

February 1, 2023

Project No. 21126

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
1860-1868 Keele Street, City of Toronto***

Introduction

We are writing on behalf of Block (Keele Eglinton) Developments Limited, owner of the lands municipally known as 1860-1868 Keele Street (the “subject site”).

The subject site forms part of the Keelesdale Protected Major Transit Station Area (“PMTSA”) as delineated by Site and Area Specific Policy (“SASP”) 673 of Official Plan Amendment (“OPA”) 570, which was adopted by City Council on July 21, 2022.

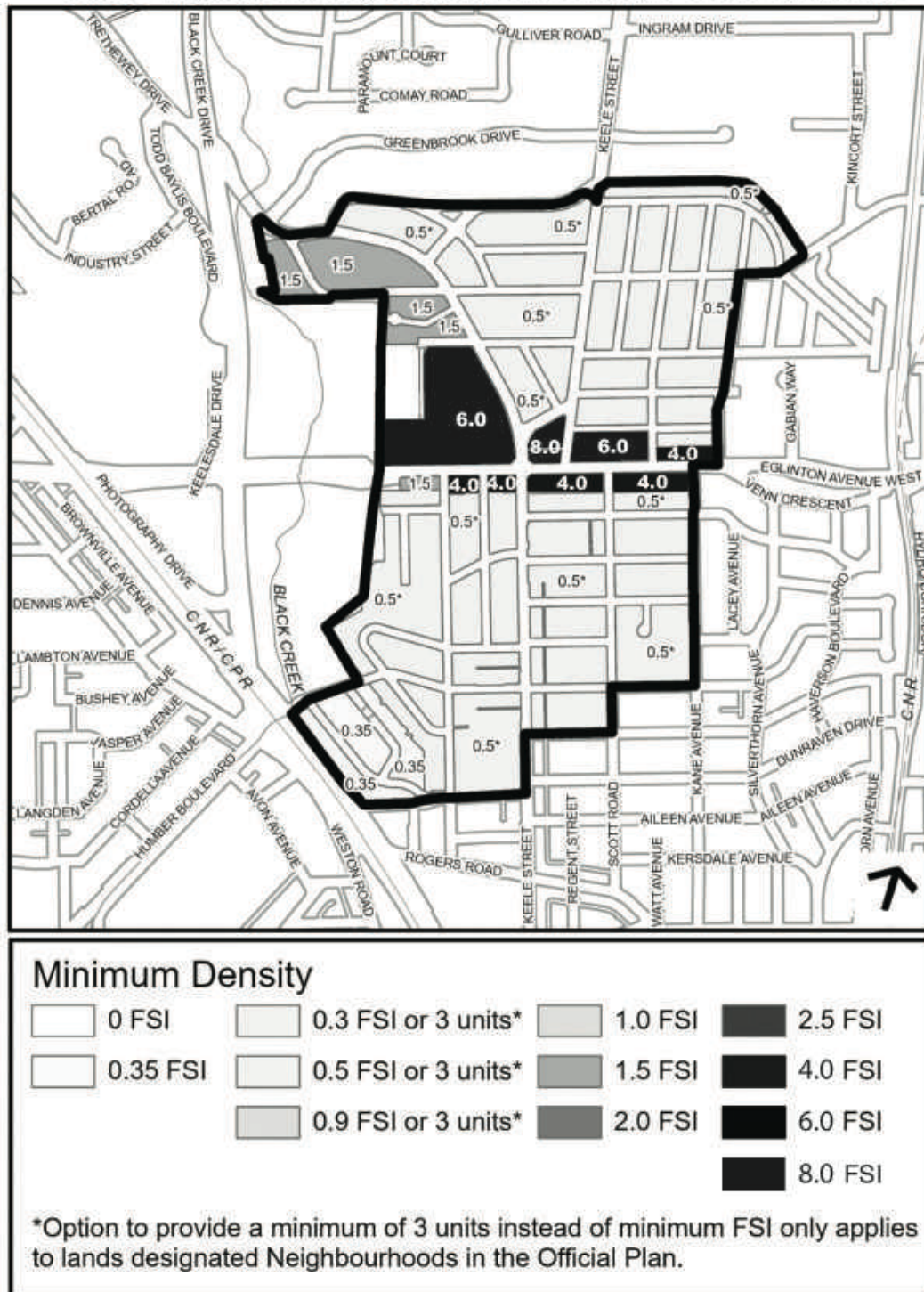
On Map 2 of SASP 673, the lands designated *Mixed Use Areas* throughout the PMTSA have a minimum density of 2.0 floor space index (“FSI”). In our opinion, this minimum density is artificially low and is inconsistent with the existing policy framework, which encourages an integrated approach to transportation 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, with a focus on areas that are well served by municipal infrastructure, including higher-order public transit. The minimum density of 2.0 FSI is significantly lower than recently approved and planned densities within PMTSAs associated with light rail transit (“LRT”) stations in the City of Toronto, including the recently approved building at 1801-1807 Eglinton Avenue West within the Fairbank PMTSA, which has an approved density of 16.7 FSI, among others, 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 673 Map 2 – “Minimum Densities, Keelesdale Protected Major Transit Station” to increase the minimum density from 2.0 FSI to 4.0 FSI - 8.0 FSI as indicated on Figure 1 below and as attached to this letter as Attachment A.**

Figure 1 – Requested modification to Map 2 of SASP 673

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



For the reasons outlined above and detailed in this letter, it is our opinion that the minimum density should be increased to 4.0 FSI to 8.0 FSI within the *Mixed Use Areas* designated lands identified on **Figure 1** above, which would be consistent with the province's policy framework and would help ensure the optimization of the significant public transit infrastructure investment along the Eglinton Avenue, and particularly in proximity to the Keelesdale LRT station on TTC Line 5.

Application History

By way of background, a Rezoning Application was submitted on January 21, 2020 for the development of a mixed-use building on the subject site, and was subsequently deemed complete on March 13th, 2020. A Rental Housing Demolition and Conversion Application was also submitted as part of the initial package and deemed complete on April 15, 2020. The original Rezoning Application contemplated a 14-storey hybrid residential building stepping down to a 10-storey mid-rise element and a 4-storey podium towards the north. The initial proposal delivered 216 units and 15,679.3 square meters of gross floor area.

Following the submission, technical comments and a Preliminary Report from Community Planning were received and two Community Consultation meetings were hosted by City staff and the Ward Councillor. A Rezoning resubmission and Site Plan Approval Application were submitted on November 5, 2021 and subsequent resubmissions were filed on December 22, 2022 for the development of an 18-storey mixed-use building located to the immediate northeast of the Keelesdale LRT Station, with a density of 8.96 FSI.

Site and Surroundings

The subject site is located at the southwest corner of Keele Street and Yore road, immediately northeast of the currently under construction Keelesdale LRT station on TTC Line 5. It is occupied by eight residential properties containing detached and semi-detached dwellings.

To the immediate south and within the same development block is a pedestrian connection to the Keelesdale LRT station, an east-west public laneway and several low-rise mixed-use buildings occluded by retail uses at grade and residential uses above (2634, 2636, 2640, 2642, and 2654 Eglinton Avenue West and 1856 and 1856A Keele Street). These properties are subject to a rezoning application that is currently under review, which proposes to redevelop the lands with a 33-storey mixed use building with a density of 16.7 FSI.

To the immediate west and adjacent to the subject site, is the Keelesdale LRT Station bus loop. To the south of the bus loop is the Keelesdale LRT Station (2660 Eglinton Avenue West). To the south and west are secondary entrances associated with Keelesdale LRT Station.

To the north and east of the subject site, beyond Yore Road and Keele Street, is a low-rise residential neighbourhood that generally consists of 1- to 2-storey houses

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 adjacent to the Keele LRT station. The site is also located within the Keele PMTSA as delineated by SASP 673 of City-adopted OPA 570.

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.

City of Toronto Official Plan

The City of Toronto Official Plan designates the subject site as *Mixed Use Areas* on Land Use Map 17, as amended by OPA 253. OPA 253 remains under appeal; however, we note that the outstanding appeals are site-specific and, therefore, OPA 253 is in full force and effect as

it relates to the subject site and the immediate lands to the east of the site, south of Lester Avenue. As a result of the appeals, Land Use Map 17 has not yet been updated to reflect the re-designated lands. *Mixed Use Areas* are intended to create a balance of high quality commercial, residential, institutional and open space uses that reduces automobile dependency and meets the needs of the local community and will provide for new jobs and homes for Toronto's growing population on underutilized lands. The Plan also states that *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing.

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 673, which applies to the Keelestone PMTSA, and encompasses the Subject site. SASP 673 specifies a minimum population and employment target of 160 residents and jobs combined per hectare, with a minimum density of 2.0 FSI specified for the Subject site.

Zoning

Under the Former City of York Zoning By-law 1-83, the Subject site is zoned Industrial R2 Residential Zone ("R2"). The R2 Zone permits a maximum density of 0.8 FSI and a maximum height of 11.0 metres and not more than 3-storeys; for residential uses. For non-residential uses, the R2 Zone permits a maximum density of 0.9 FSI and a maximum height of 14.0 metres and not more than 3-storeys.

Under the Toronto City-wide Zoning By-law 569-2013, the Subject site is zoned Residential Multiple Zone ("RM"), which permits a maximum FSI of 0.8 and a maximum height of 11.0 metres or 3-storeys.

Both the Former City of York By-law 1-83 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 Keelestone LRT station has been planned for development 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 designated *Mixed Use Areas* and located adjacent to higher-order transit stations, including LRT stations, and decrease away from the stations. This structure is evident and supported from a policy perspective at higher-order transit stations throughout the City.

To that end, all of the lands surrounding the Keelelssdale LRT station are designated *Mixed Use Areas*, as are the majority of the lands fronting onto the north and south sides of Eglinton Avenue West within the PMTSA. The lands further north and south are designated *Neighbourhoods*, with the exception of the lands to the north along the west side of Trethewey Drive which are designated *Apartment Neighbourhoods*.

As noted above, the Official Plan directs that *Mixed Use Areas* will absorb most of the anticipated increase in retail, office and service employment in Toronto in the coming decades, as well as much of the new housing. Accordingly, the properties with the greatest achievable densities are located within *Mixed Use Areas* and in close proximity to the Keelelssdale LRT station.

However, the highest minimum density included in SASP 673 is 2.0 FSI, including the lands immediately adjacent to the Keelelssdale LRT station and within the *Mixed Use Areas* designation. It is our opinion that the minimum density of 2.0 FSI is artificially low and is not appropriate given the area's immediate adjacency to higher-order transit, as it would not achieve the level of intensification envisioned by the existing policy framework or adequately support the creation of new jobs and homes for Toronto's growing population on the currently underutilized lands.

Furthermore, outside the peak node of properties immediately in proximity to the Keelelssdale LRT station, the majority of the lands within the PMTSA boundary are designated *Neighbourhoods* with a corresponding minimum density of 0.5 FSI, and therefore, are not planned to accommodate the growth in the area.

Accordingly, it is our opinion that within the SASP 673 boundaries there are limited opportunities to achieve the prescribed population and employment target. Therefore, greater intensification within the peak node is desirable and appropriate. As such, we believe that the minimum densities should be increased to reflect the existing and planned urban structure of the Keelelssdale PMTSA, support the implementation of the in-force policy framework and to be more reflective of the planned and approved densities included in PMTSAs for other LRT stations in the City of Toronto, specifically along the Eglinton Avenue corridor.

Table 1 below summarizes the planned and approved densities in in proximity to nearby LRT stations along the Eglinton Avenue corridor. Recently approved and planned densities along the Eglinton Avenue corridor range from approximately 6 FSI to 17 FSI, which is significantly higher than the highest minimum densities contained in SASP 673.

Table 1 – Planned and Approved Densities in Proximity to LRT Stations

Address	Official Plan Land Use Designation	PMTSA Min. Density (FSI)	Density (FSI)
Keelesdale Station - PMTSA			
2634-2654 Eglinton Avenue West and 1856 and 1856A Keele Street	<i>Mixed Use Areas</i>	2.0	16.7**
1860-1868 Eglinton Avenue West (Proposal)	<i>Mixed Use Areas</i>	2.0	8.96**
Fairbank Station - PMTSA			
1801-1807 Eglinton Avenue West	<i>Mixed Use Areas</i>	2.0	16.7*
1812 Eglinton Avenue West	<i>Mixed Use Areas</i>	2.0	9.56**
2402 Dufferin Street	<i>Mixed Use Areas</i>	2.0	7.25**
775 Vaughan Road	<i>Apartment Neighbourhoods</i>	1.5	13.7**
632 Northcliffe Boulevard	<i>Apartment Neighbourhoods</i>	1.5	11.0**
Caledonia Station - PMTSA			
2400 Eglinton Avenue West	<i>Mixed Use Areas</i>	2.0	7.73**
Mount Dennis - Draft PMTSA			
25 Photography Drive	<i>Mixed Use Areas</i>	3.0	6.38**
11 Hollis Street	<i>Mixed Use Areas</i>	0.0	16.09**
8-16 Locust Street	<i>Mixed Use Areas</i>	3.0	9.7*
9 Oxford Drive	<i>Apartment Neighbourhoods</i>	3.0	12.10**
1240 Weston Road	<i>Mixed Use Areas</i>	2.0	6.06**

Approved *

Proposed **

Given the current planning framework, the planned densities in the Keelesdale PMTSA, and the planned and approved densities in proximity to nearby LRT stations, we are writing to request that the Minister increase the minimum densities for the *Mixed Use Areas* designated lands within the Keelesdale PMTSA to the minimum densities illustrated on **Figure 1** above and **Attachment A**.

It is our opinion that future developments within the PMTSA should employ good urban design and built form principles. Accordingly, transition to areas of lesser intensity, minimum

separation distances and mitigation of built form impacts should be considered when determining appropriate minimum densities within the PMTSA.

To that end, lands that have sufficient depth and distance from *Neighbourhoods* designated properties could accommodate tower form buildings with minimum densities of 6.0 FSI, consistent with the planned and approved densities along the Eglinton Avenue corridor. Based on our review of development proposals and approvals within the same block as a higher order transit station, it is our opinion that minimum densities of 8.0 FSI can be achieved. Conversely, shallower *Mixed Use Areas* designated properties that abut *Neighbourhoods* may not be able to achieve tower form buildings and may be more appropriate for the development of mid-rise buildings. In those cases, it is our opinion that a minimum density of 4.0 FSI is more appropriate, which is indicative of mid-rise buildings that typically range between 4.0 to 5.5 FSI in our experience.

In our opinion, the suggested minimum densities would be consistent with the planned context and 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 optimizing 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 and the Official Plan.

In considering the emphasis and importance placed on optimizing lands in proximity to higher-order transit with greater intensification in order to achieve current provincial policy objectives and to make more efficient use of this infrastructure, we believe that a higher minimum density is not only appropriate, but necessary.

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

Yours very truly,

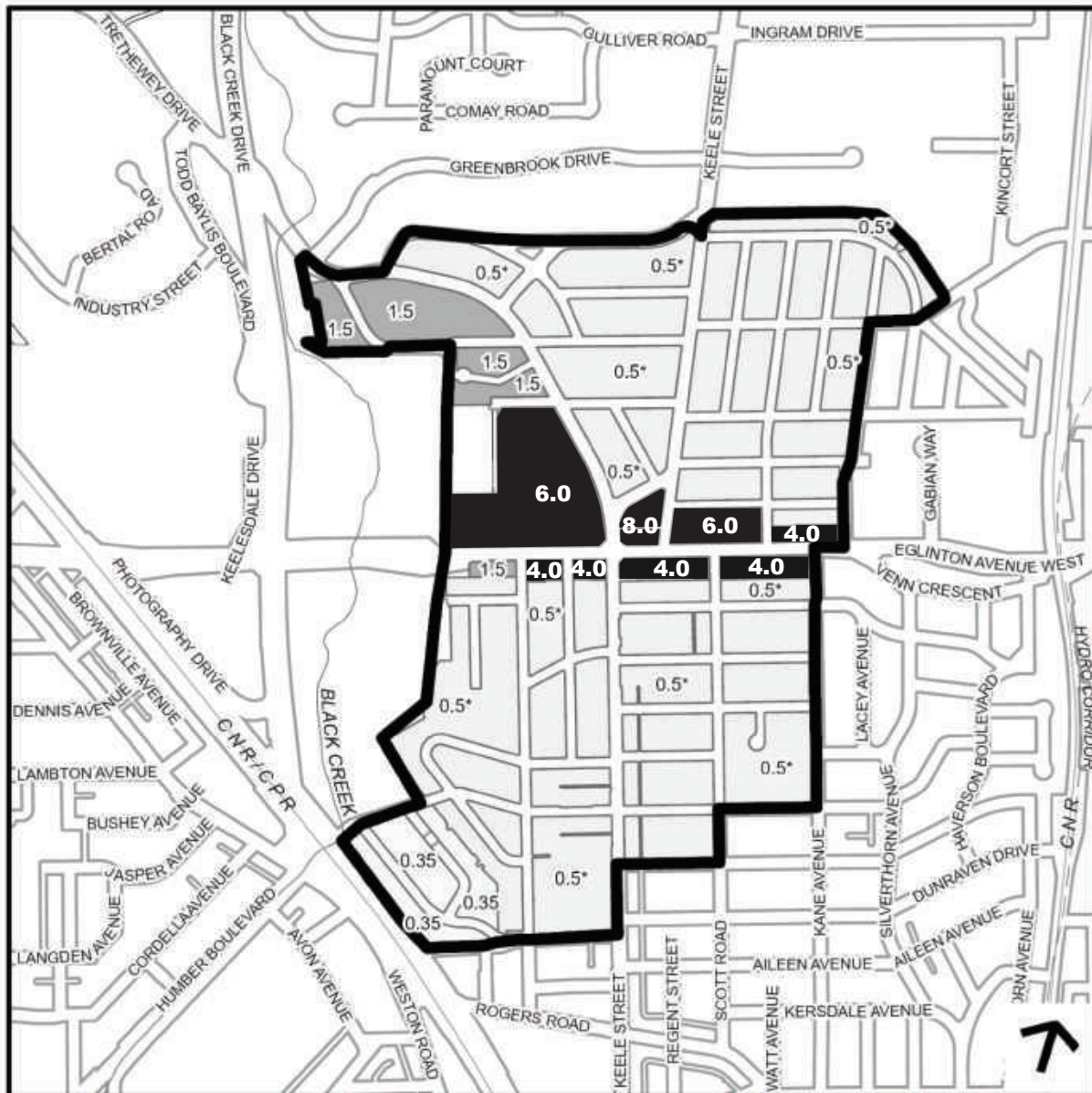
Bousfields Inc.



David Morse, MCIP, RPP

cc: Ryan Fenton, Block (Keele Eglinton) Developments Limited
Sidonia Tomasella, Aird & Berlis LLP

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



Minimum Density

0 FSI	0.3 FSI or 3 units*	1.0 FSI	2.5 FSI
0.35 FSI	0.5 FSI or 3 units*	1.5 FSI	4.0 FSI
	0.9 FSI or 3 units*	2.0 FSI	6.0 FSI
			8.0 FSI

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