

June 5, 2018

Our File No.: 180143

Via Email (etec@toronto.ca)

Etobicoke York Community Council
Etobicoke York Civic Centre, Main Floor
399 The West Mall
Toronto, ON M9C 2Y2

Attention: Rosemary MacKenzie, Secretariat

Dear Ms. MacKenzie:

**Re: Item EY31.4 – Final Report – High Park Apartment Neighbourhood Area
Character Study
Beaux Properties Management Company**

We are solicitors for Beaux Properties Management Company, the authorized agent for the owner of the properties known municipally as 60 Mountview Avenue, 45 Oakmount Road and 55 Oakmount Road in the City of Toronto (together, the “**Property**”). We are writing on behalf of our client to express its concerns with the High Park Apartment Neighbourhood Area Character Study (the “**Study**”) and the accompanying draft Official Plan amendment (the “**Draft OPA**”).

As background, the Property is located south of Glenlake Avenue, in the block between Oakmount Road and Mountview Avenue, at the eastern edge of the Study area. The Property is designated *Apartment Neighbourhoods* in the Official Plan, and is currently occupied by three slab-style rental apartment buildings.

Our client is concerned that the Draft OPA proposes to establish development principles and standards that are inappropriate when applied to the Property. For example:

- The Draft OPA proposes to protect views from Glenlake Avenue and Oakmount Road, and from Mountview Avenue, to High Park. The blocks of Oakmount Road and Mountview Avenue between Glenlake Avenue and High Park are unusually long, spanning approximately 405 metres. It is unreasonable to expect undisturbed views for a distance of almost four football fields in the urban context of these blocks.
- The Draft OPA proposes a novel net new shadow policy that would prohibit net new shadows on designated parks and open spaces for effectively all hours of the day. This

new policy test is inconsistent with the built form policies of the parent Official Plan and does not appropriately balance various planning considerations applicable to the Study area. Further, the definition of net new shadows only takes into account existing and approved developments. To properly identify net shadows that are truly “new”, any net new shadow policy should also take into account development that would be permitted as-of-right under existing zoning permissions.

- The Draft OPA proposes to require that a minimum of 65% of the total area of sites such as the Property be provided as open space. This prescriptive policy, in conjunction with other built form standards proposed, could have the effect of ensuring that certain lands continue to be underutilized, in contradiction to provincial policy.
- The draft OPA would require a minimum of 25% of new dwelling units to be two bedrooms or larger, and a minimum of 10% of new dwelling units to be three bedrooms or larger. These represent onerous and inappropriate minimum thresholds for inclusion in policy. Further, our client is concerned with the impact these policies would have on housing affordability.

The Draft OPA recognizes that the built character of the Study area has changed over time and commends the thoughtfulness of those changes. However, through the development principles and standards set out above, among others, the Draft OPA unduly inhibits the opportunity for future incremental development in the Study area that would be consistent with provincial policy direction regarding the intensification of underutilized lands. In these circumstances, we urge Etobicoke York to consider the cumulative effects of the policies in the Draft OPA, and refer the matter back to staff for further study and consultation with landowners.

Please also accept this letter as our client’s request for notice regarding any decision made in respect of this matter.

Yours truly,

Goodmans LLP



David Bronskill
DJB/