

**Goodmans**<sup>LLP</sup>

Barristers & Solicitors

Bay Adelaide Centre  
333 Bay Street, Suite 3400  
Toronto, Ontario M5H 2S7

Telephone: 416.979.2211  
Facsimile: 416.979.1234  
goodmans.ca

Direct Line: 416.597.4299  
dbronskill@goodmans.ca

May 12, 2014

Our File No.: 11-2495

**Via Email**

North York Community Council  
North York Civic Centre  
Main Floor, 5100 Yonge Street  
Toronto, ON M2N 5V7

**Attention: Francine Adamo, Secretariat**

Dear Sirs/Mesdames:

**Re: Item No. NY32.20 – Request for Direction Report  
Zoning By-law Amendment Application – 2360-2378 Yonge Street**

We are solicitors for KCAP Helendale Inc., the owner of the properties known municipally as 2360-2378 Yonge Street in the City of Toronto (the “Property”), which are located within walking distance of an existing subway station and the City’s significant investment in the Eglinton Crosstown LRT.

We are in receipt of the above-noted Request Directions Report and are writing to provide our client’s comments.

**Background**

On May 7, 2012 our client filed applications for zoning amendment and site plan approval. The zoning amendment application was deemed complete as of July 27, 2012.

The application proposes to redevelop the Property with a 22-storey tower over a 6-storey podium base. Five levels of underground parking will provide for 147 parking spaces. The first below-grade floor and the first two above-grade floors will be used for retail uses. The tower and remaining levels within the podium will contain 234 residential units, and indoor and outdoor amenity space for residents. Vehicle and loading for both the retail and residential operations have been designed to be at the rear of the building and is accessed from Helendale Avenue.

Additional applications within the immediate area of the Subject Property, on both sides of Yonge Street, have also been filed with the City. In response, and subsequent to our client filing its rezoning application regarding the Property, the City initiated the Yonge, Duplex, Helendale and Orchard View Block Study (the “Block Study”) and formed an associated resident working

group. Since the inception of the Block Study, our client has participated in three resident working group meetings and a community consultation meeting for the Property, as well as held separate meetings with City staff, as part of the rezoning approval process, to discuss the individual merits of our client's proposal.

### **Request for Directions Report is Flawed**

Our client appreciates the productive discussions with City staff regarding its rezoning application. However, our client also disagrees with the recommendation contained in the Request for Direction report, namely that the intended vision for the Property is for a mid-rise building.

With respect, this recommendation is based on a flawed premise. In our client's opinion, this conclusion ignores the Property's immediate adjacency to an Urban Growth Centre, as identified in the Growth Plan, and its location within close proximity of an existing subway station and the City's significant investment in the Eglinton Crosstown LRT.

Our client believes the application, as proposed, conforms to the Growth Plan, is consistent with the PPS, and implements the City's Official Plan respecting appropriate intensification, growth management, land use and built form policies. In particular, the Property is located only one block north of the Yonge-Eglinton Urban Growth Centre, as identified in the Growth Plan, and therefore should be considered an appropriate location for residential intensification.

By contrast, the Request for Directions Report ignores the intensification potential of the Property through the creation of an artificial boundary. This approach ignores numerous City and Provincial policies requiring the efficient use of existing infrastructure, especially in proximity to the existing subway and the future Eglinton Crosstown transit hub.

In our client's view, this proposal promotes a land use pattern, density and mix of uses that minimizes the number of vehicle trips and plans for public transit and other alternative transportation modes. Further, the proposal has appropriate regard to the existing and planned context and fits within a height pattern that transitions down from the taller buildings located to the south of the Property. This transition is a consideration when there are other intensification proposals currently before the City.

Finally, the proposed building is of high-design quality, and has been purposefully crafted to fit within the existing and emerging design architectural trends emerging in the area. As such, the proposal is in keeping with urban design policies in the Official Plan and guidelines used to direct public realm and street improvements while ensuring appropriate light, view and privacy conditions to neighbouring developments.

As noted above, while our client disagrees with the recommendation contained in the Request for Directions Report, our client appreciates the work of City staff and is open to ongoing

discussions with City staff and the community. Our client remains of the view that a negotiated resolution to its appeal is possible.

Please also accept this letter as our request for notice of any meeting or decision made in respect of the above-noted matter.

Yours very truly,

**Goodmans LLP**



*for* David Bronskill  
DJB/  
cc: Client

6329589