



January 31, 2023

Project No: 19406

Hon. Steve Clark, MPP, Minister
Ministry of Municipal Affairs and Housing
Municipal Services Office – Central Ontario
777 Bay Street – 13th Floor
Toronto, ON M7A 2J3

Attn: Jennifer Le

Dear Minister Clark:

***Re: Request to Modify City of Toronto OPA 570 Prior to Ministerial Approval ERO
File No. 019-5937
1779-1787 Bayview Avenue, Toronto***

Introduction

We are writing on behalf of Country Wide Homes (Bayview Inc), the owner of the lands municipally known as 1779-1787 Bayview Avenue (the “subject site”).

The subject site forms part of the Leaside Protected Major Transit Station Area (“PMTSA”) as delineated by Site and Area Specific Policy (“SASP”) 681 of Official Plan Amendment (“OPA”) 570, which was adopted by City Council on July 21, 2022.

On Map 2 of SASP 681, the majority of the subject site together with other lands designated *Mixed Use Areas* surrounding Leaside Station have a minimum density of 2.5 floor space index (“FSI”), while the southern portion of the subject site has a minimum density of 2.0 FSI. In our opinion, this minimum density is artificially low and is inconsistent with the existing policy framework, which encourages an integrated approach to transportation and land use planning, promotes the development of complete communities, and supports the optimization and efficient use of land and infrastructure within the built-up areas that are well served by municipal infrastructure, including higher-order public transit.

In particular, a minimum density of 2.0 and 2.5 FSI as identified for the subject site, is significantly lower than the proposed density of 8.83 FSI, which would result from the proposed overbuild development of Leaside Station with a 35-storey mixed use building.

The proposed overbuild of the Leaside Station will provide an increased residential population that support transit ridership on the Eglinton Crosstown LRT and allow residents to take advantage of the shops, services, restaurants and other facilities in the surrounding area.

Further, the minimum densities of 2.0 and 2.5 FSI proposed for the subject site and other lands designated *Mixed Use Areas* and *Apartment Neighbourhoods* surrounding Leaside Station are significantly lower than recently proposed and approved densities within the Leaside PMTSA, as listed in **Table 1** below.

Accordingly, we are writing to request that the Ministry of Municipal Affairs and Housing modify OPA 570 as follows:

- **Revise SASP 681 Map 2 – “Minimum Densities, Leaside Protected Major Transit Station” to increase the minimum densities from 2.0 FSI and 2.5 FSI, to 3.5 FSI and 8.0 FSI, as indicated on Figure 1 below and as attached to this letter as Attachment A.**

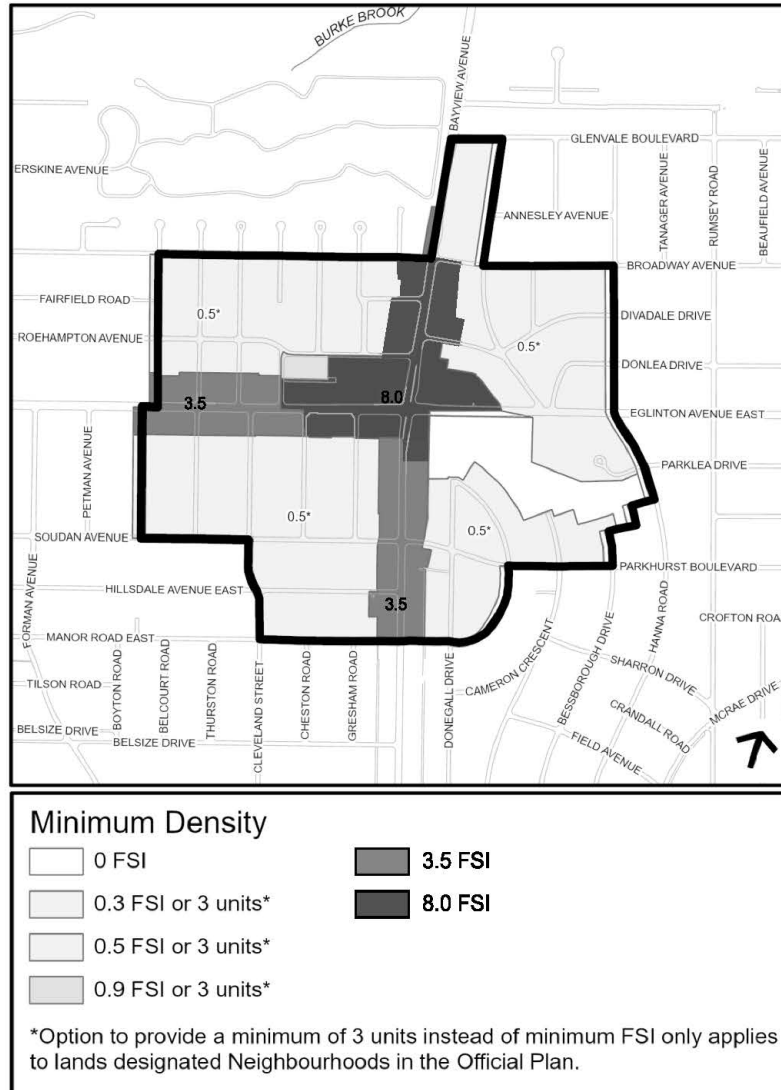
For the reasons outlined in this letter, it is our opinion that the minimum density should be increased from 2.5 FSI to 8.0 FSI within the *Mixed-Use Areas* and *Apartment Neighbourhoods* and a small portion of *Neighbourhoods* designated lands at the Eglinton Avenue East and Bayview Avenue intersection, on **Figure 1** below, which would be consistent with the province’s policy framework to optimize significant public infrastructure along the Eglinton Avenue Corridor. To provide appropriate transitions from the immediate area surrounding Leaside Station, it is our opinion that the minimum density for the surrounding *Mixed Use Areas* and *Apartment Neighbourhoods* designated lands along Eglinton Avenue and Bayview Avenue within the Leaside PMTSA should be increased from 2.0 FSI to 3.5 FSI.

Figure 1 – Requested modification to Map 2 of SASP 681

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City of Toronto By-law -2021

Map 2 – Minimum Densities, Leaside Protected Major Transit Station Area



Application History & Development Proposal

An Official Plan Amendment, Rezoning and Site Plan Applications were submitted on October 18, 2022 to permit the overbuild development of the Leaside Station with a 35-storey mixed use building containing 373 dwellings units (of which 10 are rental replacement units) with a total Gross Floor Area of 27,846 square metres, resulting in a density of 8.83 FSI and was subsequently deemed completed on December 15, 2022. A Rental Housing Demolition and Conversion Application was also submitted concurrently with the planning applications.

Site and Surroundings

The subject site is located at the southeast corner of Eglinton Avenue East and Bayview Avenue and consists of an assembly of three properties, municipally known as 1779-1781, 1783-1785 and 1787 Bayview Avenue. The subject site is generally rectangular in shape and has generous frontages on Eglinton Avenue and Bayview Avenue.

The subject site is currently occupied by the Leaside Station on the Eglinton Crosstown LRT line (1787 Bayview Avenue) and two 2-storey multiplex buildings (1779-1781 Bayview Avenue and 1783-1785 Bayview Avenue).

To the immediate north of the subject site, at the northeast corner of Eglinton Avenue East and Bayview Avenue is a 1- to 2- storey retail plaza, which has been approved for redevelopment with two mixed-use buildings of 19 and 13 storeys (660 Eglinton Avenue East). Further north are additional residential buildings, including a 9-storey 'L' shaped building (1801 Bayview Avenue), a 'C' shaped 5-storey residential building (1833 Bayview Avenue) and single and semi-detached houses. At the northwest corner of Eglinton Avenue East and Bayview Avenue is the secondary entrance to the Leaside station on the Eglinton Crosstown LRT, which is currently under construction.

To the immediate east of the site is the Howard Talbot Park, the Leaside Lawn Bowling Club (190 Hanna Road). Moving further east, along Eglinton Avenue East is the Leaside High School (200 Hanna Road) and low-rise residential community made up primarily of detached houses.

To the immediate south of the subject site are two storey multiplex buildings on the east side of the Bayview Avenue. Moving further south, 1745 Bayview Avenue is a 2-storey detached building with retail on the main floor and residential above, followed by 1741 Bayview Avenue consisting of a 3 ½-storey residential apartment building. Further south is a strip of 2-storey commercial uses at grade and residential units on the top floor along both sides of Bayview Avenue.

To the immediate west of the subject site are semidetached houses with frontages on Bayview Avenue including 1736 Bayview Avenue, followed by two identical semidetached

dwellings at 1738-1740 and 1742-1744 Bayview Avenue. The property at 1746 Bayview Avenue is a single-storey Dentist office followed by a single-storey residential dwelling at 1748 Bayview Avenue which is approved for a 9-storey mixed use building.

Policy and Regulatory Framework

Provincial Policies

The Provincial Policy Statement, 2020 (“PPS”) provides policy direction on matters of provincial interest related to land use planning and development. The subject site is also subject to A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019, as amended by Amendment No. 1 in 2020 (“the Growth Plan”), which sets out regional growth management policies for the Greater Golden Horseshoe area.

With respect to the PPS, one of the key policy directions expressed in the PPS is to build strong communities by promoting efficient development and land use patterns. To that end, Part V of the PPS contains a number of policies that promote intensification, redevelopment and compact built form, particularly in areas well served by public transit. Specifically, Policy 1.1.3.2 supports densities and a mix of land uses which efficiently use land, resources, infrastructure and public service facilities and which are transit-supportive, where transit is planned, exists or may be developed. Policy 1.1.3.3 directs planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment, where this can be accommodated taking into account existing building stock or areas and the availability of suitable existing or planned infrastructure and public service facilities.

The Growth Plan policies emphasize the importance of integrating land use and infrastructure planning, and the need to optimize the use of the land supply and infrastructure. Key objectives in the Growth Plan support the development of complete communities and promote transit-supportive development adjacent to existing and planned higher order transit. This is further emphasized in Section 2.1 of the Plan:

“To support the achievement of complete communities that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH need to be made carefully. Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification, with a focus on strategic growth areas, including urban growth centres and major transit station areas, as well as brownfield sites and greyfields. Concentrating new development in these areas provides a focus for investments in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options... It is important that we maximize the benefits of land use planning as well as existing and future investments in infrastructure so that our communities are well-positioned to leverage economic change.”

The subject site is located within a “strategic growth area” pursuant to the Growth Plan (i.e. a focus for accommodating intensification and higher-density mixed uses in a more compact built form). “Strategic growth areas” include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields.

In this respect, the subject site is located within a “major transit station area” as defined by the Growth Plan, as it is located within the Leaside Protected Major Transit Station Area and is currently under construction for the new Leaside station on the Eglinton-Crosstown LRT line.

Planning for major transit station areas is addressed in Section 2.2.4. Policy 2.2.4(2) requires the City of Toronto to delineate the boundaries of “major transit station areas” on priority transit corridors or subway lines “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”. Policy 2.2.4(3)(b) goes on to require that “major transit station areas” priority transit corridors or subway lines will be planned for a minimum density target of 160 residents and jobs combined per hectare for those that are served by light rail transit or bus rapid transit”.

With regard to targets, Policy 5.2.5(1) provides that the minimum intensification and density targets are minimum standards and municipalities are encouraged to go beyond these minimum targets, where appropriate, except where doing so would conflict with any policy of the Growth Plan, the PPS or any other provincial plan.

Policy 2.2.1(4) states that applying the policies of the Growth Plan will support the achievement of complete communities that, among other things, feature a diverse mix of land uses including residential and employment uses, and convenient access to local stores, services, and public service facilities; expand convenient access to a range of transportation options and public service facilities; and provide for a more compact built form.

With respect to forecasted growth, Schedule 3 of the Growth Plan, as amended by Growth Plan Amendment No. 1, forecasts a population of 3,650,000 and 1,980,000 jobs for the City of Toronto by 2051. The 2016 Census data indicates that population growth in Toronto is continuing to fall short of the past and updated Growth Plan forecasts. The City’s population growth from 2001 to the 2016 population of 2,822,902 (adjusted for net Census undercoverage) represents only 73.2% of the growth that would be necessary on an annualized basis to achieve the population forecast of 3,650,000 by 2051.

OPA 405 – Yonge and Eglinton Secondary Plan

On July 27, 2018, the City of Toronto Council enacted By-law 1284-2018, adopting Official Plan Amendment (OPA) 405, which included a new Yonge-Eglinton Secondary Plan and

associated amendments to Section 2.2.2 and Maps 3 and 17 of the Official Plan. Lands within the Secondary Plan area are identified as being within one of 22-character areas in five categories: Apartment High Streets, Midtown Apartment Neighbourhoods, Midtown Villages, Midtown Cores and Midtown Special Places. The subject site is within the Bayview Focus Area, one of four Midtown Cores.

With respect to building height, Policy 5.4.3 provides that the anticipated height range in the Bayview Focus Area will be 20 to 35 storeys.

As it pertains to transit, Map 21-3 of the Secondary Plan identifies the Midtown Transit Station Areas and their respective boundaries, which include areas within 250 to 500 metres radii of stations with the intention of maximizing the size of the area and the number of potential transit users within walking distance of each station. The Midtown Transit Station Areas will be planned to accommodate higher density development to optimize return on investment and increase the efficiency and viability of existing and planned transit service levels (Policy 2.4.1). Policy 2.4.1.3 provides that the highest density of development shall be located in close proximity to existing or proposed higher order transit stations.

In this regard, the subject site is located in the "Station Area Core" within the Leaside Station Transit Area, as shown on Map 21-3. The Station Area Core is described as including the transit station(s), residential intensification, a concentration of office uses and collectively greater intensity than in the Secondary Zone (Policy 2.4.2).

OPA 570

At its meeting on July 21, 2022, City Council adopted OPA No. 570, which included the delineations of 57 PMTSAs throughout the City and introduced new SASPs for the 57 PMTSAs.

As it relates to the subject site, OPA 570 introduced SASP 681, which applies to the Leaside PMTSA, and encompasses the Subject site. SASP 681 specifies a minimum population and employment target of 200 residents and jobs combined per hectare, with a minimum density of 2.0 and 2.5 FSI specified for the Subject site.

Zoning

The East York (Leaside) Zoning By-law 1916, split zones the site as Commercial Zone C1 with a height limit of 12.2 metres and High Density Residential R3A, with a height limit of 8.5metres.

Under the Toronto City-wide Zoning By-law 569-2013, the Subject site is Commercial Residential ("CR"), which permits a maximum FSI of 2.2 and a maximum height of 16.0 metres. Both the East York (Leaside) Zoning By-law 1916 and the Toronto City-wide Zoning

By-law permit a number of residential uses.

Planning Opinion

The PPS, Growth Plan and City of Toronto Official Plan all support intensification on sites well-served by municipal infrastructure, and in particularly higher-order transit. In this regard, it is our opinion that the area surrounding Leaside Station, at the intersection of Eglinton Avenue East and Bayview Avenue are appropriate for intensification that achieves transit-supportive densities to support and optimize the investment in transit.

From an urban structure perspective, densities typically peak on sites that are located adjacent to higher-order transit stations, including LRT stations, and decrease away from the stations. In our opinion, a higher density for the lands surrounding the intersection of Eglinton Avenue East and Bayview Avenue, is desirable and appropriate within the existing and planned context of Leaside Station. The Official Plan and in particular the Secondary Plan directs the highest density of development to be located in close proximity to existing or proposed higher order transit stations. Accordingly, the properties with the greatest achievable densities are to be located on *Mixed Use Areas* and *Apartment Neighbourhoods* designated lands in close proximity to Leaside Station.

The highest minimum density included in SASP 673 is 2.5 FSI, including the lands immediately adjacent to and integrated with Leaside Station. This area is identified by the Secondary Plan as the Station Area Core zone, where the highest densities of development are planned to be located. It is our opinion that the minimum density of 2.5 FSI is artificially low and not reflective of the policy directions intended for PMTSAs. Furthermore, given the area's immediate adjacency to higher-order transit, this low minimum density would not achieve the level of intensification envisioned by the applicable policy framework and will likely be challenged to exceed the minimum growth targets for MTSA's.

Further, the Secondary Zone is identified in the Secondary Plan for the lands immediately surrounding the Station Area Core zone. This zone is intended to provide the appropriate transitions from the highest densities in the Leaside Station Core Area. *Apartment Neighbourhoods* and *Mixed Use Areas* designated properties along Eglinton Avenue and Bayview Avenue in the Secondary zone of the PMTSA should have a corresponding minimum density of 3.5 FSI. In our opinion, the minimum density of 0.5 given to the surrounding *Neighbourhood* designated properties located within the PMTSA are appropriate.

In our opinion, greater intensification within the Station Area Core zone and Secondary zone of the Leaside Station PMTSA are desirable and appropriate. As such, we believe that the minimum densities should be increased to reflect the existing and planned urban structure of the Leaside PMTSA, and support the policy framework, including policy objectives within Provincial Plans, the Official Plan and Secondary Plan to support the optimization and efficient use of land and infrastructure within MTSA's.

Table 1 below summarizes planned and approved densities in in proximity to the Leaside Station. Recently approved and planned densities within the Leaside PMTSA range from approximately 3.45 FSI to 14.75 FSI, which is significantly higher than the highest minimum densities contained in SASP 681.

Table 1 – Planned and Approved Densities within the Bayview Character Area

Address	Proposed Minimum Densities (SASP 681)	Approved/Proposed FSI	Status	Approved/Proposed Building Heights (storeys)	Land Use Designation
660 Eglinton	2.5	3.45	Approved	13 and 19	Mixed Use Areas
1779-1787 Bayview Avenue	2.5/2.0	8.83	Proposed	35	Mixed Use Areas/ Neighbourhoods
586 Eglinton Avenue	2.5	13.13	Proposed	32	Mixed Use Areas
589 Eglinton Avenue	2.5	13.42	Proposed	35	Mixed Use Areas
1837 Bayview Avenue	2	8.7	Proposed	25	Mixed Use Areas
2 Glazenbrook Avenue	2	13.78	Proposed	34	Mixed Use Areas
1840 Bayview Avenue	2	14.75	Proposed	34	Mixed Use Areas
537 Eglinton Avenue	2	10.61	Proposed	25	Apartment Neighbourhoods
503 Eglinton Avenue	2	6.57	Proposed	12	Apartment Neighbourhoods
1710 Bayview Avenue	2	4.14	Approved	9	Mixed Use Areas
701 Soudan Avenue	2	3.53	Approved	8	Mixed Use Areas
492 Eglinton Avenue	2	4.8	Approved	10	Apartment Neighbourhoods

Given the current planning framework, the planned densities in the Leaside PMTSA, and the planned and approved densities within the PMTSA , we are writing to request that the Minister increase the minimum densities for the Station Area Core and Secondary zones within the

Leaside PMTSA to the minimum densities illustrated on **Figure 1** above and **Attachment A**.

In our opinion, the suggested minimum densities would be consistent with the planned context of the Leaside PMTSA and would support the broader policy goals of the PPS, Growth Plan and the Official Plan by furthering the integration of land use and transportation planning within an identified intensification area. In our view, the proposed modification to OPA 570 would assist in facilitating improvements to the Eglinton Avenue corridor and the optimization of the existing and planned infrastructure and investment in the area. Increasing the minimum densities would help ensure that new developments achieve the forecasts in the Growth Plan, the Official Plan, the Yonge and Eglinton Secondary Plan and the Metrolinx Regional Transportation Plan.

Given the policy context as set out above, it is our opinion that optimizing the use of land and infrastructure on the subject site would be consistent with both good planning practice and the overarching Provincial and City policy directions, subject to achieving appropriate built form relationships. In this respect, to “optimize” means to make something “as fully perfect, functional, or effective as possible”.

We trust that you will find the above satisfactory and we ask to be notified of any decision made by the Minister in connection with this matter.

Yours truly,
Bousfields Inc.



David Charezenko, MCIP, RPP

cc: Country Wide Homes (Bayview Inc)