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VIA MAIL AND EMAIL

Chair and Members
Planning and Growth Management Committee
City of Toronto
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File: 0229256.0001

Attention: Ms. Nancy Martins

Dear Chair and Members of the Planning Growth Management Committee:

**Re: Proposed Yonge-Eglinton Secondary Plan Update
50 Merton Street – Girl Guides of Canada (“Girl Guides”)**

We are the solicitors for the Girl Guides of Canada, the owner of 50 Merton Street located on the north side of Merton, east of Yonge. We wrote on behalf of our client on February 23, 2018 setting our client's concerns with the initial draft of the Yonge-Eglinton Secondary Plan.

We have reviewed the April 18, 2018 revised Yonge-Eglinton Secondary Plan Official Plan Amendment and our client is grateful for the consideration that planning staff have given to its comments. The manner in which redevelopment potential and height limits are now to be established is responsive to our client's suggestions.

The revised Yonge-Eglinton Secondary Plan no longer establishes development potential on a site-by-site basis, but does that on a larger block or area basis, with the exception of already approved or constructed sites. This approach is preferable and allows land whose owners who have not yet aggressively sought redevelopment to be considered on its own merits. The use of individual setback requirements for each site to achieve the desired separation distances without exporting separation distances is an important step in recognizing that good planning cannot simply cater to those who make their applications first. We also commend staff's explicit recognition of not only the potential, but the need in some cases, for sites to be assembled in order to achieve the planning objectives of the Secondary Plan.

As a registered charity that relies upon public funds and is not focussed on maximizing development value from its lands as quickly as possible, the Girl Guides of Canada is appreciative of the opportunity this Secondary Plan provides for it to find the best use of its land for its own purposes without immediate pressure to seek redevelopment.

The Girl Guides have two remaining requests.

No Potential Cultural Heritage Value in 50 Merton Building

Map 21-10 identifies 50 Merton Street as a "property with potential cultural heritage value" and restrictions are placed on the site as a result. Our client's building is a non-descript building which is now close to the end of its economic life. As our earlier letter indicated, the space is too small for the current operations of the Girl Guides of Canada, who have had to house its Ontario operations in another location. It would like to bring those operations to this location if possible. The building needs to be redeveloped in order for the Girl Guides to continue operating here. Those restrictions thus actually jeopardize the continued ability of the Girl Guides to remain at 50 Merton Street. We would therefore ask that 50 Merton Street be removed as a property with "potential cultural heritage value" from Map 21-10.

Height Limits

The Girl Guides remain somewhat disappointed at the height limits established by Map 21-14 of the Yonge-Eglinton Secondary Plan. The block bounded by Yonge Street, Mount Pleasant, Merton Street and Balliol Street is subject to unnecessarily low height limits. The heights proposed and approved for the block to the north (between Davisville Avenue and Balliol Street where 30 story height limits are proposed) demonstrate that somewhat higher height limits can be easily accommodated in this block. A stepping down of height from Davisville Avenue to the south side of Merton can be achieved by a height limit of 21 to 24 stories. The revised approach of looking at the unique circumstances of each site and the explicit language that the mapped heights might not be achievable in all cases ensures that if the specific site cannot bear that height because it would have inappropriate impacts, it will not be built. For example, there are very significant restrictive provisions proposed in Policy 5.6 that protect sunlight and comfort. Policy 5.3.3 makes it clear that lot consolidation assemblies and other controls may be required to ensure appropriate co-ordination and to address the impacts that might result without those requirements. Most importantly Policy 2.1.2 provides that maximum densities on an individual site will be governed by a combination of the maximum permitted building heights and the site and urban design standards for the buildings. Those urban design standards are then listed: a) open space area ratio requirements, b) setbacks and stepping back building mass, c) base building heights, d) tall building floor plates and infill development criteria associated with existing apartment buildings. The strong policy language in this Secondary Plan allows for a maximum building height of 21-24 stories in this location.

Our client would therefore ask that Map 21-14 be amended so that the maximum building height for 50 Merton Street and abutting sites be increased to 21 to 24 stories.

Deputation Request

Finally, we would ask that the undersigned be registered as a deputant at the June 7, 2018 Planning and Growth Management Committee meeting to speak to this matter.



Thank you for your consideration of our comments. Please treat this letter as the written submission of our client to Council for the purposes of eligibility for appeal and note that it is our client's view that this Secondary Plan does not qualify for use of the provisions of section 26 of the *Planning Act*. We would be pleased to answer questions arising out of this letter.

Yours very truly,

MILLER THOMSON LLP

Per:



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Partner

DT/docpro

cc: Mr. David Pause
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Girl Guides of Canada
Requested Amendments to Official Plan Amendment No. 405
Yonge-Eglinton Secondary Plan

Potential Cultural Heritage Value Mapping

1. Remove 50 Merton Street as a property with "potential cultural heritage value" from Map 21-10.

Height Limit Mapping

2. Amend Map 21-14 to provide for a height limit over 50 Merton Street of 21-24 stories.

