

*Reply to the Attention of* Mary Flynn-Guglietti  
*Direct Line* 416.865.7256  
*Email Address* mary.flynn@mcmillan.ca  
*Our File No.* 223354  
*Date* April 13, 2015

**Delivered via e-mail to [teycc@toronto.ca](mailto:teycc@toronto.ca) and [clerk@toronto.ca](mailto:clerk@toronto.ca)**

City of Toronto  
Toronto and East York Community Council  
Toronto City Hall  
100 Queen Street West  
2<sup>nd</sup> Floor, West Tower  
Toronto, ON M5H 2N2

**Attention: Ros Dyers, Secretariat Contact  
Toronto and East York Community Council**

Dear Chair and Members of the Toronto and East York Community Council:

**Re: Item No. TE5.8 (Scheduled for 10:00 am, April 14, 2015)  
Principles Report – Bathurst-Bloor Four Corners Study OPA  
844 Bathurst Holdings Inc.**

We are the solicitors retained on behalf of 844 Bathurst Holdings Inc., (“**Torgan**”) owners of the property municipally known as 844 Bathurst Street (**the “Property”**) situated on the west side of Bathurst Street, south of London Street and north of Bloor Street. The Property is located within the Bathurst-Bloor Four Corners Study (**the “Study”**) area. Kindly accept this letter as our client’s formal comments regarding the Bathurst-Bloor Four Corners Study – Principles Report.

We understand that the Study is intended to achieve “*a vision and ultimately policy for the Bathurst-Bloor four corners area*”. Toronto City Council adopted the recently completed Better Bathurst Study, thereby removing the “Avenue” designation from the Seaton Village-West Annex Character Area which includes the Torgan Property. Removal of the “Avenue” designation would direct intensification away from the Seaton Village-West Annex Character Area and the Property. Additionally, our Property would become subject to general policies for the Bathurst Street corridor. Regarding this, on 8 September 2014 our solicitors, McMillan LLP, filed an appeal of OPA 246. In brief, we feel that the “Avenue” designation should be restored, that the Bathurst/Bloor Main Street Character Area should extend to London Street, and that the Bathurst-Bloor four corners should have significant intensification.

The Torgan appeal noted that, being near the intersection of Bloor Street West and Bathurst Street and in close proximity to the Bathurst Street subway station, the Property is located in an ideal location for intensification. The Property is also located south of London Street which would serve as a more appropriate boundary between the Seaton Village-West Annex Character Area to the north and the Bathurst-Bloor Character Area to the south. This is because development west of Bathurst Street and south of London Street is primarily mixed-use and more in keeping with the more intensive character of development at Bloor Street West and Bathurst Street. Also, there is sound planning rationale for intensification near the Bathurst Street subway, which has frequent north-south streetcar and bus service and is located only 25 metres from our Property.

One of the reasons cited for removing the “Avenues” designation in the Better Bathurst Study Report was to eliminate “confusion with respect to maximum building heights” (Table 2, page 47). Table 4, page 65 of the report notes that with the “Avenues” overlay, up to 20 metres, or 6-7 stories, would be permitted on the Property, whereas with removal of the “Avenues” overlay, only 13 metres maximum height would be permitted and only 10 metres at the street wall. In addition, the right of way width of 20 metres on Bathurst Street would indicate, under the City’s Official Plan Mid-Rise Building guidelines for a mixed-use building, a height of at least 19.5 metres should be permitted, with consideration for greater intensification given proximity to Bloor Street and Bathurst Street and the subway.

We respectfully submit that the Study initiated by the City Planning Division provides an important opportunity to re-examine some of the assumptions and decisions of the Better Bathurst Study. For example, under the City of Toronto Official Plan the Property was previously classified Mixed Use Area and as an Avenue. As a result, our Property was located within an area designated for growth and intensification.

The Study initiated by the Planning Division provides an important opportunity to revisit some of the decisions resulting from the Better Bathurst Study. As noted in our appeal, the Bathurst-Bloor Character Area should include properties up to London Street, which would serve as a distinct public right-of-way boundary between the Seaton Village-West Annex Character Area and the Bathurst-Bloor Character Area. Greater intensification is also intended within the Bathurst-Bloor Character Area in comparison to the Seaton Village-West Annex Character Area, which is appropriate for the reasons already cited in this letter. Finally, the mixed-use nature of land use from Bloor Street to London Street makes this area more similar in character to the Bathurst-Bloor Character Area.

We also support the broader neighbourhood aims of the Study to achieve improved public realm, pedestrian and cycling connections, improved use and access to public open space, new parks, and a full range of residential housing opportunities. To support transit-based intensification, policies permitting substantially reduced car parking requirements for new developments should be considered in the Study Area. Improved pedestrian amenities such as widened and less obstructed sidewalks, mid-block pedestrian routes, and pedestrian weather protection (canopies) would all enhance pedestrian and transit use.

However, an important component of the vision for Bathurst-Bloor should include restoration of the development rights reduced under the Better Bathurst Study and inclusion of

properties on the west side of Bathurst Street up to London Street in the Bathurst/Bloor Main Street Character Area. As well, the Bathurst-Bloor Special Study currently underway provides an important opportunity to examine greater intensification of the properties adjacent to the four corners, up to and including London Street on the north and Lennox Street on the south. Proximity of this node to the central area and the high capacity transit system provides strong rationale for this approach.

We ask that our comments regarding the Study be part of the consideration to inform staff's review.

Yours truly,

A handwritten signature in blue ink that reads "Mary L. Guglietti". The signature is fluid and cursive.

Mary Flynn-Guglietti

/jl

Cc: George Wheeler, Torgan  
Moar Cohen, Torgan  
Councillor Mike Layton, City of Toronto  
Amanda Hill, Legal Department