

Etobicoke Community Council

From: Humber Summit <humbersummitresidents@gmail.com>
Sent: January 15, 2018 3:52 AM
To: Etobicoke Community Council
Subject: EY27.1 - Comments Submitted by Humber Summit Residents' Association
Attachments: Deputation January 16 EYCC Filed with EYCC.docx

Attention: City Clerk - MacKenzie, Administrator, EYCC

Good morning Ms. MacKenzie,

Attached are written comments in support of our deputation for the EYCC meeting of January 16, 2018 regarding item EY 27.1: Final Report 3002-3014 Islington Ave.

Thank you for your attention to this matter.

Grant Evers
VP Humber Summit Residents' Association

EY27.1

(10:00 AM) Final Report - 3002 - 3014 Islington Avenue - Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision Applications (Ward 7 - Statutory: Planning Act, RSO 1990)

Re: Deputation January 16, 2018 – EYCC Meeting

Grant Evers
VP Humber Summit Residents' Association

Citizens of Toronto would be shocked to learn what the Etobicoke-York Community Council is asked to do today:

to give its stamp of approval to a development proposal that was rejected by Toronto's City Planners – the professionals who are entrusted to assess whether or not a development application meets the threshold of minimum standards as defined in the:

- a. Provincial Policy Statement
- b. the City of Toronto Official Plan
- c. the Urban Design Guidelines for In-Fill Townhouses

To allow this application is to give Council's stamp of approval to the only Development Application in the last 4 years in the City of Toronto for which a Refusal Report was prepared.

We are here today because Etobicoke-York Council at its meeting of November 14, 2017 elected to reject the advice of the City planners, notwithstanding their **Refusal Report** for this Development Application.

EYCC Council passed a motion instructing City Planning to prepare a **Final Report** with amendments to the Official Plan and Zoning By-laws - that City Planners do not support - which will disregard their assessment and permit the proponent to construct **60 townhouses on a 2.42 acre site.**

As Mr. Cresswell, Director of City Planning, clearly asserted at that November 14 EYCC meeting, the fundamental problem with the application is that "there is effectively too much development on this site with 60 units".

Niall Haggart, Vice-President of Daniels Inc., a large GTA developer, was quoted in *The Financial Post* in 2014 as saying that traditional townhouses allow for 14-

18 townhouses per acre. That would mean 43 units at maximum would be appropriate for a 2.42 acre site. Clearly 60 units is too many.

In other words, the site is too small for 60 units. That is the fundamental problem. That is why setbacks are insufficient; that is why there are no sidewalks along the internal street; that is why the driveways are so short that only a small car can fit on them; that is why there are only 12 visitor parking spaces including one accessible parking spot in the most inaccessible location on the site plan; that is why the plan calls for a private street rather than a public street; and that is why there is insufficient green space for even a small playground for children.

Is Council telling Humber Summit residents that it is willing to ignore a Refusal Report? If so, why do taxpayers pay the salaries of professional planners? The Refusal Report was prepared because the proposal does not meet the minimum standards for Townhouses in the City of Toronto.

What are the specific concerns?

- Typology: building heights, massing, scale and dwelling types of nearby residential properties setbacks and prevailing patterns of rear and side yard setbacks do not satisfy municipal standards
- inadequate landscaped open space
- private street instead of a public street
- narrowing of the proposed private road from 8m. to 6m.
- minimum width of driveways is 2.6m.
- no interior sidewalks along streets for safety
- decreased street tree planting opportunities
- additional modifications to building heights are required for Blocks 7, 8 and 9 in order to satisfy the Official Plan Policies with respect to transition
- Block 9, which fronts Muir Avenue, should incorporate a built form that also provides for a semi-detached built form
- setback from Muir Avenue for Block 9 is 2.0 m.; the setback for the adjacent property – 2 Muir Ave. is 10.6m – homeowner is facing a wall to the east from his driveway
- building height should be lowered from 14.3 m. (46.9 Ft.) The applicant has declined to make these modifications
- townhouse widths: 5.54-5.87m – minimum standard is 6m. with a front driveway

- unsightly garbage collection areas beside townhouses
- standard for rear setbacks: 7.5m.; proposal: 6.05m.-7.13m.
- building should be set back so it does not project into a 45 degree angular plane gradient measured from the rear property line of the adjacent residence; application protrudes several metres into the rear 45 degree angular plane
- **proposed development does not comply with the DIPS design standards for private streets**, such as the number of buildings fronting onto the street, the street width, sidewalks and street trees. The applicant has been requested to make the necessary revisions to demonstrate that City standards and policies, including those set by DIPS are complied with. However, the applicant has declined to modify the proposal and comply with the standards.
- Parking – assumption of only 1 vehicle per household is fallacious – appropriate for downtown with better access to public transit; Humber Summit will remain a neighbourhood where cars will be necessary due to lack of amenities
- width of the proposed parking spaces within the garages do not comply with the Zoning By-law minimum width requirements of 3.2 metres for a parking space that is obstructed on two sides
- Visitor Parking – only 12 spaces - will overflow onto adjacent streets: Muir Ave., Knox Ave. and Larchmere Ave.
- revisions necessary to satisfy Engineering and Construction Services, Transportation Services, Solid Waste Management and Toronto Water staff requirements
- Educational Services – insufficient space at local public schools to accommodate children
- Transportation – Traffic Impact studies have not taken into account: i) data that provides evidence of the high incidence of accidents at the intersection of Islington Ave. and Muir Ave/Millwick Dr. ii) the new development on the north side of Steeles Ave. in Vaughan between Islington Ave. and Martingrove Rd. which will result in hundreds of new homes
- Neglect of the property since proponent has owned it with partly demolished buildings that have become home to animals, such as raccoons, skunks and rats

Conclusion of City Planners:

“The cumulative impacts of the areas of non-conformity are significant, and the applicant has declined to change the proposal to address the issues outlined in this report...”

What should have happened in November was for Council to inform the proponent to come back with an application that satisfies provincial and municipal planning policies. This direction could be followed with limited hardship to the proponent. The result would be an acceptable, desirable development.

Appeal to the OMB

The argument from the Ward 7 Councillor who has promoted this plan from the outset without detailed scrutiny, has been that if Council doesn't permit the development, the proponent will go to the dreaded OMB who in the end will approve the original 136 stacked townhouses. This argument was discredited by Mr. Cresswell at the November 14 EYCC meeting, who stated that the proponent would first be required to go to the OMB with the most recent proposal: 60 townhouses.

Another Councillor suggested in November that an application to build an apartment could be filed. If this was done, it would also be rejected by City Planning, since the stacked townhouse proposal would be rejected.

Furthermore, in December the provincial government passed legislation which will replace the OMB with the Local Planning Appeal Tribunal. **The mandate of this tribunal will be to ensure that all development applications are consistent with provincial and municipal planning policies.** This means that if Community Council and City Council were to allow development applications that do not satisfy the threshold of provincial and municipal planning standards, that their decisions would be overturned by the Local Planning Appeal Tribunal.

Council appears to be saying to the proponent that he can proceed with his proposal as is, even though under the new appeal body, the application wouldn't

be allowed. Hence, Council is complicit in allowing unsatisfactory planning that would not be tolerated in the future.

Council is saying to the Humber Summit community, “too bad”, but we’re going to allow this unsatisfactory application now because six months from now we wouldn’t be able to. Does that make sense?

This proposal is contrary to the policies which are put in place to promote good planning and strong communities. Why would Council assume a position which promotes inferior planning?

If Council is representing the best interests of constituents of Etobicoke-York, then it would send this application back for further revision even at this late stage. Council should never, ever, be satisfied with a development application that led to a Refusal Report. Council should not be content with an application that rejects sound planning principles.

Are the residents of Ward 7 not entitled to the same checks and balances as citizens in other wards where Development Applications confronted with Refusal Reports are challenged?