

January 11, 2023

Anson Chan
Municipal Services Office - Central Ontario
Ministry of Municipal Affairs & Housing
Province of Ontario
777 Bay Street, 16th floor
Toronto, Ontario
M7A 2J3

Dear Anson Chan:

**RE: SUBMISSION ON OPA 544 – ERO #019-5932; MINISTRY #20-OP-210516
1125A, 1131 AND 1131A LESLIE STRET, TORONTO
OUR FILE: 21177A**

On behalf of our client, Rowbry Holdings Inc. we are providing comments regarding the review by the Province of the City of Toronto's Official Plan Amendment 544 ("OPA 544") respecting the lands located at 1125A to 1131A Leslie Street (hereinafter the "Subject Lands") and shown below on Figure 1. These lands are also subject to Employment Conversion Requests (which includes additional lands along Leslie Street including 1121, 1123 and 1125 Leslie Street) to allow mixed use development.



Figure 1 – Location of the Subject Lands (shown in red)

We are requesting the inclusion of the Subject Lands as well as adjacent lands (1125 Leslie Street) within the Sunnybrook Park Major Transit Station Area (Site and Area Specific Policy 640).

Background

The Property is approximately 4.8 acres with significant frontage along Leslie Street. The Property has exceptional access to higher order transit as it is located in proximity to the Sunnybrook Park Crosstown station and the Science Centre Crosstown/Ontario Line station.

The Property is part of a larger remnant employment area where a number of conversions have been approved and is currently under utilized with a 1-storey service commercial building and 6-storey office building. Constructed about 40 years ago, the existing buildings no longer meet today's office space standards, including with respect to layout, design, ceiling heights, and efficiency, which contributes to the declining function of the employment area along Leslie Street.

On July 30, 2021, our client submitted an employment conversion request for the Subject Lands, together with the owners of the lands located at 1125 Leslie Street, as part of the City's municipal comprehensive review. The request was supported by planning, compatibility and urban design rationale reports and plans. The demonstration plan is depicted below in **Figure 2**.

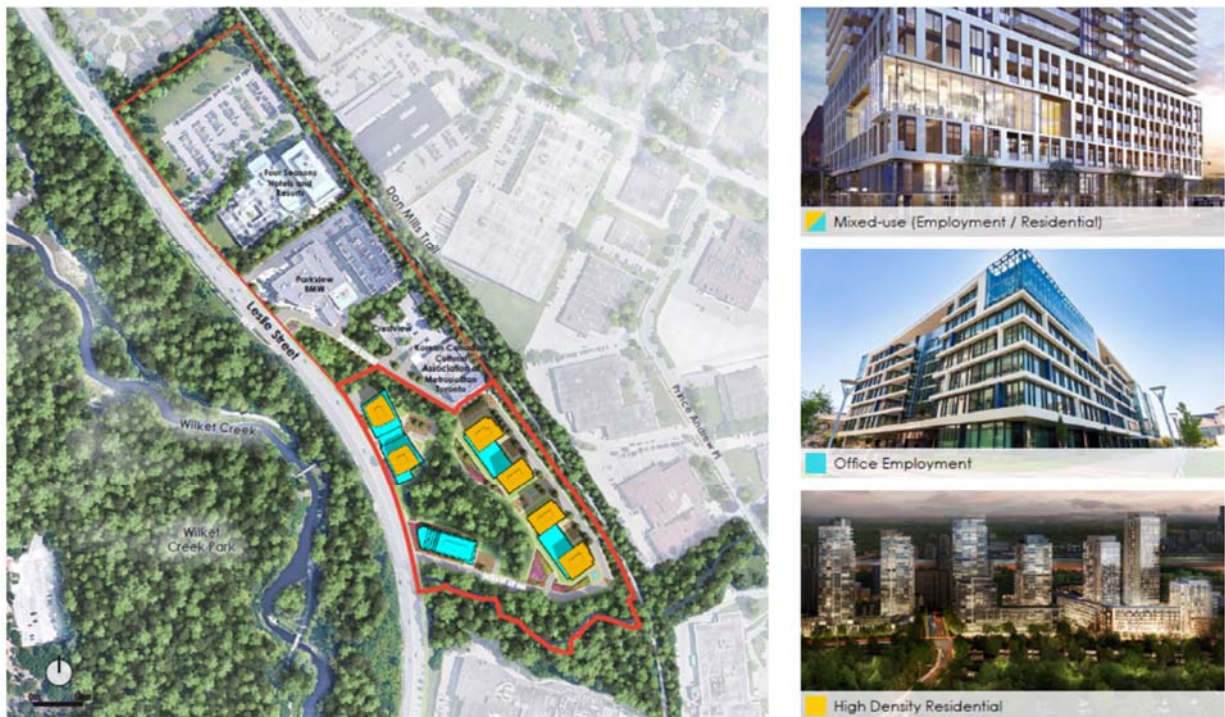


Figure 2 – Redevelopment Demonstration Plan

The requested conversion would allow for the revitalization of the area and include a mix of residential and non-residential (employment) uses in support of transit infrastructure investment. The proposed conversion, if approved, would provide for significant persons and jobs which would support the Sunnybrook Park Major Transit Station Area. We estimate that, at a minimum, the development if converted would easily achieve over the minimum density target of 160 persons and jobs per hectare mandated by the Growth Plan).

Through OPA 544, the City has proposed that the limits of the Sunnybrook Park Major Transit Station Area be less than that provided for in the Growth Plan. In the City staff report, they identified Sunnybrook Park MTSA as a potential MTSA that cannot meet the Growth Plan density targets and recommended that the City request a lower density target from the Province. More specifically, City staff are recommending a lower density target of 65 people and jobs per hectare, reduced from 160 to 200 people and jobs per hectare as required by the Growth Plan.

In our opinion, 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 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.”

Given that the green space system to the west of the Subject Lands is not developable, the Province should include the Subject Lands within the delineated area in order to help achieve the Growth Plan density target of 160-200 people and jobs per hectare. In accordance with policy 2.2.4.2, the City was required to delineate the boundaries of MTSAs in a transit supportive manner that maximizes the size of the area and the number of potential transit users that are within walking distance of the station. It is noted that the Growth Plan defines MTSAs as being “within an approximate 500 to 800 metre radius of a transit station”, meaning that there is flexibility in the definition to maximize the size of the area as contemplated in Policy 2.2.4.2. The Subject Lands are within walking distance to the future Sunnybrook Park station via the existing sidewalks along Leslie Street. Furthermore, policy 2.2.4.6 goes so far as to prohibit land uses and built form that would adversely affect the achievement of the prescribed density targets in the Growth Plan. Accordingly, it is our opinion that the proposed exclusion of the Subject Lands from the Sunnybrook Park MTSA delineated boundary and the proposed request for the lower density target for this MTSA do not conform with the policies of the Growth Plan.

Overall in our opinion, inclusion of the Subject Lands within the MTSA is appropriate as:

1. Given significant amounts of land within the 800 m radius from the station are not developable as they form part of the natural heritage system, it is appropriate and reasonable to extend the MTSA boundary to include the Subject Lands in order to assist in achieving the minimum densities required by the Growth Plan. To this effect, the Subject Lands are ideal for redevelopment to higher intensity forms of development which will aid the City in achieving its intensification goals within the MTSA.
2. By virtue of the Subject Lands’ proximity to the Sunnybrook Park station and the fact that the Subject Lands can be developed for higher intensity forms of development, these lands should have been included in the MTSA boundary in order to conform with the Growth Plan policy

requiring that MTSAs be delineated to maximize the size of the area and the number of potential transit users.

3. Redevelopment of the Subject Lands to more intensified uses will optimize the use of existing municipal infrastructure and will also have access to nearby public service facilities, all in accordance with Provincial policy direction. This is exactly what was envisioned by the Province when the concept of MTSAs were conceived – intensify in proximity to transit infrastructure to optimize its use. The Subject Lands can do so through intensified redevelopment.

In conclusion, we respectfully request that the required minimum densities not be reduced in SASP 640 (remaining at a minimum of 160 persons and jobs per hectare) and that the limits of SASP 640 be modified to include the Subject Lands within the MTSA boundary as shown in red below in **Figure 3**.

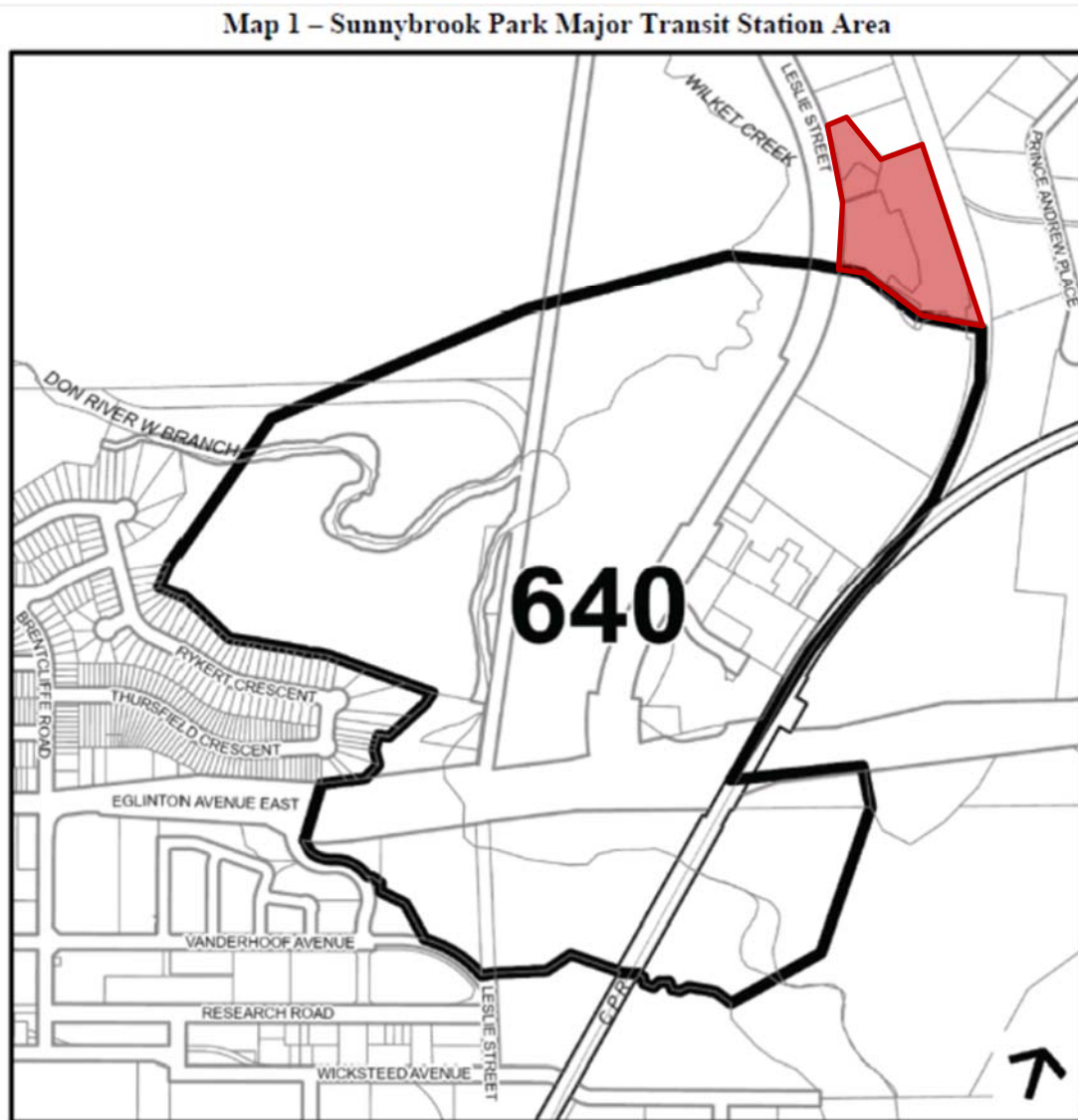


Figure 3 – Extension of MTSA Boundary to include the Subject Lands (in red)

Should you have any questions or clarifications, please contact the undersigned.

Thank you.

Yours Truly,

MHBC

A handwritten signature in black ink, appearing to read 'David A. McKay', is written over a light orange rectangular background.

David A. McKay, MSc, MLAI, MCIP, RPP
Vice President and Partner

cc: *Clients*
Maggie Bassani, Aird & Berlis LLP