



LYTTON PARK RESIDENTS' ORGANIZATION INC.  
Box 45031, 2482 Yonge Street  
Toronto, M4P 3E3

[lyttonparkresidentsorg@gmail.com](mailto:lyttonparkresidentsorg@gmail.com)

6 January 2020

City Clerk  
Attention: Francine Adamo, Administrator  
North York Community Council  
5100 Yonge Street, Main Floor  
Toronto, ON M2N 5V7  
e-mail: [nycc@toronto.ca](mailto:nycc@toronto.ca)

Dear Members of North York Community Council:

**NY12.3 Final Report - Official Plan Amendment and Zoning Amendment Applications - 2490-2514 Yonge Street, 10-12 Castlefield Avenue, and portions of 20 Castlefield Avenue and 567 Duplex Avenue (Ward 8 - Statutory: Planning Act, RSO 1990)**

**LACK OF PUBLIC NOTICE FOR COMMUNITY MEETING**

No notice of the January 8<sup>th</sup> North York Community Council Meeting had been posted on any of the three site signs as of January 4. This key step to inform the community was missed.

**HEIGHT**

The Lytton Park Residents' Organization (LPRO) opposes the height of this development application and its potential impact to the future adjacent park and currently designated Residential Zone and Neighbourhoods Land Use. In a CR (Commercial-Residential) Zone, a 45-degree angular plane must be used to separate the building from an abutting residential or open-space zone in addition to a 7.5m minimum setback. The proposal does not attempt to conform with either the rear setback or angular plane requirements.

It should be noted that while this proposal is technically 14 storeys, due to the double-height first floor and 5.5m tall mechanical penthouse it will appear as a 16-storey building. This height is inappropriate for a site over 500m away from Yonge and Eglinton, outside of the subject Urban Growth Centre, adjacent to an area which presently has a Neighborhoods designation and in the future will be designated as Parks and Open Space.

As the proposal was submitted prior to the approval of OPA 405, these policies should not be applied to this application. This section of Yonge Street is characterized by 2-3 storey buildings with newer approved and completed developments of 6-9 storeys, within the height equivalent of the right-of-way width as recommended in the Mid-Rise Guidelines.

This proposal is only possible with an Official Plan amendment to change the lands acquired from the City from Neighbourhoods to Mixed Use. LPRO is opposed to converting an area intended for low-rise in order to allow a 14-storey building, based on the precedent it may set for neighbouring properties on Yonge Street. We suggest that the City refuse the necessary land exchange until such time as the proposal is scaled back.

*The Lytton Park Residents' Organization ("LPRO") is an incorporated non-profit association founded in 1987 representing member households from Lawrence Avenue West to Roselawn and Briar Hill Avenues, Yonge Street to Saguenay and Proudfoot Avenue.*

<https://lpro.wordpress.com>

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**SHADOWS**

Throughout the City's report submitted January 3, 2020, the future use of the Toronto Parking Authority (TPA) lot as a park is acknowledged and the report recommends changing the land-use designation on the remainder of the lot from Neighbourhoods to Parks and Open Space. LPRO strongly supports protecting the remainder of the lot as a park in the Official Plan. However, the report also states that the shadow of the building will move away from the park by the early afternoon. It will be preferable for the park to have maximum sunlight during all hours of the day. If no shadows exist today, a building should not be approved that would make the park less desirable before it is even constructed.

Reducing the shadows can be achieved by adhering to the minimum 7.5m setback and 45-degree angular plane as specified in the zoning bylaw and Mid-Rise Guidelines for sites adjacent to both Neighbourhoods and Parks and Open Space. LPRO disagrees with the 2.8m setback to the TPA lot. While the rear of the site does not abut any homes, the lack of transition fails to address the future park which is acknowledged through the proposed land-use change to Parks and Open Space.

Given that the Capitol Theatre is currently within a CR Zone and the Castlefield parking lot is in a residential Zone, the performance standard should be applied **regardless** of whether the park is currently there or not.

Setbacks and angular planes in a CR Zone are designed to protect green spaces and low-rise neighbourhoods and should be applied to this development. The back wall of the proposed building looms over the "park".

**HERITAGE-LISTED BUILDINGS**

The Capitol Theatre is one of the most prominent heritage properties in Midtown and should be considered as such. Only the façade of the **Heritage-listed Capital Theatre** is proposed to be retained. The City's Official Plan Heritage Policies state that "The retention of façades alone is discouraged." Floors 3-6 of the proposed building are set back only 2.8m from the heritage façade which is not deep enough for the Capitol Theatre to retain a three-dimensional appearance. The 14-storey back of the building is also very close to two sides of the **Heritage-listed First North Toronto School/Orange Hall**.

**SECTIONS 37 MONIES**

The City Report for Action dated January 3, 2020, references Section 37 monies totaling \$1.5M; it is proposed that \$1M will be used to acquire or improve parks and \$500K will be to improve the local library. LPRO requests that the community be involved to determine how any monies for parks will be spent, and that these funds be used to help establish a park west of the Capital Theatre site.

**MID-RISE BUILDING APPROPRIATE**

A mid-rise building on this site would be welcomed. Approval of this development as proposed could set a precedent for a wall of 14-storey buildings up and down Yonge Street in areas that should be mid-rise. This will not contribute to the well-being of our City and our neighbourhood.

Sincerely,  
Maureen Kapral  
Vice-President, Lytton Park Residents' Organization

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