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April 25, 2022

Ana Bailão, Deputy Mayor & Chair, Planning and Housing Committee

Attention: Nancy Martins, Committee Administrator
City of Toronto
100 Queen Street West M5H 2N2

Dear Chair & Members of the Planning & Housing Committee::

PH33.2 - OUR PLAN TORONTO: KEELE-ST. CLAIR LOCAL AREA STUDY - FINAL RECOMMENDATION REPORT AND OFFICIAL PLAN AMENDMENT

On behalf of our client, Sequoia Stockyards GP Inc., the owner of 1799 St. Clair Avenue West (the subject site), we submit the following comments regarding the staff report and Official Plan Amendment (OPA) for the Keele-St. Clair Local Area Study (KSC LAS). For reasons explained in more detail below, we respectfully request that the policies proposed in this Secondary Plan be amended as follows:

- policy 8.12 a. be amended to allow for a modest increase in height of five storeys from 35 to 40;
- that the angular plane provisions (Policy 8.5) be deleted, as it is superfluous in combination with the proposed height restrictions; and
- that the language that existed in previous drafts of the proposed policies, namely that non-residential GFA should be provided prior to or concurrent with residential GFA “or as otherwise determined” by the phasing plan, be restored.

The subject site currently houses Delta Bingo and is located on the south side of St. Clair Avenue, fronting onto St. Clair and the future Davenport Road Extension. It is the closest site to the planned SmartTrack station location, on the south side of St. Clair Avenue. Applications for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision to permit a mixed-use redevelopment of the subject site were submitted to the City in August 2021 and are currently under review by Staff. An Employment Conversion Request was also submitted at that time, as part of the City’s Municipal Comprehensive Review of the Official Plan. On March 29, 2022, a public consultation was held to present the proposal and receive comments from members of the public. We have been active participants in the consultation process and been in regular communication with Staff, local stakeholders, and this Committee with respect to the KSC LAS.

APPROACH TO KEELE-ST. CLAIR AREA

The final OPA carries forward the conversion of the subject site to a Mixed Use designation, and includes provisions for affordable housing, a mix of residential and employment uses, prescriptive built form performance standards and an enhanced public realm, particularly in the vicinity of the new transit station, including new pedestrian connections across St. Clair Avenue West. The consistent position of Sequoia Grove has been that a flexible approach is crucial to ensuring that the Keele-St.Clair area and the associated Protected Major Transit Station Area (PMTSA) develop as a vibrant complete community and in a timely manner.

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Although Sequoia Grove supports a number of the policies in the proposed Secondary Plan, it is disappointing to see that the overall heights and built form are constrained artificially by a few of the policies such that it jeopardizes a number of the benefits that might otherwise be accrued and be supportive of the City's overall goals and objectives.

DENSITY, HEIGHT AND TRANSITION

As we have stated in the past, we are supportive of many aspects of this plan. We remain puzzled, however, by what we perceive to be arbitrary height limitations at the Station South area. Staff have established a height limit of generally 40 storeys on the north side of St. Clair within the Station Centre area but have also allowed for one tower to be 45 storeys. We do not object to 45 storeys at this location but we would point out that allowing heights generally in keeping with 40 storeys within the Station South area, would still provide a transition down in heights from the tallest buildings nearest to the station.

Although the angular plane language has been removed from the policy, it has been replaced with a performance standard (Policy 8.5) that requires tall buildings be generally set back from low rise neighbourhoods the same distance as their height. A one-to-one ratio of distance to height is the mathematical equivalent of a 45-degree angular plane and should not be construed otherwise. Although we welcome the inclusion of the language "generally" in the policy, we feel that using this standard, in combination with a height limit, is much too prescriptive and will arbitrarily limit height on the subject site. It is our position that this policy is redundant and therefore should be deleted.

As we have previously advised City Staff on numerous occasions, these reduced height or setback standard provide no increased benefits in relation to height, overlook, privacy or shadowing concerns from the proposed buildings fronting St. Clair Avenue West.

In our previous correspondence and communications, we had requested a modest increase in height from generally 35 storeys to generally 40 storeys. This would still allow for the desired transition from the Station Centre area and we submit there is functionally no difference in negative impact for buildings that are approximately 38 storeys or approximately 42 storeys. The only impacts are that many fewer people will be housed in this City and that this project will be less viable and therefore unable to meet the other requirements in the proposed OPA, including the affordable housing and non-residential requirements.

ST. CLAIR MAIN STREET POLICIES

We agree it is important to create a proper Avenue along St. Clair Avenue but we believe that, despite Policy 8.7's allowances for deep lots, the policies of Section 8.6 are too prescriptive. While the mid-rise built form, streetwall and heights, as described in Policies 8.6c), d) and e), should be applicable to many sites along St. Clair, they do not account for different contexts, including the stretch of St. Clair directly adjacent to the station area. We believe our proposal provides a generous public realm and appropriate setbacks for its context, along with active uses at grade, but the combination of these policies, with those discussed above, makes it difficult to achieve a proper, transit-supportive development on a deep lot that also has a St. Clair Avenue frontage. The policies could also act in concert to push the tall buildings closer to the low-rise neighbourhood areas, defeating the purpose of mitigating impacts to those areas.

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EMPLOYMENT

Our current proposal provides for an employment gross floor area in excess of the requirements of Policy 7.1 and we agree some level of employment uses need to be included in the redevelopment of this longstanding employment area. However, we note that the phasing provisions of Policy 7.2 omit wording that was in the prior draft Policy 6.2. While both the final policy and draft policy require the front-loading of non-residential GFA, and potentially a phasing plan, the draft policy added that the non-residential GFA should be provided prior to or concurrent with residential GFA “or as otherwise determined” by the phasing plan. We ask that this language be restored in order to provide flexibility and alternate means to demonstrate to the City that non-residential GFA will be provided in an appropriate and timely manner, even if not in the first phase.

PARKS AND OPEN SPACE

Due to its historic industrial character, the Keele-St. Clair area is in need of more green spaces and we agree with the policies of Section 3 that identify the prioritization of parkland and preferred locations for dedication. Our proposal, as submitted, provides a POPS, however, we are actively working with Staff to create an appropriate on-site parkland dedication and do not object to this provision in principle, providing we can come to some agreement on an appropriate location.

CONCLUSIONS

It is clear that City Staff and local Councillors have put a great deal of thought into the final OPA, trying to balance many competing objectives, from the City and from residents, landowners and other stakeholders. However, we feel there are some areas where efforts to achieve this balance could have the unintended consequence of undermining the larger realization of the area’s development. We need to ensure there are no policy barriers to development proceeding in the near future to support the Province’s and the City’s significant investments in the new SmartTrack GO station and other public infrastructure.

Through our own application, we have striven to achieve many of the City’s laudable goals on the subject site, even as the OPA policies were still under development and even where some policies (e.g. Inclusionary Zoning) do not apply to the subject site. Providing affordable housing, the minimum amount of employment gross floor area and on-site parkland dedication, however, all combine to necessitate a minimum level of height and density for the development to make the project viable. If, due to another set of competing policies, there is a need to compromise on the requested height and density on our site, which we reiterate is the second-closest to the station itself, that is likely to come with compromises on other goals that both we and the City hoped to achieve. To be clear, if the necessary revisions to the OPA, as outlined above, are not addressed, our client would be left with no choice but to re-evaluate all aspects of the development proposal including the affordable housing and non-residential components.

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We request that the City consider amending these policies to allow for a modest increase in the permitted height, so that we can all continue to work collaboratively to achieving a mutually beneficial solution on this site.

Respectfully submitted,

IBI Group Professional Services (Canada) Inc.



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