



June 13, 2022

Sent via E-mail (councilmeeting@toronto.ca)

City Council
City of Toronto
10th Floor, West Tower
City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attn: Marilyn Toft

Dear Mayor Tory and Members of City Council:

***Re: June 15, 2022 Council Meeting, PH34.10
Ready, Set, Midtown: Zoning Review – Final Report and Zoning By-law Amendment for
Midtown 'Villages'
2485-2505 Yonge Street and 17 Keewatin Avenue***

We are planning consultants to 505 Markham Inc., 2587318 Ontario Inc., 2596434 Ontario Inc., and 207 Yonge Inc., the owners (the “owners”) of the properties municipally known as 2485 – 2505 Yonge Street and 17 Keewatin Avenue in the City of Toronto (the “Subject Site”).

We are writing to provide our clients’ comments to City Council regarding the above noted matter as it would apply to the subject site. It is our opinion that the Draft Zoning By-law Amendment would not allow for the appropriate and desirable level of intensification and transit supportive development on the subject site, as provided for by the applicable planning policy regime, including the Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe (2019), the City of Toronto Official Plan, and the Yonge-Eglinton Secondary Plan.

The subject site has a frontage of approximately 47 metres and depth ranging from 46 to 66 metres, representing a suitable location for intensification and transit supportive development. Located within the southern block of the Yonge Street North Character Area of the Yonge Eglinton Secondary Plan, the subject site is appropriate for a 15-storey mixed use building in accordance with the height range set out in the Yonge-Eglinton Secondary Plan. Within the immediate surrounding context, at the intersection of Yonge Street and Castlefield Avenue (directly across the street from the subject site) the Ontario Land Tribunal approved a 14-storey mixed use



building. Further, the greater lot depth of the subject site also means that appropriate transition can be provided to the east, while accommodating a greater building height.

The Draft Zoning By-law Amendment proposes to zone the subject site as Commercial Residential CR SS2 (x530). Under the proposed site-specific exception 530, the subject site will be subject to articles 900.11.10 (729), (731), (732), (733) and (735), respectively which include a wide range of provisions ranging from building heights, building step backs and set backs, and permitted uses, among others.

The Draft Zoning By-law Amendment fails to recognize the intensification and transit supportive development potential of the subject site in accordance with the Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe (2019), the City of Toronto Official Plan and the Yonge-Eglinton Secondary Plan. Our client comments on the Draft Zoning By-law Amendment as it applies to the subject site area as follows:

Diagram 4B – Height Map for Yonge Street North Character Area

Diagram 4B would limit building height on the subject site to 27 metres (approximately 8 storeys). A restriction of this kind does not permit the building height range identified for the subject site in the Yonge-Eglinton Secondary Plan. In the Secondary Plan, the Yonge Street North Character Area, a Midtown Village, permits building heights of 8 storeys, except south of Keewatin Avenue/St. Clements Avenue where heights of generally 8 to 15 storeys are anticipated. However, the Draft Zoning By-law Amendment does not recognize the Secondary Plan distinction of the portion of the Yonge Street North Character Area south of Keewatin Avenue/St. Clements Avenue, treating it the same as the lands north thereof.

Furthermore, Diagram 4B shows a height of 50.5 metres (14 storeys) for a site located at the northwest corner of Yonge Street and Castlefield Avenue, a height that is consistent with the height range permitted by the Secondary Plan for the portion of the Yonge Street North Character Area south of Keewatin Avenue/St. Clements Avenue. The Subject Site, which is located directly across from this site, also has a greater lot depth which can appropriately accommodate a greater building height than the Draft Zoning By-law Amendment would permit.

In our opinion, a building height limit of 8 storeys would represent an under-utilization of the land, and infrastructure, greatly limiting the development potential of the subject site. We recommend that the Draft Zoning By-law Amendment be revised to permit a building height of 46.5 metres (approximately 15 storeys) as permitted by the Secondary Plan for the portion of the Yonge Street North Character Area south of Keewatin Avenue/St. Clements Avenue.

Article 900.11.10 Exception 731 (A)

Exception 731 (A) states that: “any part of a building, located above a height of 7.5 metres, measured from the average elevation of the ground along the front lot line, must be set back at least 1.5 metres from the building setback of the highest storey of the building located below that point.” The intent of this provision is to provide a pedestrian-scale street wall condition along Yonge Street. However, this provision fails to recognize the existing heritage context of the Yonge Street North Character Area. In particular, abutting the subject site, to the north and south as 3 storey (10.5 metre) buildings listed on the Heritage Registrar. As such, the proposed exception 731 (A) would not allow for a consistent streetwall respecting the existing heritage character of the subject site’s immediate context. In this regard, we recommend the addition of a Exception 731 (D) to note the following:

“731 (D) *Despite 900.11.10(731)(A), if the lot is abutting a lot with a building fronting on the same street identified as a heritage site with a height of 10.5 metres (3-storeys) and a building setback of 0 metres from the front lot line, then the height of the building that must be set back at least 1.5 metres from the highest storey of the building located below that point, is equal to the existing height of the abutting heritage site(s) and must have an equal setback from the front lot line.*”

Article 900.11.10 Exception 732 (B)

Exception 732 (B) states that: “the first floor of the building may not be used for residential purposes, other than residential lobby access, which, for a corner lot, must be from a flanking street that is not a major street on the Policy Areas Overlay Map.” The intent of this provision in limiting uses for residential purposes on the first floor of a building along major streets to ensure that there is active street frontage with non-residential uses along major streets. However, by limiting uses for residential purposes on the entirety of the first floor, especially for the floor area that does not front onto a major street, precludes developments to efficiently utilize space, that could otherwise be suitable for residential uses to be located on the first floor, such as amenity space. Therefore, we recommend that this provision be revised to specifically limit residential uses along the building frontage on a major street rather than the entire first floor, as per the following:

“The first floor of the building **frontage** may not be used for residential purposes, other than residential lobby access...”

Conclusion

It is our opinion that the Draft Zoning By-law Amendment restricts an appropriate built form on the subject site and on other properties within the Yonge Street North Character Area south of



Keewatin Avenue/St. Clements Avenue, that will limit the development potential in accordance with the Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe (2019), the City of Toronto Official Plan, and the Yonge-Eglinton Secondary Plan.

We kindly ask that the above proposed exceptions applicable to the subject site be amended as per our recommendations to allow for greater intensification and better align with the direction of the Yonge-Eglinton Secondary Plan for the portion of the Yonge Street North Character Area, south of Keewatin Avenue/St. Clements Avenue.

Best Regards,

Bousfields Inc.

A handwritten signature in black ink, appearing to read "D. Charezenko", with a long horizontal flourish extending to the right.

David Charezenko, MCIP, RPP