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May 4, 2021

Our File No.: 000031

**Via Email (clerk@toronto.ca)**

City of Toronto Council  
City of Toronto  
2<sup>nd</sup> Floor, West Tower, City Hall  
100 Queen Street West  
Toronto, ON M5H 2N2

**Attention: Ellen Devlin, Secretariat**

Dear Sirs/Mesdames:

**Re: Item TE24.11 – King-Parliament Secondary Plan Review – Final Report  
Secondary Plan and Zoning By-law Amendments**

We are solicitors for the owners of the properties known municipally in the City of Toronto as 126 & 128 Parliament Street (the “**Properties**”) We are writing to provide our client’s concerns in respect of the draft King-Parliament Secondary Plan (the “**Draft Secondary Plan**”) and the draft Zoning By-law Amendment (the “**Draft ZBA**”) pursuant to the requirements of the *Planning Act*.

Our concerns with the proposed King-Parliament Secondary Plan include but are not limited to the following:

- Policy 2.2: This policy would require development in *Mixed Use Areas 2* in the Downtown Plan to replace all existing non-residential gross floor area, or maintain a minimum of 25% of the total proposed gross floor area as non-residential, whichever is greater. This prescriptive policy ignores potential market realities, making the redevelopment of certain properties not financially feasible, especially in light of Covid-19 where the future of the non-residential market is uncertain. Further, in our view this policy is in conflict with the recently approved Downtown Plan, which directs that development within the King-Parliament Secondary Plan Area be encouraged to provide the replacement of all existing non-residential gross floor area.
- Policy 2.3: Although the non-residential replacement policies proposed in Official Plan Amendment No. 231 remain under appeal, this proposed policy would conflict with the direction in OPA 231, which allows for replacement anywhere in the Downtown and the Central Waterfront Area.

- Policy 3.5.6: The approach to height and built form do not properly address the Properties' proximity to the planned Corktown stop on the Ontario Line, which is approximately 200m south of the Properties
- Policies 5.1, 5.9, 5.12: The prescriptive requirements for new mid-block connections should be deleted or revised. It is not appropriate to require an official plan amendment if a new mid-block connection is not 4.0 metres or is partially covered. Such instances may be appropriate on a site-specific basis and should be implemented without a requirement for an official plan amendment.
- Policy 5.5: This policy inappropriately incorporates a no net new shadow test in respect of certain parks within the King Parliament area. A similar policy was addressed and revised in the Province's revisions to the Downtown Plan. Policy 5.5 should be revised to be consistent with the similar policy in the Downtown Plan.

The draft Zoning By-law Amendments have only been made publicly available as of April 12<sup>th</sup>. It is difficult to provide full review and comment before the statutory public meeting with the late release of these documents.

Our clients' initial concerns with the draft Zoning By-law Amendments are as follows:

- General Comments: In general, the draft Zoning By-law Amendments do not result in optimization of land within the King-Parliament area, including on the Properties which are within approximately 200m of a planned subway station.
- Heights/Streetwall Heights: Our preliminary review of the draft Zoning By-law Amendments indicates that the proposed overall height and streetwall heights do not reflect the pattern of growth in the area and are unduly limiting. This is particularly true within the Old Town Policy Area. Further, the approach to streetwall heights would remove the ability for flexibility, especially at corners or whether a site is appropriate for infill.
- Setbacks: It appears that the draft Zoning By-law Amendments would require a minimum 3.0 metre setback. This is overly prescriptive and should be removed from the Draft ZBAs and determined on a site-specific basis. As noted above, our client has concerns that such a setback represents an inappropriate expansion of the City's authority to take land without recognizing the corresponding community benefit.
- Stepbacks: It appears that the draft Zoning By-law Amendments would require a minimum stepback of 10.0 metres in certain situations. This extensive stepback is without justification and should be deleted.

Clearly, the Properties represent an important opportunity for appropriate intensification. Our review of the Draft Secondary Plan and the Draft ZBA indicates proposed policies and

performance standards that could limit that opportunity and otherwise frustrate appropriate optimization of the Properties. We would also appreciate this letter being treated as our client's request for notice of any decision made in respect of both the draft Secondary Plan and draft Zoning By-law Amendments.

Yours truly,

**Goodmans LLP**



David Bronskill

DJB/rv

cc: Steve Keyzer  
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