

January 15, 2016

VIA E-MAIL

Mr. Robert Gibson
Senior Planner, City Planning, North District
City of Toronto
North York Civic Centre
5100 Yonge Street
North York, Ontario M2N5V7

**Attention: Ms. Francine Adamo, Committee Administrator
North York Community Council**

Dear Mr. Gibson:

**Re: Application for Zoning By-law Amendment and Official Plan Amendment
53-63 Sheppard Avenue West and 62-68 Bogert Avenue, City of Toronto
Your File No. 15 170269 NNY 23 OZ
Item No. NY 11.35**

As you know we are land use planning consultants with respect to the above captioned matter. The purpose of this letter is to formally revise the applications for amendments to the Official Plan and Zoning By-law (collectively the "development proposal") as described below. This letter also responds to issues arising from your "Request for Direction" report dated December 16, 2015 and a further planning report entitled "Sheppard Avenue Commercial Area Plan Review – Status Report" also dated December 16, 2015, both of which will be dealt with North York Community Council at its meeting scheduled for January 19, 2016. As you know, our client has formally appealed the subject applications to the Ontario Municipal Board.

A. Formal Revisions to Proposal & Resubmission

Further to the receipt of your preliminary report dated August 19, 2015, the Community Consultation meeting held on October 20, 2015, and the receipt of comments on the application received from various City of Toronto Departments, and in response to issues arising from your report dated December 16, 2015, our client has carefully considered the development proposal in light of these collective comments. On that basis it has made a number of changes to the development proposal which will be described in detail in a separate submission and which will constitute a formal revision to the applications.

With specific regard to the Request for Directions report, we provide the following observations on the various statements made in the report and on how the proposal, as modified, responds to the staff comments.

(a) Change in an Area not Designated for Growth

This consideration occupied a great deal of attention on the Request for Directions Report. In this regard we would make the following observations:

The report properly acknowledges that the Official Plan designates the south portion of the site for stability. The report notes that “In both the cases of the Sheppard Avenue Commercial Secondary Plan and the abutting North York Centre Secondary Plan, the boundaries identify the appropriate location for growth and intensification. The corollary of designating appropriate lands for intensification is that other lands are excluded from those areas.”

While we acknowledge that neighbourhoods are clearly intended to be stable, it is important to note that the Official Plan (Section 2.3) similarly acknowledges that neighbourhoods are intended to be *stable but not static*. The main observation in this regard is the recognition that the nature of incremental intensification taking place in the surrounding neighbourhood has been in the form of lot severances that have been taking place routinely within that neighbourhood. The nature of these lot severances has been in the form of lots that have frontages of 7.62 metres (25 feet). While these lot severances have routinely taken place further south in more internal locations, the result has been an incremental change and intensification of these lots in a form that reflects their suitability for an appropriate level of intensification.

For the portion of the overall property on Bogert Avenue which is designated *Neighbourhoods*, the development proposal essentially introduces ten townhouse units on a site which is one block removed from Sheppard Avenue West. In this regard, we note that a simple comparison of the result of pattern lot severances that has taken place on Bogert Avenue and elsewhere in the immediate neighbourhood over the past two decades would have resulted in roughly 8 residential units on Bogert Avenue. From this standpoint, the proposed 10 townhouse units represents a minor incremental change relative to the 8 residential units that would have likely resulted if the prevailing pattern of lot severances were applied to the Bogert portion of the property. We would also note in particular the recent lot severances in the immediate vicinity of the subject lands that further reinforces the nature in which lot severances have occurred. In this regard, we would direct your attention to severances which have taken place on the south side of Bogert Avenue.

(b) The proposed lower scale townhouse portion of the development does not respect and reinforce the existing physical character of the neighbourhood.

This comment has been reiterated in several different ways in the Request for Directions report. We are surprised none of the observations contains any acknowledgement that the application, as provided for in our letter of clarification dated September 4, 2015, includes the proposed Official Plan Amendment to allow for townhouses along Bogert Avenue, owing to the fact that townhouses are not a prevailing built form within the neighbourhood. It continues to be our planning opinion that townhouses are appropriate in the *Neighbourhoods* portion of the site, especially

given that the nature and form of the proposed townhouses do provide an appropriate response and level of intensification for the subject lands. It constitutes a modest, incremental and neighbourhood-scale response to the need for transit-supportive development which, as noted below, will in fact have fewer impacts on the community than a development comprised of the prevailing built form of single detached dwellings.

Much attention has been devoted in the Request for Directions report to the fact that the proposed townhouses are located atop an underground garage that facilitates the overall development of the subject lands in one mixed-use building. In this regard, it continues to be our planning and urban design opinion that the consolidated redevelopment of these lands, including an underground parking garage below the proposed townhouses, will allow for an appropriate level of intensification and recognizes that the subject lands are an appropriate nodal intensification opportunity that will not result in destabilization of the surrounding neighbourhood.

(c) The Question of Neighbourhood Stability and Setting a Precedent

The Request for Directions report does not properly distinguish between the locational attributes of the subject lands when compared to other sites, and makes a general overall planning conclusion, without any substantive planning analysis, that allowing the proposed form of development will destabilize the neighbourhood and result in a negative precedent.

With regard to Neighbourhood stability, as previously noted, the prevailing nature of lot severances in the surrounding community has already resulted in a level of intensification which, in the fullness of time, would result in at least 8 lots for single detached homes if the portion of the site designated *Neighbourhoods* developed in a manner similar to the larger neighbourhood. If the close proximity to the Sheppard/Yonge transportation hub were taken into account – including the short walking distance to two subway lines and numerous bus routes in and out of the transit station - it logically follows that the level of intensification suitable for the *Neighbourhoods* portion of the site would include townhouse units.

With regard to the inclusion of the underground portion of the subject lands for the purpose of accommodating an underground garage of a mixed-use building, we observe that careful attention has been paid to the manner in which this has been facilitated. No vehicular access would be possible between the underground garage and Bogert Avenue, in contrast to the driveways and curb cuts that would result from a redevelopment consisting of traditional single detached dwellings along Bogert Avenue. No portion of the mid-rise building encroaches above grade into the portion of the site designated *Neighbourhoods*. Lastly, based on our planning analysis we are of the view that the proposed redevelopment properly incorporates both above-grade and below grade attributes that could only be replicated in very limited circumstances. In all of these respects, we submit that the proposed built form consisting of ten townhouse units and underground garage within the

Neighbourhoods portion of the subject lands duly recognizes and reinforces the “*stable but not static*” character of the surrounding neighbourhood.

We also note that there have been other comparable examples where the redevelopment of lands that are designated *Neighbourhoods* has included not only include proposed townhouse form residential uses, but has also included a below-grade parking structure associated with a mixed-use building along an adjoining *Mixed Use Areas* designated portion of the site. A recent notable example is at 111 St. Clair Avenue West which has frontages on both St. Clair Avenue West and Foxbar Road (just east of Avenue Road). In that case, a 28-storey mixed-use building was approved along St. Clair Avenue West together with ten 3-storey townhouses along Foxbar Avenue. In this instance a site-specific policy was added that allowed for a “below -grade garage for parking and servicing is permitted.” We note that no other policy was added that permitted the townhouse units along Foxbar Avenue. However, the staff report in support of that application expressly notes that “the proposal calls for 3-storey townhouses along the Foxbar Road frontage to integrate development with the adjacent *Neighbourhoods* and to provide appropriate transitions in building height and separation distances.” In our view, similar observations would apply to the redevelopment proposed for the subject lands.

We note that the requested technical amendment which was noted in our letter dated September 4, 2015 did not explicitly include a request similar to the approved development at 111 St. Clair Avenue West to permit a “***below-grade garage for parking and servicing***”. ***We respectfully request that a similar site-specific policy be added to the subject lands.*** We have attached a proposed site-specific policy that will explicitly permit townhouse units and below-grade garage for parking and servicing. A copy of the proposed site specific policy is appended to this letter as **Appendix “A”**.

The additional changes to the development proposal in terms of reduced building heights of the townhouses and the tapering of building heights and accommodating of a modified angular plane and pairing of townhouse units to provide a better rhythm along Bogert Avenue, simply serves as additional measures designed to better integrate the proposal into its surroundings.

(d) The Overall Building Height Relative to the Future Right-of-way width of Sheppard Avenue West

As previously noted, the overall building height achieves an angular plane of 49 degrees when measured from the north side of the widened Sheppard Avenue West.

While the proposed 49-degree angular plane does not reflect strict adherence to mid-rise building guidelines, we observe that the manner in which minor projections are proposed, no adverse impacts have been identified. Moreover, the “tall mid-rise” building being proposed reflects and takes full advantage of the fact that the subject lands are within the catchment area of a major transit station area within 150 metres

of the Yonge-Sheppard subway and optimizes the development potential of the subject lands.

(e) *PPS and Growth Plan direct Official Plans to Identify Intensification Areas*

The Request for Directions report identifies the North York Centre as an Urban Growth Centre pursuant to the Growth Plan, and further notes that “development proposals should not be the basis for identifying Intensification Areas. In this regard, we would highlight the following:

- (i) The Subject site is 150 metres walking distance from the Sheppard-Yonge subway station, and, accordingly, would be considered to be part of a “*major transit station area*” as defined in the Growth Plan. The Growth Plan includes policies which specifically support a mix of uses and increased residential and employment densities to support the viability of existing and planned transit service levels in “major transit station areas”. It should also be highlighted that the Yonge-Sheppard station also functions as a bus terminal as well offering 7 surface transit routes further reinforcing its role as a major transit station area;
- (ii) The Metrolinx Regional Transit Plan identifies Yonge-Sheppard as a Gateway Hub, which recognizes that the Yonge-Sheppard Gateway Hub is a key regional interchange of 2 rapid transit lines with a high level of transit ridership and a high development potential – identified as 10,000 residents and jobs combined within 800 metres by 2031. Given the location of the subject lands within 150 metres of the Yonge-Sheppard subway station, density on the subject site should be optimized in order to give effect to the policy directions set out in the Growth Plan and the Regional Transportation Master Plan;
- (iii) In the explanatory text for Section 2.1 of the Official Plan, it is noted that by making better use of existing urban infrastructure and services before introducing new ones on the urban fringe, reurbanization helps to reduce demands on nature and improves the livability of the urban region by: reducing the pace at which the countryside is urbanized; preserving high quality agricultural lands reducing reliance on the private automobile; reducing greenhouse gas emissions; and reducing consumption of non-renewable resources;
- (iv) The *Mixed Use Areas* designation that applies to the northern portion of the site is one of four land use designations intended to accommodate most of the increased jobs and population anticipated by the Official Plan’s growth strategy. The location of the site relative to employment, recreational, retail and entertainment uses within the Yonge-Sheppard area, means that walking and cycling are viable alternative modes of transportation. Residential intensification on the site would support transit ridership, assist in reinforcing the role of the North York Centre as a desirable living area, and allow residents to take advantage of the wide array of shops, services, restaurants and other facilities in the surrounding area;

- (v) While Policy 2.4(4) of the Official Plan provides for intensified development (with minimum density requirements and limits on parking) on sites which are well served by transit, specifically including locations surrounding key subway stations, the relevant Official Plan policies referenced in the Request for Directions report were drafted prior to the effective dates of the 2005 Provincial Policy Statement, the Growth Plan and the Regional Transportation Plan. Accordingly, the Official Plan policies do not fully recognize and give effect to the current Provincial policy directions supporting nodal intensification in proximity to transit stations. In contrast to the policy direction regarding linear intensification along the Avenues (“intensification corridors” in Growth Plan lexicon), the current Official Plan does not contain similarly strong direction regarding nodal intensification (“major transit stations areas”).

Based on the foregoing observations respecting the Growth Plan, the Regional Transportation Plan, the City’s Official Plan, and the current Secondary Plan, it is our planning opinion that the conclusions drawn in the Request for Directions report fail to give due recognition to the nature and extent of nodal intensification that is mandated under the Provincial policy framework and carried forward into Regional and City planning policies. It also fails to acknowledge the existing shortcomings of the current Official Plan to recognize and give effect to the intensification potential found in major transit station areas which, in this instance, would also fall just outside of the identified Urban Growth Centre.

B. Specific Responses to Various City Departments

In addition to design-related changes that have been made in response to input received to date from the City of Toronto and the local community, our client has reviewed a number of other issues arising from the Request for Directions Report. On that basis, we provide the following summary response to these additional issues:

(1) Parkland Dedication and Park Design to Meet Community Needs

In correspondence from the Parks, Forestry & Recreation Department dated July 30, 2015, staff provided the following comment:

“The applicant is required to satisfy the parkland dedication requirement through an on-site dedication. The parkland dedication is to be located on the east side of the site, immediately adjacent to Albert Standing Park, in order to enhance and expand the existing park. Further discussion is required pertaining to the specific configuration of the on-site parkland dedication.

Once the park block has been determined to the satisfaction of the General Manager, Parks, Forestry and Recreation, additional detailed comments and conditions will be provided. The purpose of this correspondence is to provide

you with my professional opinion related the parkland dedication requirements.”

In a letter dated January 15, 2016 (see **Appendix “B”**) from Mr. David Jonas of Terraplan, our client’s Landscape Architect, he provides the following detailed response:

“On October 20, 2015, a meeting was held with City staff to discuss the above requirement and explore the City’s vision for the park and whether a dedication or cash-in-lieu contribution would be the most appropriate for satisfying the parkland requirements. The City indicated that a dedication is preferred to meet the Official Plan requirements, but after extensive discussion, it was clear that a dedication might not be the best solution. This is particularly so because the park’s vision has yet to be determined by the City. During the meeting, various land dedication options were presented and discussed. In the absence of understanding the City’s programming needs, those dedication options are hypothetical at best.

I have since conducted a number of site visits to the Albert Standing Park and pursued discussions with relevant consultants on the development team. I have also discussed the project in detail with the owner of the site. The purpose of this correspondence is to provide my professional opinion on the best approach to deal with the parkland requirements. In my view, it would be in the best interest of the City to undertake a complete redesign of the existing park to better meet the evolving needs of the surrounding community.

As you are aware, Albert Standing Park originally was designed to serve an office employment environment for the Yonge/Sheppard node. However, with the emerging residential community, the park will increasingly be used by local residents. In our view, whether or not a park dedication is provided as part of this project, undoubtedly the park will require a complete overhaul and redesign to meet and respond to the needs of the changing neighborhood. Currently, the park is predominantly used as a cut-through and provides a substantial ornamental fountain that is consistent with an office park setting. There are relatively few seating opportunities. There are no structured play area for children and spotty shelter zones for shade during the peak summer months. To the west there are 13 substantial coniferous trees that have been identified in the arborist report as healthy. Enclosed is the arborist report and site photos of the existing trees.

The park’s primary focus must evolve from “transient” office workers to local families. In my view, to meet the needs of the neighbourhood, a redesign would be in the public interest and it outweighs any augmentation of the area of the park through a land dedication. The City’s proposed acquisition of 400 square metres between the existing coniferous trees and the proposed residential building would create a space that would be in

constant shade and would wholly fail to address the existing park deficiencies.

In addition, this newly created space would be a major CPTED concern. Further, the existing trees within the created space are quite mature and healthy. Any disturbance, particularly with soil compaction, would likely have a negative impact on them. A picture of the mature tree stand is attached. We're of the opinion that because these trees cannot be safely transplanted and relocated west within the area noted for 'park dedication' it would be best that these existing coniferous trees be preserved in their present location. Preserving these mature and healthy trees in their present location would provide for an interesting backdrop and balance to a re-designed park.

A much more comprehensive and useable approach would create a redesigned park that would include play grounds and water play spaces for children. In addition, the re-design should retain the existing deciduous trees for shade and incorporate an up-dating of the parks street furniture (benches, picnic and play tables, garbage and recycling receptacles) and create pathways throughout the park, including a pathway from Sheppard to Bogert. In balancing and considering the overall public interest, a cash-in-lieu approach through a Section 37 agreement under the Planning Act would be best suited for the revitalization of this park, which would result in a significantly better project for the use of local residents as well as office workers by incorporating contemporary park design principles.

We're hoping that the City will seriously consider this approach. We believe that upon reflection it will become evident that this approach will result in a significantly better project for local residents and far outweighs the perceived advantages of simply taking land from the condominium property."

It is therefore our client's respectful submission that the need for on-site parkland contribution should be carefully reassessed as per Mr. Jonas' written submission.

(2) Stage 2 Archaeological Report

As indicated on Page 17 of the Request for Direction Report, a Stage 2 archaeological resources assessment, "which may result in requirements to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found (i.e. Stage 3-4)." While this requirement was written in the context of how the subject application is dealt with by the OMB, our client nonetheless commissioned a professional archaeological consulting firm, Historic Horizon Inc., to undertake a Stage 2 Archaeological Assessment. The resulting Archeological Assessment involved 2 different strategies for investigation. As indicated in the Stage 2 report, "as 62-68 Bogert Ave properties are currently occupied house lots with yards, these were tested by shovel test pitting

at 5m intervals where accessible. The 61-63 Sheppard Ave. W property is commercial with surfaced (asphalt or gravel) parking areas covering the lots. This area was tested by monitored machine trenching of six separate 1.5m x 5m trenches." Based on these two investigative strategies, Historic Horizon Inc. concluded that "the Bogert Avenue properties were found to have been stripped of original topsoil and contained only mid-20th century landscaping/construction fill deposits. The Sheppard Ave property findings indicated a buried ploughzone under several layers of landscaping fill and parking lot surfacing. Shovel testing of this layer at 3-4m intervals within each trench indicated a deposit void of inclusions and recovered no objects pre-dating 20th century construction of the existing houses."

As a result of the Stage 2 assessment undertaken, the following recommendation has been provided by Historic Horizon Inc.:

- "1. No further archaeological work is recommended for the property designated as 53-63 Sheppard Avenue West owned by 2266396 Ontario Inc. PIN 10183-0328 (LT) – PT LT 1198 to 1201 Plan 1743 Twp. Of York as in TR92652 (firstly);
S/T & T/W TR 92652; Toronto (N. York), City of Toronto

And 62 to 64 Bogert Avenue, owned by Grmada Holdings Inc.
PIN 10183-0189(LT) – LT 1064 to 1065 Plan 1743 Twp. of York: Toronto (N. York), City of Toronto;

And 66 to 68 Bogert Avenue, owned by Grmada Holdings Inc.
PIN 10183-0189 (LT) – LT 1064 to 1065 Plan 1743 Twp. of York: Toronto (N. York), City of Toronto"

Accordingly, the Stage 2 Archaeological Assessment report is being filed so that it can be reviewed by Heritage Preservation Services. In addition, we have been advised that the Ministry of Tourism, Culture and Sport has entered into the public register of Archaeological Reports.

(3) Rental Housing Demolition and Conversion – Declaration of Use and Screening Form

Further to the message you received from Mr. Jeremy Kloet of the Housing and Community Services and Facilities Division of the Planning Department, we have completed the screening form (see attached **Appendix "C"**) which confirms that the subject property does not contain 6 or more dwelling units and accordingly, the City demolition and conversion by-law (Chapter 667 of the Municipal Code) does not apply to the development proposal for the subject property.

C. Conclusion

As indicated above, the subject proposal is located within a major transit station area, a short walking distance from two subway lines and numerous TTC bus lines. It has frontage along Sheppard Avenue West a short walk from major commercial, retail and office uses along Yonge Street. In our respectful submission, and the measured manner in which the proposal takes advantage of this nodal intensification opportunity - including the southern portion of the site which will include townhouses and an underground parking garage - has not been properly taken into account in the Request for Directions Report. The incorporation of a portion of the lands currently designated *Neighbourhoods* as part of the redevelopment has been successfully incorporated elsewhere in the City of Toronto, often with staff support. In this instance the proposed townhouse built form represents a modest incremental increase in the number of residential units that would be generated in the fullness of time if the properties were severed in a manner consistent with the prevailing pattern of development already occurring in the surrounding neighbourhood. From a relative standpoint, the proposed townhouse units would in fact result in fewer impacts to the surrounding neighbourhood when considered in relation to single detached dwellings with driveways and curb cuts on Bogert Avenue. Lastly, the manner in which the proposal departs from strict adherence to the midrise guidelines should be countenanced given the specific location of the subject lands and the absence of any adverse impacts.

We trust the foregoing is of assistance, we would be pleased to discuss this matter further as this application is brought forward and reviewed by the Planning Department.

Thank you for your consideration of these submissions.

Yours very truly,

Bousfields Inc.



Tony Volpentesta, MCIP, RPP

cc: Joe Nanos, Director, Community Planning, North District
David Moore, Pellow Architects
Barnet Kussner/Paul Chronis – WeirFoulds
Client

Appendix "A"

City of Toronto By-Law No. ~~-20~~

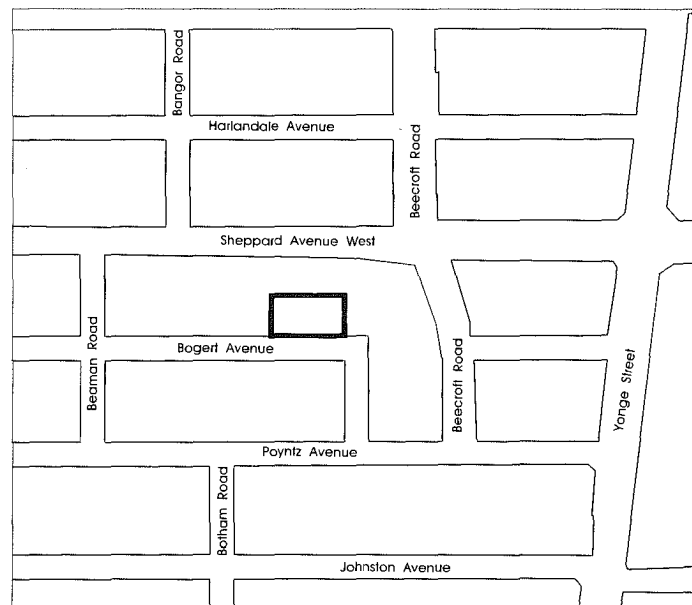
AMENDMENT NO. XX TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2016 AS
62-68 BOGERT AVENUE

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended by adding Site and Area Specific Policy No. XX for the lands known municipally in 2016 as 62-68 Bogert Avenue as follows:

62-68 Bogert Avenue

Townhouses and a below-grade garage for parking and servicing are permitted.



Key Plan

terrapian
LANDSCAPE ARCHITECTS
VISION. DELIVERED.

January 15, 2016

Mr. David Moore
pellow + associates part of WZMH architects
700-20 Victoria St
Toronto ON M5C 2N8

Dear David:

**Re: 53-63 Sheppard Avenue West and 62-68 Bogert Avenue (Official Plan and
Zoning By-law Application 15 170269 NNY 23 OZ)**

Further to the July 30th memo that was received from Ms. Rosanne Clement, Project Manager, Development Services, City of Toronto, I would like to offer our thoughts on how your project can better meet the needs of the community.

The July 30th memorandum concluded that:

“The applicant is required to satisfy the parkland dedication requirement through an on-site dedication. The parkland dedication is to be located on the east side of the site, immediately adjacent to Albert Standing Park, in order to enhance and expand the existing park. Further discussion is required pertaining to the specific configuration of the on-site parkland dedication.

Once the park block has been determined to the satisfaction of the General Manager, Parks, Forestry and Recreation, additional detailed comments and conditions will be provided. The purpose of this correspondence is to provide you with my professional opinion related the parkland dedication requirements.”

On October 20, 2015, a meeting was held with City staff to discuss the above requirement and explore the City’s vision for the park and whether a dedication or cash-in-lieu contribution would be the most appropriate for satisfying the parkland requirements. The City indicated that a dedication is preferred to meet the Official Plan requirements, but after extensive discussion, it was clear that a dedication might not be the best solution. This is particularly so because the park’s vision has yet to be determined by the City. During the meeting, various land dedication options were presented and discussed. In the absence of understanding the City’s programming needs, those dedication options are hypothetical at best.

20 CHAMPLAIN BLVD., Suite 102
TORONTO, ONTARIO
M3H 2Z1 CANADA

t: 416.638.4911
f: 416.638.4261
w: www.terrapian.ca

I have since conducted a number of site visits to the Albert Standing Park and pursued discussions with relevant consultants on the development team. I have also discussed the project in detail with the owner of the site. The purpose of this correspondence is to provide my professional opinion on the best approach to deal with the parkland requirements. In my view, it would be in the best interest of the City to undertake a complete redesign of the existing park to better meet the evolving needs of the surrounding community.

As you are aware, Albert Standing Park originally was designed to serve an office employment environment for the Yonge/Sheppard node. However, with the emerging residential community, the park will increasingly be used by local residents. In our view, whether or not a park dedication is provided as part of this project, undoubtedly the park will require a complete overhaul and redesign to meet and respond to the needs of the changing neighborhood. Currently, the park is predominantly used as a cut-through and provides a substantial ornamental fountain that is consistent with an office park setting. There are relatively few seating opportunities. There are no structured play area for children and spotty shelter zones for shade during the peak summer months. To the west there are 13 substantial coniferous trees that have been identified in the arborist report as healthy. Enclosed is the arborist report and site photos of the existing trees.

The park's primary focus must evolve from "transient" office workers to local families. In my view, to meet the needs of the neighbourhood, a redesign would be in the public interest and it outweighs any augmentation of the area of the park through a land dedication. The City's proposed acquisition of 400 square metres between the existing coniferous trees and the proposed residential building would create a space that would be in constant shade and would wholly fail to address the existing park deficiencies.

In addition, this newly created space would be a major CPTED concern. Further, the existing trees within the created space are quite mature and healthy. Any disturbance, particularly with soil compaction, would likely have a negative impact on them. A picture of the mature tree stand is attached. We're of the opinion that because these trees cannot be safely transplanted and relocated west within the area noted for 'park dedication' it would be best that these existing coniferous trees be preserved in their present location. Preserving these mature and healthy trees in their present location would provide for an interesting backdrop and balance to a re-designed park.

A much more comprehensive and useable approach would create a redesigned park that would include play grounds and water play spaces for children. In addition, the re-design should retain the existing deciduous trees for shade and incorporate an up-dating of the parks street furniture (benches, picnic and play tables, garbage and recycling receptacles) and create pathways throughout the park, including a pathway from Sheppard to Bogert. In balancing and considering the overall public interest, a cash-in-lieu approach through a Section 37 agreement under the *Planning Act* would be best suited for the revitalization of this park, which would result in a significantly better project for the use of local residents as well as office workers by incorporating contemporary park design principles.

In light of the above, please find park concepts attached for consideration by the City of Toronto.

We're hoping that the City will seriously consider this approach. We believe that upon reflection it will become evident that this approach will result in a significantly better project for local residents and far outweighs the perceived advantages of simply taking land from the condominium property.

Please let me know your thoughts. I look forward to discussing this in more detail with you, consulting team and the City.

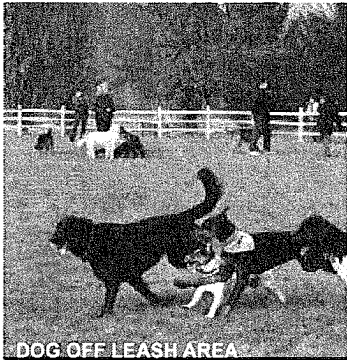
Yours truly,

TERRAPLAN LANDSCAPE ARCHITECTS LTD.

A handwritten signature in black ink, consisting of a stylized, flowing line that starts with a small loop on the left and extends horizontally to the right.

David Jonas, B. L. Arch., O.A.L.A., C.S.L.A.
DJ/tc

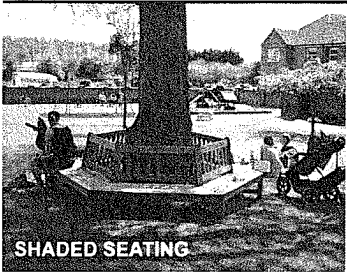
c.c.: Roman Zhardanovsky
Paul Chronis, WeirFoulds LLP
Tony Volpantesta, Bousfiels Inc., c/o David Moore, pellow + associates part of
WZMH architects, 2 copies



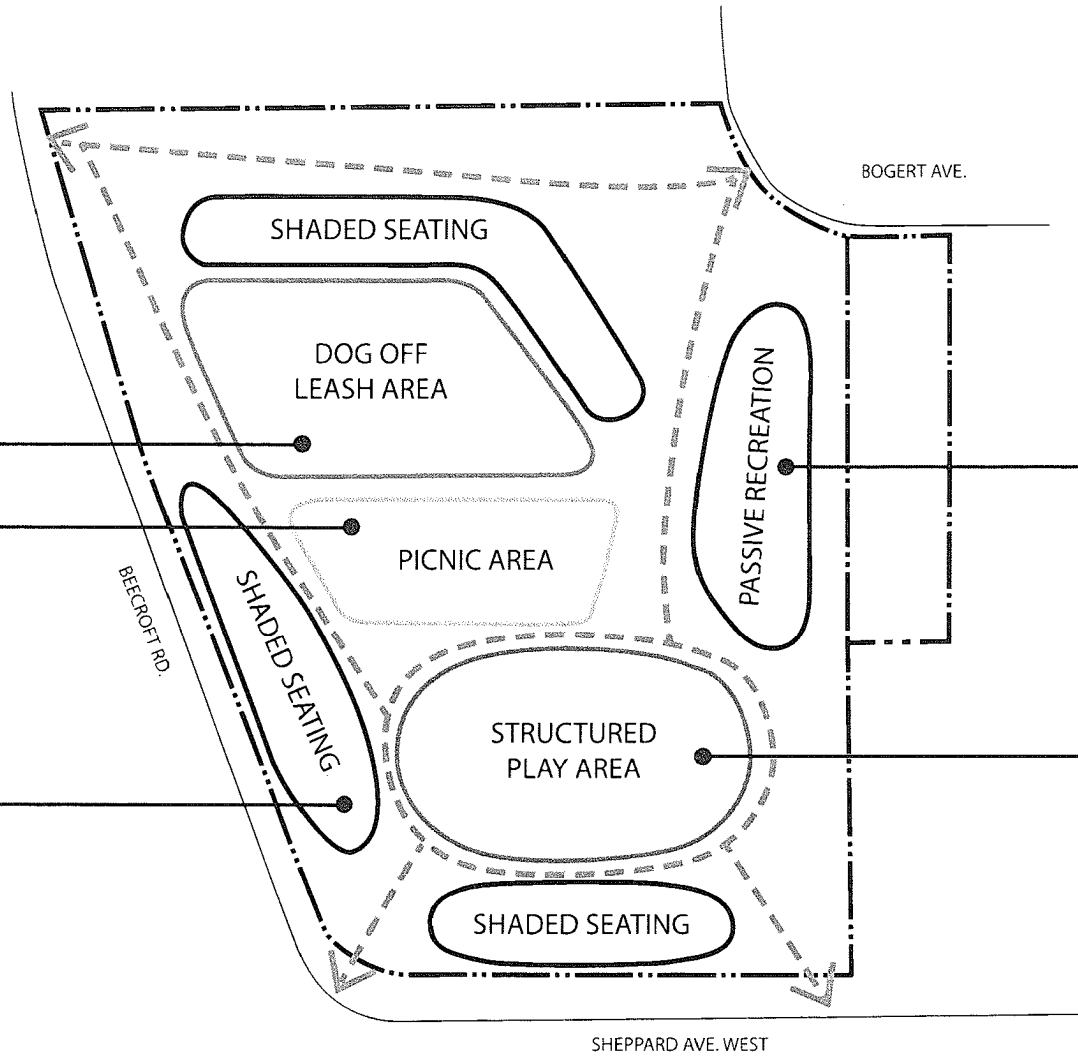
DOG OFF LEASH AREA



PICNIC AREA



SHADED SEATING



Toronto and East York
 Toronto City Hall
 100 Queen Street West
 Toronto, Ontario M5H 2N2
 416-392-7539

North York
 North York Civic Centre
 5100 Yonge Street
 Toronto, Ontario M2N 5V7
 416-395-7000

Scarborough
 Scarborough Civic Centre
 150 Borough Drive
 Toronto, Ontario M1P 4N7
 416-396-7526

Etobicoke York
 2 Civic Centre Court
 Toronto, Ontario
 M9C 5A3
 416-394-8002

Purpose of this form:

The City of Toronto prohibits the demolition or conversion of residential rental property unless a Rental Housing Demolition and Conversion Permit has been issued under Chapter 667 of the Municipal Code.

The information collected in this form will help determine whether Chapter 667, the City's by-law controlling the demolition and conversion of rental housing applies to your proposal and whether a permit is required. The City may refuse a permit application or approve the application with conditions. Applications for a permit are available from district Customer Service offices, the Committee of Adjustment and online at http://www.toronto.ca/planning/planning_app.htm

For further information, please contact the Community Policy Unit, City Planning at 416-392-7863, Metro Hall, 23rd Floor, 55 John Street.

* Under the authority of the City's Residential Rental Property Demolition and Conversion Control By-law, Chapter 667 of the Municipal Code and section 111 of the City of Toronto Act, 2006. Contravention of the by-law, including providing false or misleading information, is a serious offence punishable by fines up to \$100,000 and any monetary benefit resulting from the offence.

Are you applying or have applied for a related Building Permit application or Planning application (Development Approval or Committee of Adjustment application)? Yes No

Provide the related Building Permit Application No.: _____
Development Approval Application No.: E 15 170269 NNY 23 02
Committee of Adjustment Application No.: _____

Please complete all pertinent sections below after reviewing the Definition Section on page 3. Sign and return this Form to the Building Permit Examiner or Planner assigned to the related application file.

Property Owner /Applicant Information

SEE ATTACHED SCHEDULE

Last Name: _____ First Name: _____

Business Mailing Address: _____

Business Phone Number: _____ Business E-Mail: _____ Business Fax: _____

Project Details for the Subject Land

Address (Street No./Name): _____ Building Number (s): _____

Box 1. In relation to the definitions on the following page:

- Does the subject land have 6 or more dwelling units? Yes No
 Does the subject land have 1 or more rental units? Yes No

If you answered yes to both questions, proceed to Box 2.

If you answered no to either question, proceed to complete the Declaration Section as the demolition and conversion by-law, Chapter 667, does not apply to this proposal.

- Box 2. Is the building(s) registered as a condominium?** Yes No
Is the building(s) a life-lease property? Yes No

If you answered yes to either question, proceed to complete the Declaration Section as the by-law, Chapter 667, does not apply to this proposal.

If you answered no to both questions, proceed to Box 3.

Box 3. Do any parts of the building(s) proposed for demolition, interior renovations or conversion contain a whole or part of a dwelling unit? Yes No

If you answered no, proceed to complete the Declaration Section as a permit under the by-law, Chapter 667, is not required.

If you answered yes, the by-law, Chapter 667 applies and a permit may be required. Please obtain a Rental Housing Demolition and Conversion Application from the district Customer Service Office.

If your proposal involves interior renovations or alterations affecting existing dwelling units, proceed to Box 4.

If your proposal to the Committee of Adjustment is for a consent under s.53 of the Planning Act proceed to Box 5.

Box 4. Is this proposal for interior renovations or alterations affecting existing dwelling units? Yes No

- If yes, a) Will the total number of existing dwelling units be changed as a result of the renovation/alteration work? Yes No
 b) Will the work result in a change to the number of dwelling units in any category of unit by bedroom type?
 (Fill out the information in the table below prior to answering this question) Yes No

Bedroom Type	# of existing dwelling units by bedroom type	Proposed # of existing and renovated units by bedroom type
Bachelor		
1 bedroom		
2 bedroom		
3 bedroom		
4 bedroom		
Other		
Total # of Units	0	0

If you answered yes to either a) or b) above, you require a permit under the by-law, Chapter 667. Please obtain a Rental Housing Demolition and Conversion Application from the district Customer Service Office. If you answered no to both questions, proceed to complete the Declaration Section as a permit under the by-law, Chapter 667, is not required.

- Box 5. Does this proposal involve an application for a consent under s. 53 of the Planning Act?** Yes No
 If Yes, a) Will each parcel of land created from the consent contain 6 or more dwelling units? Yes No
 b) Will all parcels created from the consent contain either 6 or more dwelling units or no dwelling units existing at the time of the consent application? Yes No

If you answered yes to either a) or b), proceed to complete the Declaration Section as a permit under the by-law, Chapter 667, is not required.

If you answered no to both questions, a permit under the by-law, Chapter 667 is required. Please obtain a Rental Housing Demolition and Conversion Application from the district Customer Service Office.

Declaration Section


Based on the information above, I believe that a Rental Housing Demolition and Conversion Application:

is required, or
 is not required

I, ROMAN ZHARDANOVSKY certify that:

1. The information contained on this form and attachments is true and to the best of my knowledge.
2. I have the authority to represent the Corporation or Partnership (if applicable).

Date: Nov. 14, 2015

Signature 

The personal information on this form is collected under the City of Toronto Act, 2006, section 111 and Chapter 667 of the Municipal Code. This information is used to evaluate your application and for aggregate statistical reporting. Questions about this collection can be directed to the Manager, Customer Service, Toronto Building at one of the addresses indicated at the top of page 1 of this form.

Definition Section:

Co-ownership: refers to an equity co-operative or other co-ownership form of housing owned or leased by more than one person, where it's purported that any such person has the right to reside in a dwelling unit in the property. Co-ownership properties are subject to the by-law if any of the units are rental.

Conversion: Changing rental housing units to non-residential or non-rental purposes.

Demolition: Demolition refers to one or both of the following 1) removal of a building or any part of a building; or 2) interior renovations or alterations that will result in a change to the number of dwelling units in the building or a change to the number of bedrooms in any of the dwelling units.

Dwelling Unit: Is a self-contained set of rooms located in a building that is operated as a single housekeeping unit, used or intended to be used as residential premises for one or more persons; and contains kitchen and bathroom facilities that are intended for the use of the unit only.

Related Group of Buildings: Are buildings that are under the same ownership and on the same parcel of land; or are buildings that form part of the same development proposal.

Rental Unit: Is a dwelling unit used, or intended for use, for residential rental purposes. This includes a dwelling unit that has been used for residential rental purposes and is vacant, and a dwelling unit in a co-ownership property that is or was last used for residential rental purposes.

For the full definitions of these terms, and greater clarity and certainty regarding the intent and application of these terms, please refer to Chapter 667 of the Municipal Code.

Toronto and East York
Toronto City Hall
100 Queen Street West
Toronto, Ontario M5H 2N2
416-392-7539

North York
North York Civic Centre
5100 Yonge Street
Toronto, Ontario M2N 5V7
416-395-7000

Scarborough
Scarborough Civic Centre
150 Borough Drive
Toronto, Ontario M1P 4N7
416-396-7526

Etobicoke York
2 Civic Centre Court
Toronto, Ontario
M9C 5A3
416-394-8002

Purpose of this form:

The City of Toronto prohibits the demolition or conversion of residential rental property unless a Rental Housing Demolition and Conversion Permit has been issued under Chapter 667 of the Municipal Code.

The information collected in this form will help determine whether Chapter 667, the City's by-law controlling the demolition and conversion of rental housing applies to your proposal and whether a permit is required. The City may refuse a permit application or approve the application with conditions. Applications for a permit are available from district Customer Service offices, the Committee of Adjustment and online at http://www.toronto.ca/planning/planning_app.htm

For further information, please contact the Community Policy Unit, City Planning at 416-392-7863, Metro Hall, 23rd Floor, 55 John Street.

* Under the authority of the City's Residential Rental Property Demolition and Conversion Control By-law, Chapter 667 of the Municipal Code and section 111 of the City of Toronto Act, 2006. Contravention of the by-law, including providing false or misleading information, is a serious offence punishable by fines up to \$100,000 and any monetary benefit resulting from the offence.

Are you applying or have applied for a related Building Permit application or Planning application (Development Approval or Committee of Adjustment application)? Yes No

Provide the related Building Permit Application No.: _____

Development Approval Application No.: _____

Committee of Adjustment Application No.: _____

Please complete all pertinent sections below after reviewing the Definition Section on page 3. Sign and return this Form to the Building Permit Examiner or Planner assigned to the related application file.

Property Owner /Applicant Information

Last Name: _____ First Name: _____

Business Mailing Address: _____

Business Phone Number: _____ Business E-Mail: _____ Business Fax: _____

Project Details for the Subject Land

Address (Street No./Name): _____ Building Number (s): _____

Box 1. In relation to the definitions on the following page:

Does the subject land have 6 or more dwelling units? Yes No

Does the subject land have 1 or more rental units? Yes No

If you answered yes to both questions, proceed to Box 2.
If you answered no to either question, proceed to complete the Declaration Section as the demolition and conversion by-law, Chapter 667, does not apply to this proposal.

Box 2. Is the building(s) registered as a condominium? Yes No
Is the building(s) a life-lease property? Yes No

If you answered yes to either question, proceed to complete the Declaration Section as the by-law, Chapter 667, does not apply to this proposal.
If you answered no to both questions, proceed to Box 3.

Box 3. Do any parts of the building(s) proposed for demolition, interior renovations or conversion contain a whole or part of a dwelling unit? Yes No

If you answered no, proceed to complete the Declaration Section as a permit under the by-law, Chapter 667, is not required.
If you answered yes, the by-law, Chapter 667 applies and a permit may be required. Please obtain a Rental Housing Demolition and Conversion Application from the district Customer Service Office.
If your proposal involves interior renovations or alterations affecting existing dwelling units, proceed to Box 4.
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Box 4. Is this proposal for interior renovations or alterations affecting existing dwelling units? Yes No

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(Fill out the information in the table below prior to answering this question) Yes No

Bedroom Type	# of existing dwelling units by bedroom type	Proposed # of existing and renovated units by bedroom type
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1 bedroom		
2 bedroom		
3 bedroom		
4 bedroom		
Other		
Total # of Units	0	0

If you answered yes to either a) or b) above, you require a permit under the by-law, Chapter 667. Please obtain a Rental Housing Demolition and Conversion Application from the district Customer Service Office. If you answered no to both questions, proceed to complete the Declaration Section as a permit under the by-law, Chapter 667, is not required.

Box 5. Does this proposal involve an application for a consent under s. 53 of the Planning Act? Yes No

If Yes, a) Will each parcel of land created from the consent contain 6 or more dwelling units? Yes No

b) Will all parcels created from the consent contain either 6 or more dwelling units or no dwelling units existing at the time of the consent application? Yes No

If you answered yes to either a) or b), proceed to complete the Declaration Section as a permit under the by-law, Chapter 667, is not required.
If you answered no to both questions, a permit under the by-law, Chapter 667 is required. Please obtain a Rental Housing Demolition and Conversion Application from the district Customer Service Office.

Declaration Section

Based on the information above, I believe that a Rental Housing Demolition and Conversion Application:

- is required, or**
- is not required**

I, _____ certify that:

1. The information contained on this form and attachments is true and to the best of my knowledge.
2. I have the authority to represent the Corporation or Partnership (if applicable).

Date: _____ Signature _____

The personal information on this form is collected under the City of Toronto Act, 2006, section 111 and Chapter 667 of the Municipal Code. This information is used to evaluate your application and for aggregate statistical reporting. Questions about this collection can be directed to the Manager, Customer Service, Toronto Building at one of the addresses indicated at the top of page 1 of this form.

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For the full definitions of these terms, and greater clarity and certainty regarding the intent and application of these terms, please refer to Chapter 667 of the Municipal Code.

