



June 26, 2020

Our File No.: 193104

Via Email: councilmeeting@toronto.ca

City Council
City of Toronto
12th Floor, West Tower
City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Marilyn Toft

Dear Sirs/Mesdames:

Re: City Council Item TE14.5 – Queen Street West Planning Study

We are solicitors for Jameson Plaza Ltd., who are the owners of the properties known municipally in the City of Toronto as 1439-1455 Queen Street West (the “**Properties**”). On March 11, 2020, we wrote in advance of the Toronto and East York Community Council meeting regarding the above-noted matter to request a deferral on the basis that the final version of the official plan amendment had only been released for review in the last week. In our letter, we noted that our client had concerns with the draft official plan amendment as it would apply to the Properties. Our understanding is that no revisions have been made to the draft official plan amendment since that time, although no further notice has been provided to our client regarding this matter.

Our client remains concerned with the policies proposed and, in particular, that they are excessively rigid and prescriptive and leave no opportunity for site-specific consideration, especially given distinguishing size and configuration of the Properties and the opportunity for further consolidation of properties within this block. If approved as proposed, the draft official plan amendment would necessitate an OPA to facilitate development that exceeds the proposed built-form standards, even if the development is appropriate on a site-specific basis. This approach to redevelopment of the Properties, as well as the larger block, along a transit corridor runs contrary to matters of provincial interest and provincial policies, including the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2019).

Our client also has specific objections to a number of the built-form policies proposed in the draft official plan amendment. In particular:

- The limitation on maximum overall height is inappropriate for the Properties, as well as the larger block, given the depth and location of the properties on this block. Greater height should be permitted without the need for an official plan amendment. In addition, greater flexibility should be included to enable a response to site-specific considerations and enable development proposals to have innovative design and different floor to ceiling heights.
- The draft official plan amendment has prescriptive setbacks at different heights, along with prescriptive setbacks and limitations on projecting balconies and mechanical penthouses. There is no planning basis for this prescriptive approach in an official plan, especially when such setbacks in particular could limit development potential in a manner that is contrary to provincial objectives, the official plan designation of the Properties, and the site-specific nature and configuration of the Properties.
- The draft official plan amendment appears to recognize that corner properties may incorporate taller elements, but this policy does not provide enough flexibility to enable greater height that can be appropriately accommodated on a site-specific basis, including on the Properties, without the need for an OPA.
- The draft official plan amendment prescribes setbacks from flanking frontages that are unnecessary and overly prescriptive for inclusion in an official plan amendment. A more flexible approach is required when considering such setbacks, which should be determined through a rezoning process.
- The draft official plan amendment refers generally to “heritage buildings” without further definition. This also raises concerns regarding the potential relationship (and conflict) between the draft official plan amendment and the work regarding the Heritage Conservation District.
- The draft official plan amendment provides a low unit threshold for required minimum numbers of two-bedroom and three-bedroom units. Other official plan amendments in the City have set 80 units as a minimum threshold for the applicability of unit mix requirements. We can find no indication in the background reports as to why a lower threshold is being used to define “larger developments” in this area.

We appreciate the opportunity to provide further comments regarding the draft official plan amendment. We would appreciate receiving notice of any decision of City Council regarding this matter.

Yours truly,

Goodmans LLP

A handwritten signature in blue ink, appearing to read "D. Bronskill". The signature is fluid and cursive, with the first letter of each word being capitalized and larger than the others.

David Bronskill
DJB/
7070986