



BOUSFIELDS INC.

February 2, 2023

Hon. Steve Clark, MPP, Minister
Ministry of Municipal Affairs and Housing
Municipal Services Officer – 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
Multiple Properties in Liberty Village, City of Toronto**

I am the land use planner for First Capital Realty Inc., which through its subsidiary First Capital (King Liberty-Retail/Office) Corp., (First Capital King Liberty) is the owner of multiple properties in Liberty Village, including 109 Atlantic Avenue, 51, 75 and 85 Hanna Avenue, as well as 100 and 120 Lynn Williams Street (the “subject lands”). The subject lands are occupied by commercial/retail and office uses in buildings ranging between 1 and 4 storeys. There is substantial surface parking and a large, consolidated surface parking lot which services the retail uses. See **Attachment A**.

The subject lands are situated in the heart of the Liberty Village area of Toronto, and are located within two PMTSAs: the King-Liberty Protected Major Transit Station Area (“PMTSA”), as delineated by Site and Area Specific Policy (“SASP”) 687 of Official Plan Amendment (“OPA”) 570; and the Exhibition PMTSA, as delineated by SASP 693 of OPA 570. Toronto City Council adopted OPA 570 on July 22, 2022.

From a transit perspective, the subject lands have excellent access to existing and planned future transit services. The subject lands are located within a 550-metre radius of Exhibition GO Station, which provides access to GO Transit’s Lakeshore West Line and connects with several TTC services. Additionally, the subject lands are located within a 350-metre radius of the planned King–Liberty GO Station, which will provide access to GO Transit’s Kitchener Line and will form part of the City’s SmartTrack Program. Today the subject lands are a short walk from the King Street Streetcar (insert detail re frequency and connection to existing TTC stations and PMTSAs such as St. Andrew). In this regard, the subject lands are ideally situated to support the Province’s objective of achieving meaningful increases in housing supply in transit oriented development which, in turn, supports the investment being made in higher order transit.

In December 2020, First Capital King Liberty submitted a Zoning By-law Amendment application applying to the lands municipally known as 61 and 75 Hanna Avenue, as well as 120 Lynn Williams Street. The application contemplates the redevelopment of these properties with three residential mixed-use buildings having heights ranging between 29 and 33-storeys and a density of approximately 6.8 FSI (City of Toronto application number: 20 229554 STE 10 OZ). The application remains under review by the City of Toronto with a Final Staff Report expected sometime in 2023. The proposed development will also deliver much needed public parkland, an extensive network of pedestrian connections and POPS spaces to enhance the public realm and secure expansions to the existing and planned road network in the community.

On July 22, 2022, City Council adopted OPA 570, which introduced Site and Area Specific Policies for 57 PMTSA's. As noted above, the subject lands falls within two PMTSA's that are currently before the Minister for approval in accordance with Sections 17 and 26 of the Planning Act. SASP 687 and 693 each specify a minimum Floor Space Index ("FSI") of 2.0 times for the subject lands, as well as for the balance of the lands within Liberty Village, except for Lamport Stadium Park, which has an FSI of 0.0. **Attachment B** locates the subject lands on SASP 687 and 693, Map 2 – Minimum Densities.

In my professional opinion, the proposed minimum density of 2.0 FSI for the subject lands does not reflect the proximity to both the Exhibition GO Station and the planned King-Liberty GO Station, which provide access to existing and planned higher-order transit. Consequently, the proposed minimum FSI does not constitute a minimum level of intensification that encourages landowners to create transit-supportive developments or construct a meaningful number of new housing units. Nor does it reflect the types of densities that existing today or have been approved and planned for in Liberty Village for many years. **Therefore, it is my opinion that the Minister should consider increasing the minimum density in order to optimize and make efficient use of and existing and planned infrastructure pursuant to the Growth Plan.**

With respect to the minimum density requirements more broadly, as currently drafted, OPA 570 does not include protectionary language which would allow for interim or incremental forms of development that would fall below the minimum density requirements outlined in the various SASPs, nor does it consider improvements, expansions, or additions to existing buildings within the PMTSA delineations. Consequently, as drafted, a modest addition to the existing retail uses within Liberty Village, such as the Sobeys grocery store located at X Hanna Avenue, would not be permitted without an Official Plan or Zoning By-law Amendment.

Accordingly, I recommend the following:

The Ministry of the Environment and Climate Change, and the Ministry of Municipal Affairs and Housing modify OPA 570 as follows:

1. **Increase the minimum densities proposed by SASP 687 and 693, Map 2 – Minimum Densities, to encourage transit supportive developments resulting in a meaning number of new housing units;**
2. **Add the following new policies to SASP 687 and 693.**

e) Minimum Density Requirements

The minimum intensification and density provisions/policies in this Site and Area Specific Policy, including any alternative targets that have been permitted by the Minister, 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 Provincial Policy Statement or any other provincial plan.

f) Site-Specific Development Application

The final density requirement for individual sites within the SASP shall be determined through a site-specific development application.

g) Expansion and Additions to Existing Buildings

Recognizing that interim uses will continue to exist and expand, the minimum density requirements for section d) do not apply to expansions and/or additions to existing buildings as of the date of the Minister's approval of the SASP.

In my opinion, the proposed modification to OPA 570 will assist in facilitating the revitalization of the subject lands and optimization of existing infrastructure and transit investment in the area.

I would be pleased to discuss this request at your convenience. Please do not hesitate to contact me.

Yours very truly,
Bousfields Inc.



Michael Bissett, MCIP, RPP

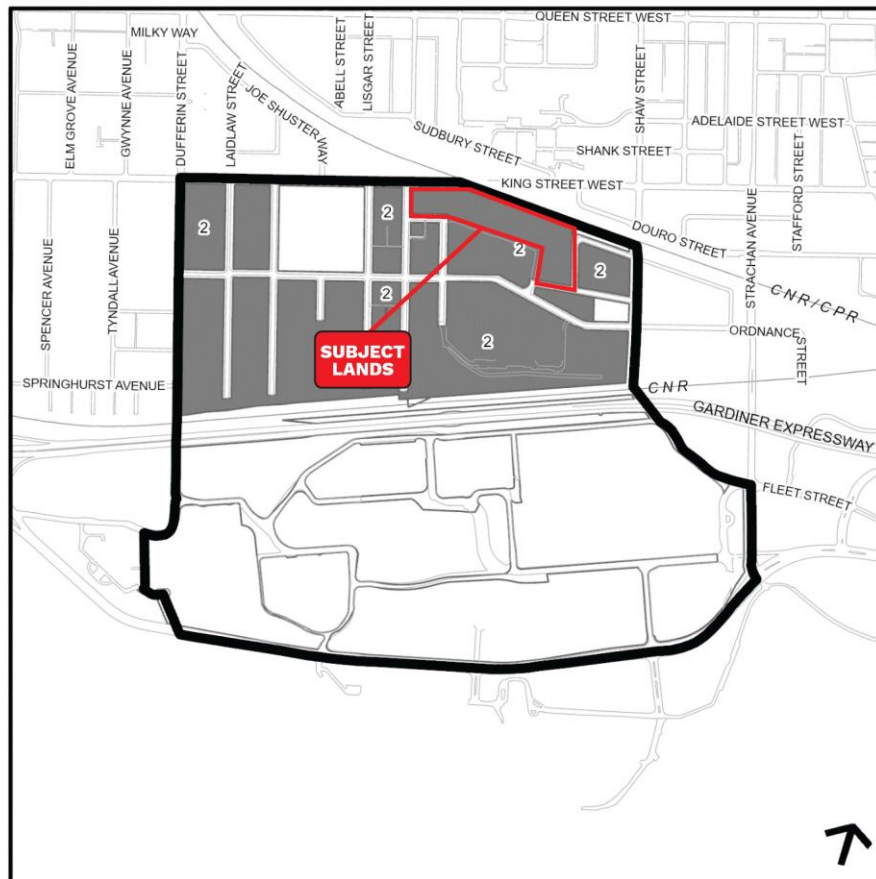
Attachment A



Attachment B

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City of Toronto By-law 889-2022

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

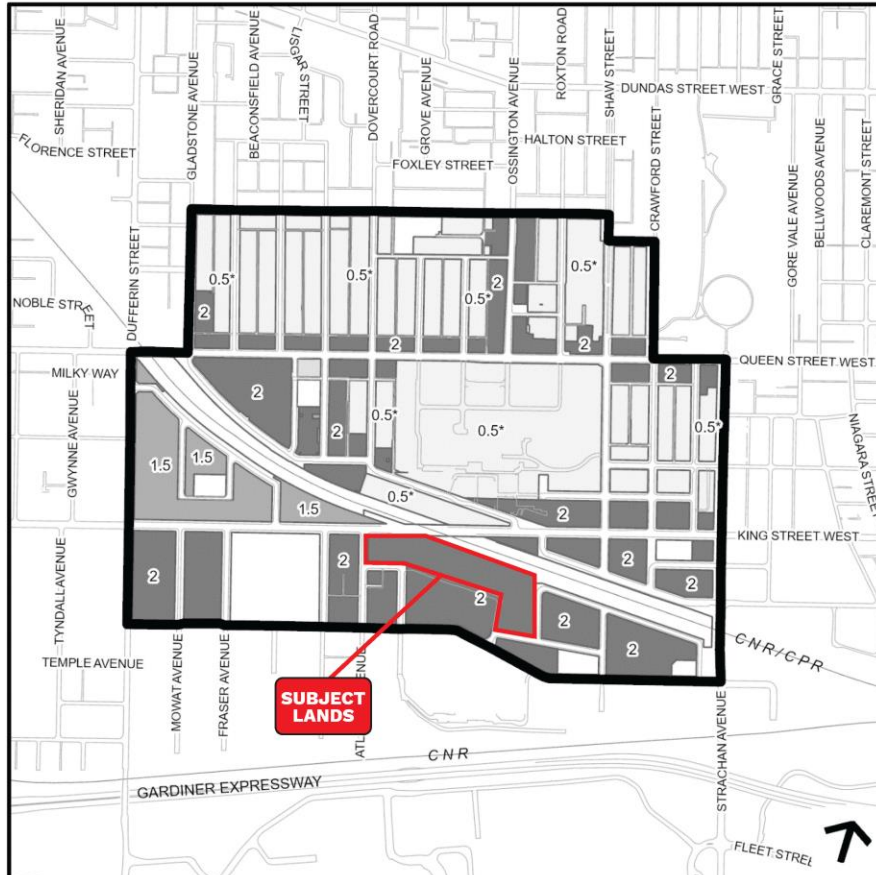


Minimum Density











 0 FSI	 1.0 FSI	 2.5 FSI
 0.3 FSI or 3 units*	 1.5 FSI	 3.0 FSI
 0.5 FSI or 3 units*	 2.0 FSI	 3.5 FSI
 0.9 FSI or 3 units*		

*Option to provide a minimum of 3 units instead of minimum FSI only applies to lands designated Neighbourhoods in the Official Plan.

Map 2 – Minimum Densities, King-Liberty Protected Major Transit Station Area



Minimum Density

	0 FSI		1.0 FSI		2.5 FSI
	0.3 FSI or 3 units*		1.5 FSI		3.0 FSI
	0.5 FSI or 3 units*		2.0 FSI		3.5 FSI
	0.9 FSI or 3 units*				

*Option to provide a minimum of 3 units instead of minimum FSI only applies to lands designated Neighbourhoods in the Official Plan.