

## Helliwell Place Residents' Association

c/o Property Manager, Helliwell Place Office, 980 Broadview Avenue, Toronto ON M4K 3Y1  
HelliwellResidentsAssociation@gmail.com

Attn: Ellen Devlin, Administrator,  
Toronto and East York Community Council  
100 Queen Street West, 2nd Floor West  
Toronto ON M5H 2N2

### Comments for distribution to Councillors of the Toronto and East York Community Council

**TEYCC Meeting: May 10, 2016**

**RE: Agenda item TE 16.5**

**Final Report - Broadview Avenue Planning Study - City-Initiated Official Plan Amendment, Urban Design Guidelines and Heritage Inventory**

For consideration Broadview Avenue Planning Study (BAPS) documents:

- Official Plan Amendment No. 343 including Site and Area Specific Policy No. 509 (OPA/SASP)
- Urban Design Guidelines (UDG)
- Final Staff Report (FSR)

Dear Councillors,

Helliwell Place Residents' Association (HPRA) applauds City Planning Staff and Councillor Mary Fragedakis and her team for their work on the Broadview Avenue Planning Study (BAPS). Our residents have been actively involved since June 2014, both through the four Community Consultation Meetings and Stakeholder Advisory Committee representation. Through this process, we have seen our broader community come together to help define a human-scale and liveable planning vision for our area, which better connects us to the historic past and the natural realm of the Don River Valley.

The above BAPS documents generally reflect the community's input. However, given the importance of the OPA/SASP and UDG, as legacy documents intended to help guide new development matters in our area, we think there are some areas where these documents could be strengthened:

- Mid-Rise and Maximum Heights - In numerous instances, there is lack of clarity as to the use of "mid-rise" in the OPA/SASP and UDG, since it does not reference the maximum height of 6 storeys (20 m) as defined and agreed upon for the BAPS area. This should be amended. Further, additional ambiguity is added with several instances of the use of "modified mid-rise" to reference higher than 6 storey mid-rise buildings, without referencing a maximum height or specific location. This term should be removed.
- Tall Buildings - In the OPA/SASP, the statement "No new tall buildings are permitted" should be included. This understanding should be also fully reflected in the UDG.
- Site specific issues - 958 Broadview Avenue (The Estonian House / 19th c. Chester School): Several issues pertaining to this site lack clarity in the OPA/SASP and UDG - E.g. in OPA/SASP use of the term "mid-rise" and "transition" without referencing maximum height as per OPA/SASP #4 Table; use of the phrase "cultural heritage values and attributes" without those values and attributes being defined; inclusion of the site in Character Area A and C and not only A. These issues should be clarified with the appropriate amendments.

- Site Specific issues - 1015 and 1099 Broadview Avenue: In order to provide clarity, “mid-rise” should include a reference to maximum height as per OPA/SASP #4 Table. This should be amended.
- In the OPA/SASP, a statement should be included, which calls for *Neighbourhood* protection policies (set out in Official Plan Chapter 4) to be respected.
- View Protection Policies - require description.
- Transportation - To enhance current findings, a separate full study be carried out in the study area, as the current analysis does not address the evolving demographics, transportation modes, and uses in our area.

Amendments for the above are included in:

- Appendix A: Amendments to Draft Official Plan Amendment 343 (Area-Specific Policy No. 509) [Attachment 7]
- Appendix B: Amendments to Urban Design Guidelines [Attachment 8]

Additionally, a few comments on the Final Staff Report are included in Appendix C.

In light of the above, we respectfully request Community Council to consider the following:

- Recommendation 1. The Toronto and East York Community Council **requests Staff to review residents’ submitted recommendations and revise the** draft Official Plan Amendment attached as **Attachment No. 7 accordingly prior to City Council meeting June 7, 2016.**
- Recommendation 2. The Toronto and East York Community Council **requests Staff to review residents’ submitted recommendations and revise** Urban Design Guidelines attached as **Attachment No. 8 accordingly prior to City Council meeting June 7, 2016.**
- Recommendation 4. The Toronto and East York Community Council request the Manager, Heritage Preservation Services, to report to the Toronto Preservation Board and Council on the heritage attributes, and options for inclusion on the City’s heritage inventory, of the properties identified in Urban Design Guidelines attached to this report **and specifically to act upon Motion 2015.TE4.77- 958 Broadview Avenue - Request for Staff to Evaluate for Possible Heritage Designation, adopted by Toronto and East York Community Council February 18, 2015.**

We appreciate City Planning Staff’s diligence and their willingness to discuss issues and options throughout the community consultation process and hope that our recommendations will contribute to a specific, clear and unambiguous document, one which reflects “good’ planning and the results of the community engagement process.

Please keep HPRA informed of all decisions related to Agenda Item TE 16.5.

Sincerely,

Executive Team  
Helliwell Place Residents’ Association (HPRA)

Appendices:

- Appendix A: Amendments to Draft Official Plan Amendment 343 (Area-Specific Policy No. 509) [Attachment 7]
- Appendix B: Amendments to Urban Design Guidelines [Attachment 8]
- Appendix C: Comments on the Final Staff Report

Cc:

Councillor Mary Fragedakis,  
Francis Kwashie,  
Kyle Knoeck,  
Gregg Lintern,  
Mary MacDonald

**Appendix A: Amendments to Draft Official Plan Amendment 343  
(Area-Specific Policy No. 509) [Attachment 7]**

General comment: All retained amendments to text underlined. Comments on specific issues in italic.

*[Page 2]*

**Current:** 2. Amendment to redesignate the City-owned property on the southeast corner of Broadview Avenue and Gamble Avenue from *Neighbourhoods* to *Parks and Open Space Areas – Parks*.

**Amendment:** 2. Amendment to redesignate the City-owned property on the southwest corner of Broadview Avenue and Gamble Avenue from *Neighbourhoods* to *Parks and Open Space Areas – Parks*.

**[Comment:** *Reference Opportunity map, UDG page 33.]*

**Chapter 7, Site and Area Specific Policies**

*[Page 3]*

**1. Purpose**

**Current:** 1.1. This Site and Area Specific Policy is intended to guide and manage moderate incremental development on Broadview Avenue, between Danforth Avenue and O'Connor Drive; complement, build upon, and strengthen the physical character of the area as a whole and within each of its five character areas; conserve and reinforce the area's natural and cultural heritage; and ensure compatibility between existing and future development.

**Amendment:** 1.1. This Site and Area Specific Policy is intended to guide and manage moderate incremental development on Broadview Avenue, between Danforth Avenue and O'Connor Drive; complement, build upon, and strengthen the existing physical character of the area, with specific consideration to the existing physical character of Character Areas A, B, D, E, and not Character Area C; conserve and reinforce the area's natural and cultural heritage; and ensure compatibility between existing and future development. **[Comment:** *Not strengthen existing physical character of Character Area C - mostly tall residential buildings and more 'bad' planning.]*

**2. Planned Character and Public Realm**

**Current:** 2.1 [Last sentence in this paragraph.] Mid-rise infill development will provide cohesion to the massing and scale of built form.

**Amendment:** 2.1 Mid-rise infill development will provide cohesion to the massing and scale of built form, and in all cases infill development will comply with Section 4 below."

*[Page 4]*

**3. Development Criteria – Entire Study Area**

**Current:** 3.4. Have a ground floor height that generally matches existing commercial ground floor heights in the area to reinforce the existing horizontal articulation of building façades.

**Amendment:** 3.4. Have a ground floor height that generally matches existing commercial ground floor heights in the area to reinforce the existing horizontal articulation of building façades, and in any event not to exceed 4.5 metres.

**Amendment [New Statement]:** 3.5: “New tall buildings are not permitted.”

**4. [Untitled]**

**Current:** 4. Development that exceeds the permitted height in the Zoning By-law is only appropriate on lots within Character Areas A, B, C, and D that have sufficient width, depth and appropriate access for parking and servicing. Such development proposals will demonstrate that the site can accommodate the proposal and will be reviewed through a Zoning By-law Amendment or Minor Variance process, as applicable. Such development will:

- (a) Have the maximum building heights shown in the table below; and
- (b) Provide setbacks within a 45 degree angular plane above the heights shown in the table below measured from the front property line.

Character Areas	Maximum Building Height (excluding mechanical penthouse)	Height at which the building setbacks occur (applies to facades on Broadview Avenue and any flanking street)
A	6 storeys	5 storeys
B	5 storeys	4 storeys
C	6 storeys	5 storeys
D	6 storeys	5 storeys

**Amendment:** 4. Title. *[Comment: Section requires a title; table requires a title and number.]*

Development that exceeds the permitted height in the Zoning By-law is only appropriate on all lots within the Broadview Avenue Planning Study area except those lots within Character Area E that have sufficient width and depth to ensure appropriate built form and massing, and appropriate access for parking and servicing. Such development proposals will demonstrate that the site can accommodate the proposal without negative impacts on adjacent and surrounding properties and will be reviewed through a Zoning By-law Amendment or Minor Variance process, as applicable.

*[Comment: Re: “on all lots within the BAPS area except those lots within Character Area E”: eliminate unintended potential consequence of 958 Broadview Avenue being excluded from said criteria given currently this site is in both Character Areas A and C .Applies throughout all documents.]*

*[Comment: new paragraph]* All new development on all lots within the Broadview Avenue Planning Study area except those lots within Character Area E will:

- (a) Have the maximum building heights shown in the table below; and

[Amendment continued from above]

(b) Provide setbacks within a 45 degree angular plane above the heights shown in the table below measured from the front property line. Neighbourhood protection policies set out in Chapter 4 to be respected.

Character Areas <u>or any combinations thereof</u> [ <b>Comment:</b> <i>eliminate unintended potential consequence of 958 Broadview Avenue being excluded from said criteria given currently this site is in both Character Areas A and C.</i> ]	Maximum Building Height (excluding mechanical penthouse)	Height at which the building setbacks occur (applies to facades on Broadview Avenue and any flanking street). <u>Neighbourhood protection policies set out in Chapter 4 to be respected.</u>
A	6 storeys - <u>up to 20 metres</u>	5 storeys
B	5 storeys - <u>up to 17 metres</u>	4 storeys
C	6 storeys - <u>up to 20 metres</u>	5 storeys
D	6 storeys - <u>up to 20 metres</u>	5 storeys

**5. Site-Specific Development Policies  
958 Broadview Avenue (Estonian House)**

**Current:** The property located at 958 Broadview Avenue is part of Character Area A and Character Area C. The property may accommodate new development in mid-rise and low-rise form. New development will:

- 5.1. Provide a built form transition between the tall buildings to the north and single-family houses (*Neighbourhoods*) to the south.
- 5.2. Provide front yard setbacks which are consistent with the adjacent front yard building setbacks.
- 5.3. Conserve the integrity of the property's cultural heritage values and attributes, including the 19th century Chester Public School.
- 5.4 Avoid undue negative impact on the rear yard amenity of properties in adjacent *Neighbourhoods*.  
[Page 5]
- 5.5 Maintain an appropriate mix of uses where possible to enable accommodation of a multi-purpose non-profit community facility.

**Amendment:** The property located at 958 Broadview Avenue is part of Character Area A and Character Area C.

**[Comment:** *We respectfully request that this site be included in Character Area A only, and amend wording and maps accordingly. This property is now included in two very different Character Areas (A - predominantly low-rise historic Chester Village, and C - predominantly tall apartment buildings reflective of 'bad' planning). This site should be included in the more appropriate Character Area A, given many*

*planning reasons, among them its adjacency to 2 storey houses to the south and adjacency to a Neighbourhood, connection to the historic Chester Village as well its existing built form (3 storeys), physical characteristics (brick), and land use (mixed; not residential). Including it in Character Area C is not appropriate and further is problematic by its vulnerability to arguments of either exception or likeness to sites in Character Area C.]*

The property may accommodate new development but only in mid-rise and low-rise form. In addition to meeting the policies of the Official Plan and the other policies of the Site and Area Specific Policy No [509] new development will:

5.1. Provide a built form transition between the tall buildings to the north and single-family houses (*Neighbourhoods*) to the south, in compliance with Section 4 above.

5.2. Provide front yard setbacks which are consistent with the adjacent front yard building setbacks but in any event, at least 10 metres from the street curb.

5.3. Preserve the integrity of the property's cultural heritage values and attributes, including the 19th century Chester Public School.

5.4 Not negatively impact the rear yard amenity of adjacent properties, including *Neighbourhoods*.

5.5 Maintain an appropriate mix of uses where possible to enable accommodation of a multi-purpose non-profit community facility.

*[Comment: Is it appropriate to mandate specific usage/financial organizational goals re: private property? Please amend accordingly.]*

## **1015 Broadview Avenue and 1099 Broadview Avenue**

### **Current:**

5.6. The properties at 1015 Broadview Avenue and 1099 Broadview Avenue may accommodate new development in mid-rise and low-rise form with retail uses encouraged on the ground floor.

### **Amendment:**

5.6. The properties at 1015 Broadview Avenue and 1099 Broadview Avenue may accommodate new development only in mid-rise and low-rise form with retail uses encouraged on the ground floor, in compliance with Section 4 above.

## **6. Urban Design Guidelines**

### **Current: 6.1**

b. supplement the Avenues and Mid-Rise Building Study;

### **Amendment:**

b. supplement and build upon the Avenues and Mid-Rise Building Study;

*[Comment: new paragraph at end of list]*

**Amendment:** The built form guidelines for each Character Area highlight the recommendations that differ from the city-wide Mid-rise Guidelines. In these cases, the built form guidelines specified in each Character Area prevail over the city-wide Mid-rise performance standards.

## Appendix B: Amendments to Urban Design Guidelines [Attachment 8]

General comment: All retained amendments to text underlined. Comments on specific issues in italic.

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### Guidelines

**Current:** The guidelines and standards reflect the five character areas as well as the area's natural and cultural heritage.

**Amendment:** The guidelines and standards reflect all the lots in the Broadview Avenue Planning Study as well as the area's natural and cultural heritage.

*[Comment: For all inclusiveness, as 958 Broadview Avenue requested to be exempted from the BAPS. Applies throughout all documents.]*

### Built Form

**Current:** Mid-rise built form is appropriate for all parts of the Study Area, with the exception of the areas designated as Neighbourhoods.

**Amendment:** Mid-rise built form, to a maximum height of 6 storeys or 20 m, is appropriate for all parts of the Study Area, with the exception of the areas designated as Neighbourhoods.

*[Comment: Applies throughout all documents.]*

#### Current:

Tall buildings are not appropriate in the Study Area.

**Amendment:** Tall buildings are not permitted in the Study Area.

*[Comment: Applies throughout all documents.]*

### Height

**Current:** Mid-rise buildings will be limited to a height up to 20 m. That height may be further limited by angular planes (reflecting lot depth). The study recognizes that on large sites, buildings taller than the existing right-of-way may be appropriate provided certain conditions are addressed.

**Amendment:** Mid-rise buildings will be limited to a height up to 20 m. That height may be further limited by angular planes (reflecting lot depth). The study recognizes that on the only two large sites over 5,000 m<sup>2</sup>, both of which are in Character Area D, buildings taller than the existing right-of-way may be appropriate to a maximum of 7 or 8 storeys (23 or 26 m) provided certain conditions are addressed.

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## 3. Existing Conditions

### 3.1 Character-Defining Elements

**Current:** Situated on the west side of the Don River Valley, Broadview Avenue is a transportation spine, running diagonally from Danforth Avenue to O'Connor Drive.



**Amendment:** Situated on the east side of the Don River Valley, Broadview Avenue is a transportation spine, running diagonally from Danforth Avenue to O’Connor Drive.

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#### **5. Maintain a Varied Built Form Character**

**Current:** Principle: Redevelopment should include a mix of residential, commercial and institutional uses at various scales, with mid- rise buildings and modified mid-rise buildings, as well as low scale buildings. Mid-rise buildings are anticipated as the dominant building type for infill development, in keeping with the recommendations of the Avenues and Mid-rise Buildings Study. However, modified mid-rise which may result in shorter or taller buildings may be appropriate on certain sites and townhouses may provide a transition to adjacent neighbourhoods.

**Amendment:** Principle: Redevelopment should include a mix of residential, commercial and institutional uses at various scales, with mid- rise buildings and modified mid-rise buildings no higher than 5 storeys or 17 m, as well as low scale buildings.

Mid-rise buildings up to a maximum height of 6 storeys or 20 m are anticipated as the dominant building type for infill development. However, mid-rise which may result in shorter or taller buildings may be appropriate on specific sites in Character Area B and Character Area D respectively, and townhouses may provide a transition to adjacent neighbourhoods.

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#### **4.2.3 Views and Viewpoints**

**Current:** 3. Rear of northeast corner of Broadview Ave. and Pottery Rd.

**Amendment:** 3. Rear of southwest corner of Broadview Ave. and Pottery Rd.

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**Current:** These guidelines put forward mid-rise buildings as an appropriate typology for incremental intensification along Broadview.

**Amendment:** These guidelines put forward mid-rise buildings, up to 6 storeys or 20m, as an appropriate typology for incremental intensification along Broadview.

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#### **The Estonian House (958 Broadview Avenue)**

##### **Current:**

Due to this site's unique conditions and dimensions, the Estonian House has been identified as being part of Character Area A and Character Area C. A more thorough review and community consultation is needed if a development application comes forward. Nonetheless, as part of the Broadview Avenue Study, a set of development principles have been identified by city staff

through the community consultation process. These principles require any proposed new development on the site to address the following aspects:

- Conservation of the heritage building and respecting existing heritage features and attributes
- Appropriate built form transition towards the adjacent *Neighbourhoods* area
- Adequate separation distances from adjacent properties
- Sensitivity to adjacent valleys and ravines by providing the required setbacks from TRCA top-of-bank lines
- Regard for existing context by continuing the expansive front yard landscaping in this segment of Broadview
- Explore potential of the property to serve as a cultural hub for the community

**Amendment: 958 Broadview Avenue (The Estonian House)**

*[Comment: Shouldn't this property be treated similar to other properties? i.e. by street address]*

*[Comment: We respectfully request that this site be included in Character Area A only, and request you amend wording and maps accordingly. See Appendix A, Section 5. Applies throughout documents.]*  
958 Broadview Avenue has been identified as being part of Character Area A and Character Area C as it shares characteristics of both Character Areas. As part of the Broadview Avenue Study, a set of development principles have been identified by city staff through the community consultation process. These principles require any proposed new development on the site to respect the following aspects:

- Preservation of the heritage building required and respect existing heritage features and attributes
- Appropriate built form transition towards the adjacent *Neighbourhoods* area
- Maximum height in compliance with Appendix B (Summary of Built Form Recommendations), 6 storeys or 20 m.
- Adequate separation distances from adjacent properties
- Sensitivity to adjacent valleys and ravines by providing the required setbacks from TRCA top-of-bank lines i.e. 10 m rear yard building setback
- Regard for existing context by continuing the expansive front yard landscaping in this segment of Broadview, but in any event, at least 10 m from the street curb.
- Explore potential of the property to serve as a cultural hub for the community

*[Comment: Is it appropriate to suggest specific use for private property? Please delete/amend accordingly.]*

- Vertical additions on existing heritage building will stepback above the existing building to respect existing scale
- Side yard setbacks subject to the existing exterior walls of the heritage building
- Additional massing should not create any visual impact from Broadview Avenue and will have regard for the narrative vision of the Broadview Study

*[Comment: Above 3 points from the final BAPS Community Meeting Presentation 'Development Principles']*

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#### **4.3.3 Built form Guidelines For character Areas**

##### **Character Area A**

###### **Current:**

Character Area A comprises lots on both sides of Broadview Avenue from Danforth Avenue to approximately a few lots north of Chester Hill Road to the west and to a few lots south of Browning Avenue to the east.

###### **Amendment:**

Character Area A comprises lots on both sides of Broadview Avenue from Danforth Avenue up to and including 958 Broadview Avenue (Estonian House, currently in both Character Area A and Character Area C) to the west and to a few lots south of Browning Avenue to the east.

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##### **Setback from the Street**

**Current:** In corner lots, especially at key intersections such as Broadview/Pretoria and Broadview/Browning, the building should setback to provide a minimum dimension of 6 metres between the curb edge and the front building face to accommodate patios and seating areas.

**Amendment:** In corner lots, especially at key intersections such as Broadview/Pretoria, Broadview/Browning, and Broadview/Chester Hill, the building should setback to provide a minimum dimension of 6 metres between the curb edge and the front building face to accommodate patios and seating areas.

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##### **Character Area B**

**Current:** Character Area B includes lots on the east side of Broadview Avenue, approximately from Browning Avenue to Mortimer Avenue.

**Amendment:** Character Area B includes lots on the east side of Broadview Avenue, a few lots south from Browning Avenue to a few lots north of Mortimer Avenue.

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##### **Character Area C**

*[Comment: The boundaries of Character Area C were shown and discussed at the Community Consultation Meetings. The south boundary should be corrected to reflect the community's understanding].*

**Left Photo Image Amendment:** Left photo image contains wrong south boundary of Character Area C. The photo should be edited and show the south boundary starting and including 958 Broadview Avenue (The Estonian House - currently in both Character Areas A and C).

###### **Left Photo Image Caption**

**Current:** West of Broadview Avenue, from Chester Hill Road to Pottery Road.

**Amendment:** West of Broadview Avenue, from and including 958 Broadview Avenue (Estonian House, currently in both Character Area A and Character Area C) north to Pottery Road.

**Current:** Character Area C is located on the West side of Broadview Avenue where tall apartment buildings dominate the landscape. This area extends from Chester Hill Road to Hillside Drive. The majority of the lots are deep and have wide frontages, generally with expansive front yard landscaping. Buildings in this area back directly into the Don Valley, which is regulated by Toronto and Region Conservation Authority (TRCA), Ravine and Natural Feature Protection, and Parks, Forestry and Recreation (PFR). Because of this location, views towards the Don Valley are a unique character feature and precious asset of Character Area C.

**Amendment:** Character Area C is located on the West side of Broadview Avenue where tall apartment buildings dominate the landscape. This area extends from and including 958 Broadview Avenue (Estonian House, currently in both Character Area A and Character Area C,) north to Hillside Drive. The majority of the lots are deep and have wide frontages, generally with expansive front yard landscaping. Buildings in this area back directly into the Don Valley, which is regulated by Toronto and Region Conservation Authority (TRCA), Ravine and Natural Feature Protection, and Parks, Forestry and Recreation (PFR). Because of this location, views towards the Don Valley are a celebrated character feature and precious asset of Character Area C.

**Current:** The development lots in this area are not dimensioned to accommodate additional tall buildings. However, this character area has infill development potential for mid-rise or modified mid-rise buildings.

**Amendment:** The development lots in this area are not dimensioned to accommodate additional tall buildings. New tall buildings have been deemed inappropriate for the study area and are not permitted. However, this character area has infill development potential for mid-rise ~~or modified mid-rise~~ buildings no higher than 6 storeys (or 20 m).

*[Comment: From the community engagement process, the community categorically rejected “modified mid-rise” options higher than 6 storeys (20 m)]*

### **Maximum Building Height**

**Current:** The maximum height of the buildings will be 20 metres or 6 storeys. This height should only be achieved if the dimensions of the lot allows sufficient room to meet the required setbacks, angular planes and view protection policies.

#### **4.2.3 Views and Viewpoints**

*[Comment: View protection policies should be defined.]*

### **Appendix C: Comments on the Final Staff Report**

- Mid-rise and modified mid-rise language creates ambiguity as to maximum heights in the study area differing from the agreed upon maximum 6 storeys (20 m) (see Final Staff Report Summary p.2, Built Form p10).
- Feedback from the Community Consultation Meetings as reported in the Final Staff Report lacks 2 key inputs (see Community Consultation p.7), whereby:
  - Most participants asked for 958 Broadview Avenue (Estonian House / 19th c. historic Chester Public School) to be included in Character Area A (mostly low-rise mixed use lots), not C (predominantly tall residential buildings)
  - Most participants were opposed to the inclusion of the category “modified mid-rise” higher than 6 storeys (20 m).