93 BALLIOL STREET, TORONTO

## STATS

Site Area: approx. 9,880 sm (2.44ac.)

Character Area: Midtown Apartment Neighbourhood-Davisville Apartment Neighbourhood



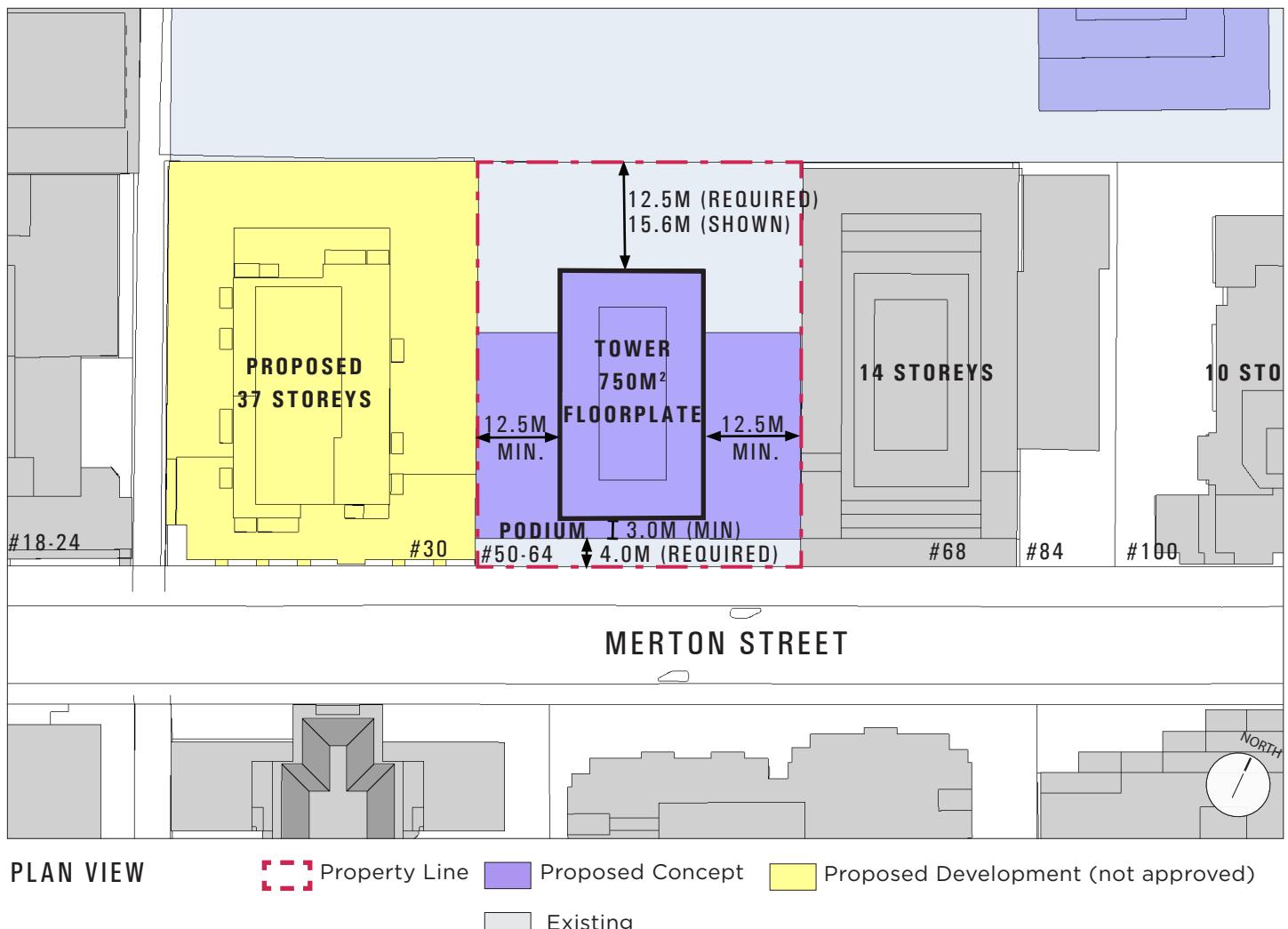
# SITE 2

50-64 MERTON STREET, TORONTO

## STATS

Site Area: approx. 2,807 sm (0.69 ac.)

Character Area: Midtown Special Places-Merton Street



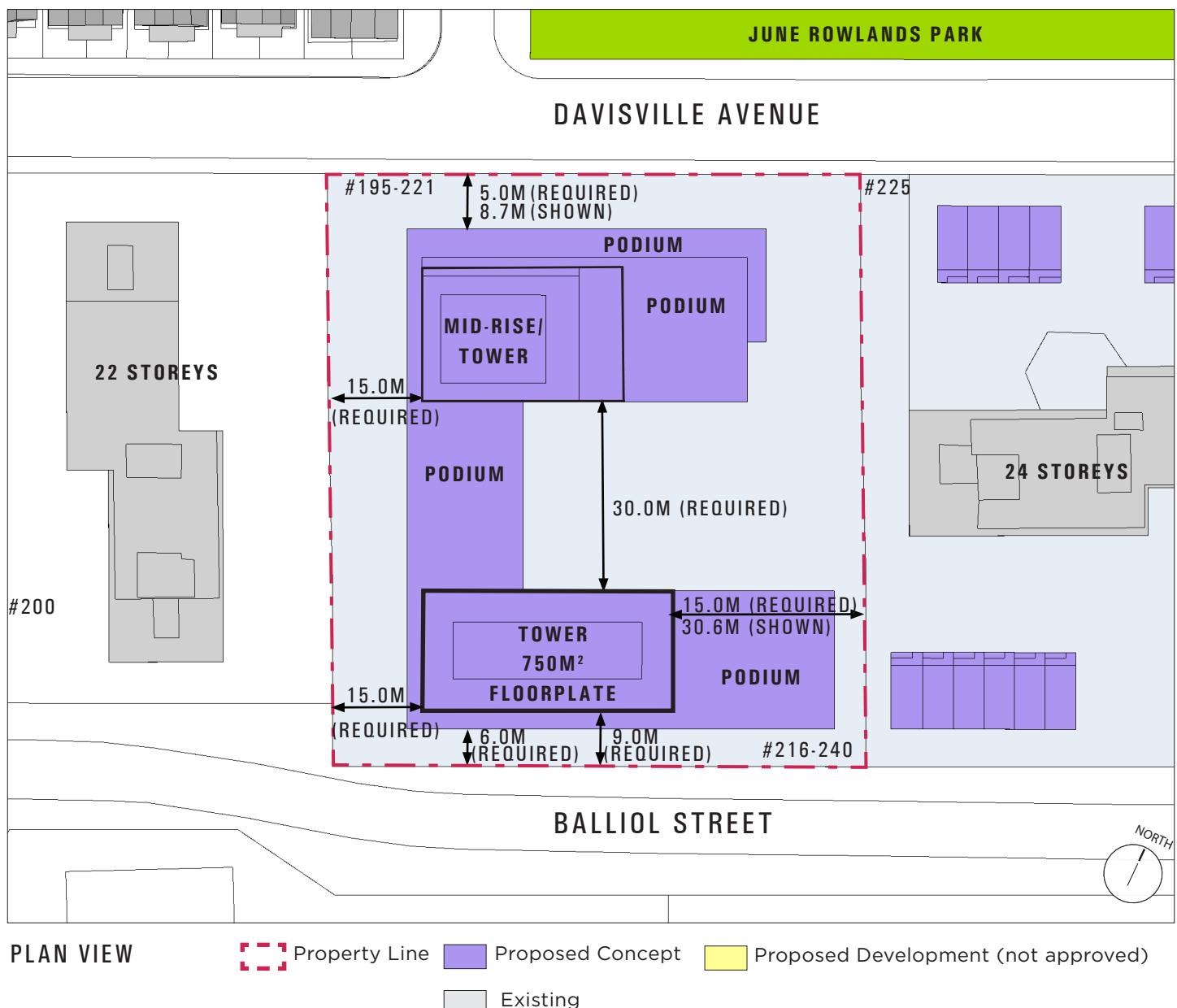
# SITE 3

195-221 DAVISVILLE AVENUE & PORTION OF 200 BALLIOL STREET, TORONTO

## STATS

Site Area: approx. 7,990 sm (1.97ac.)

Character Area: Midtown Apartment Neighbourhood-Davisville Apartment Neighbourhood



PLAN VIEW

Property Line

Proposed Concept

Proposed Development (not approved)

Existing





**BOUSFIELDS INC.**