

July 12, 2021

Our File No.: 212113

City Council
City of Toronto
100 Queen St. West, 12th Floor
Toronto, ON M5H 2N2

Attention: Marilyn Toft

Dear Sirs/Mesdames:

Re: Item PH24.1 – Geary Works Planning Study and City-Initiated Official Plan Amendment and Zoning Amendment – Final Report

We are counsel to the owner of the property known municipally as 22 Geary Avenue (the “**Property**”). We write on behalf of our client to express concerns with Official Plan Amendment No. 531 and the associated zoning by-law amendment proposed in connection with the Geary Works initiative (the “**Proposed Instruments**”).

Our client is in the later stages of a long planning process to permit a new office building on the Property with retail/restaurant space at grade (the “**Proposed Development**”). As outlined below, Committee of Adjustment approval is in place and a site plan approval process is nearing completion. While the Proposed Development is consistent with the vision and planning principles outlined in the Proposed Instruments, there are certain detailed matters that cause concern, especially in light of the absence of transition provisions recognizing in-process development applications. Given the ongoing planning process for the Proposed Development which is near completion, we ask that clear transition provisions be included to exempt the Proposed Development from the Proposed Instruments.

Background

The Property is located at the northwest corner of Geary Avenue and Somerset Avenue and is currently occupied by a single-storey building operating as an auto repair shop. On January 25 2018, the Committee of Adjustment approved minor variances to facilitate the redevelopment of Property with a new four-storey office building with retail/restaurant space at grade (the “**Variance Approval**”). In December of 2017, our client submitted a site plan control application (the “**Site Plan Application**”). The Site Plan Application, as revised, would provide for 670sm of commercial GFA in a two-storey commercial building, while activating the frontages along both Geary Avenue and Somerset Avenue.

The Proposed Development promotes many of the planning objectives established through the Geary Works initiative, as it represents a gentle form of non-residential intensification, enhances the mix of commercial uses along the corridor, and provides animated frontages to enhance the public realm and help create an exciting street.

Despite the high degree of alignment between the Proposed Development and the principles established to guide the preparation of the Proposed Instruments, the Proposed Instruments themselves include certain standards that are problematic. For example, the proposed setback requirements and the elimination of boulevard parking spaces do not reflect the existing context of the Geary corridor. Furthermore, the Proposed Instruments would have the effect of bringing the Property under the purview of zoning by-law 569-2013. Since the Property is currently only subject to by-law 438-86, the Variance Approval does not include variances from by-law 569-2013. Accordingly, approval of the Proposed Instruments could have the effect of undermining the previous approval granted for the Proposed Development.

In these circumstances, the appropriate course would be to include clear transition provisions in the Proposed Instruments providing that the Proposed Instruments do not apply to applications that are in progress, or at least to the particular applications submitted to facilitate the Proposed Development.

Please also accept this letter as our client's request for written notice of any decision in respect of the above-noted matter.

Yours truly,

Goodmans LLP



David Bronskill

DJB/

cc: Client

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