



MICHAEL GOLDBERG, MCIP, RPP
mgoldberg@goldberggroup.ca
(416) 322-6364 EXT. 2100

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Delivered by email: councilmeeting@toronto.ca

City Council
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Marilyn Toft, Secretariat

**Re: Ready, Set, Midtown: Zoning Review – Zoning By-law Amendment for Midtown Village Character Areas Comments on behalf of 2010-2050 Yonge Street
Agenda Item: PH34.10**

We are writing on behalf of the owners (2040 Yonge St. Limited, Yonge Glebe Investments Ltd. and Yonge Street Investments Inc.) of the properties municipally known as 2010-2050 Yonge Street (the “subject site”) which is subject to a Zoning By-law amendment application (file #21 235352 STE 12 OZ) and related Site Plan and Subdivision Approval applications.

We are writing to provide comments to City Council regarding the above noted matter and in particular, the proposed Zoning By-law amendment as it applies to the subject site and surrounding properties within the Yonge Street South Village. We previously provided our comments to City Planning Division at ReadySetMidtown@toronto.ca, a copy of which is attached. We request that our comments, concerns, and objections in the letter, be considered.

We also request notice of any decision regarding this matter.

Yours very truly,

GOLDBERG GROUP

A handwritten signature in blue ink, appearing to read "Michael Goldberg".

Michael Goldberg, MCIP, RPP
Principal

cc. Mark Flowers, Davies Howe
Adrian Rasekh, Yonge Street Investments Inc.



MICHAEL GOLDBERG, MCIP, RPP

mgoldberg@goldberggroup.ca

(416) 322-6364 EXT. 2100

March 31, 2022 &

Melanie Melnyk, Project Manager
City Planning Division
Strategic Initiatives, Policy & Analysis
Metro Hall
55 John Street, 22nd Floor
Toronto, ON M5V 3C6
Telephone: 416-392-4524
Email: ReadySetMidtown@toronto.ca

**Re: ! Draft Zoning By-law Amendment for Midtown Village Character Areas
On behalf of 2010-2050 Yonge Street**

We are writing on behalf of the owners of the property municipally known as 2010-2050 Yonge Street (the “subject site”) which is subject to a Zoning By-law amendment application (file #21 235352 STE 12 OZ) and related Site Plan and Subdivision Approval applications (the “applications”). The subject site is an assembly of four properties, occupying the whole Yonge Street frontage between Glebe Road West to the south, and Lola Road to the north. The applications propose a 14-storey (59.8m inclusive of mechanical penthouse) mixed-use building with a combined residential and non-residential Gross Floor Area (GFA) of 18,545 sq. m resulting in a total Floor Space Index (FSI) of 7.83.

The subject site is identified in the City of Toronto Official Plan (City OP) as being along Yonge Street, a designated Avenue, on Map 2 – Urban Structure, and is designated Mixed Use on Map 17 – Land Use Plan, a designation where mixed use buildings are permitted, subject to the policies of the City OP. The City’s OP recognizes Avenues as important corridors along Major Streets where re-urbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment. The subject site is also located within the Yonge-Eglinton Centre within the Yonge Eglinton Secondary Plan (YESP) (OPA 405).

The subject site is located within the Yonge Street South Village of the Yonge-Eglinton Secondary Plan (YESP) on Map 21-2 and is designated Mixed Use Area “C” on Map 21-4. The subject site is also located along a Priority Retail Street (Map 21-5) and along the Yonge Street Squares Extension public realm move, as shown on Map 21-6. Policy 5.4.3 of the YESP permits a height range for the subject site between 8- and 15- storeys

The subject site is located within a Secondary Zone (500 m radii from a Major Transit Station Area) on the Midtown Transit Station Areas Map 21-3 of OPA 405. Policy 2.4.2(ii) provides that a Secondary Zone is a Transit Node will support “transit supportive development in a compact urban form and a mix of uses in Midtown” and goes on further to state that the intensity of development

will generally be less than the Station Area Core with development generally transitioning down in height and scale. This site is also within a Major Transit Station Area and a Strategic Growth Area, within the meaning of the Growth Plan. Therefore, the subject site is located within an area targeted to accommodate significant population growth.

The City of Toronto Planning Division, at the direction of Toronto City Council, is undertaking a comprehensive, City-initiated zoning review for Midtown's 22 Character Areas referred to as the Midtown Zoning Review. The purpose of the review is to align the zoning in the area to the recently approved Yonge-Eglinton Secondary Plan (YESP), and to allow housing to get to market quicker without the need for one-off development approvals.

The first phase of the draft Zoning By-law, focussed on the Secondary plan 'Villages' was released on March 16, 2022 and updated on March 24, 2022.

Diagram 1E (page 27) locates the subject site within the Yonge Street South area of the By-law. Diagram 3E (page 36) locates the subject site within the CR SS2 (x###-1) zone which includes site specific provisions and refers to some general exceptions. It also sets a minimum street yard setback of 1.5 metres. Diagram 4E (page 41) proposes a maximum height of 37.5m on the subject site. Diagram 5E (page 46) locates the subject site within the Policy Overlay PA2 which regulates a variety of areas, including smaller scale retail, prevents front yard parking, and does not permit townhouses. It also regulates parking until such time as the city-wide parking standards change. Diagram 6E (page 51) locates the subject site within the lot coverage overlay map of the city-wide by-law, even though lot coverage is not regulated here.

The draft By-law proposes transition clauses on page 20. Clause 28 specifies "Nothing in By-law [Clerks to insert by-law ###] will prevent the erection or use of a building or structure, for which a complete application for a zoning by-law amendment was filed on or prior to [insert date of Council adoption of this By-law], whereby a "complete application for a zoning by-law amendment" means an application which satisfies the requirements set out in the City of Toronto Official Plan". To this effect, the Zoning By-law amendment application was deemed complete as of November 8, 2021.

In addition, Clause 30 specifies "Nothing in By-law [Clerks to insert by-law ###] will prevent the erection or use of a building or structure for which a complete application for site plan approval was filed on or prior to [insert date of Council adoption of this By-law], whereby a "complete application for site plan approval" means an application which satisfies the requirements set out in the City of Toronto Official Plan". To this effect, the Site Plan application was deemed complete as of November 5, 2021.

It is our opinion that the draft Zoning By-law in its current form inappropriately limits the development potential of the subject site, particularly the permitted height at 37.5m (or approximately 10- to 11-storeys) whereas OPA 405 sets the height range for this site up to 15-storeys. The Provincial policies contained in the PPS and the Growth Plan promote and encourage compact urban form, intensification, optimization of the existing land base and infrastructure, and development that is transit-supportive. In particular, both the Growth Plan and

OPA 405 plan for higher densities within this Major Transit Station Area up to 15-storeys. With respect to OPA 405 the proposed development includes a 14-storey mixed use building which is within the height range of 8- and 15-storeys contemplated for the Yonge Street South Village Character Area. The proposal also provides for adequate setbacks and separation distances, does not cast any undue shadows on specific neighbourhood parks, and meets the minimum unit mix requirement under OPA 405. The proposed development promotes the achievement of numerous policy directions which support intensification. From a local planning perspective, the proposal, if approved, implements, and satisfies the applicable Growth Management, Mixed Use Areas, Housing, and Built Form provisions and policies of the City OP. It has been demonstrated that the subject site can comfortably accommodate the height and density and provides for appropriate transition between adjacent buildings and land uses. The design of the proposed development has also been undertaken to sensitively accommodate for new residential dwelling units, contributing to the creation of 'complete communities'.

On behalf of our clients, we request that the height limit for this site be revised to the proposed 59.8m (inclusive of mechanical penthouse) and that the transition clauses be maintained so that the subject site would be exempt from the regulations under this draft By-law.

Yours very truly,

GOLDBERG GROUP

A handwritten signature in blue ink, appearing to read 'Michael Goldberg', is written over a faint horizontal line.

Michael Goldberg, MCIP, RPP
Principal

cc. Mark Flowers, Davies Howe
Adrian Rasekh, Yonge St. Ltd.