



5 August 2014

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

Attention: **Nancy Martins**
 Administrator

Dear Ms. Martins,

RE: **Comments Respecting the Eglinton Connects Planning**
 Study - Phase 1 (Part 2) Implementation Report
 875 Eglinton Avenue West
 Our File: 07.576

We represent Upper Village Investments Ltd., ("Upper Village") and Bateg Investments Limited ("Bateg") owners of the property located on the southwest corner of the intersection of Eglinton Avenue West and Bathurst Street, known municipally as 875 Eglinton Avenue West ('subject site'). We have been retained to review the Eglinton Connects Planning Study and the proposed policies and zoning amendments that would implement its recommendations as they relate to the subject site.

By way of background, on March 25, 2011 Upper Village submitted an application for a Zoning By-law Amendment relative to the proposed development of an 11-storey residential building (36 metres, plus mechanical), with grade-related retail uses, on the western portion of the subject site. The application remains open and under review. Upper Village and Bateg also intend to submit a future Zoning Bylaw Amendment Application for the eastern portion of the subject site in order to facilitate its development for a mixed use building.

We have previously submitted correspondence with respect to the Eglinton Connects Planning Study, and the staff report entitled Eglinton Connects Planning Study – Phase 1 (Part 1) Implementation Report dated May 22, 2014, and Draft Official Plan Amendment 253 ('OPA 253') which seeks to implement the study's recommendations as they relate to, among other things, the creation and extension of rear laneways along the Eglinton Avenue corridor.

PHASE 1 IMPLEMENTATION – PART 2 : PROPOSED ZONING BYLAW AMENDMENTS

We have reviewed the staff report dated July 24, 2014, which deals with the Eglinton Connects Phase 1, Part 2 Implementation, which proposes Zoning By-law Amendments to increase the permitted heights for certain properties along Eglinton Avenue to facilitate midrise development. The report also recommends that Council adopt the Urban Design Guidelines for Eglinton Avenue attached as Appendix 3 to the report, and that Planning Staff be directed to apply the guidelines through the Site Plan Control process.

With respect to the proposed zoning amendments, we note that the draft amendment on Diagram 5 (page 44 of the report) proposes to zone two separate portions of the eastern half of the subject site for a height of 27 metres. The western portion of the subject site, which is roughly the portion that is subject to our current site specific zoning by-law amendment application, and a 'sliver' of the eastern portion, is excluded from the proposed zoning by-law amendment.

As noted in previous correspondence and at our meetings with City staff, Upper Village and Bateg intend to submit a future Zoning Bylaw Amendment Application for the balance of the subject site (which comprises the eastern portion of the subject site not subject to the initial site specific development application, which includes the portions being proposed to be rezoned through the Eglinton Connects Study Phase 1 – Part 2 Implementation, as well as the 'sliver' that was excluded from the amendment but that was not part of the initial site specific development application). The purpose of the future application would be to facilitate the development of the balance of the subject site for a mixed use building, which building would be at a higher scale than the western portion of the subject site to appropriately respond to its prominent corner location, and the adjacent Bathurst LRT station.

We are concerned that the proposed Zoning By-law Amendment which would limit heights to 27 metres, or about 9-storeys, on the eastern portion of the subject site, does not appropriately respond to the attributes of the subject site, as detailed in our Planning Rationale report and Avenue Segment Study prepared as part of the Zoning By-law Amendment application package. Moreover, the proposed amendment would result in a very fragmented approach to the zoning for the subject site that would not be conducive to good planning.

While we are disappointed that the site specific application, which was filed in 2011, has not been recognized through this process and that the approach has instead been to simply exclude the western portion of the subject site from the amendment altogether, if this approach is to be taken, we request that the proposed Zoning Bylaw Amendment be revised to also delete the eastern portions of the subject site from the proposed zoning by-law amendment, consistent with the way in which the western portion of the subject site has been excluded. Removing the entirety of the subject site from the proposed amendment would more appropriately recognize the comprehensive nature of the subject

site and would create a more logical framework for a future site-specific application on the eastern portion.

We trust that the information provided above is sufficiently clear. Should you have any questions or require clarification, please do not hesitate to contact the undersigned.

Yours very truly,

WND associates
planning + urban design

A handwritten signature in black ink, appearing to read 'Wendy Nott', written in a cursive style.

Wendy Nott, FCIP, RPP
Senior Principal

cc Ms. Lorna Day, Eglinton Connects Planning Team
 Mr. Steven Cohen, Upper Village Investment Ltd.
 Mr. David Feldberg, Bateg investments Limited
 Mr. Patrick Devine, Dentons
 Mr. Les Klein, Quadrangle Architects
 Ms. Wendy Nott, WND Associates