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November 30, 2020

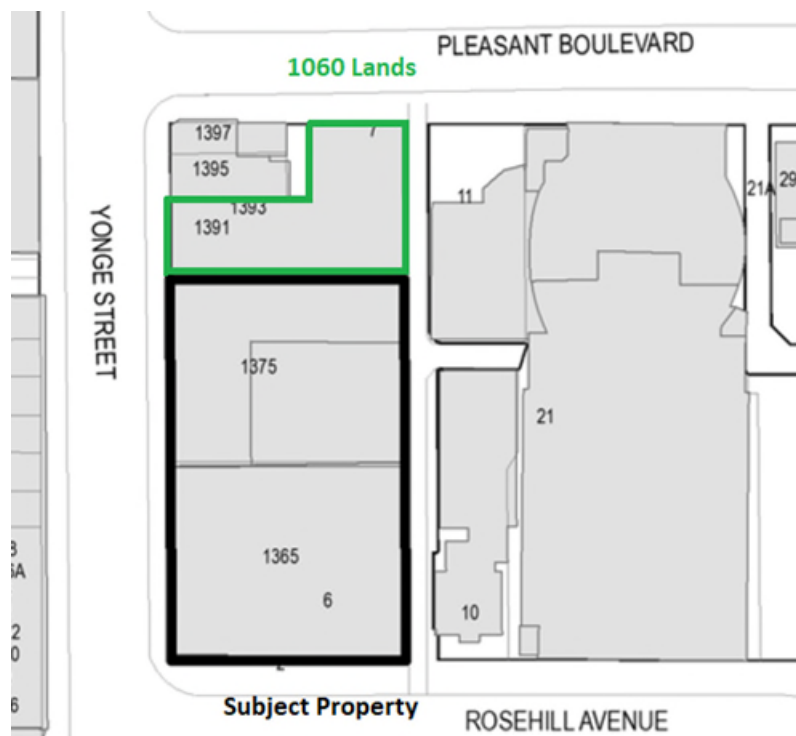
Delivered by Email (teycc@toronto.ca)

Toronto and East York Community Council
 100 Queen Street West, 2nd Floor West
 Toronto, ON M5H 2N2

Dear Sir/Madam:

**Re: 1365 - 1375 Yonge Street (the “Subject Property”)
 Official Plan and Zoning Bylaw Amendment (Dec. 2, 2020 TEYCC Meeting)
 Planning Application Number: 18 151554 STE 22 OZ**

We are the solicitors to 1060582 Ontario Ltd., the owner of lands situated at the municipal address of 1391 and 1393 Yonge Street (the “1060 Lands”). The 1060 Lands are situated to the north of the Subject Property and share a common boundary and rear laneway access as depicted below:



Our client has retained a land use planner and reviewed the proposed development on the Subject Property and the staff report dated November 16, 2020 (the “Staff Report”) recommending approval of the requested Official Plan Amendment and Zoning By-law Amendments.¹ Our client does not oppose the development in principle, but has two concerns regarding the built form of the proposal that, in our client’s view, do not represent good planning for the reasons set out below.

Blank Wall on North Elevation

Our client appreciates that the proposal incorporates a partial blank wall on the northern boundary so as to minimize impacts on adjacent lands. However, the blank wall terminates after the 10th floor (see Attachment 17 to the Staff Report). It is our client’s recollection that a previous version of the proposal contained a blank wall that ran up the entire elevation of the building; however, the September 2020 architectural plans that were filed as part of the resubmission have now incorporated north facing windows above the 10th floor.² Our client requests that the land use planning instruments that facilitate the proposed development impose the requirement of a blank wall along the entirety of the north elevation of the Subject Property.

Laneway Access, Circulation, and Loading

Pages 26 to 27 of the Staff Report note that the City did not identify any issues with respect to the function of the laneway access. The Staff Report notes that the commenting departments will provide additional comments at the site plan stage.

Our client is concerned that the deferral of any analysis of laneway function to the site plan stage is improper in this case given that the laneway serves several other properties with frontages on along Yonge Street, Pleasant Boulevard, and Rosehill Avenue. The proposed underground parking access and loading bays of the development are situated at the northeast corner of the Subject Property in proximity to the junction of the laneway. Our client believes that the proposed location of the loading bays and parking ingress will result in future access issues to adjacent properties that could not be remedied at the site plan approval stage. Our client notes that Official Plan Policy 3.1.2.2. requires that new development must assess adverse impacts on surrounding properties which may necessitate the use of shared service areas in the same development block:

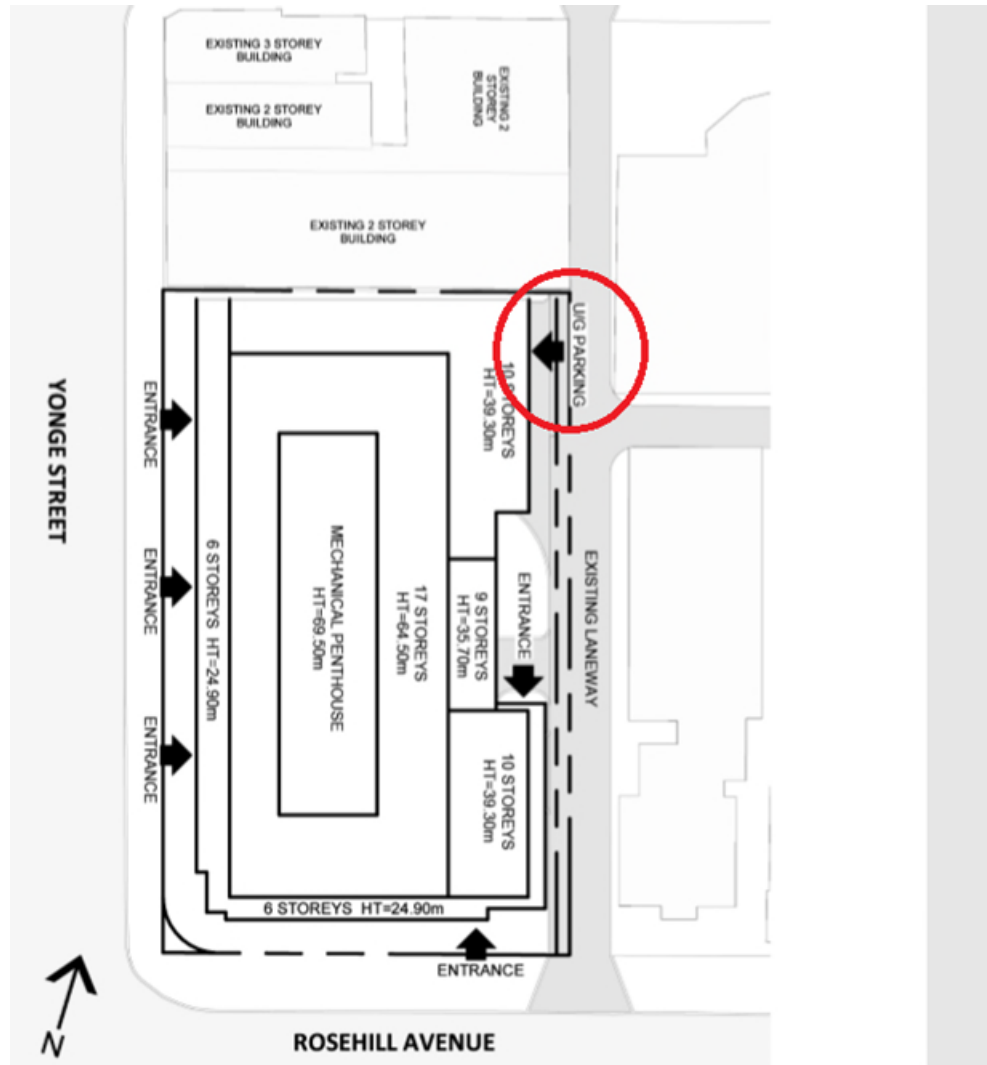
New development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by: using shared service areas where possible within development block(s) including public and private lanes, driveways and service courts; generally seeks to minimize the development of new vehicular access on public streets when laneway access is available.³
[Emphasis Added]

¹ <https://www.toronto.ca/legdocs/mmis/2020/te/bgrd/backgroundfile-158492.pdf>

² This is our client’s best recollection, but he cannot confirm for certain that the previous plans did not contain north facing windows. The previous architectural plans are no longer available on the City’s Application Information Centre to confirm.

³ Toronto Official Plan Policy 3.1.2.2.

The Staff Report contains no analysis demonstrating that the location of parking access would not frustrate the development of future vehicular access points for adjacent properties. For reference, please see the site plan below (Attachment 13 to the Staff Report) with the parking access highlighted at the junction of the laneway in proximity to the adjacent properties:



Our client believes that the approval of the OPA/ZBA is premature and does not represent good planning until it can be determined that the location of the ingress/egress points of the proposed development will not adversely impact existing and future ingress/egress and loading points to adjacent properties or if there is any benefit from coordinated or shared access and loading points. If the relevant City departments have undertaken this analysis, our client is certainly willing to review that analysis as it may resolve these concerns.

Thank you for your consideration of our client's concerns regarding the proposed development. If you have any questions or comments, please do not hesitate to contact the undersigned.

Yours very truly,
BORDEN LADNER GERVAIS LLP

A handwritten signature in blue ink, appearing to read "Andrew Baker". The signature is fluid and cursive, with a long horizontal stroke at the end.

Andrew Baker
AB/jcm

cc. Bert Chen