

Date: January 23, 2025  
To: City of Toronto - Planning and Housing Committee  
Regarding: 267-275 Merton Street Zoning By-law Amendment  
Planning Application Number: 24 231 134 STE 12 OZ  
From: David Saevitzon – President, Board of Directors of the Condominium Corporation at 319 Merton Street  
Representing: 

- The condominium building at 319 Merton – neighbor to the immediate East of the proposed development
- The condominium building at 253 Merton – neighbor to the immediate West of the proposed development
- SEDRA – the South Eglinton Davisville Residents Association

I am President of the Board of the Condominium Corporation at 319 Merton Street which is to the immediate East of the proposed development at 267-275 Merton. I am here also representing the condominium to the immediate West of the proposed development - 253 Merton. Together we have 1,000 residents living directly next to the proposed building. I have also been asked to make this submission on behalf of SEDRA – the South Eglinton Davisville Residents Association.

We recognise that this building is going to be built and applaud the inclusion of a much-needed affordable housing component. We are realistic about our ability to influence change and looking to be constructive and creative in working with the City and the Developer to make the building as ‘good’ as it can be.

We have several issues with the development that I would like this Committee to consider so as to preserve the sensitive nature of Merton and the Beltline.

Before we get to those concerns I’d like to speak briefly to the planning process as we’ve experienced it and why – at this late stage of the game – we will ask the Committee to place some conditions on the application - should they decide in favour of approving it - as these issues remain unresolved despite being raised with the City and the Developer. These issues – while important to us – should be relatively easy to accommodate. In no way do we want to stand in the way of getting on with providing affordable housing in the City.

I’d like to take issue with the impression created in the Public Engagement section of the Report submitted today that Community Consultation had taken place. We have been trying to engage with the Developer and the City for the last year with very limited success. Yes, we have been spoken to but not spoken with. Starting with outreach to CreateTO dating back almost a year we have not had an opportunity for a real conversation with anyone at the City or the Developer until last week when Councillor Matlow convened a Working Group to begin discussing some of the issues. The report before you today states that issues raised through the community consultation process have been considered. We see no evidence of this and given the absence of transparency in this process we are left to believe that this was not the case.

There was no pre-application consultation. We were simply presented with a fully baked design at the start of November and then addressed in a scripted and controlled virtual ‘Community Consultation’ session in early December with no opportunity for dialogue. Since then – despite numerous outreach attempts to the City Planning department and the Developer (via their agent Bousfields) – nothing. The process – with zero community engagement and consultation - was deeply flawed. The City, CreateTO and other leaders that are part of this process need to do better. We do

not consider submissions and monologues to be consultation – true consultation and engagement requires a conversation which – until last week – there was none.

We live next door. We understand the community and neighborhood and have simply been asking for a chance to be heard. We hope to bring to this Committee the lived experience and local knowledge of this special street and sensitive neighbourhood which currently meets the needs of a diverse group of residents. These include special purpose co-ops, condo buildings, rental buildings, day cares, social agencies such as the Autism society, an Alzheimer’s unit, and a senior’s centre all bordering on and availing themselves of the Beltline trail. We are here to be constructive and creative in dealing with the things we can change at this late stage of the game.

When we first heard of the deal between CreateTO and CollecDev|Markee we applauded the creativity and innovative nature of the deal. In fact we still do. But the design before us today - driven mostly by the requested density and resulting scale - has yielded a building out of place and scale to everything else on the Beltline framing the Mount Pleasant Cemetery on the South side of Merton.

The density is greater than in the deal approved by City Council in June 2024. We have enquired about the circumstances that led to the planning application having 50 more units than stated in June and we have not received an explanation.

The building looms over these two beloved mid-town spaces. The application’s clear passage, zero community engagement and rubber-stamping by the City’s planning department is reflective of the pressure and politics to deliver affordable housing – pressure that trumps the City’s own planning guidelines for the Merton Street neighborhood

These guidelines are specific and appear to be ignored in the City’s report to the Committee. They include OPA 405 which states that buildings should have decreasing heights as they move further away from Davisville station and the City’s own Planning Goals related to the South Side of Merton where building should be designed to frame and support the Beltline Trail while preserving views to the Mount Pleasant Cemetery.

We suggest that the Priority Development Stream and unique relationships in this development dictate that City Planners should be working with extra diligence to ensure that all reasonable stakeholders are engaged and that City Planning guidelines are respected - neither of which is the case here.

It’s apparent to us that the ship has sailed on issues related to density, built form and height so we are here to be constructive and creative in dealing with the things we believe can be changed at this very late stage of the game.

As such, we would like the Committee – should they approve the application – to make it conditional on resolving the following issues. These issues were all raised during our submission in early December and then again during our Working Group meeting – but there has been no feedback from the developer or any opportunity to roll-up our sleeves and work through them.

1. **Driveway Location and PUDOs Design:** We contracted with Professional Traffic Engineers at WSP to review the Transportation Impact Study. They identified two areas of major concern related to a) safety issues posed by the location of the proposed driveway adjacent to our driveway at 319 Merton Street without appropriate separation and b) safety and effectiveness issues posed by the underground location and design of the Pickup / Drop Off and Delivery spots in the new building

**We respectfully request that approval of the application be conditional on a resolution of these two issues to the satisfaction of all parties and that if no agreement can be reached that Councillor Matlow (or his designate) mediate a solution.**

2. **Hydrological and Geotechnical Review:** It's our standard operating procedure - given the underground watercourse and rivers in the area - to commission a review of the Geotechnical and Hydrological Reports filed for any neighboring building development. Our review was delayed by some confusion regarding which Hydrological report to use as on January 10 2025 we were informed that the GEI Hydrological study filed with the application - and the one we were reviewing - was the Developer's original environmental study and that they have subsequently switched to a company called EXP who produced another Hydrological report not filed with the application. We are not aware if the second hydrological report – or the subsequent Risk Assessment reports – have been filed with the City and reviewed by City Planning.

**We would like approval to be conditional on a note signed by the City and Colledev|Markee that**

- a) **That we should use the EXP report for our review and that this report will be submitted for review to City Planning as well**
  - b) **They will send us updates to any of the technical reports (including Soil, Environmental, Contamination, Hydrological, Geotechnical etc.) as well as any related Risk Assessment Reports that are produced related to any of these studies particularly focused on Hydrological Issues and Soil and Water Contamination.**
  - c) **They will consult with us once our reviews are complete to address any concerns raised by our engineers**
3. **Retail Space:** It's with interest that we note that the City classifies the building as mixed-use given that the allotted retail space is sized at 132 square metres of the total 32,000 – or less than half of 1%. This is minute and will not support any meaningful Retail. With the squeezing out of other grocery and convenience store options in the area there is a critical need for a small mini mart. This need will be heightened by the fact that the new building has no residential parking – i.e. there is an expectation that residents will walk to a close grocery store - of which there are none.

**We respectfully request that approval be conditional on the Developer redesigning the ground level space so that it is large enough to support a small mini mart and commits to install this retail format in the space.**

4. **Wind:** The Wind Study submitted with the proposal states that *“A localized uncomfortable condition was predicted in the winter within the gap between the proposed development and the neighboring building to the east, however the area is assigned to driveways and not expected to adversely affect pedestrians”.*

The gap in question is not only a driveway, but also the primary pedestrian entrance to the building (319 Merton).

**We respectfully request that the Committee’s approval be conditional on the Developer taking steps to mitigate the “uncomfortable condition” to the satisfaction of all parties and that if no agreement can be reached that Councillor Matlow (or his designate) mediate a solution.**

5. **Building Design, Operation, Appearance and POPS:** We have several concerns related to the design and finishes of the building – as well as the POPS.

While the podium is effectively one-story it appears to be two because of the screening wall. Adding another level to the podium and removing the screening wall will not add bulk to the streetscape or appearance of the building (other than a balcony railing) but significantly expand the space available for more Retail and provide more flexibility in reconfiguring the Driveway and PUDOs.

We would very much like to discuss the building exterior color, the Juliet Balconies and other exterior features to fully understand the rationale for these design choices.

Much has been made of the new Public Space in the report. While the POPS is a nice idea, it does not add much to the area. We currently have reasonably good permeability and access to the Beltline and plenty of parks in the area. If the trade-off in getting a mini-mart involves reducing or eliminating the POPS it has our support. If nothing else, we’d like to be included in the planned discussions regarding this space.

**We respectfully request that the Committee’s approval be conditional on the Developer engaging with us to discuss the issues above.**

In closing I’d like to thank the Committee for the opportunity to make this submission. Our requests for consideration and conditional approval are the consequence of inadequate and late consultation. Many of these issues could have been resolved with proper engagement, discussion and goodwill months ago.

Notwithstanding, Councillor Matlow’s Working Group is a good - if very late - start to this process. This Committee has an opportunity to both approve the proposal so that we can get on with providing affordable housing in the City and rectify a complete lack of consultation by making such approval conditional on successful resolution of our concerns – which in the whole scheme of things – while important to us – should be relatively easy to accommodate.

Thank You –

David Saevitzon

On behalf of

The Condominium Corporation at 319 Merton Street  
The Condominium Corporation at 253 Merton Street  
The South Eglinton Davisville Residents Association (SEDRA)