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Matter No. T914-01

July 15, 2022

DELIVERED VIA EMAIL (councilmeeting@toronto.ca)

Marilyn Toft, Toronto City Council
12th Floor, West Tower, City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Marilyn Toft, Secretariat

Dear Mayor Tory and Members of Council:

**RE: Agenda Item No. NY34.5 – Yonge Street North Planning Study – City-Initiated
Official Plan Amendment – Final Report
6200 Yonge Street and 11 and 15 Moore Park Avenue, Toronto
Letter of Objection from Yonge GP Inc.**

We are the solicitors for 6200 Yonge GP Inc. ("**6200 Yonge GP**"), the owners of the lands known municipally as 6200 Yonge Street and 11 and 15 Moore Park Avenue in the City of Toronto (the "**Site**"). The Site is located on the southwest corner of Yonge Street and Moore Park Avenue.

We have reviewed the Yonge Street North Planning Study – City-Initiated Official Plan Amendment – Final Report dated June 27, 2022 (the "**Final Report**") and the draft Official Plan Amendment 615, Yonge Street North Secondary Plan attached to the Final Report (the "**Draft OPA**").

Please accept this letter as 6200 Yonge GP's written submission of its objections and concerns with the Draft OPA which will amend the North York Centre Secondary Plan and introduce the Yonge Street North Secondary Plan.

On June 27, 2022, Malone Given Parsons Ltd., on behalf of our client, filed a letter with City planning staff which expressed its comments and concerns with the Draft OPA ("**June 27 Letter**"), and is enclosed herewith. Since the time of the June 27 Letter, it should also be noted that we have appealed the site specific development applications for the Site to the Ontario Land Tribunal.

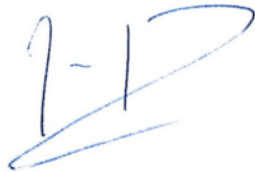
We understand City staff brought forward the Final Report and Draft OPA to the meeting of North York Community Council (“**NYCC**”) on June 27, 2022. At its meeting, NYCC adopted City staff recommendations with amendments. However, the concerns raised by our client in the June 27 Letter remain unaddressed and accordingly, we continue to object to the adoption of the plan in its current form as proposed by City staff and amended by NYCC. If the issues are not addressed by City Council at its meeting on July 19, 2022, we will be left with no choice but to appeal to the Ontario Land Tribunal.

Notwithstanding the submission of this letter, our client is nevertheless willing to work with the City to find an appropriate solution to these issues.

Lastly, please accept this letter as our request for notice of any further meetings or decisions of City Council regarding the Draft OPA.

If you have any questions regarding the above, please do not hesitate to contact me at 416-645-4572 or via email at jason.park@devinepark.com.

Yours very truly,
Devine Park LLP



Jason Park
JIP/OMR

Enclosure (1)

cc: 6200 Yonge GP Inc.

June 27, 2022

MGP File: 21-3062

Guy Matthew, MCIP, RPP
Acting Manager | Community Planning Office
City of Toronto
5100 Yonge Street
Toronto, Ontario M2N 5V7

Dear Mr. Matthew:

**RE: 6200 Yonge GP Inc.
Comments on Draft Yonge Street North Secondary Plan
6200 Yonge Street and 11 and 15 Moore Park Avenue, City of Toronto**

Malone Given Parsons Ltd. is the planning consultant for 6200 Yonge GP Inc., owner of the properties municipally known as 6200 Yonge Street and 11 and 15 Moore Park Avenue, in the North York District of the City of Toronto (the “Subject Lands”). The Subject Lands are located on the southwest corner of Yonge Street and Moore Park Avenue.

On behalf of 6200 Yonge GP Inc., we have reviewed the Draft Yonge Street North Secondary Plan (the “Draft Secondary Plan”). We will continue to review the Draft Secondary Plan process and reserve the right to make further comments at a later date.

Our Request

We respectfully request that the permissions for the Subject Lands be revised to permit a tall building to provide for a more appropriate transition from the 50 storey tall buildings at the Yonge-Steeles intersection. In addition, we request that Policy 6.1 and the policies of Section 8 be revised to be less prescriptive and to remove precise numerical standards as these polices will be unachievable and have unintended consequences.

Subject Lands

The Subject Lands are approximately 0.35 hectares (0.86 acres) in size, located in the district of North York in the City of Toronto. The Subject Lands consists of three parcels located on the west side of Yonge Street, south of Moore Park Avenue (with frontage on both roads). The Subject Lands are currently occupied by a one-storey commercial unit and two single detached homes.

Approximately 500m north of the Subject Lands, is the planned extension of the TTC Subway Lines 1 (Yonge-University) to the intersection of Yonge/Steeles. This subway station is a major infrastructure investment that is being funded by all levels of government, as well as all three local municipalities. In addition, there is an existing subway station located at Yonge/Finch (1.3km to the south).

This area is evolving to meet the growing needs of the City, as evident by the numerous development applications in the area. Further, this area is intended to be a hub of activity that is centered around the planned TTC subway station at Yonge and Steeles, which is already well served by existing high-frequency transit along Yonge Street and Steeles Avenue.

Proposed Development

The proposed development consists of a 25-storey mixed-use apartment building with a daycare space at grade. The development will provide 347 residential units consisting of a variety of 1-bedroom (56%), 2-bedroom (33%) and 3-bedroom (11%) units. The development proposes a total gross floor area of 25,092m² (270,091ft²) within a site area of ~0.35 hectares (0.86 acres) representing a Floor Space Index (FSI) of 7.2. The development transitions to a tower built-form moving east towards Yonge Street which will mitigate against any wind, skyview and shadow impacts to the existing community.

The layout is compatible with the surrounding development by providing appropriate transition between the taller apartment building, which is appropriately located along Yonge Street and the existing lower density single detached dwellings to the west, while acknowledging that this area is planned to evolve into a more mid-rise built form.

Comments on the Draft Secondary Plan

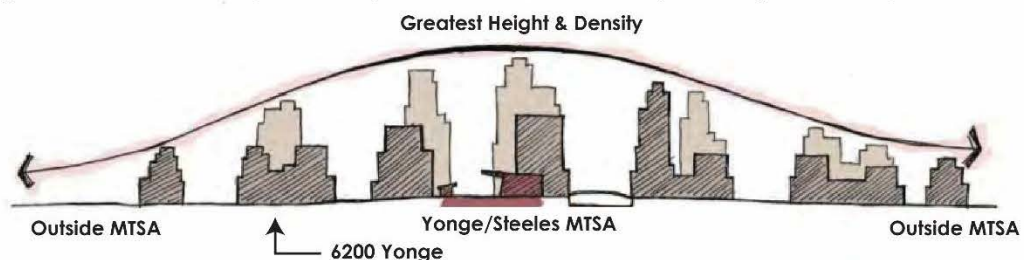
Mid-Rise Policies

Currently, the Subject Lands are proposed to be designated Yonge Main Street and Mid-Rise West in the Draft Secondary Plan, which permits mid-rise buildings in this location. Tall buildings (with a maximum height of 50 storeys) are proposed to be concentrated within the Steeles Transit Station Area.

While we generally agree on an intensification hierarchy of permitting taller buildings around high-order transit stations, with a transition between stations, it is our opinion that there is room for a more flexible built-form vision for this area that better leverages the area's infrastructure and transit investment, consistent and conforming with Provincial Policy. Provincial and municipal policies encourage intensification in strategic locations in order to maximize efficiencies in infrastructure delivery at an appropriate scale and built-form. It is our opinion that the Subject Lands are an appropriate location for high-density, mixed-use development that takes advantage of existing high-frequency transit and planned higher-order transit.

It is our opinion that a more flexible height hierarchy that introduces shorter towers between mid-rises and tall buildings would allow for a more gradual height and density transition from the tall towers that are planned at the intersection to the traditional mid-rise form outside the MTSA. The figure below illustrates what such a height hierarchy can look like conceptually.

Figure **Error! No text of specified style in document..1**: Conceptual Height Hierarchy



The Draft Secondary Plan currently provides limited built-form options to transition from the taller and higher density buildings at the centre of the intersection to the areas further away from the centre. Limiting development on this site to a mid-rise building would be a lost opportunity to fully realize the potential of the assembled parcels and is contrary to direction received from the Province regarding identifying locations within walking distance to higher-order transit as appropriate for high-density development. This proposal aims to fill in that gap and provide a more appropriate transition that still respects the existing neighbourhood character to the west, while recognizing that this neighbourhood is envisioned to redevelop to a mid-rise built form as per the Draft Secondary Plan.

The proposed tower maintains a 45-degree angular plane from the nearest planned low-density residential designation (i.e. stable neighbourhood) located west of Lariviere Road as identified in the Draft Secondary Plan. Consideration of building height should be guided by this 45-degree angular plane from this area, coupled with the appropriate transition from the centre of the MTSA, to achieve proper transition and compatibility, which is an element of good urban design. This is reinforced by the Draft Secondary Plan, which states that:

“the form and scale of development in Yonge Street North is to create a defined boundary and facilitate a transition in scale from Yonge Street North to the surrounding residential Neighbourhoods. The height of a building shall fit under a 45 degree angular plane measured from the boundary of this Secondary Plan, where the designation is Neighbourhoods at the boundary”. (Policy 8.5)

We are supportive of this policy as it uses angular plane to determine an appropriate maximum height that considers a site's context and the impact the proposed height has on that surrounding context. The intent of requiring a minimum angular plane is to scale back upper floors of higher density buildings (above where a normal grade related height would terminate) to ensure a grade-related scale of development is presented to abutting grade-related residential areas which is in keeping with the Draft Secondary Plan's vision of maintaining the stability of Neighbourhoods.

Unit Mix

We have significant concerns with proposed Policy 6.1, which would require 15% two bedroom units and 10% three-bedroom units, as well as an additional 15% as a combination of 2- and 3-bedroom units. Prescribing minimum unit types will have unintended negative consequences by reducing affordability. We strongly believe that advancing these prescriptive measures without an in-depth review of market demand/supply and income/affordability presents significant risks and could potentially counter affordability objectives that the City is trying to achieve. Moreover, including such detailed criteria in an Official Plan will make it much more difficult for the City to be able to react, in a timely manner, to evolving housing demands over the years. Including such a policy in the Secondary Plan (as opposed to within Guidelines) will require applicants to file an Official Plan Amendment simply to adjust the unit mix in a single building, which may be an unintended consequence. We request that this policy be encouraged rather than required to support a strong mix of units while enabling developers to respond to market demands.

Prescriptive Policies

Section 8 of the Draft Secondary Plan contains specific built-form provisions for development within the Secondary Plan area. We believe that the built-form policies are too prescriptive. From a technical policy perspective, the imposition of numerical standard is generally inappropriate and

undesirable in a policy document and is more appropriately included in a Zoning By-Law or a guideline. Fundamentally, the imposition of numerical standards in an Official Plan has the potential to stifle creativity, to unnecessarily trigger the requirement for site-specific official plan amendments, and to create unnecessary technical debates. We request that the language be softened in order to encourage the desired standards in Section 8 without prescribing precise numerical standards that could hinder development.

Conclusion

In conclusion, we request that the policies and mapping be adjusted to permit a tall building on the Subject Lands to provide for a more appropriate transition between the tall buildings proposed at the intersections of Yonge-Steeles and Yonge-Drewry/Cummer. In addition, we request that Policy 6.1 and the policies of Section 8 be revised to be less prescriptive and to remove precise numerical standards as these policies will be unachievable and have unintended consequences.

6200 Yonge GP Inc. recognizes the effort that City staff have put into the preparation of the Draft Secondary Plan and thank Staff for the opportunity to provide comments. We look forward to working with Staff to address our comments. As we advance further discussions with Staff on the Secondary Plan, we reserve the right to provide further comments.

Please contact the undersigned if you have questions with respect to the above.

Yours very truly,

MALONE GIVEN PARSONS LTD.


Rohan Sovig, MCIP, RPP
Planner