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Our File No.: 000031

Via Email (councilmeeting@toronto.ca)

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

Attention: Marilyn Toft, Secretariat

Dear Sirs/Mesdames:

**Re: Item NY34.5 – Yonge Street North Planning Study
City-Initiated Official Plan Amendment – Final Report**

We are solicitors for CentreCourt Properties in respect of certain lands in within the boundaries of the lands subject to the Yonge Street North Planning Study (the “**Study**”) and, in particular, the proposed Yonge Drewry/Cummer Node (the “**YDC Node**”). We write on behalf of our client to express its concerns with the draft official plan amendment resulting from the Study (the “**Draft OPA**”).

General Concern

The Draft OPA recognizes that the lands subject to the Study represent an opportunity for intensification in proximity to higher order transit. However, our client submits that the Draft OPA fails to recognize the optimization potential of lands within the YCD Node, in accordance with the Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe and the City of Toronto Official Plan. This failure is compounded by vague language in the Draft OPA that does not provide appropriate guidance regarding transition or the opportunity for tall buildings on lands without direct frontage on Yonge Street, as well as overly prescriptive policy regarding certain urban design matters. These specific concerns are outlined below.

Specific Concerns

Our client’s specific concerns with the Draft OPA are as follows:

1. Policy 6.3: This policy is unclear. It appears to require all development to require a range of tenures and affordability levels, as opposed to seeking such ranges on a



Secondary Plan wide basis. This policy should be revised to achieve clarity regarding its intent to ensure it can be appropriately implemented on a site-specific basis.

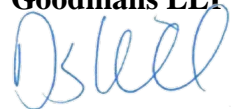
2. Policy 7.1: This policy is framed as mandatory for development. However, beyond payment of development charges as required by applicable legislation, it is unclear how the City can compel in-kind contributions under the *Planning Act*. While Policy 7.6 indicates that community service facilities will be secured in accordance with the applicable legislative framework, neither policy reflects that community service facilities cannot be required as in-kind contributions. This policy needs to be revised to reflect the enabling legislation.
3. Policies 8.1 to 8.14, 8.23 to 8.27: Many of these built form policies are overly prescriptive for inclusion as policy in the Draft OPA. Further, these policies inappropriately elevate recommended guidelines related to tall buildings into policy. Finally, the policies fail to recognize the potential for tall buildings in the YDC Node in accordance to mandatory policy direction to optimize the use of land.
4. Policy 8.15: This policy requires matters related to sustainability and climate resilience in all development with no room for flexibility. Certain aspects of these policies may not be impractical or capable of implementation in all development, which could then trigger the need for an official plan amendment. Greater flexibility to enable discretion in application should be implemented.
5. Policy 8.23: A specific concern with this policy Section is the lack of clarity in interpretation and application, including how “steps down” will be determined as development occurs further away from the intersection. This prescriptive policy should be revised to provide clarity flexibility in terms of transition and recognize that good planning and urban design does not require a staircase-approach to transition.
6. Policy 8.26: This policy suggests that a visible difference in height should be required within the YCD Node between buildings on Yonge Street and buildings “behind” tall buildings on Yonge Street. There is no basis for such a distinction, but the policy is also unclear in its application especially without greater certainty regarding the required for planned higher order transit.
7. Map 49-5 (Building Types and Heights): This Map should be revised to reflect the comments noted above.

We appreciate the opportunity to provide these comments on behalf of our client and would be pleased to meet with City staff to discuss further. Please also accept this letter as our request for notice of any decisions relating to this matter.

Goodmans^{LLP}

Yours truly,

Goodmans LLP



David Bronskill

DJB/

cc: Client

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