



April 25, 2023

Project No: 1892

**Via Email (phc@toronto.ca)**

Planning and Housing Committee  
City of Toronto  
10<sup>th</sup> Floor, West Tower  
100 Queen Street West  
Toronto, ON M5H 2N2

**Attention: Nancy Martins**

Dear Sir/Mesdames:

***Re: Item PH3.2 – Ready, Set, Midtown: Zoning Review  
City-Initiated Zoning By-law Amendment for Select Low-rise Areas  
479R, 485 & 487 Duplex Avenue, Toronto***

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We are the planning consultants for Duplex Holdings, the owner (the “owner”) of a 3,439 square metre lot located on the east side of Duplex Avenue, mid-block between Montgomery Avenue and Roselawn Avenue, municipally known as 479R, 485 and 487 Duplex Avenue in the City of Toronto (the “subject site”). The subject site is currently occupied with two low-rise rental apartment buildings (dating back to the late 1920s-early 1930s) at 485 and 487 Duplex, as well as a surface parking lot located at 479R Duplex Avenue.

We are writing to provide our clients’ comments to Planning and Housing Committee regarding the above-noted matter and, in particular, the proposed Zoning By-law Amendment (the “Draft ZBA”) as it would apply to the subject site. It is our opinion that the Draft ZBA 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 is located within the proposed Eglinton Protected Major Transit Station Area (PMTSA) as delineated in Site and Area Specific Policy 723 (SASP 723 of Official Plan Amendment (“OPA”) 570, which was adopted by City Council on July 21, 2022.

The subject site is also located in the Montgomery Square Character Area of the Yonge-

Eglinton Secondary Plan, which is one of 5 “special places” in the Secondary Plan area, described as the “civic heart” of Midtown. The built form character of Montgomery Square Character Area is intended to accommodate tall buildings that scale down from the Yonge-Eglinton intersection.

The Montgomery Square Character Area has seen significant development activity since the approval of the Yonge-Eglinton Secondary Plan. Within the Montgomery Square Character Area, complete, approved and proposed developments include the approved redevelopment of 2400-2444 Yonge Street (immediately east of the subject site), with two mixed-use towers at 27-storeys and 23-storeys, the proposed redevelopment of 34-70 Montgomery Avenue (immediately south of the subject site), with a 24-storey mixed-use tower and the existing 34-storey rental apartment building at 500 Duplex Avenue (immediately west of the subject site). South of Montgomery Avenue is the existing 27-storey mixed use tower at 25 Montgomery Avenue and south of Helendale Avenue is the 31-storey mixed use tower at 2368 Yonge Street.

The Yonge-Eglinton Secondary Plan anticipates building heights in the range of 20 to 30 storeys (Policy 5.4.3 (s)) for the Montgomery Square Character Area. Therefore, it is clear that the subject site and block bounded by Duplex Avenue, Roselawn Avenue, Yonge Street and Montgomery Avenue is intended to accommodate tall buildings in a manner that is consistent with Provincial policy direction regarding intensification and optimizing the use of land and infrastructure, particularly in close proximity to higher order transit.

The City of Toronto is proposing to enact amendments to the Zoning By-law for certain lands within the Yonge-Eglinton Secondary Plan area, including the subject site. The relevant amendments include but aren't limited to:

- Setting a maximum building height of 2 storeys and 6 metres;
- Setting a maximum building height of 4 storeys and 12 metres;
- Removing maximum floor space index limits (maximum building size to be controlled by built form, such as height and setbacks);
- Setting a minimum floor space index of 1.0 for certain properties;
- Increasing the permitted depth of multiplexes and apartment buildings, so that the permissions match that of detached houses;
- Changing the minimum setback requirements to achieve the public realm and circulation intents of the Plan; and
- Reducing the minimum lot frontage to 5.0 metres.

In our opinion, the Draft ZBA 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. In our opinion, the above noted heights would not support the applicable transit-supportive built form and land use policy

objectives nor be consistent with the existing and emerging tall building context of the Montgomery Square Character Area. A height limit between 2 to 4 storeys is not an appropriate or desirable approach to accommodate higher density development on the subject site that would help to optimize return on investment and increase the efficiency and viability of existing and planned transit service levels of the Eglinton PMTSA.

While we recognize that the Draft ZBA contains a transition provision in Section 8, the development potential of the Subject Site is clearly for a height greater than four storeys (12 metres), so the Draft ZBA should simply be amended to exclude the Property from Diagram 3, Diagram 6 and Diagram 9, failing which our client will have to appeal the Draft ZBA to the Ontario Land Tribunal.

We trust that you will find the above satisfactory and we ask to be notified of any decision by Planning and Housing Committee and/or City Council in respect of this matter.

Yours truly,  
**Bousfields Inc.**



David Charezenko, MCIP, RPP

cc: *Avi Zucker, Duplex Holding*