



18 June 2019

Toronto City Council  
100 Queen Street West  
Toronto, ON M5H 2N2

**Attention: Members of Council**

**RE: City Council Meeting, 18 June 2019  
Item No. PH6.1  
Proposed Official Plan Amendment  
Policies to Address the Loss of Dwelling Rooms  
Submission by Walker, Nott, Dragicevic Associates Limited  
On behalf of Minto Communities Inc.  
Our File: 16.633**

Dear Council members,

Walker, Nott, Dragicevic Associates Limited (“WND”) is the planning consultant for Minto Communities Limited (“Minto”) in respect to their application for Zoning By-law Amendment in respect to the property at 295 Jarvis Street (the “subject site”). The subject site currently contains a private hotel known as the Inglewood Arms, which is a licensed rooming house within the City of Toronto. Minto has an active application that proposes to replace the existing rooming house with a high-rise residential building (the “proposed development”).

WND and our client recognize the challenges facing Toronto’s vulnerable population as a result of the housing crisis and the precarious housing situation being experienced by many low-income Torontonians. We applaud the efforts by Council and City staff to address this important issue, including the proposed policies concerning the loss of dwelling rooms. That said, we have a number of concerns related to the policies as they are currently drafted in respect to their efficacy, conformity/consistency with Provincial policy, and effect on the proposed redevelopment of the subject site as per Official Plan Amendment 82.

The following submission provides a summary of our opinion in regards to the above-noted matters, both generally and in respect of the proposed redevelopment of the subject site. We respectfully request that Council defer consideration of this item to allow for further consultation and modifications to the proposed policies. Notwithstanding that, we would also like to request that the subject site be exempted from the proposed OPA.

Provincial Policy

We are concerned that the proposed OPA does not conform to the Growth Plan for the Greater Golden Horseshoe, 2019 and is not consistent with the Provincial Policy Statement, 2014. Specifically, the proposed OPA, in our opinion, is not consistent with the following sections of the PPS:

- Section 1.1.1
- Section 1.1.2
- Section 1.1.3.2
- Section 1.1.3.3
- Section 1.1.3.4
- Section 1.4.1
- Section 1.4.3

We also believe that the proposed OPA, does not conform to the following sections of the Growth Plan, 2019:

- Section 1.2.1
- Section 2.2.1.2
- Section 2.2.1.3
- Section 2.2.1.4
- Section 2.2.2.3
- Section 2.2.3
- Section 2.2.4.3
- Section 2.2.4.9
- Section 2.2.4.10
- Section 2.2.6.1
- Section 2.2.6.2
- Section 2.2.6.4

In our opinion, while the overall intent behind the policies is laudable, the proposed OPA would create onerous restrictions that – when considered on a city-wide scale – will discourage the redevelopment of properties in the Toronto “settlement area” with higher density housing, which will add a further constraint to expanding the housing supply and thus act to exacerbate the housing crisis. The proposed OPA also disincentivizes the continued operation and reinvestment in rooming houses, and strongly disincentivizes the creation of new rooming housing as a form of low-income affordable housing. It also does not provide for intensification-supportive development standards in an area within a Major Transit Station Area and Urban Growth Centre that has been designated in the Official Plan as specifically appropriate for a new tower (see OPA 82 discussion below).

We also would like to highlight the recent changes made by the Province to the City’s Downtown Secondary Plan (OPA 406). Specifically, the proposed policy 11.4 has been modified so that it reads as follows:

11.4 New development that would have the effect of removing all or part of a private building or related group of buildings, and would result in the loss of ten or more dwelling rooms, may also

---

be requested as a community benefit in accordance with and subject to the applicable legislation to:

11.4.1 replace and maintain at least the same amount of residential gross floor area as rental housing; and

11.4.2 for a period of at least 10 years, the rents for replacement housing will be similar to those in effect at the time the development application is made.

The policy, as amended by the Minister, provides for greater flexibility for property owners, and more certainty throughout the redevelopment process by tying dwelling room replacement to the community benefits package provided by applicants.

The proposed dwelling room policy currently being proposed, as it applies to the Downtown Secondary Plan area, is in our opinion inconsistent with OPA 406 as modified and approved by the Minister. Additionally, the proposed OPA is not authorized by Section 111 of the City of Toronto Act, as noted in the staff report.

In summary, it is our opinion that modifications to the proposed OPA are needed as the current proposed policies do not conform to the Growth Plan for the Greater Golden Horseshoe, 2019 and are not consistent with the Provincial Policy Statement, 2014. Additionally, the proposed OPA is inconsistent with the Provincially-approved Downtown Secondary Plan, and is not permitted under Section 111 of the City of Toronto Act.

#### Official Plan Amendment 82

On March 31, 2015, Toronto City Council adopted Official Plan Amendment 82 (“OPA 82”) in respect to the Garden District in downtown Toronto. OPA 82 created Site and Area Specific Policy 461 which, among other things, identified the subject site as appropriate for a tower-form redevelopment. OPA 82 is in full force and effect for the subject site.

On May 18, 2018, Minto submitted an application for a Zoning By-law Amendment to permit a 36-storey residential building on the subject site, generally consistent with the direction of OPA 82. At the time of the application, the City had not explicitly expressed its intention to pursue a city-wide policy framework relative to dwelling room replacement. At the time of the application, dwelling room replacement policies had been proposed as part of the Downtown Secondary Plan exercise, which was not yet Council-approved. As noted above, the now in-force Downtown Secondary Plan, as amended by the Minister, provides policy direction that ties dwelling room replacement to community benefits, to which the proposed OPA does not conform.

The proposed OPA creates a significant unexpected financial burden for Minto in regards to the proposed development. In our opinion, the proposed OPA is problematic in terms of its potential to hinder or prevent the implementation of OPA 82 by placing onerous new requirements that may preclude the development of a tower on the subject site. Had it been the intention of the City to preserve or replace the existing rooming house on the subject site, this should have been contemplated in OPA 82, and there

---

should have been explicit policy direction to outline how the dwelling rooms could be retained or preserved while accommodating a tower-form redevelopment.

Given this, we request that the subject site be exempted or otherwise relieved of the requirements of the proposed OPA.

### Conclusion

In summary, while we appreciate the desirability of protecting the vital segment of low-income housing represented by dwelling rooms in rooming houses, we do not believe that the proposed OPA, in its present form, is the most effective way to do so. In our opinion the proposed policies discourage intensification on any sites that currently have rooming housing, will not encourage property owners to maintain, improve, expand existing or build new rooming houses, and may discourage operators of unlicensed rooming houses from legalizing their respective dwellings, which will only serve to entrench the precariousness of this housing type.

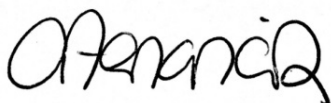
In our opinion, a more effective and sustainable policy framework would encourage and incentivize landowners and rooming house operators to improve and expand their existing operations as well as to create new licenced dwelling room stock and similar forms of modestly-priced housing such as micro-units. Rather than penalizing responsible operators of existing licenced rooming houses, the City's policies should allow such operators to redevelop their properties with higher-density market housing, which will over time help to bring about a permanent solution to the housing crisis through increased overall supply.

It should be noted that Minto is fully committed to funding and arranging for the relocation of the existing long-term occupants of the Inglewood Arms in partnership with the City and a non-profit agency/service provider selected by the City. Additionally, Minto is also open to discussing some form of affordable housing on or off-site as part of the community benefits negotiation for the proposed development.

Ultimately, we believe that the housing crisis in Toronto, including and perhaps especially within its lowest tiers of affordability, will only be resolved by constructing enough housing supply to meet demand which will relieve the upward pressure on the market, rather than by placing further restrictions on landowners that make it more onerous to increase housing supply. We respectfully thank Council for considering this submission.

Yours very truly,

**WND associates**  
planning + urban design



Andrew Ferancik, MCIP, RPP  
Principal

---