

June 26, 2020

Our File No.: 193396

Via Email: councilmeeting@toronto.ca

City Council
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 High Rhodes Inc., who are the owners of the properties known municipally in the City of Toronto as 1026-1078 Queen Street West (the “**Properties**”). We are writing on behalf of our client to express its concerns with respect to the draft official plan amendment resulting from the Queen Street West Planning Study.

In general, our client has concerns with the excessively rigid and prescriptive nature of the proposed policies that would leave no opportunity for site-specific considerations, as encouraged by the City’s Mid-Rise Performance Standards. This approach to redevelopment 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).

More specific concerns relate to a number of the built-form policies proposed in the draft official plan amendment. In particular:

- The maximum overall height fails to recognize the potential for compatible optimization of certain sites within the study area, including the Properties. Additional height could be accommodated on the Properties and be in keeping with the planned context.
- While the draft official plan amendment appears to recognize that corner properties may incorporate taller elements, this policy does not provide sufficient flexibility for

additional height where it can be accommodated on a site-specific basis, including on the Properties.

- The draft official plan amendment includes prescriptive setbacks at different heights, along with prescriptive setbacks and limitations on projecting balconies and mechanical penthouses. There is no planning basis for such an approach in an official plan amendment, especially when such prescriptive setbacks in particular could limit development potential in a manner that is contrary to provincial objectives and the official plan designation of the Properties. An OPA should not be required to achieve a different setback or provide a setback at a different building height.
- 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. Further, we have concerns regarding the potential relationship (and conflict) between the draft official plan amendment and the ongoing work regarding the Heritage Conservation District.
- The draft official plan amendment provides a low unit threshold for inclusion of a minimum number 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 this lower threshold is being used to define “larger developments” in this area.

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

Yours truly,

Goodmans LLP



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