



May 29, 2022

Planning and Housing Committee, City of Toronto

Dear Committee Members,

**Re: Agenda Item PH34.4, City-Initiated Zoning By-law Amendments to Implement Ontario Line – Final Report**

I am writing on behalf of the Sir William Campbell Foundation, which operates Campbell House Museum at the northwest corner of Queen & University. The Foundation has an interest in PH34.4, specifically ***Schedule 5 for the proposed rezoning of 130 Queen St West***, not only because Campbell House is on an adjacent property in planning terms and part of the same landmark intersection, but for historical reasons: William Campbell was the Chief Justice of Upper Canada in 1828 when the Law Society acquired the property to build Osgoode Hall. Campbell House, which is 200 years old this year, was relocated in 1972 to be next to the Osgoode property, which will soon also reach the two-century mark.

In January of this year, the Planning and Housing Committee recognized the linkage between the two properties, when it adopted Councillor Cressy’s motion for zero intensification of the Campbell House property for the Protected Major Transit Areas by-law, consistent with zero intensification for the Osgoode Hall property and with the protection of downtown green space at University & Queen.

**Schedule 5 and the extent of damage to the Osgoode Garden**

I request that the Planning and Housing Committee ***reject or defer the rezoning of a large part of the Osgoode Garden for “transportation uses”*** for the Ontario Line until a solution is found that avoids irreversible damage to the integrity of Osgoode’s heritage garden and the loss of its mature urban forest, which contributes to Toronto’s climate resilience. See Fig. 1, a drone view of Osgoode Hall’s tree cover (early May, before all the leaves were out), Figs. 2 and 3 for late-May photographs of the remarkable tree canopy along Queen and at the corner with University, and Fig. 4 for a view from within the garden.

Schedule 5 (Fig. 5) in the draft amended by-law attached to the March 16, 2022 staff report has no dimensions or contextual information to assist the Planning and Housing Committee; however, see Fig. 6, where I have annotated a drone view, looking south, with dimensions to show the extent of the proposed rezoning to accommodate the Ontario Line’s Station Building, below-ground infrastructure, and a staging area for construction. The proposed rezoned area extends 32 m east into the garden from the historic fence along University Ave, and 40.6 m north from the Queen St fence.

All the trees within the rezoned area will be removed during construction, and it will not be possible to re-establish the urban forest because of the location of the new above-and-below-grade infrastructure. Further, the impact of the tree loss will extend well beyond the rezoned area: See the dashed line on Fig. 6 outlining the tree canopy that currently grows over the Osgoode fence and into the public realm.

Metrolinx has produced only one rendering, Fig. 7, of the transportation uses that would be enabled by the rezoning. Nevertheless, even this one image of the Station Building shows trees gone, protected views of the heritage property blocked, and part of the historic fence removed.

### **The community proposal & alternative solutions**

There is a potential alternative to rezoning and the resulting irreversible damage to the Osgoode Garden. The Ontario Line project is a “once in a lifetime” opportunity to transform the public realm at University and Queen, as shown in the attached rendering (Fig. 8): Expand and enhance the pedestrian area on the east side of University to create an Osgoode Plaza to accommodate the Station Building (#1 on Fig. 8) and a Performing Arts Plaza outside the Four Seasons Centre for the Performing Arts. This proposal has universal support in the community.

Metrolinx committed to investigating this alternative, on April 14, at an invited meeting (“heritage roundtable”) of the community, directly affected stakeholders, and City staff. Metrolinx also committed to informing the community of the outcome in a timely manner; however, there has been no announcement yet. Thus, it is premature for the Planning and Housing Committee to consider rezoning the parcel at 130 Queen Street West and the decision on Schedule 5 should be deferred.

There are also other potential alternative locations for the Osgoode Station Building/entrance shown on Fig. 8. Option #2, just north of Osgoode’s historic gate and straddling the property line, prevents damage to the historic fence and limits tree loss (the location would likely avoid the geo-thermal pipes farther into the property; a below-ground “moving sidewalk” could move commuters quickly to the slightly more-distant station platform). Option #3 is on the southwest corner, under 250 University, a property planned for redevelopment and intensification.

These and other alternative solutions should be fully investigated before the Committee and City Council consider rezoning part of 130 Queen Street West. Easy engineering and traffic convenience should not be prioritized over maintaining the integrity of Osgoode’s historic green space for the benefit of future generations.

### **Democratic deficit**

There has been a democratic deficit in the planning for the new Osgoode Station. Metrolinx never held a public meeting focussed on Osgoode Station and delayed organizing the “invitation only” heritage roundtable for months. Although the Law Society of Ontario opposes transportation uses in the Osgoode Garden, their discussions with Metrolinx were confidential; and, as part of the Province’s judicial system, they were constrained in raising the matter publicly.

Agenda Item PH34.4 appears to be the first time the matter of Ontario Line infrastructure in the Osgoode Garden is before a Committee of Council for decision. Yet, our community is without Councillor Cressy or Councillor Wong-Tam to represent us. When I first called Planning for information about the proposed Zoning By-law Amendment, I was told that the by-law could “almost be seen as a formality.” This should not be the case in a matter of such importance, whether a provincial project or not.

### **The decision**

The fate of the historic Osgoode Garden and the landmark intersection of University and Queen hangs in the balance. It falls to the Planning and Housing Committee to reject or defer the rezoning of part of 130 Queen St West until Metrolinx completes its investigation of alternative solutions and, if necessary, until an independent engineer reviews Metrolinx’s findings.

Sincerely,

Liz Driver, Director/Curator, Campbell House Museum

160 Queen Street West, Toronto M5H 3H3



Fig. 1: Tree cover in Osgoode Garden, early May



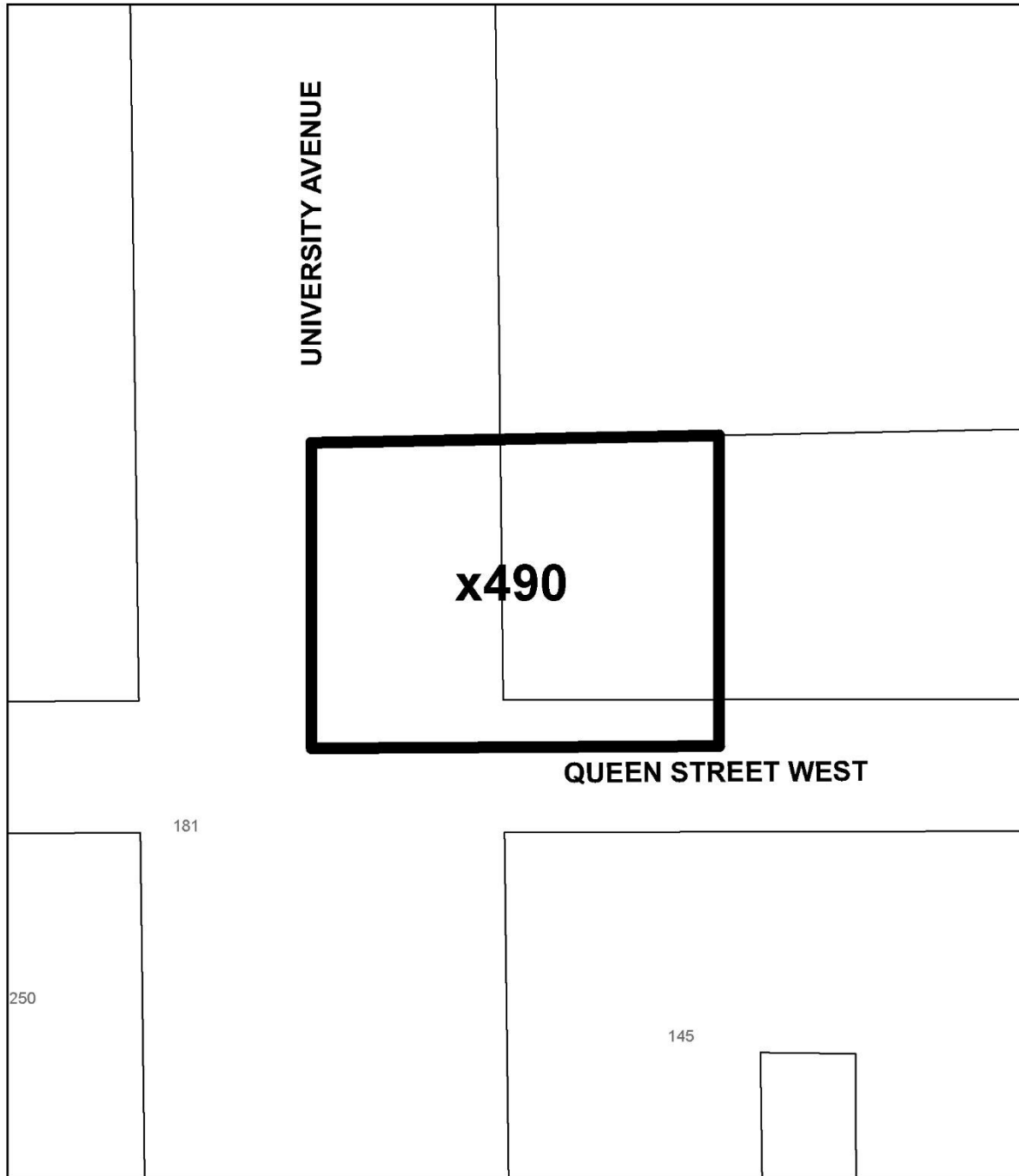
Fig. 2: Osgoode trees along Queen St



Fig. 3: Osgoode trees at University and Queen



Fig. 4: View of trees within Osgoode Garden




 **TORONTO**  
Schedule 5

A portion of 130 Queen Street West

File # 21 248104 STE 10 OZ

 Areas affected by this by-law

  
City of Toronto By-law 438-86  
Not to Scale  
04/27/2022

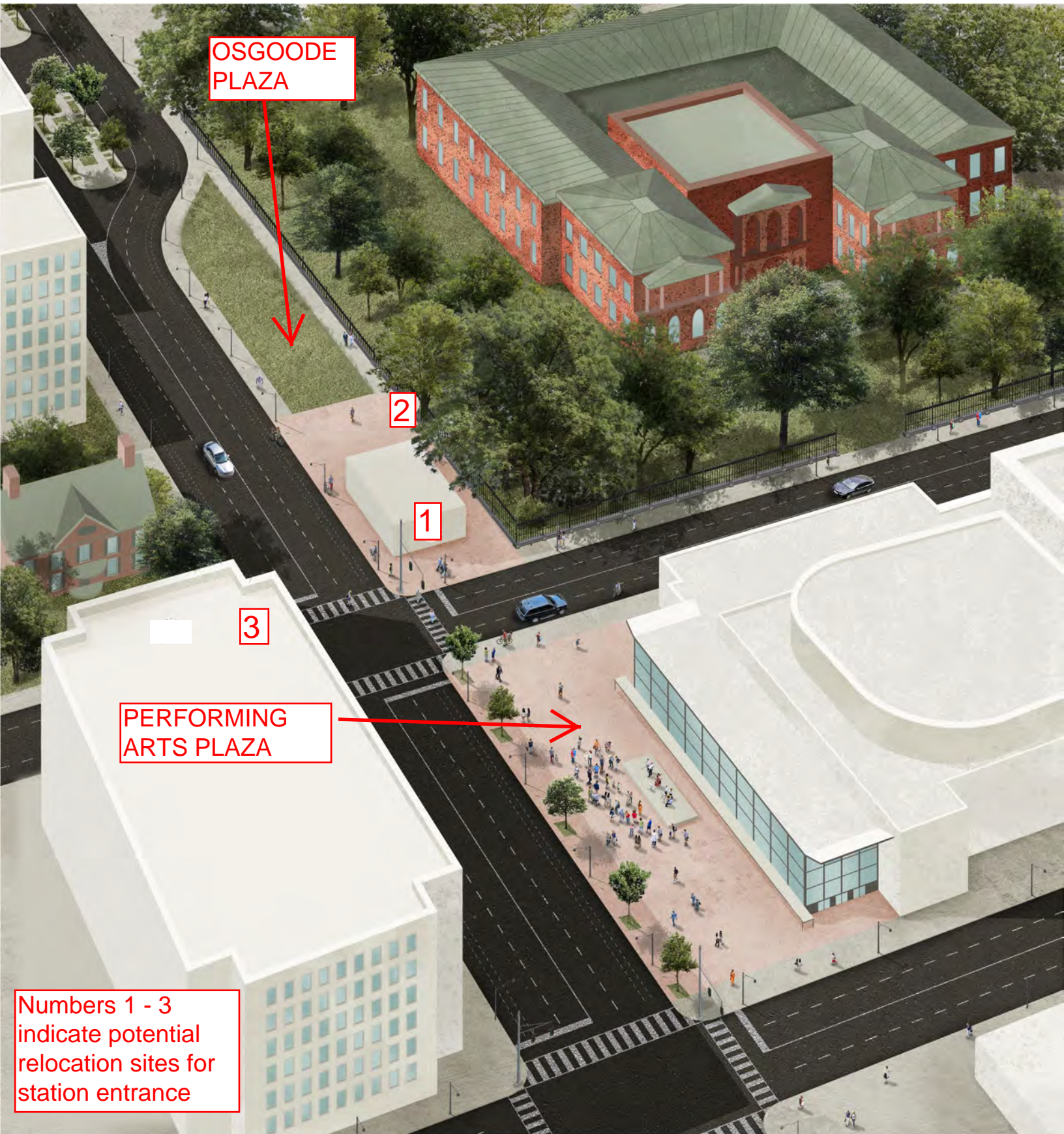
**Fig. 5: Extracted from Draft Amendment to former City of Toronto By-law 438-86 to implement the Ontario Line**



**Fig. 6: OSGOODE GARDEN: Rezoned for Transportation Uses (20.6% or 1/5th)**



Fig. 7: Metrolinx rendering of Station Building - no trees, blocked views, and part of historic fence removed



OSGOODE  
PLAZA

2

1

3

PERFORMING  
ARTS PLAZA

Numbers 1 - 3  
indicate potential  
relocation sites for  
station entrance

**Fig. 8: EXPANDED AND ENHANCED PEDESTRIAN REALM**  
to accommodate Ontario Line infrastructure and preserve Osgoode Garden