

October 16, 2023

Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2
Attention: Matthew Green
E-mail: nycc@toronto.ca

Re: NY8.8 – 589-595 Eglinton Avenue East and 61-67 Mann Avenue – Official Plan and Zoning By-law Amendment Application – Appeal Report

Dear Chair Councillor Pasternak, and Members of North York Community Council:

The South Eglinton Davisville Residents Association (SEDRA) has reviewed the City's Appeal Report and strongly supports staff's recommendation that "City Council instruct the City Solicitor with appropriate City staff to attend the OLT hearing and oppose the application in its current form and to continue discussions with the Applicant to resolve outstanding issues".

SEDRA is particularly concerned with how Provincial legislation on height limits is being misinterpreted in this Application and could impact future development applications in the South Eglinton Davisville community. In the Application's submitted Planning Rationale we see the subject site located near the west edge of the Bayview-Leaside Core adjacent to Apartment Neighbourhood communities. The Application appears to not follow OPA 405, as amended by the Province through ERO 013-3483 dated June 5, 2019, with respect to the following three areas (highlighted for emphasis):

- 1) OPA 405 Policy 1.3.5 notes: "*The Midtown Cores are vibrant mixed-use areas centred around Midtown's transit stations. The Cores will continue to function as mixed-use nodes, including office, institutional, residential and cultural uses. The intensity of development will differ between the Cores. The scale and form of intensification will be generally less in Davisville Station, Mount Pleasant Station and Bayview Focus Area than exists, and is planned, at the YongeEglinton Crossroads. The edges of the Cores will be designed to ensure connectivity and transition in scale and intensity to surrounding areas.*"
- 2) On how to do this transition to adjacent Apartment Neighbourhoods, OPA 405 Policy 5.1, under Area Structure (b) notes: "*allow for compatible low-rise development in Neighbourhoods and provide transition from Mixed Use Areas and Apartment Neighbourhoods through a variety of context-appropriate approaches that adequately limit shadow and privacy impacts, such as transitioning building heights, inclusive of base buildings, placing buildings in landscaped settings with building setbacks, or a combination thereof;*"
- 3) With respect to determining an appropriate Building Height for this Application, OPA 405 Policy 5.4.3 notes: "*Anticipated height ranges for each Character Area are set out below in order to provide guidance regarding the intended built form character for each Character Area.*" Under "Cores" it notes for Bayview-Leaside a range between 20–34 stories and that for "Apartment High Streets" it notes for Eglinton East a range of 15-20 stories for properties within 250m from Leaside Station.

Given the Application's location on the western edge of the Bayview-Leaside Character Area, it seems indisputable that the Application should be setting its Planning Rationale at mid-20s stories and not at 35, as the latter is a clear misinterpretation of the Province's intent with their amendments to OPA 405. We strongly urge and support City staff to continue to ensure development applications follow the Province's clearly worded requirements within OPA 405.

Regards,

Jeff Latto,
Chair Tall and Midrise Working Group,
SEDRA

*c.c. Greg Lintern, Chief Planner and Executive Director, City Planning Division
David Sit, Director, Community Planning, North District
John Andreevski, Manager, Community Planning, North District
Angela Zhao, Senior Planner, Community Planning, North District
South Eglinton-Davisville Residents Association (SEDRA)
Broadway Area Residents Association (BARA)*