

June 17, 2014

Our File No.: 100578

Delivered

Chair and Members of Planning and Growth Management Committee
10th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Nancy Martins, Committee Administrator

Dear Sirs/Mesdames:

Re: Item PG34.1: Eglinton Connects Planning Study – Phase 1 (Part 1) Implementation Report
Official Plan Amendment No. 253

We are solicitors for RioCan Holdings (Sunnybrook) Inc. (the “Owner”), the owner of the property known municipally as 660 Eglinton Avenue East (the “Subject Site”) which is located at the northeast corner of Bayview Avenue and Eglinton Avenue East. We have reviewed the draft Official Plan Amendment No. 253 (the “Draft OPA”) which implements the recommendations of the Eglinton Connects Planning Study (the “Eglinton Connects Study”) and are writing to express our client’s concerns with certain aspects of those policies.

Site and Area Specific Policy No. 476

The Draft OPA would implement a new Site and Area Specific Policy No. 476 (“SASP 476”), which would require the creation and extension of new and existing public laneways in a number of locations along Eglinton Avenue, and would apply a series of policies related to this objective. As we understand SASP 476, it will only apply to those lands shown on the attached maps entitled Schedule 2 which abut the north or south side of Eglinton Avenue, and shall only require the dedication of land where locations for new public laneway locations are specifically marked. Further, SASP 476 will not apply to lands within the Focus Areas, which are governed by specific transportation infrastructure policies as set out in the Site and Area Specific Policies.

In the current format, the boundary of the lands to which SASP 476 applies is unclear. The Official Plan Amendment should include a single Map or Schedule showing the boundary of the lands to which SASP 476 applies outlined in a heavy black line, as provided for the other Site and Area Specific Policies contained in the draft OPA.

Site and Area Specific Policy No.478**Built Form**

A number of Site and Area Specific Policies are proposed, each corresponding to one of the six “Focus Areas” identified in the Eglinton Connects Study. Recommendation #18 of the Eglinton Connects Study Volume 2 as adopted by City Council on May 6, 2014, provides that the Focus Areas include capacity to accommodate future mixed-use intensification “in a range of building heights and sizes”, generally due to the presence of large underdeveloped sites and the presence of future Eglinton LRT stations. While the same Study recommends mid-rise buildings be permitted as-of-right along the *Avenues* portions of Eglinton Avenue, Recommendation #18 contemplates a taller or denser built form for the Focus Areas.

With regard to the Bayview Focus Area, Volume 1 of the Eglinton Connects Study recommends that a variety of building forms, including tall buildings, mid-rise buildings and townhouses be explored for the Area, with an acknowledgement that greater density should be explored on the northwest and northeast blocks. Similarly, Volume 2 of the Eglinton Connects Study indicates that public consultation participants expressed a general preference for mid-rise buildings together with strong support for taller buildings at the intersection of Bayview Avenue and Eglinton Avenue East.

Section 7(e)i of the Draft OPA provides that within the lands subject to Special Site and Area Specific Policy No. 478 (“SASP 478”) “development on the lands will be predominantly mid-rise in height and form.” This policy should be amended to reflect the direction of the Eglinton Connects Study, and should read:

“development on the lands will be predominantly mid-rise in height and form, accented with tall buildings at the intersection of Eglinton Avenue [East] and Bayview Avenue that generally implement the Tall Buildings Guidelines and provide adequate transition in scale to adjacent mid-rise and low-rise buildings;”

Non-Residential GFA and Grocery Use

Section 7(b)i of the Draft OPA provides that new development on the lands will “maintain the amount of existing non-residential gross floor area”. Our client agrees that the existing neighbourhood commercial function at the intersection of Bayview Avenue and Eglinton Avenue East should be maintained to both service the area, and to create an active and engaging pedestrian realm.

As currently drafted, however, the policy focuses on quantitative considerations only and is overly restrictive in requiring retention or replacement of all existing non-residential gross floor area, which is not necessary to achieve the underlying planning objective in all cases. In order to address the unique attributes of each site and the evolving nature of the Focus Area, the Draft

OPA should allow for flexibility in the amount of non-residential gross floor area to be maintained on a particular site. This would allow non-residential uses to be disbursed evenly throughout the Focus Area, in a manner which is most appropriate for each site as it develops.

Similarly, Section 7(b)iii requires that new development on the lands will “maintain a grocery store use as redevelopment occurs”. In its present format, this policy does not indicate which of the many sites within the SASP is required to provide a grocery store use. The language should be clarified to require that the existing grocery store use be maintained in its present location, while not precluding additional grocery stores or food stores on other sites within the Focus Area.

It is our respectful submission that these revisions will appropriately clarify the direction of the Draft OPA. Please also accept this letter as our request for notice of any meeting or decision made in respect of this matter.

Yours truly,

Goodmans LLP



Anne Benedetti

AB/pc

cc: Stefan Wisniowski, RioCan Management
Steve Forrester, Community Planning

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