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May 17, 2024

Via Email: councilmeeting@toronto.ca

City Council

Toronto City Hall 100

Queen Street West

Toronto ON M5H 2N2

Dear Members of Council:

Re: Item PH 12.3

Expanding Housing Options in Neighbourhoods: Major Streets Study - Final Report

We act for Prime Real Estate Group Inc. (“**PRIME**”) who own and have developed numerous parcels of land across the City (and GTA). Our client is very familiar with the policy needs to successfully implement, in a timely manner, low density gentle infilling in an urban environment. Our client has reviewed the above noted Final Report and fully support its intent but are underwhelmed and disappointed by the proposed means to support the timely, gentle intensification goal.

We acknowledge that a further Report is to come to Council from the Chief Planner but at the time of writing we cannot comment on its contents as it hasn’t been released. We can only hope it addresses the requested revisions that were put to the Planning and Housing Committee on May 9, 2024 or we can say that the proposed planning instruments will not “...remove barriers and enable the creation of Neighbourhoods related housing...” and it won’t deliver “... housing ... relatively quickly as owners will only be required to obtain a building permit (and Site Plan Approval, when applicable) rather than official plan or zoning by-law approvals”.

Our client’s objections to both proposed OPA 727 and the amendment to By-law 569-2013 include the following:

- (1) the arbitrary as-of-right cap of 30 units for apartment buildings irrespective of the size of lot. The number of units permitted should be determined by what can fit within an appropriate built form, rather than by an artificial cap;
- (2) the outdated reliance on historical setback requirements based on abutting lot development which is not reflective of current built form and urban design direction;
- (3) the unjustifiable 50% maximum lot coverage and limits on building length are unnecessary as the City should allow buildings to be constructed to the lot setbacks;



- (4) the minimum dwelling unit widths of 16.4-ft and 19.7-ft which are unnecessarily wide, given that many popular (and built) townhouse units are narrower; and
- (5) that proposed OPA 727 speaks to minor variances as a tool to achieve “applicable setbacks if it is demonstrated to be necessary to accommodate tree preservation”. This is extremely limiting and by implication means minor variances are not permitted for any other type of performance standard or that setback variances aren’t intended to occur for other reasons besides to avoid trees.

The effect of the foregoing performance standard modifications will be to severely limit opportunities for as-of-right, family-friendly gentle intensification on “Major Streets” that are affordable to young families.

We would like to reiterate our client’s support for greater as-of-right opportunities for intensification on properties designated “Neighbourhoods” on major streets and thank City Staff for their efforts in bringing these amendments forward. However, our client does not support the implementation of proposed OPA 727 and the proposed amendments to Zoning By-law 569-2013 and believes that there are other ways to address the goal. As such, our client requests that City Council defer making a final decision with respect to this matter and requests the opportunity to meet with Staff to discuss proposed solutions, in more detail.


We hope Council directs staff to review not only our client’s concerns, but also those of other housing advocates, and we ask to be included in the notice for any further decisions on this matter.

Thank you in advance for your consideration,

Yours truly,

BENNETT JONES LLP

Per:

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Andrew Jeanrie

c.c: Client

