

February 5, 2024

Mayor and Members of Council
Toronto City Hall
100 Queen Street West, 13th Floor
Toronto, Ontario
M5H 2N2

Attention: Sylwia Przewdziecki

Dear Mayor Chow and Members of Council:

Re: NOTICE OF CONCERN with the proposed PH9.1 - Ready, Set, Midtown: Zoning Review - City Initiated Zoning By-law Amendments for Select Lands Designated Apartment Neighbourhood

And Re: REQUEST FOR DEFERRAL in respect of the City Initiated PH9.1 - Ready, Set, Midtown: Zoning Review - City Initiated Zoning By-law Amendments for Select Lands Designated Apartment Neighbourhoods

And Re: REQUEST FOR RECEIPT OF ANY AND ALL FUTURE REPORTS in respect of the City Initiated PH9.1 - Ready, Set, Midtown: Zoning Review - City Initiated Zoning By-law Amendments for Select Lands Designated Apartment Neighbourhoods

And Re: REQUEST FOR NOTIFICATION of any meetings of Council, Committees of Council, Community Council and/or Public Meetings and/or Community Information Meetings where the City Initiated PH9.1 - Ready, Set, Midtown: Zoning Review - City Initiated Zoning By-law Amendments for Select Lands Designated Apartment Neighbourhoods

And Re: REQUEST FOR NOTIFICATION of the passage of the City PH9.1 - Ready, Set, Midtown: Zoning Review - City Initiated Zoning By-law Amendments for Select Lands Designated Apartment Neighbourhoods

City Council Agenda Item No.: PH9.1

We are the solicitors for Calmco Inc. the owner of various properties in the City of Toronto and specifically in the Yonge and Eglinton area who have and/or are working on applications to redevelop their properties.

Our client has reviewed the proposed City Initiated Zoning By-law Amendments and has significant concerns as it may apply to their properties, including but not limited to the following:

- Height
 - The proposed heights in the draft Zoning By-law Amendments are too low and do not reflect the existing and planned context for the area, nor do they properly implement the Provincial and Municipal policies that call for intensification in close proximity to higher-order transit.
- Setbacks and Tower Separation:
 - The City's proposed setbacks and tower separation requirements are overly onerous, exceed the City's urban design guidelines and are not based on the surrounding context. The City's proposed 30m tower separation distances in this by-law were recommended in the City's version of OPA 405. When OPA 405 was approved by the Province, the 30m separation distance was deliberately removed through the Minister's modifications. There is no basis to impose a greater separation distance that will result in an additional impediment to getting more housing built in the City;
- Minimum Unit Sizes
 - OPA 405 was specifically amended by the Province prior to approval to eliminate any minimum unit sizes. There is no basis for the City to now try to impose minimum unit size requirements in the zoning by-law.
- Landscaping
 - The minimum landscape requirements in the proposed by-law amendments are not conducive or appropriate for an urban context like the Yonge-Eglinton area and reflect an outdated "tower in the park" vision.

In light of the foregoing, our clients hereby oppose the current form of the proposed zoning by-law amendments, and as such, would strongly urge Council to defer its consideration of same to allow the City and various industry representatives to work on a cooperative resolution of the our client's concerns. Furthermore, we would respectfully request that the writer and our client) be provided with notice of any future meetings of Council, Committees of Council, passages of by-laws relating to these proposed zoning by-law amendments or any related matters. We also request that we are provided with copies of any future reports prepared by City Staff and/or Council which consider this matter and/or related matters.

Should you have any questions or require any additional information, please do not hesitate to contact the writer or Jessica Smuskowitz, a lawyer in our office.

Yours very truly,



Adam J. Brown

