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November 24, 2021

Project: BS.TO

Planning and Housing Committee
City of Toronto

Sent via e-mail to: phc@toronto.ca

Dear Committee members,

Re: Keele-St. Clair Local Area Study – Draft Official Plan Amendment

Thank you for the opportunity to provide comments on the Keele-St. Clair Local Area Study – Draft Official Plan Amendment. We represent Benny Stark Limited, the owners of 0, 119-125, 144, 160, and 200 Benny Stark Street, and 116-122 Turnberry Avenue (the “subject site”). The subject site is made up of five parcels with a total area of 4.52 hectares (11.16 acres) located at the terminus of Benny Stark Street, approximately 800 metres northwest of the St. Clair Avenue West and Old Weston Road intersection.

The subject site is currently used by Stark Auto Sales, a national automobile auction firm, under contract with insurance companies to immediately pick up and store vehicles written off due to accidents or recovered from thefts. Stark Auto Sales is required to store all vehicles for approximately 70 to 80 days until ownership is transferred to the insurance company enabling the vehicle to be sold from the showroom or at the weekly auction. The auction house results in the sale of approximately 15,000 vehicles a year. The business operates on the entire subject site, and leases an additional property to the south, with an office in each of two buildings, an indoor showroom, auction house, and outdoor storage.

The business is very successful and has operated for multiple generations. We have also been advised that the owners had no intention of moving. However, the City’s planned Gunns Road and Keele Street extensions adversely impact the functionality and operation of Stark Auto Sales on the subject site, making the ongoing use of the property unviable (**Figure 1**).

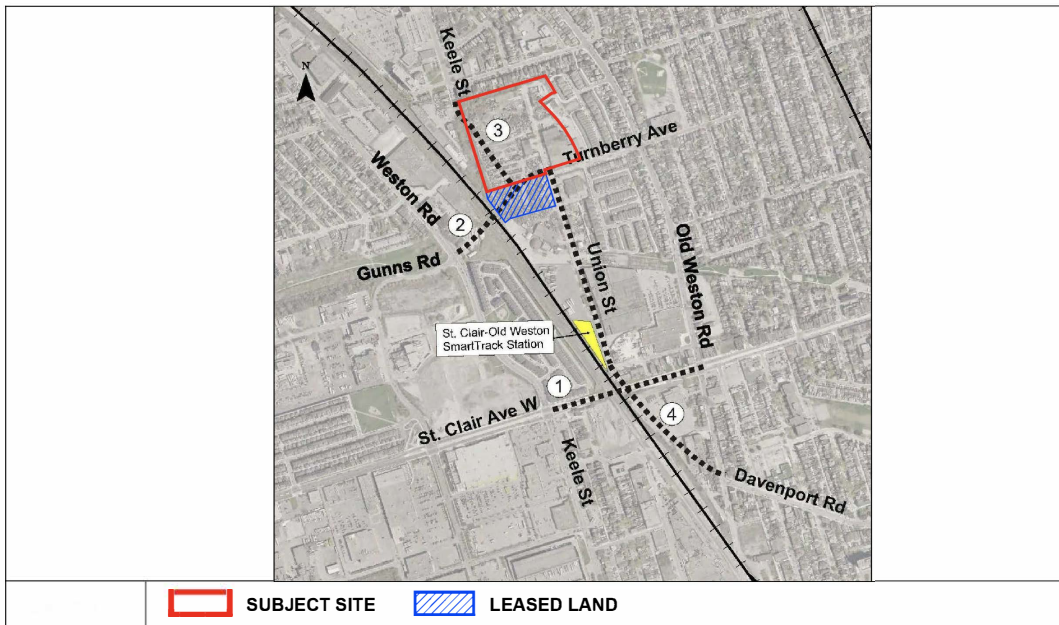


Figure 1: Impact of Planned Transportation Network

As a result of the significant negative impact of the planned transportation network, shown on **Figure 1**, and the inability of the business to continue operating after the loss of land, Benny Stark Limited was forced to submit an employment conversion request to the City on December 16th, 2020. If the City was not taking a significant part of the subject site for the road extensions, the business would remain where it is.

Following the employment conversion request, we worked closely with City staff to develop a plan for the subject site, which resulted in an application for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision on October 21st, 2021. The proposed development contemplates a mixed-use development comprised of high-rise and mid-rise buildings, and townhouses providing 1,822 residential units as well as 18,122m² of non-residential spaces, all within the future Major Transit Station Area (MTSA). A significant component of the proposed development is a 0.5 ha public park in the northeast corner and the realization of the transportation network proposed by the City (i.e. the extension of Gunns Road and Keele Street) as shown on **Figure 2**. Together, the proposed new roads, open space, the park, and the Keele Street/Gunns Road extensions will result in **forty-four percent (44%)** of the site being transferred into public ownership.

The proposed development includes a mix of housing types from ground related townhouses to mid-rise buildings to tall buildings situated on mixed use podiums as shown on **Figure 3**. The proposal provides a unique opportunity to rejuvenate an industrial site located immediately adjacent to existing residential homes, while providing a variety of housing types, ground related retail and office employment in an emerging transit-supportive community.



Figure 2: Site Plan



Figure 3: Southwest View

In reviewing the Keele-St. Clair Local Study – Draft Official Plan Amendment (the “proposed amendment”) released November 10, 2021, we are pleased to see many aspects of our vision for the redevelopment of the subject site reflected in the proposed amendment for the area. These elements include generous streetscapes, the proposed parkland, the dedication of land associated with the Lavender Creek and mid-block pedestrian connections, which the proposed amendment seeks to promote.

However, in facilitating the realization of the proposed development and a complete community, we have concerns with key aspects of the proposed amendment that include:

Non-Residential Use Requirement

The proposed Secondary Plan requires a minimum of 1.0 times the developable area or 25% gross floor area of development as non-residential uses (generally for the lands being converted to Mixed-Use Areas). In comparison, the application that has been submitted proposes 12% of the gross floor area of the development for non-residential uses.

The Staff Report references the current employment permission in the Zoning By-law, representing the minimum opportunity cost of converting the lands. However, the 1.0 FSI within the current Zoning By-law reflects the maximum permission, not the minimum, and that maximum has never been able to be realized on the site. Despite operating a successful automobile auction house on the subject site, it is operating nowhere near 1 FSI, with a very low FSI of 0.18.

The only way to achieve more intense employment use on the site is through a mixed use development where the residential portion of the development helps to subsidize the development of the employment floor space. Subsidizing employment floor area is viable in a successful vibrant mixed use employment area. However, the existing employment area is neither vibrant nor mixed use. The industrial prominence of the area has considerably waned with only low-intensity industries remaining. With little to no modern industries, the area is a declining employment area.

As such, landowners in the secondary plan area are taking a substantial risk in building highly specialized employment spaces on a speculative basis, as there is no guarantee that there is market demand for this space especially in the post COVID era, and these spaces could sit vacant for years.

In view of the above, the proposed employment requirement is too onerous and could hinder the viability of mixed-use projects such as the proposed development and negatively impact the viability of the transit and financial investment in infrastructure. Our client is prepared to provide for significant employment floor area in their development but 1 FSI is too much.

Non-Residential Use Mix

The proposed minimum and maximum non-residential percentage requirements in Schedule A of the proposed Secondary Plan are overly restrictive and limit the viability and success of non-residential uses. Within a mixed-use development, it is important to support a range of employment uses that could function within a site, whereas the prescriptive nature of the columns hinders the flexibility necessary to attract a range of employment uses, potentially resulting in empty employment spaces that cannot be rented.

Moreover, there are discrepancies in employment uses that count towards non-residential uses, such as Post-Secondary Institutions, Business and Industrial Trade Schools while Public Schools which are a very similar use do not count towards the minimum non-residential space requirement. As well, not permitting community-oriented non-residential uses, such as libraries and community recreation centres, as part of the non-residential calculation, could discourage those much needed uses in the area.

Given the uncertain nature of the economy, we urge staff to provide flexibility in the range of uses that could be accommodated on the site.

Built Form

The draft secondary plan proposes a maximum building height permission of 20-35-storeys for the Station North, Station South, Station West & Station East areas. The height limit does not acknowledge that properties including the subject site are within 500 metres of the GO Transit/SmartTrack station and should be encouraged to have higher heights. Transit-oriented densities are vital to maximizing transit users within walking distance of the future St. Clair-Old Weston SmartTrack/GO Station and the St. Clair LRT in order to support the viability of transit and to encourage a shift in travel behaviour.

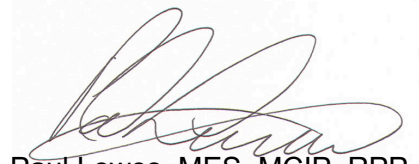
Higher heights are particularly of necessity to be able to subsidize the other requests that the City is asking the landowners to provide for including on the subject lands land for road extensions of Keele Street and Gunns Road, a 0.5 ha. public park, affordable housing and non-residential floor area.

Although the area is not served by very frequent transit that comes with a subway, the 15-minute service on the GO line provides very quick transit service to Downtown Toronto and the airport.

We concur with staff's recommendations to you and look forward to working with City staff to resolve these concerns and complete the review of our client's applications.

Thank you for your time and consideration.

Yours very truly,
SGL PLANNING & DESIGN INC.



Paul Lowes, MES, MCIP, RPP

cc: Stephen D'Agostino, Thomson Rogers
Stephen Stark, Benny Stark Limited
Cesar Palacio