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June 25, 2018

Our File No. 120106

BY EMAIL

Ms. Ulli Watkiss, Clerk
100 Queen Street West
Toronto, ON
M5H 2N2

Dear Ms. Watkiss

**Re: EY31.4 – City Initiated OPA 419 (SASP 551)
High Park Apartment Neighbourhood Character Area Study**

Aird & Berlis LLP acts on behalf of the owners of the properties located at 8, 12 & 14 High Park Avenue and 1908, 1910, 1914, 1914A and 1920 Bloor Street West.

Our clients' planner has provided the enclosed comments with respect to the City Initiated OPA 419 (SASP 551) - High Park Apartment Neighbourhood Character Area Study.

On behalf of our clients, we request that we be provided with notice of adoption of the proposed OPA 419 or any Council decision relating to this matter.

Please provide notice to the attention of:

Kim Kovar
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Yours truly,

AIRD & BERLIS LLP



Kim Kovar

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c. Mike Bissett
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June 25, 2018

City of Toronto
City Council
100 Queen Street West
Toronto, ON

Attention: Ms. Ulli Watkiss, Clerk

Dear Members of City Council:

**Re: \$ EY31.4 – City Initiated OPA 419 (SASP 551)
High Park Apartment Neighbourhood Character Area Study**

We are writing on behalf of the owners of several properties (the “owners”), generally located on the north side of Bloor Street West, along the southerly edge of the proposed Site and Area Specific Policy 551 (SASP 551) area. The municipal addresses of these properties are as follows (the “properties”):

- 1778 Bloor Street West and 2 Keele Street (northwest corner of Keele Street and Bloor Street West)
- 6, 36 & 38 Pacific Avenue and 1858, 1862 and 1866 Bloor Street West (northwest corner of Pacific Avenue and Bloor Street West)
- 1908, 1910, 1914 & 1920 Bloor Street West and 8, 12 & 14 High Park Avenue (northwest corner of High Park Avenue and Bloor Street West)

While the properties are located outside of the SASP 551 area, the amendment (OPA 419) contains modifications that impact lands outside of the SASP 551 boundary, including the properties. The concerns of our client in this respect are summarized below.

Views

- Policies 3(a),(b) and (c) provides as follows:
 - a) # *Views from the public realm to High Park are important and as such are identified on Map 7a and Schedule 4 and these views will be addressed in accordance with the views policies of Section 3.1.1 of the Official Plan.*
 - b) # *Development/redevelopment will maintain, frame and, where possible through project design, create views from the public realm to Lithuania Park, Bennett Park, the new park (21 High Park Avenue) and existing heritage properties.*
 - c) # *Development/redevelopment will not negatively impact sky views from High Park.*

- With respect to the foregoing policy, Map 7a is proposed to be amended to include:
 - “a) View to High Park from the public street at the intersections of: #*
 - i) Glenlake Avenue and Quebec Avenue; #*
 - ii) Glenlake Avenue and Pacific Avenue; and #*
 - iii) Glenlake Avenue and Oakmount Road.”#*
- Schedule 4 is proposed to be amended to add the following text:

“The natural setting of High Park can be viewed clearly (looking south) beyond the termini of Quebec Avenue, Pacific Avenue, Oakmount Road and Mountview Avenue at Bloor Street West, as well as from High Park Avenue (looking south) to the northern gateway of High Park at Bloor Street West and Colborne Lodge Drive. These "green corridors" leading to High Park are framed by trees and landscaped setbacks.”
- While each of the properties are located outside of the boundary of OPA 419, they are located between Glenlake Avenue and High Park, and therefore any redevelopment may be impacted by the foregoing amendments.
- It is our opinion that the amendments relating to views are vague, and the policies and supporting materials do not adequately describe how one is to consider these views when evaluating intensification on lands outside of the bounds of SASP 551. While the map change clearly applies City-Wide, the policies relating to the views apply to SASP 551, which does not include the properties.

Impacts Resulting from Park Redesignation

- OPA 419, redesignates lands between Pacifica Avenue and High Park Avenue from Apartment Neighbourhoods to Parks and Open Space. This redesignation, along with the following policy amendments, would impact the intensification potential for sites along the north side of Bloor in the vicinity of the new park.
- Policy 5, Built Form provides as follows:

To respect the existing physical character and enhance the quality of buildings and open space within and adjacent to the High Park Apartment Neighbourhood, and protect Neighbourhoods from negative impact, it is the policy of City Council that (emphasis added):

 - a) Development/redevelopment, including mechanical penthouses, will be required to fit entirely within a 45 degree angular plane measured from the nearest property line(s) of lands designated Neighbourhoods or Parks and Open Space Areas.*
 - b) Development/redevelopment will be located, massed and designed so that no net new shadows are cast on any lands designated Parks and Open Space*

Areas as measured between 9:18 a.m. and 6:18 p.m. on March 21 and September 21.

- While the former planning framework provided for rear angular planes to Neighbourhoods and Parks designations through Mid-Rise Guidelines, the proposed amendment elevates the angular plane guideline to the level of policy. This policy, in combination with the redesignation of the lands between Pacific and High Park Avenues to Parks, would impact the intensification potential of lands on the north side of Bloor Street West. In our opinion this approach does not provide for sufficient flexibility in design in order to accommodate specific contexts and results in a framework that is not consistent with the PPS and Growth Plan.
- With respect to net new shadows, it is our opinion that the foregoing policy is not appropriate as the definition of “net” would not allow for the consideration of in-force zoning by-law permissions. Furthermore, this policy is not consistent with Policy 3.1.2(3)(f) and 3.2.3(3), which speak to adequately limiting and minimizing shadows in order to preserve the utility of parks. There is not language in the proposed policy that recognizes this approach.

In our view, these policies could potentially frustrate intensification of lands within a Major Transit Station Area and are therefore not consistent with PPS policies (1.1.1, 1.1.3.2, 1.1.3.3, 1.4.1, 1.4.3 and 1.8.1), or in conformity with Growth Plan policies which (1.2.1, 2.2.4, 2.2.6.1, 3.2.1, 3.2.2 and 3.2.3) promote intensification through transit-supportive and compact forms of development.

While the owners do not intend to frustrate the City’s planning initiative, the above referenced policies and modifications of the amendments are of serious concern and should be addressed accordingly.

Yours very truly,
Bousfields Inc.



Michael Bissett, MCIP, RPP

C. " 38 Pacific Holdings Inc.
36 Pacific Holdings Inc.
6 Pacific Holdings Inc.
1858 Bloor Holdings Inc.
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Ivan Figura and George Grunenکو
2054138 Ontario Limited
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1115790 Ontario Inc.
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