



July 6, 2022

Via E-Mail: [nycc@toronto.ca](mailto:nycc@toronto.ca)

North York Community Council  
North York Civic Centre  
5100 Yonge Street  
Toronto, ON M2N 5V7

Attention: Francine Adamo  
Administrator, North York  
Community Council

sleisk@cassels.com  
Tel: +1 416 869 5411  
Fax: +1 416 640 3218  
File# 057151-2

Dear Sirs/Mesdames:

**Re: Yonge Street North Planning Study  
Draft Official Plan and Secondary Plan Policies  
July 8, 2022 Public Meeting | 11 191325 NPS 00 TM**

We are the solicitors for Sky Property Group Inc. Our client has an interest in, and is the developer of, the lands located at the corner of Steeles Avenue East and Yonge Street (the “**Subject Property**”). This correspondence is submitted on behalf of our clients to outline their concerns with the draft Official Plan (“**Draft OP**”) and draft Yonge Street North Secondary Plan (“**Draft Secondary Plan**”) arising from the Yonge Street North Planning Study (collectively, the “**Draft Instruments**”). We hereby request that consideration of the Draft Instruments be deferred until sufficient revisions are made to address the below concerns.

Our client has been an active participant in the Yonge Street North Planning Study and has previously submitted comments respecting the Transportation Master Plan (“**TMP**”) and Yonge Street North Planning Study (the “**Planning Study**”), copy enclosed. No response has been received from staff to date and the concerns previously raised remain unaddressed in the Draft Instruments.

The Subject Property falls within the Secondary Plan Area. It is designated “Mixed Use Areas” in the City of Toronto Official Plan and is within the proposed Yonge-Steeles Protected Transit Station Area (“**PMTSA**”). Our client’s concerns include, but are not limited to, the following:

In the initial 2013 Yonge Street North Planning Study, the Subject Property was identified as being within a “Node”, anticipated to have the greatest FSI and height in the planning study area. Subsequently on May 10, 2021, City staff gave a presentation respecting the Planning Study, which identified the Subject Property as a tower site within the Steeles Avenue Node, with towers being incorporated on the east side of Yonge Street along the first three blocks

south of Steeles Avenue and the existing laneway removed. Despite the foregoing, on April 20, 2022, an updated presentation was given, which considerably reduced the allowable height on the Subject Property, now identifying it as mid-rise site despite its location within the Steeles Transit Station Area. No planning justification for such a significant change has been provided.

In the Draft Secondary Plan, the Subject Property is located within the Steeles Transit Station Area. Policy 2.1 states that this area is the primary area for intensification and will have the greatest heights and the most intense built form within the Secondary Plan area. Policy 2.6 similarly emphasizes that the “greatest heights and densities [will be] at the intersection of Yonge Street and Steeles Avenue.” However, in Map X-5 of the Draft Secondary Plan, the Subject is identified for mid-rise development, despite its prime location directly adjacent to a Planned Subway Station, surrounded by lands identified for tall buildings, and draft policies that direct the greatest densities within the Plan area to the intersection of Yonge Street and Steeles Avenue. As noted in our previous letter, these draft policies fail to consider and apply the policies contained within the Growth Plan for the Greater Golden Horseshoe for directing growth towards MTSAs/PMTSAs and maximizing the number of potential transit users within walking distance of the station, all of which support increased density at the Subject Property. Our client requests that the Subject Property be reinstated as a tower site and be included in Zone 1 on Map X-5: Building Types and Heights.

In Map X-4 of the draft Secondary Plan, a New/Modified Lane is located east of the Subject Property. As outlined in our May 19, 2022 letter, Figure 6-1: Recommended Transportation Network in the TMP recommended removal of the existing lane. It is unclear why the lane has been reinstated. Our client requests that the laneway be removed, in line with Figure 6-1 of the TMP.

Draft policies in Section 3: Public Realm direct new development to incorporate a 4-6m setback along Yonge Street and Steeles Avenue East and identify a 6m New/Modified Lane east of the Subject Property. An additional walkway of 2.1m adjacent to a public lane has also been identified. Draft policies indicate that the proposed setback along Yonge Street may be increased to accommodate additional open spaces as part of the Yonge Street Promenade. If the laneway is to remain, these policies will severely limit the development potential of the lands. Our client continues to request the removal of the lane and requests further flexibility with regards to setbacks for development, especially in light of the fact that the Subject Property is a corner site, meaning the significant proposed setbacks on the west, north, and the public lane to the east will substantially erode development potential that would otherwise achieve the goals of the Draft Secondary Plan and provincial policy.

Policy 6.1 directs that for new development with more than 80 residential units, a minimum of 40% of new units must be a combination of 2- and 3-bedroom units. This draft policy goes above and beyond existing Growing Up: Planning for Children in Vertical Communities municipal guidelines that provide for a minimum of 25% of new units be a combination of 2- and 3-bedroom units. No justification for this significant increase has been provided. With the significant need for greater housing supply that is attainable, requiring a greater number of larger, more costly units does not represent good planning.

The Draft Secondary Plan includes several policies related to built form (see Policy 8) that are prescriptive in nature, fail to provide the flexibility provided in other recently adopted secondary plans and site and area specific plans, and would be more appropriate in urban design guidelines. Such overly restrictive policies include those related to tower separation, height transition, set-backs and step backs, and the imposition of angular planes.

These policies when read together significantly and negatively impact the development potential of this proposed PMTSA, and in particular the Subject Property, which is an especially appropriate location for redevelopment and intensification given proximity to the Planned Subway Station and Potential Shared Mobility Hub (Map X-10). We note also that per the July 5, 2022 consideration of the Planning and Housing Committee, the proposed PMTSA for the Yonge/Steeles intersection (SASP 760) will be going forward to Council shortly, supporting a density peak at the intersection, including on the Subject Property. The Draft Instruments would as such conflict with the intent and purpose of SASP 760.

Finally, we wish to recommend that the City proceed with the closure of the existing laneway north of Athabasca Avenue to the immediate east of the Subject Property, in line with the Transportation Master Plan, relocating sewer and stormwater infrastructure further east, closer to Dumont Street. Moving this infrastructure and closing the lane can unlock substantial redevelopment and intensification potential along Yonge Street, in close proximity to transit, in support of SASP 760 and provincial policy.

Our client is continuing to monitor this matter and would welcome a meeting with Staff to discuss the meaningful consideration and inclusion of the Subject Property within the Draft Secondary Plan.

We request that the undersigned be provided with notice of any future meetings related to this matter and for notice of any decision of City Council, including any Committees of Council, concerning the Draft Instruments.

Yours truly,

Cassels Brock & Blackwell LLP



Signe Leisk

SL/CEG

Encl.



May 19, 2022

Via E-Mail: [victoria.fusz@toronto.ca](mailto:victoria.fusz@toronto.ca)  
[guy.matthew@toronto.ca](mailto:guy.matthew@toronto.ca)

[sleisk@cassels.com](mailto:sleisk@cassels.com)  
Tel: +1 416 869 5411  
Fax: +1 416 640 3218  
File# 057151-2

City Planning Division  
North York Civic Centre  
5100 Yonge Street  
Toronto, ON M2N 5V7

Attention: Victoria Fusz & Guy Matthew  
Senior Planners, Community  
Planning

Dear Ms. Fusz & Mr. Matthew:

**Re: Transportation Master Plan and Yonge Street North Planning Study**

We are the solicitors for Sky Property Group Inc. Our client has an interest in, and is the developer of, the lands located at the corner of Steeles Avenue East and Yonge Street (the "Subject Property"). This correspondence is submitted on behalf of our clients to outline their preliminary concerns with the Transportation Master Plan ("TMP") and the proposed reduction of height for the Subject Property in the Yonge Street North Planning Study ("Planning Study), which will inform the new Yonge Street North Secondary Plan ("Secondary Plan"). We understand that City staff are targeting to bring the Secondary Plan to City Council before the end of the Council term in 2022.

The Subject Property falls within the Planning Study and Secondary Plan Area. It is designated as a Mixed Use Area in the City's Official Plan and is within the proposed Yonge-Steeles Transit Station Area ("MTSA").

In the initial 2013 Yonge Street North Planning Study, the Subject Property was identified as being within a "Node", anticipated to have the greatest FSI and height in the planning study area. Subsequently on May 10, 2021, City staff gave a presentation respecting the new Yonge Street North Planning Study, which identified the Subject Property as a tower site within the Steeles Avenue Node, with towers being incorporated on the east side of Yonge Street along the first three blocks south of Steeles Avenue. Despite the foregoing, on April 20, 2022, an updated presentation was given which considerably reduced the allowable height on the Subject Property, now identifying it as mid-rise site with a laneway to the rear despite its location within the Steeles Transit Station Area.

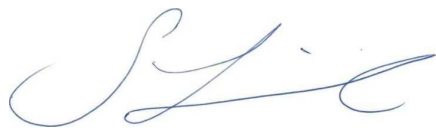
TTC Line 1 service is expected to expand to this area with the Yonge North Subway extension, which is also identified as an area for a future rapid transit line. The Planning Study fails to consider and apply the policies contained within the Growth Plan for the Greater Golden Horseshoe for directing growth towards MTSA's and maximizing the number of potential transit users within walking distance of the station, all of which supports increased density at the Subject Property. Our client requests that City staff reinstate the identification of the Subject Property as a tower site to align with the MTSA policies and provincial policies and plans.

We have reviewed the TMP and in our view it supports higher density and a tall building on the Subject Property, consistent with the May 10, 2021 presentation. Our client is also supportive of the Recommended Transportation Network shown in Figure 6-1, which supports the removal of the existing lane north of Athabasca Avenue, and the establishment of a new street to be located further east towards Dumont Street. However, there has been inconsistent information provided at the April 2022 presentation, and there appears to be an error in Figure 5-17: Recommended Shared Mobility Strategy of the TMP regarding the existing lane. Figure 5-17 shows a new road in the location of the existing laneway to be removed. This new road is not supported by the TMP itself or its preferred Transportation Network. We request confirmation that the identification of a new road in this location is an error and that the existing lane north of Athabasca Avenue continues to be proposed for removal.

Our client is continuing to monitor this matter and intends to review and provide further submissions when the draft Secondary Plan policies are available for comment. In the interim, we request that the undersigned be provided with notice of any future meetings related to this matter and for notice of any decision of City Council, including any Committees of Council, concerning the Planning Study and Secondary Plan.

Yours truly,

Cassels Brock & Blackwell LLP



Signe Leisk  
Partner

SL/MP/cm

LEGAL\*56021604.1