

PG30.4.43

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June 6, 2018

By E-mail

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

Attention: Ms. Nancy Martins, Secretariat

Dear Sirs and Mesdames:

**Re: PG30.4 – Midtown in Focus: Final Report
Yonge-Eglinton Secondary Plan Update
196 Eglinton Avenue East**

We are counsel to 196 Eglinton East Ltd., the owner of the property municipally known in the City of Toronto as 196 Eglinton Avenue East (the "**Property**"). On behalf of our client, we are writing with respect to the Proposed Yonge-Eglinton Secondary Plan Update, which is presently proceeding before the Committee as Official Plan Amendment No. 405 (the "**Draft Secondary Plan**").

Our client wishes to express its sincere appreciation for staff's efforts in engaging collaboratively with our client in the City's process of envisaging a renewed planning framework for the area. As the owner of several properties in the Draft Secondary Plan area, our client is encouraged by the City's interest in planning for transit-supportive growth for this key urban growth centre—not simply in the near future, but for the long term.

In view of our client's interest in the City's long-term vision for the area, we are writing to express concern that the present version of the Draft Secondary Plan designates a maximum height of 8 storeys for the Property through Map 21-12.

In the spirit of encouraging development that is responsive to the surrounding context, we believe that a maximum height range of **10–12 storeys** is more appropriate for the Property, given that the immediately adjacent sites to the west and east have maximum height permissions of 30 and 21 storeys, respectively. Imposing an arbitrary height limit of 8 storeys leaves the Property underutilized relative to the surrounding context, which is contrary to the objectives established in Provincial policy, particularly in view of the existing and planned infrastructure for this urban growth centre. These Provincial objectives include promoting growth and intensification in strategic locations and encouraging transit-supportive development. As presently drafted, the Draft Secondary Plan is inconsistent with the Provincial Policy Statement, 2014 and fails to conform with the Growth Plan for the Greater Golden Horseshoe, 2017.

As in all cases, while lot attributes may affect the ability for development to achieve the maximum heights on the Property (e.g., by virtue of Ontario Building Code regulations imposing minimum separation distances), these regulatory constraints may be overcome by cooperation and agreement amongst neighbouring landowners. In fact, it was on this basis that a limiting distance agreement was entered into

between the owners of the Property and the adjoining neighbour immediately to the east (212 Eglinton Avenue East).

We acknowledge that further cooperation amongst neighbouring landowners may be necessary in pursuing the redevelopment of the Property at the maximum heights proposed by this letter. However, the Draft Secondary Plan should express height permissions in a manner that reflects the bold planning vision for the area, rather than merely re-articulating only what is achievable in view of the regulatory and legal constraints of the present day. As a planning policy document, the Draft Secondary Plan should be aspirational in its approach and forward-thinking in its orientation.

For these reasons, we respectfully request that the Committee direct that Map 21-12 of the Draft Secondary Plan be amended, revising the Property's maximum height limit of 8 storeys instead to be a maximum height range of 10-12 storeys.

Please provide us with notice of all upcoming meetings of Council and Committees of Council at which the Draft Secondary Plan will be considered, and we ask to be provided with notice of the Committee's and Council's decision with respect to this item, as well as any other upcoming meeting or decision regarding the Yonge-Eglinton Secondary Plan Update.

If you have any questions, please do not hesitate to contact me.

Yours truly,



Calvin Lantz

CL/jsc