January 28, 2024

Our File No.: 232530

Delivered Via Email

Planning and Housing Committee
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Nancy Martins, Secretariat

Dear Sirs/Mesdames:

**Re: Item 2024.PH9.1 – Ready, Set, Midtown: Zoning Review – City Initiated Zoning
          By-law Amendments for Select Lands Designated Apartment Neighbourhoods –
          Decision Report - Approval
          160 Soudan Avenue, City of Toronto**

We are solicitors for CentreCourt Properties and its affiliated entities in respect of various
properties in the Yonge-Eglinton area, including the property known municipally in the City of
Toronto (the "**City**") as 160 Soudan Avenue (the "**Property**"). We are writing on behalf of our
client to provide comments regarding the draft Zoning By-law to amend Zoning By-law 569-2013
as it applies to certain lands within the Yonge-Eglinton Secondary Plan (the "**By-law**"), including
but not limited to the Property.

Our client has met with City staff to discuss a site-specific rezoning application for the Property,
which is clearly intended for intensification based on Provincial and City policies. Further, the
surrounding context for the Property includes approved towers, some of which are under
construction, and proposals for new tall buildings. In general, the heights in the area exceed those
proposed by the By-law, while the By-law also proposes numerous performance standards for tall
buildings that are not in keeping with the built form context of the area. It is clear that the By-law
would not result in appropriate intensification of the Property and, as such, lacks conformity and
consistency with applicable Provincial policies.

Our client also has particular concerns with the By-law as it might apply to the Property:

- Height: The height proposed in the By-law is too low and does not appropriate implement
  applicable policies or reflect the surrounding context.

- **Landscaping**: The proposed minimum landscaping requirements are not appropriate for tall building development in such an urban location. Instead, it appears to reflect an outdated approach that would re-introduce tower-in-the-park form of development that is not reflecting of the context.

- **Setbacks, stepbacks and tower separation**: The By-law would require minimum building setbacks and stepbacks without regarding for the street context or the built form approach to a site intended for intensification. In particular, the proposed 30-metre tower separation distance is not based on the area context, current planning policy or any applicable urban design guidelines.

- **Tower floorplates**: The area context includes many examples of tower floorplates in excess of 750 square metres. These approvals occurred both before and after OPA 405.

- **Minimum Unit Sizes**: There is no basis in policy to propose minimum unit sizes, especially when the approved version of OPA 405 eliminated any minimum unit size requirements from policy.

Overall, our client is concerned that the By-law would impose an additional layer of unnecessary regulation on a site that is intended for intensification and will soon be the subject of a site-specific rezoning application. The most appropriate approach for the Property is to exempt it from the y-law to enable site-specific consideration of a development proposal, with the final height and other performance standards determined through such a site-specific review. If the Property is not exempted from the By-law, our client will have no choice but to appeal the By-law to the Ontario Land Tribunal.

We would appreciate receiving notice of any decision made by City Council in connection with this matter. Please do not hesitate to contact us if any further information is required.

Yours truly,

Goodmans LLP

David Bronskill
DJB/

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