

Reply to the Attention of Mary Flynn-Guglietti
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Our File No. 250425
Date March 30, 2017

DELIVERED VIA E-MAIL – (ellen.devlin@toronto.ca and teycc@toronto.ca)

Toronto & East York District - Community Council
2nd Floor, West Tower
City Hall, 100 Queen Street West
Toronto, Ontario
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Attention: Ms. Ellen Devlin, Secretariat

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

**Re: TEYCC April 4, 2017, meeting Item No. TE23.6
Honest Ed's and Mirvish Village
Application No. 15 188805 STE 19 OZ
Concerns Regarding the Proposed Building Interface and
Land Ownership**

We are the solicitors retained to act on behalf of 433583 Ontario Ltd. with respect to its property located at 599-611 Bloor Street West and 543-545 Palmerston Boulevard, located at the southeast corner of Bloor Street West and Palmerston Boulevard (the “**subject property**”). The subject property is currently occupied by 2- to 3-storey commercial buildings along Bloor Street West and two detached dwellings fronting on Palmerston Boulevard.

The subject property is located adjacent to the Mirvish Village redevelopment site (the “**redevelopment**”), and more specifically, immediately abuts the western block of the redevelopment on which proposed Building 1 is located. Over the last couple of years, our client has been in discussion with Westbank/Peterson Group (the Mirvish Village development proponents) with respect to the interface between the proposed redevelopment and the subject property, specifically concerning the proposed access arrangements, land ownership and other matters. We further note that our client has also made known their concerns to the City Planning Department through correspondence from our clients’ planning consultants, Bousfields Inc.

We have reviewed the most recent resubmission of the Mirvish Village redevelopment plans (dated December 19, 2016) in support of the proposed Official Plan and Zoning By-law Amendments, which are scheduled to be considered at the April 4, 2017 TEYCC meeting. We note the following:

1. The proposed 7-storey building, which is located on the west block of the redevelopment (indicated as Building 1 in the resubmission package), immediately abuts our client’s property line at 599 Bloor Street West. After

reviewing the floor plans provided, it is apparent that the building provides no setback for the first 6 storeys with the exception of terraces located at the 3rd and 4th storeys. The building is then stepped back at the 7th storey. From further review of the floor plans, it also appears that there are windows on the western wall of Building 1.

Our concern relates to the proposed interface between Building 1 and the adjacent property at 599 Bloor Street West in addition to the rear yards of the properties at 543-545 Palmerston Boulevard. Should the subject property redevelop in the future, the proposed Building 1 will significantly negatively impact the potential location, height and massing of any building(s) that could be proposed along the eastern property line.

It would be beneficial to understand the extent to which Building 1 poses impacts to the property at 599 Bloor Street West. This could include, among other matters, whether the façade includes windows or is a blank wall, the look and feel of the proposed terraces at the 3rd, 4th and 7th storeys, and, to a lesser extent, the building materials proposed.

We have previously requested building elevations for Building 1 from the proponent that would illustrate these items and allow us to respond accordingly, however, we have not yet received such plans, or responses to our enquiries.

2. As illustrated on the Site Plan and the Level 1 Floor Plan of the resubmission package, as well as on the Landscape Layout Plan, 'Palmerston Lane' is proposed to be treated with decorative paving along its entire length to a point which is further north than the terminus point of the existing laneway (which is effectively in-line with the southern property boundary of 599 Bloor Street West). It does not appear that there is any fencing proposed along the length of 'Palmerston Lane'.

Our concern in this respect relates to two correlated factors: land ownership and security/safety. With respect to the former, all three development plans that depict paving on 'Palmerston Lane' clearly show the western property line of the Mirvish Village redevelopment and decorative paving, consistent with the paving proposed as part of the park, on lands that are not currently owned by Westbank/Peterson Group (i.e. the existing lane). A portion of the lands shown as 'Palmerston Lane' are owned by our client. It is peculiar that our client was not consulted either about locating a portion of 'Palmerston Lane' on their lands or its potential treatment. As you can appreciate, this would constitute a trespass on our client's property.

We are unsure if 'Palmerston Lane' is workable without our client's consent to the incorporation of its lands into the overall plans.

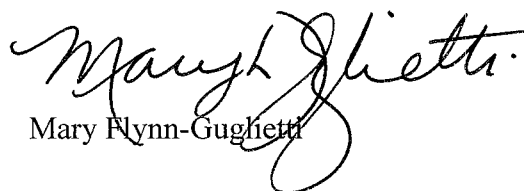
With respect to the latter consideration, we have concern with safety and security issues for the rear yards of the properties at 599 Bloor Street West and 543-545 Palmerston Boulevard in that 'Palmerston Lane' and the proposed park may be used as a thoroughfare through our client's lands to either Bloor Street West or Palmerston Boulevard.

While our client does not generally oppose the proposed redevelopment as a whole, our concern in raising the above issues, which have already been raised directly with Westbank/Peterson Group in the context of their site-specific applications, is that the current redevelopment proposal has not been comprehensively considered within the context of the properties between Markham Street and Palmerston Boulevard, including our client's property. The result is that the planned interface between the westerly proposed Mirvish Village building and access/landscaping and our client's property may not appropriately account for the future redevelopment of the lands to the west.

We appreciate your consideration of the foregoing comments. As there has been previous communication with the City Planning Department regarding our concerns, we are also providing these comments by copy of this letter to the planner at Community Planning who is responsible for the Mirvish Village OPA and rezoning application.

Should you require any additional information, please do not hesitate to contact me.

Yours truly,



Mary Flynn-Gughetti

Cc: Ashley Ross, LHR Properties
Peter Smith, Boufields Inc.
Kate Cooper, Bousfields Inc.
Graig Uens, Toronto City Planning