

June 30, 2022

Email: phc@toronto.ca

Planning and Housing Committee
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Members of Council:

**Re: Item PH35.16
Draft Official Plan Amendment 544 - Lower Density Target MTSA
1075, 1077 and 1083 Leslie Street, Toronto**

We represent Rowbry Holdings Limited with respect to the lands municipally known as 1075, 1077 and 1083 Leslie Street, Toronto (the "Property"). The Property is approximately 6.62 acres and is located at the northeast corner of Eglinton Avenue East and Leslie Street within the proposed Sunnybrook Park MTSA (SASP 640). The Property has exceptional access to higher order transit as it is located immediately adjacent to the Sunnybrook Park Crosstown station.

Having reviewed the Final Report, dated June 22, 2022 and draft Official Plan Amendment 544 (OPA 544) to be considered by the Planning and Housing Committee at its meeting on July 5, 2022, our client has serious concerns with the proposed lowering of the density target for this area.

Sunnybrook Park MTSA

City staff has identified the Sunnybrook Park MTSA as an MTSA that cannot meet the Growth Plan (2019) density targets and are recommending that the City request a lower density target from the Minister of Municipal Affairs and Housing. More specifically, City staff are recommending a lower density target of 65 people and jobs per hectare, which is a significant reduction from 160 people and jobs per hectare as required by the Growth Plan.

In our opinion, the proposed lower density target is not appropriate or justified for this MTSA for the reasons summarized below.

The policy tests under Policy 2.2.4.4 of the Growth Plan to justify a lower density target request for the Sunnybrook Park MTSA have not been met. As identified in the Staff Report, dated September 30, 2021, the policy tests are:

1. Where it can be demonstrated that development is prohibited by provincial policy or severely restricted on a significant portion of the lands within the delineated areas; or
2. Where it can be demonstrated that there are a limited number of residents and jobs associated with the built form, but a major trip generator or feeder service will sustain high ridership at the station.

City staff have relied on policy test 1 to support the lower density target for the Sunnybrook Park MTSA on the basis that the delineated area includes “a significant overlap with the Green Space System” and that “[w]alkability and connections to developable land is impacted by natural ravine slopes, floodplains, and the presence of large parks and open space.” Respectfully, it is our opinion that the analysis is flawed.

Despite the green space system within the proposed MTSA area, draft OPA 544 fails to adequately recognize that the northeast quadrant of Eglinton Avenue East and Leslie Street is the only area of the MTSA where intensification can occur and can be optimized in order to meet the provincial density target. In particular, the Property is currently designated *Mixed Use* in the Official Plan where greater intensification and a development of a mix of uses is anticipated.

A lower density target would run counter to the provincial planning objective of optimizing land and municipal infrastructure, including public transit. Given the significant investment made with respect to the Crosstown LRT and the adjacency of the Property to an LRT station, there is a opportunity to realize a contextually appropriate development on the Property and the rest of the quadrant that far exceeds the proposed lower density target. As such, it is both unnecessary and inappropriate for the City to propose a lower density target for this MTSA. Additionally, our client is also concerned that a lower density target will be used by the City to pre-determine the intensification potential for the Property.

We ask that City Council send the draft OPA back to staff to reconsider the proposed lower density target for the Sunnybrook Park MTSA and the corresponding SASP 640 (Major Transit Station Areas – Sunnybrook Park Stop). We believe that this MTSA, if delineated in accordance with Growth Plan directives, can achieve densities significantly greater than currently proposed, meet the provincial density target and facilitate the development of a vibrant transit-oriented community.

We ask to be notified of any decision made by City Council in connection with this matter.

Yours truly,

AIRD & BERLIS LLP



Maggie Bassani

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cc: Client