

May 9, 2023

Our File No. 166720

BY EMAIL TO: councilmeeting@toronto.ca
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Mayor and Members of Council
Toronto City Hall
100 Queen Street West
Toronto, Ontario
M5H 2N2

ATTENTION: Sylwia Przewdziecki, Manager, Council Secretariat Support, City Council

Dear Mayor and Members of Council:

**Re: NY4.9 – 22-36 Greenbriar Road – Decision Report
Official Plan Amendment, Zoning By-law Amendment, and Rental Housing
Demolition Applications
Municipal File Nos.: 21 252354 NNY 17 OZ, 21 252355 NNY 17 RH, 22 241544 NNY
17 SA**

Introduction

We are the solicitors for Block (Greenbriar) Developments Limited (“**Block**”), the owner of the properties municipally known as 22-36 Greenbriar Road in the City of Toronto (the “**Subject Site**”). Block submitted Official Plan and Zoning By-law Amendment applications (the “**Applications**”) on December 31, 2021 to facilitate the redevelopment of the Subject Site for a 24-storey residential building. The Subject Site is located in close proximity to higher order transit and is within the boundaries of the proposed Bessarion Major Transit Station Area (“**MTSA**”) as adopted by City Council in Official Plan Amendment 575.

On December 22, 2022, Block resubmitted a revised proposal that comprised of a reduced 22-storey residential building, with a 6-storey podium, containing 320 dwelling units, and resulting a Gross Floor Area (“**GFA**”) of 24,246 square metres and a Floor Space Index (“**FSI**”) of 7.28 (the “**Proposed Development**”). This resubmission also accompanied a related application for Site Plan Approval.

Block is seeking approval by City Council of its Applications to allow the Proposed Development.

Submission on Item NY4.9 – Decision Report

At the April 4, 2023 meeting of North York Community Council (“**NYCC**”), the Director of Community Planning, North York, brought forward a decisions report (dated March 6, 2023) pertaining to Block’s Applications (the “**Decision Report**”). In that report, Planning staff proposed substantial amendments to the Proposed Development and requested Council approve a

modified 21-storey development for the Subject Site. Staff have also included a modified draft zoning by-law and official plan amendment to their report reflecting the changes they have made. Block was only made aware of the details of Planning staff's changes upon the release of the agenda for the NYCC meeting, and was not consulted nor invited to comment on the amendments being sought by staff in the Decision Report. As a result, on April 3, 2023, we submitted a letter on behalf our client to NYCC noting Block's strong concerns with staff's alternative proposal and identifying Block's preliminary issues with staff's planning analysis put forward in the Decision Report (the "**Letter to NYCC**"). In addition, we raised significant concerns with staff's interpretation, and proposed implementation, of Official Plan Policy 3.2.1.12 respecting a proposed relocation and assistance plan for existing tenants, which does not apply in this instance.

The Decisions Report was considered by NYCC as item NY4.9. Following deliberations on the item, NYCC decided to forward the item without recommendations to Toronto City Council ("**Council**") for consideration at its upcoming meeting on May 10 to 12, 2023.

Further to our Letter to NYCC, we are again writing to City Council to reiterate Block's strong opposition to the alternative design proposed by City staff in the Decision Report. The alternative design proposes a modified 21-storey development for the Subject Site, and also seeks to reduce the podium height, increase western setbacks, and decrease the tower floorplate to 800 square metres, resulting in an overall decrease in proposed residential GFA by 4,246 square metres. This would have the negative effect of significantly reducing the overall number of new dwelling units being proposed, whereas greater residential intensification is broadly encouraged by both provincial and municipal planning policies within proposed designated MTSA, in order to create much needed new housing within close proximity to public higher-order transit. It must be further noted that these changes have been proposed by staff without the benefit of any associated architectural plans or conceptual renderings prepared by or on behalf of Block or its architectural consultants. We are also not aware if staff's modified zoning by-law has been appropriately reviewed by the Zoning Examiner.

In addition, Block and its consultants have now had an opportunity to review staff's planning analysis and recommendations from the Decision Report in greater detail. As a result, we are also writing to set out for City Council a number of significant concerns with the planning interpretation put forward by staff in support of the alternative design in the Decision Report. These concerns are set out in more detail below.

Concerns with Planning Analysis in Decision Report

Block and its consultants have identified serious issues with City staff's interpretation of the following planning instruments and issues in the Decision Report, which serve to underscore the inappropriateness of the alternative design proposed in that report.

Sheppard East Subway Corridor Secondary Plan

Block and its consultants have reviewed the Decision Report, and have issues with City staff's interpretation of Sheppard East Subway Corridor Secondary Plan ("**SESCSP**") policies that provide direction for where increased height and density is to be located within the Secondary Plan area. In particular, the analysis in the Decision Report fails to take into consideration the policy direction to have the highest heights and densities in proximity to the subway stations (in

addition to along Highway 401 and at major intersections), which contradicts earlier interpretations of the SESCSP policies provided by Planning staff for other approvals neighbouring the Subject Site.

Importantly, Planning staff had provided a conflicting interpretation of the urban design principles found within policies in section 4.4 of the SESCSP in their earlier final report dated June 27, 2022 recommending approval of Official Plan and Zoning By-law Amendment applications and a Rental Housing Demolition Application to permit at 23-storey building for the neighbouring property at 71 Talara Drive (the “**Talara Report**”).¹ The Talara Report was approved by City Council on July 19, 2022 as Item 34.4. In the Talara Report, City staff provided the following interpretation of the policies in section 4.4 of the SESCSP:

“Generally the highest densities and building heights should be permitted at the major intersections, near the transit stations, and adjacent to Highway 401.” [underlining added]

This interpretation conflicts with the interpretation staff are now providing in the Decision Report, which states:

“Staff are of the opinion that the amended form provides a transition in height and density from development abutting Highway 401, including the Official Plan and Zoning By-law Amendment application at 71 Talara Drive which was approved with a height of 23-storeys and maximum density of 6.8 times the lot area.”

Despite staff’s interpretation in the Decision Report set out above, there is no reference in the Secondary Plan policies of a need to transition height and density away from Highway 401. Rather, this policy clearly treats all three areas equally when speaking to the location of the highest densities and building heights, and the Subject Site is closer to the subway stations than 71 Talara thereby canceling out any inferred or perceived policy requirement for transitioning away from the heights and densities along Highway 401. In fact, additional policies surrounding the role of rapid transit suggest the opposite.

Section 2 of the SESCSP, which sets out the “Goals and Objectives” of the plan, provides for the following objective in policy 2(f):

“f) Development will be transit supportive with the highest densities generally located closest to the rapid transit stations, and to a lesser extent along arterial road frontages. The pedestrian environment of Sheppard Avenue will be a key consideration in transit supportive urban design.” [underlining added]

Furthermore, Section 4.4.2 of the Secondary Plan, regarding Building Yard Setbacks, Height and Massing, further emphasizes this point in stating the following:

“There will be compatible transitions in density, height, and scale between development nodes and stable residential areas. Generally the highest densities and building heights should be promoted closest to the subway stations, and to a lesser extent along the arterial roads.” [underlining added]

¹ A copy of the Talara Report is available at:
<https://www.toronto.ca/legdocs/mmis/2022/ny/bgrd/backgroundfile-228252.pdf>

Similarly, policy 4.1(e), which deals with the “Development Policies” pertaining to key development areas of the Secondary Plan, again emphasizes that the highest densities are intended to be located closest to the subway nodes, along arterial road frontages, as well as abutting Highway 401:

“e) it is intended that as densities are distributed within a comprehensive development area, the highest densities will generally be located closest to the subway nodes, and along the frontages of arterial roads and abutting Highway 401. Densities will be lowered toward stable residential areas where no change in land use policy is introduced by this Secondary Plan.” [underlining added]

Importantly, the Subject Site is located within the Bessarion development node, and as noted above, closer to the subway stations as compared to 71 Talara Drive. The above noted policies of the SESCSP, as well as the remainder of the plan, do not require a transition down in height and density from development abutting Highway 401. Notwithstanding, City staff indicated the need to transition down from development abutting Highway 401 as a fundamental element of their rationale for proposing the reduced height and density on the Subject Site in the Decision Report.

As shown in the above referenced policies, the Secondary Plan does not require a transition in height and density from development abutting Highway 401. Rather, the greatest heights and densities are to be located both in areas close to the Highway 401 corridor as well as in areas close to rapid transit stations. In this case, as measured through walking distance and straight line distance, the Subject Site is closer to Bessarion and Bayview subway stations as compared to the approved building at 71 Talara Drive, and therefore achieving higher heights and densities on this property is consistent with the SESCSP policies. As a result, approval of Block’s Proposed Development, rather than staff’s revised design, would be consistent with the policy direction in the Secondary Plan.

Finally, it should be noted that Planning staff, in the Decision Report, note that there is currently an active study reviewing the policies of the SESCSP area called ReNew Sheppard East Planning Study. This study is required to address many of the policies in the Secondary Plan, which are now largely out of date. It is anticipated that the ReNew Sheppard East Planning Study will likely result in new or amended policies promoting greater density and height permissions for the Subject Site and surrounding area, in order to achieve the minimum required density target of 300 jobs/people per hectare required for the Bessarion MTSA as proposed by Council.

Tower Floorplate Size

In the Decision Report, City staff have proposed a revised design that includes a significantly reduced tower floorplate size of 800 square metres, rather than the floorplate size of 903 square metres requested in Block’s Proposed Development. Notwithstanding staff’s proposed reduction, the Proposed Development’s floorplate size of 903 square metres is in fact consistent with – and smaller than – existing and approved tower floorplates found within the area immediately adjacent to the Subject Property. Figure 1 below identifies that tower floorplates within the immediate area are within the range of 945 square metres and 1,316 square metres.

71 Talara Drive – OPA, ZBA, RHD Final Report:

*The proposed tower floorplate exceeds the Tall Buildings Guidelines prescribed maximum of 750 square metres. Staff have reviewed the proposed building floorplate and resulting shadow studies, and determined that **the larger floorplate is consistent with the tower floorplates in the immediate area**. In addition, the larger floorplate does not have any significant additional shadow impact on the adjacent parks, public realm, or lands designated Neighbourhoods.*

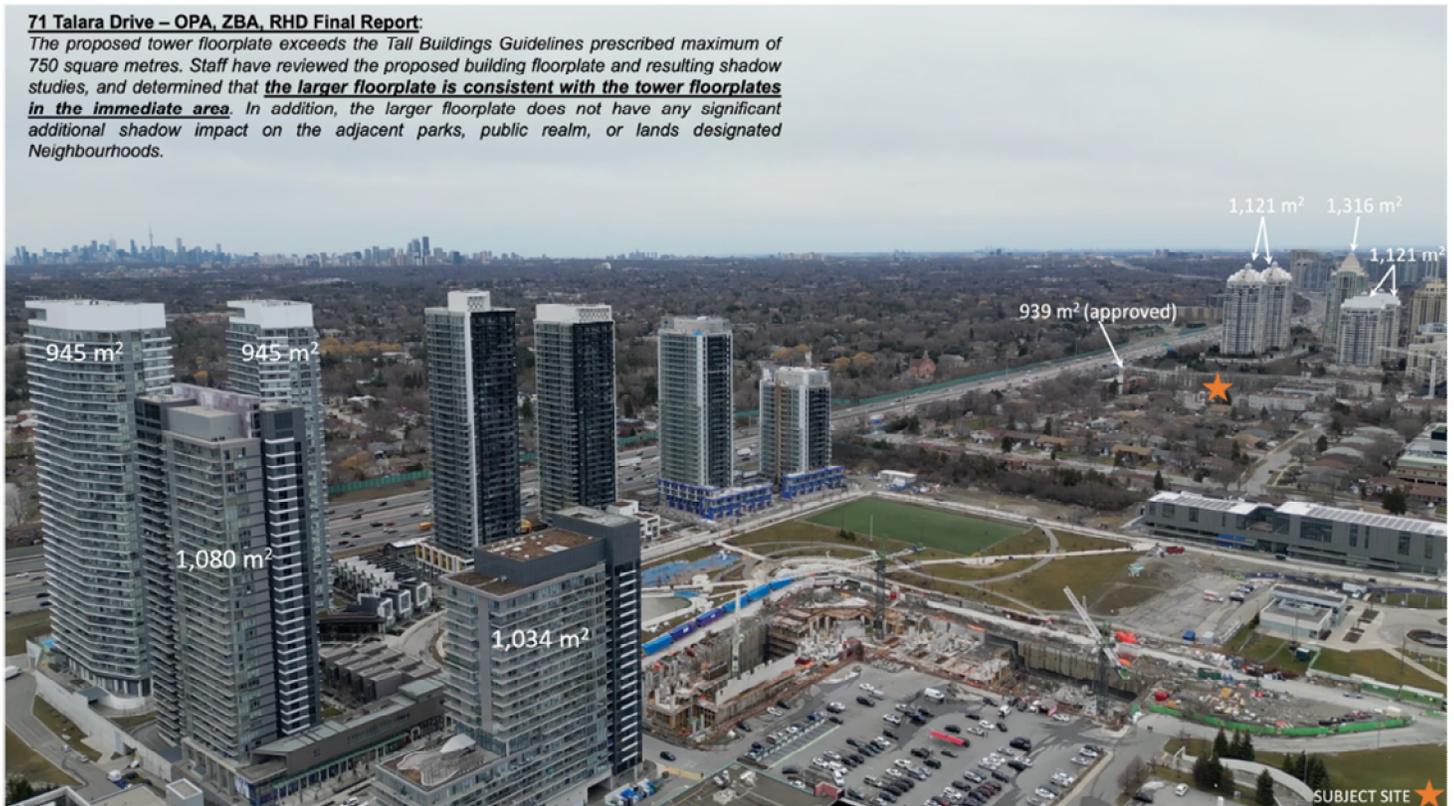


Figure 1: Approved and existing tower floorplate areas within the immediate area

In addition, the development at the neighbouring 71 Talara Drive has an approved tower floor plate of 939 square metres, which was supported by City staff. This larger floor plate is shown in Figure 2 below, which shows an excerpt from the zoning by-law mapping for 71 Talara Drive contained in the approved site specific By-law 891-2022 for that property, with the tower floorplate size calculated by Block’s architectural consultant, RAW Design. Importantly, in the Talara Report, City staff acknowledge that floorplates larger than the guideline standard of 750 square metres exist in proximity to the Subject Site, stating:

“The proposed tower floorplate exceeds the Tall Buildings Guidelines prescribed maximum of 750 square metres. Staff have reviewed the proposed building floorplate and resulting shadow studies, and determined that the larger floorplate is consistent with the tower floorplates in the immediate area. In addition, the larger floorplate does not have any significant additional shadow impact on the adjacent parks, public realm, or lands designated Neighbourhoods.” [underlining added]

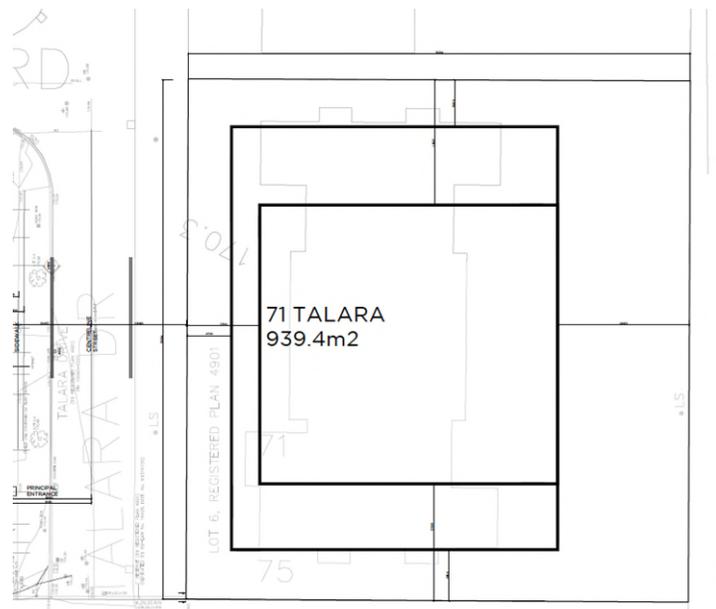


Figure 2: Approved zoning envelope calculation for 71 Talara Drive, prepared by RAW Design, as based on Diagram 3 within By-law 891-2022

Staff's position in the Direction Report to reduce the tower floorplate of Block's development is inconsistent with both the existing and approved context of the area immediately surrounding the Subject Site and the recent approval for the neighbouring 71 Talara Drive. In the absence of any reasonable planning justification, the 800 square metre tower floorplate proposed by City staff represents an arbitrary position, and we are not aware of any design studies by staff testing the effect of this proposed revision. Rather, the 903 square metre tower floorplate provided for in Block's Proposed Development is both consistent with the surrounding development context and represents the lowest of the many examples noted here.

Shadow Study Impact

In the Decision Report, City staff indicate that their changes to Block's Proposed Development, in particular with respect to reductions in tower floorplate size and height, are intended to address purported shadowing impacts. However, as demonstrated below, the shadow condition created by the Proposed Development results in no adverse impacts to the public realm and, importantly, creates significantly less impact than the shadow cast by the Council approved 23-storey building at 71 Talara Drive that was supported by staff.

City staff write in the Decision Report that:

“The amended form is intended to reduce the shadowing on the public realm caused by the development by reducing the overall tower and podium height and by reducing the tower floorplate size to ensure shadowing passes through quicker compared to the currently proposed floorplate size of 903 square metres and six-storey base building. This rationale is supported by Official Plan policy 3.1.4(1)(c) which directs that the tower portion of a tall building should be designed to maximize access to sunlight and open views of the sky from the public realm.”

Staff's position in the Decision Report is inconsistent with their interpretation of the same Official Plan policy regarding shadowing that they took for the 71 Talara Drive development. In the Talara Report, City staff acknowledged that the proposed building in that case, which is both larger in terms of floorplate size and height in comparison to Block's Proposed Development, did not result in any significant shadow impact:

“Staff have reviewed the proposed building floorplate and resulting shadow studies, and determined that the larger floorplate is consistent with the tower floorplates in the immediate area. In addition, the larger floorplate does not have any significant additional shadow impact on the adjacent parks, public realm, or lands designated Neighbourhoods.” [underlining added]

In expanding on this point, City staff in the Talara Report further conclude that this scale and type of development results in acceptable shadow impact from that development on Rean Park to the west, Talara Park to the east, and the adjacent *Neighbourhoods* designated lands:

“Staff are of the opinion that the applicant's reduced building height at 23-storeys adequately limits the shadows on parks and low density neighbourhoods, as required by the policies of the Official Plan.”

Again, by using staff's own metric for appropriate shadow impact on Rean Park, the Proposed Development must conform to the Official Plan shadow policies cited by staff in the Decision Report as it represents a better shadow condition than they previously supported at 71 Talara Drive. In addition, 71 Talara Drive directly abuts lands designated *Neighbourhoods*, whereas the Subject Site does not, further mitigating any potential adverse shadow impact. Block's consultants carefully considered shadowing when arriving at the design for the Proposed Development. Figures 3, 4, and 5, below show comparison shadow study diagrams prepared by RAW Design, dated November 24, 2022, which show the minimal shadow impact of the Proposed Development, particularly as compared to the shadow impact created by the staff supported approved building at 71 Talara Drive.



Figure 3: Proposed Shadow Environment from 9:18am to 10:18am on March 21 created by 71 Talara Drive and the Proposed Development, as per Shadow Study prepared by RAW Design (24 November 2022).



Figure 4: Proposed shadow impact on Rean Park from 9:18am to 10:18am on September 21 created by 71 Talara Drive and the Proposed Development, as per Shadow Study prepared by RAW Design (24 November 2022).



Figure 5: Proposed shadow impact on Talara Park from 5:18am to 6:18am on September 21 created by 71 Talara Drive and the Proposed Development, as per Shadow Study prepared by RAW Design (24 November 2022).

As shown in Figure 5 above, apart from Rean Park, the Proposed Development does not cast any new shadows on other parks within the area, whereas the staff supported building at 71 Talara Drive in fact casts additional new shadows on Talara Park to the east.

Lastly, the Proposed Development has an improved shadow condition regarding the impact on *Neighbourhoods* over that created by 71 Talara Drive. As shown by the above shadow studies and the Talara Report, on June 21st the Proposed Development only impacts the lands designated *Neighbourhoods* to the east from 5:18 p.m. to 6:18 p.m., whereas the approved development at 71 Talara Drive will cause a greater impact on those same *Neighbourhoods* designated lands to the east from 3:18 p.m. to 6:18 p.m.

As demonstrated above, the Proposed Development results in a significantly reduced shadow impact when compared with the approved development at 71 Talara Drive, which was itself

deemed by City staff to constitute an acceptable shadow condition in conformity with the policies of the Official Plan. As a result, the proposed reductions to the tower floorplate and heights of the building proposed for the Subject Site are both unnecessary and unsupported by any reasonable planning or urban design rationale.

Minimum Building Setbacks

As proposed within the Decision Report, City staff's amended design would incorporate an increased podium setback of 11.2 metres for the entirety of the podium abutting the rear yard property line (on the west side of the building). Block's Proposed Development maintained a 5.5 metre setback at this location.

Again, the approach to increase the west podium setback proposed by City staff is not supported by principles of good planning and is not consistent with podium setbacks supported by staff on other nearby sites, in particular at 71 Talara Drive. 71 Talara Drive was approved by Council with support by staff with a 5.5 metre west setback from its podium. The west setback for both the Subject Site and 71 Talara Drive is to the same property at 75 Talara Drive, which is designated *Apartment Neighbourhoods* and currently contains an "S" shaped building that curves closer to the shared property line near 71 Talara Drive.

As a result, the Council approved 5.5 metre setback to the west property line at 71 Talara Drive represents a closer condition to the building face at 75 Talara than would result from having the same minimum setback on the Subject Site. This further supports the Proposed Development design in matching the setback on the Subject Site and 71 Talara Drive.

Vehicle Parking Requirements

In the Decision Report, City staff have applied outdated parking standards to the development in their revised proposal. Rather, modern minimum parking ratios have been developed by the City through an update to the City-wide parking standards by By-law 89-2022. That by-law is intended to eliminate minimum parking requirements in order to reduce car dependency in new developments. Map 1 of By-law 89-2022 identifies the Subject Site as being subject to a minimum parking ratio of zero and requires a maximum parking rate based on the following from Table 200.5.10.1:

(C) in all other areas of the City, at a rate of:

- (i) 0.8 for each bachelor dwelling unit up to 45 square metres and 1.0 for each bachelor dwelling unit greater than 45 square metres; and
- (ii) 0.9 for each one bedroom dwelling unit; and
- (iii) 1.0 for each two bedroom dwelling unit; and (iv) 1.2 for each three or more bedroom dwelling unit.

Applying the outdated minimum parking standards formerly found in Zoning By-law 569-2013 is not consistent with the City's direction to reduce dependency on the personal automobile and promote active transportation in an effort to achieve its climate change and sustainability goals.

This is all the more applicable to the Subject Site, which is located in the City's proposed Bessarion MTSA and is in close proximity to higher order transit.

Subject Site Located in Council Approved Major Transit Station Areas

An important and glaring omission in the Decision Report is staff's failure to identify the Subject Site as being within the Bessarion MTSA as delineated and approved by City Council through Site and Area Specific Policy ("SASP") No. 730 in Official Plan Amendment ("OPA") 575. Both SASP 730 and OPA 575 are currently before the Minister of Municipal Affairs and Housing for approval, but represent Council's preferred delineation of the Bessarion MTSA and the inclusion of Block's property within the special policy area that encourages and supports the created of development that contributes to greater population and employment densities.

City staff include a section in the Decision Report referring to "Planning for Major Transit Station Areas", but fail to mention the Subject Site's inclusion in the Bessarion MTSA and any of the Council approved instruments related to the delineation of the MTSA boundary in SASP 730 and OPA 575.

Despite staff's omission, the inclusion of the Subject Site within the Council approved Bessarion MTSA is an important planning consideration that supports the approval of Block's Proposed Development. Figure 6 below identifies the Subject Site within Map 1 of SASP 730:

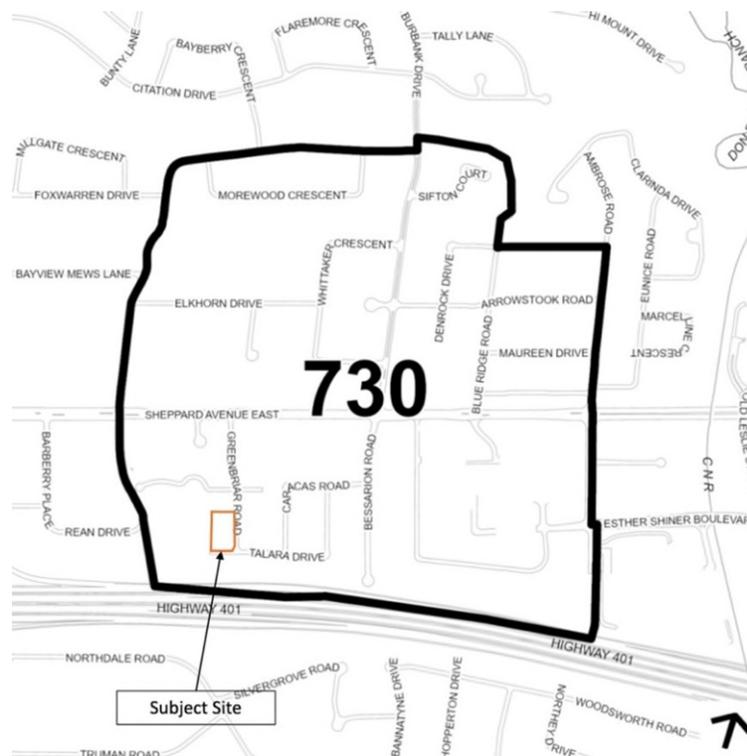


Figure 6: Map 1 – Bessarion Major Transit Station Area Boundary

Furthermore, Schedule 5 to OPA 575 provides the following policies encouraging future development in the SASP 730 area:

SASP 730. Major Transit Station Area – Bessarion Station

a) Major Transit Station Area Delineation

The area surrounding and including the existing Bessarion Subway Station is a major transit station area shown as the Bessarion Major Transit Station Area on Map 1.

b) Residents and Jobs per Hectare

Existing and permitted development within the Major Transit Station Area – Bessarion Station is planned for a minimum population and employment target of 300 residents and jobs combined per hectare.

c) Authorized Uses of Land

The authorized uses of land are as identified by the land use designations on Maps 16 and 19 and associated land use permissions in Chapter 4 of the Official Plan, applicable Secondary Plans and Site and Area Specific policies.

Approval of the Proposed Development will better assist the City in meeting the 300 people/jobs per hectare target required for the Bessarion MTSA through SASP 730, particularly as compared to City staff's amended design now being put forward in the Decision Report.

Concerns Regarding Proposed Tenant Relocation Plan

Importantly, our client has significant concerns with staff's interpretation, and proposed implementation, of Official Plan Policy 3.2.1.12 respecting a proposed relocation and assistance plan for existing tenants. These concerns were already addressed in our Letter to NYCC, however, given their significance they are reiterated here again. The terms of the relocation and assistance plan proposed by staff in the Decision Report appear to identically mirror a typical plan requested by the City in a rental demolition scenario involving six (6) or more residential rental units. This approach is not appropriate in this circumstance where only two (2) rental units existed on the Subject Site and are proposed to be demolished, and only one (1) of which is tenanted.

Staff have proposed that the plan include a thirty-six (36) month "rent gap" program, to be paid as a lump sum to the tenant on the date they provide vacant possession of the unit. The City's standard practice of calculating a rent gap period of thirty-six (36) months is tied directly to the tenants' right to return to a replacement unit, because thirty-six (36) months serves as a base estimate for construction time of a new building. As staff are well aware, there is a single residential tenancy on this property. The existing tenant will not have the right to return to a replacement unit in this case, as there will be no replacement units, and the City has no statutory authority to require the same. There is no principled basis, other than being "consistent with the City's current practices", why a 36 month rent gap payment is appropriate or required to conform with Policy 3.2.1.12.

In addition to our client's general objection to the staff recommendation, the proposed plan cannot apply in these circumstances, because the tenant has already agreed to terminate the tenancy. In December 2022, the landlord and tenant executed an agreement to terminate the tenancy, with a termination date in summer 2023. In order to protect the privacy interests of the tenant, our client will not elaborate on the details of the agreement to terminate, except to state that the agreement was negotiated between the parties to include compensation for the tenant that is fair and reasonable in the circumstances. The City is not a party to the landlord and tenant relationship, nor is the City a party to the agreement to terminate the tenancy. It is our client's expectation that the landlord and tenant will proceed on the basis of that agreement, and the unit will be vacant within the coming months. It is unreasonable for the City to interfere with a fair and binding agreement between the landlord and tenant, arrived at through the parties' mutual consent.

Furthermore, the City's intended means of, and timing for, implementing a relocation and assistance plan is unclear. The report states that this plan will be secured through an agreement or legal undertaking prior to the issuance of a Rental Housing Demolition Permit. Municipal Code Chapter 667 does not apply to this tenancy, and the City has no ability to (i) process or issue a Rental Housing Demolition Permit, (ii) impose binding conditions related to a relocation and assistance plan, or (iii) enter and/or register an agreement to regulate the demolition of the single residential rental unit.

Correspondence from Rockbrook Developments Inc.

Finally, we are aware of the correspondence dated May 5, 2023 recently submitted to Council on this item from Cassels Brock & Blackwell LLP, the solicitors for Rockbrook Developments Inc. ("**Rockbrook**"). Rockbrook is the owner of 71 Talara Drive, which was mentioned earlier in this letter as having been approved by Council for a 23-storey development neighbouring the Subject Site.

In their letter, Rockbrook's solicitors note that Rockbrook designed their development to accommodate a substandard cul-de-sac and related on-site vehicular easement as part of their approved proposal. Rockbrook specifically notes that their own transportation consultants determined the cul-de-sac was not warranted by the development, but they nonetheless agreed with the City to provide the cul-de-sac as an "off-site road improvement as part of development works related to the Site [i.e., 71 Talara Drive]".

City Transportation and Engineering staff have confirmed that a cul-de-sac is not a requirement as part of Block's redevelopment, and have not requested any condition related to a cul-de-sac as part of their recommendations to Council for the Subject Site. As a result, Block should not be required to cost share any portion of the cul-de-sac voluntarily agreed to by Rockbrook to facilitate its own development at 71 Talara Drive. Furthermore, any arrangements between Block and Rockbrook as regards to the cost of the cul-de-sac for 71 Talara Drive remains a separate issue between the individual landowners, and not a matter for Council to determine.

Conclusion

Notwithstanding the recommendations before Community Council, Block continues to seek the approval by Council of the Proposed Development as applied for, which for the reasons articulated in the supporting materials and reports submitted with the Applications has been

demonstrated to meet the principles of good planning and urban design, conforms to both the Official Plan and the Growth Plan for the Greater Golden Horseshoe, and is consistent with the Provincial Policy Statement.

For the many reasons noted above, Block and its consultants have significant concerns with the planning interpretation put forward by staff in support of the alternative design in the Decision Report. As demonstrated above, many of the planning policies and principles that staff have identified in the Decision Report, when properly and fully analysed, in fact support Block's Proposed Development rather than staff's alternative design, particularly when considering the permissions staff have supported for other existing and approved nearby developments, including in particular for the neighbouring property at 71 Talara Drive.

As a result, we request that City Council not adopt the proposed recommendations in the Decision Report to support a revised proposal, and rather approve the Proposed Development as intended by the Applications submitted by Block for the Subject Site. In approving the Proposed Development, City Council will be approving a development that conforms to its own Official Plan and Secondary Plan policies, as well as supporting the creation of much needed new housing in close proximity to transit in the delineated Bessarion MTS.

We trust that the above is satisfactory, however, should you have any questions do not hesitate to contact me.

Yours truly,

AIRD & BERLIS LLP



SIDONIA J. TOMASELLA
SJT/AJS

cc: Client
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