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June 29, 2017

VIA EMAIL TO clerk@toronto.ca

Toronto City Council
 c/o Marilyn Toft
 12th floor, West Tower, City Hall
 100 Queen Street West
 Toronto, ON M5H 2N2

Dear Council:

RE: PW22.7 Lower Yonge Precinct Environmental Assessment Study, Ward 28 (the "EA")
 Key Issue 3 – Property Impacts: 33 Bay Street
 Comments for Consideration by Council at Meeting 31 Scheduled for July 4, 2017

We are the lawyers for The Residences at Pinnacle Centre, which is comprised of Toronto Standard Condominium Corporation No. 1788, Toronto Standard Condominium Corporation No. 1834, Toronto Standard Condominium Corporation No. 2030 and Toronto Standard Condominium Corporation No. 2204 (the "**Corporations**"). We are submitting comments regarding the above noted matter for distribution to Council on behalf of the Corporations.

The Corporations, as referred to below, will continue their discussions with the Transportation Services Division, City of Toronto ("**Transportation Services**") in regard to the EA, and specifically the property impact at 33 Bay Street. However, subject to these further discussions, our clients request that no changes be made to the laneway at the north end of the 33 Bay Street site (the "Laneway"), which currently operates as a two-way operation with in/right out/right access to Yonge Street, during the redevelopment of the Lower Yonge Precinct.

The Public Works and Infrastructure Committee ("**PWIC**") recommends that City Council endorse the proposed transportation infrastructure changes for redevelopment of the Lower Yonge Precinct. The proposed changes may create the need for the Laneway to be extended through to

Bay Street and converted into one-way eastbound operations from Bay Street to Yonge Street as a means of mitigating safety risks for pedestrians. Our clients have serious concerns about this potential laneway extension. Their concerns were submitted in writing to PWIC for consideration at its June 8, 2017 meeting. We enclose a copy of those comments for your reference.

Almost 5,400 people live on the property managed by the Corporations. The Laneway serves as the only access route to the loading facilities, which is required for waste removal, deliveries, and moving activities. Any changes to the Laneway will impact how these residential communities carry out their daily operations.

Since March 2017, the Corporations and Transportation Services have engaged in ongoing discussions about these issues. Our clients remain open to alternative access arrangements provided that their concerns (as set out in their written submissions to PWIC) are fully addressed.

Ultimately, the Corporations are committed to continue working with the City to maximize community safety and develop a solution that addresses the concerns of all parties.

Yours very truly,
DEACON, SPEARS, FEDSON + MONTIZAMBERT

Per:



Michael A. Spears
MAS/en
Encl.

- cc: Councillor Pam McConnell, via email: councillor_mcconnell@toronto.ca
- cc: Transportation Services Division, City of Toronto
c/o Jeffrey Dea, via email: jeffrey.dea@toronto.ca
- cc: Public Works and Infrastructure Committee
c/o Nancy Martins, via email: pwic@toronto.ca
- cc: TSCC 1788, TSCC 1834, TSCC 2030 and TSCC 2204

Date: June 6, 2017

To: Public Works and Infrastructure Committee (“PWIC”)

From: The Residences at Pinnacle Centre, which is comprised of the following,
Toronto Standard Condominium Corporation No. 1788;
Toronto Standard Condominium Corporation No. 1834;
Toronto Standard Condominium Corporation No. 2030; and
Toronto Standard Condominium Corporation No. 2204 (the “Corporations”).

RE: PW 22.7 Lower Yonge Precinct Environmental Assessment Study (Ward 28)
Key Issue 3 – Property Impacts: 33 Bay Street
June 8, 2017 PWIC Meeting

The Corporations submit the following comments, on behalf of their owners, to PWIC for consideration at its June 8, 2017 meeting.

OVERVIEW

The Lower Yonge Precinct Environmental Assessment Study dated June 1, 2017 (the “EA Study”) contains a brief overview of how the recommended design of the new Yonge Street off-ramp from the Gardiner Expressway will impact laneway access for the 33 Bay Street property. Consultation meetings between the Corporations, the City of Toronto and Waterfront Toronto since March 2017 have focused on the potential extension of the laneway, located at the north end of the 33 Bay Street site, to Bay Street (as described on pages 15 and 16 of the EA Study, attached at Tab 1). Almost 5,400 people live on this property. Their daily commutes, whether by car or by foot, will be affected by the potential laneway extension. As also noted in the EA Study, currently the laneway serves as an access route to on-site parking and is the *only access* to the loading facilities required for waste removal, deliveries and moving activities. (*emphasis added*)

The Residences at Pinnacle Centre are comprised of four (4) high-rise residential condominium towers managed by the Corporations, as follows:

- (a) Toronto Standard Condominium Corporation No. 1788 (“TSCC 1788”) manages 508 dwelling units for 1,369 residents on the property located at 16 Yonge Street;
- (b) Toronto Standard Condominium Corporation No. 1834 (“TSCC 1834”) manages 297 dwelling units for 907 residents on the property located at 12 Yonge Street;
- (c) Toronto Standard Condominium Corporation No. 2030 (“TSCC 2030”) manages 492 dwelling units for 1,429 residents on the property located at 18 Harbour Street; and
- (d) Toronto Standard Condominium Corporation No. 2204 (“TSCC 2204”) manages 634 dwelling units for 1,688 residents on the property located at 33 Bay Street.

Table 1. Persons Represented by the Corporations

Corporation	# Dwelling Units	# Residents
TSCC 1788 (16 Yonge)	508	1,369
TSCC 1834 (12 Yonge)	297	907
TSCC 2030 (18 Harbour)	492	1,429
TSCC 2204 (33 Bay)	634	1,688
Total	1,931	5,393

The Corporations manage the property on behalf of their owners. It is imperative that owners be consulted before any decisions are made in this matter. At this time, the Corporations require more information and time to consult with their owners in order to properly assess the impact of the potential laneway extension.

All four volunteer boards of directors of the Corporations met at a joint meeting to discuss the potential laneway extension and developed a list of preliminary concerns. Changes to the laneway may substantially interfere with the Corporations' access rights to the loading facilities, which, as referred to above, are required for waste removal, deliveries, and move-ins and move-outs. Further, owners are concerned that the potential laneway extension may increase traffic congestion for both vehicles and pedestrians. Those concerns are reviewed in further detail below.

Ultimately, the Corporations seek to work with the City as equal partners to address concerns relating to the recommended design of the new Yonge Street off-ramp, which concerns have been raised by both the City and the Corporations.

Preliminary Concerns

(1) Access to Loading Facilities

The laneway currently serves as the only access route for large vehicles to the loading facilities of the Corporations. At least four commercial tenants who operate at the same site (including two restaurants, one coffee shop and one convenience store) also use the Corporations' loading facilities. Any changes will impact how the residential condominium corporations and commercial tenants carry out their daily operations.

The manner in which the laneway services the property, particularly with respect to the operation of the loading facilities, was approved by the City and has been in use for over 10 years. Vehicles can access the property from: (1) Yonge Street, and (2) Harbour Street. There are height restrictions for vehicles entering the property from Harbour. Large vehicles can only enter and leave the property from Yonge Street. Accordingly, all four Corporations and at least four commercial tenants use the loading facilities for waste removal, deliveries and moving activities.

The existing dead-end of the laneway at Bay Street, as well as its two-way operation with in/right and out/right access provided to Yonge Street, enable trucks to enter and leave the property safely (see attachment 11 at Tab 1). In 2016, over 9,800 trucks accessed the loading facilities through the laneway. Around 45 move ins/outs and deliveries take place each week for the Corporations. Further, around 130 deliveries are made each week to the commercial tenants. At times, three or four trucks are in the laneway at the same time. If, as proposed, the laneway is extended to Bay Street and converted to one-way eastbound operations with Yonge Street access restricted to right-out operations only, the trucks may no longer be able to access the loading facilities safely. Not only will the amount of "cut-through" traffic from Bay Street be significant, trucks will be forced to back out from the loading facilities into the laneway, while negotiating the one-way traffic flow coming from Bay Street.

The table below shows how many trucks for waste removal, delivery and moving activities used the Yonge Street access to the laneway to both enter and leave the property in 2016.

Party	# Trucks for Waste Removal	# Trucks for Delivery and Moving
TSCC 1788 (16 Yonge)	incl. with TSCC 1834	632
TSCC 1834 (12 Yonge)	210	456
TSCC 2030 (18 Harbour)	incl. with TSCC 2204	679
TSCC 2204 (33 Bay)	244	622
Convenience Store	N/A	1,040
The Miller Tavern	N/A	3,120
The Fox on Bay	232	1,560
Second Cup	N/A	1,040
Subtotal (per year)	686	9,149
Total (per year)		9,835

Interference with waste removal, delivery and moving activities is one of the Corporations' primary concerns with the potential laneway extension. As it presently stands, it is difficult for the Corporations to coordinate when trucks enter and leave the property amongst themselves, and with the commercial tenants. The dead end at Bay Street prevents public vehicles from accessing the property, and allows trucks to safely enter and leave the property. Converting the laneway into a one-way street may create safety concerns for the trucks which deliver essential services to the Corporations and the commercial tenants.

Attached at Tab 2 are a series of photographs numbered one through eight taken by the Corporations' property management in the last week or so. Seven of the eight photos are taken from the Bay Street "dead-end" of the laneway looking east towards Yonge Street and show moving, delivery and garbage trucks operating in the laneway, as well as cars parked at the dead-end. Photo #7 shows a delivery truck backing in to the loading facilities from the laneway. Photo #5 is taken looking west towards the Bay Street "dead-end" portion of the laneway and, in addition to service vans parked to one side, a delivery truck can be seen backing in to the loading facilities. The proposed opening up of Bay Street, conversion of the laneway to one-way eastbound and restricting Yonge Street access to right-out operations only, are likely to make these activities far more difficult to carry out and potentially dangerous as well.

(2) Traffic Congestion

Residents currently spend a great deal of time waiting in traffic to enter and leave the property, whether by car or by foot. Traffic congestion is a significant concern for the Corporations. The potential laneway extension to Bay Street appears more likely to increase traffic congestion, rather than to reduce it.

There was no mention of the Air Canada Centre in the EA Study. The Corporations are concerned that the increased traffic congestion on event nights has not been accounted for.

There was no mention of the Air Canada Centre in the EA Study. The Corporations are concerned that the increased traffic congestion on event nights has not been accounted for.

Vehicles use the laneway to access the property, which includes the parking facilities. 1,800 vehicles can park on the property. Residents share the parking facilities with the public. Portions of the parking facilities are for commercial use. As set out above, vehicles presently can access the property from Yonge Street and Harbour Street. As a result, these two access points help reduce traffic congestion and improve the flow of traffic.

The table below shows how the parking spaces on the property are distributed.

Table 3. Parking Spaces on the Property

Parking Use	# Parking Spaces
Commercial	700
Long-term Lease	295
Monthly Lease	300
Daily Parking	50
Other	55
Residential	1,100
Total	1,800

Over a thousand vehicles enter and leave the property each day. The volume of vehicles accessing the property dramatically increases when special events take place at the surrounding commercial venues. The parking facilities on the property serve 180 to 200 events per year. Approximately, 200 vehicles park on the property per event. On an annual basis, around 40,000 vehicles use the parking facilities on the property for special event parking. This influx of vehicles increases traffic congestion. It is therefore imperative to consider how the potential laneway extension, as well as restricting Yonge Street access to right-out only, will impact the access to the parking facilities.

The Corporations presently lack hard data to determine in an informed way how the potential laneway extension will impact vehicular access. Accordingly, the Corporations intend to hire an expert to complete a traffic study assessing the impact of the potential laneway extension on the use of the property's parking facilities.

Summarized in bullet points below are additional issues and concerns, some of which may also be addressed through an expert report.

(i). Concerns re: vehicles

- Laneway, as it presently operates, enables residents who drive to avoid congestion when entering and leaving the property.

- More non-residents may use the laneway as a “cut through” option from Bay Street, to avoid congestion.
- Can be difficult for Emergency Medical Services to access the property in a timely manner and assist residents.

(ii). Concerns re: pedestrian congestion

- Pedestrians use the laneway to access Bay Street and Yonge Street.
 - There is currently more foot traffic along Bay Street.
 - ACC and Union Station are located northbound on Bay from the laneway.
 - Island Ferry Terminal is located southbound on Bay from the laneway.
 - Size of pedestrian sidewalk on laneway needs to be considered.

(iii). Other questions regarding the proposed alternative access arrangements.

- Who will pay for maintenance and the cost to monitor the traffic gate?
- Can the nine large vents presently on the laneway withstand the added pressure from increased traffic?
- Is it possible to install additional traffic lights on Harbour Street to control vehicular and pedestrian movement?
- Will the green space on Yonge Street be reduced?
- What will happen to the bus stop on Bay Street?

CONCLUSION

As noted in the excerpt from the EA Study, attached at Tab 1, City Planning, Transportation Services and Waterfront Toronto are continuing in their discussions with the Corporations. These discussions, which are to continue through project implementation, will consider both the impact on the Corporations and their residents from the recommended design of the Yonge Street off-ramp, as well as possible alternative access arrangements which may be made. The Corporations look forward to actively participating in these discussions to address the foregoing concerns and achieving the best results for all parties.

Excerpts from Lower Yonge Precinct
Environmental Assessment Study
dated June 1, 2017

Key Issue 3 - Property Impacts

The recommended plan would result in property impacts to 10 Yonge Street, 33 Bay Street, 55 The Esplanade and portions of the Metrolinx-owned USRC. A strategy to mitigate these impacts has been developed and is described below.

10 Yonge Street

Implementation of the recommended design would result in the pedestrian clearway on the south side of Harbour Street being shifted closer to the northern property line of the 10 Yonge Street. Located at the southwest corner of Yonge Street and Harbour Street, 10 Yonge Street is occupied by a residential condominium with ground floor retail uses.

On the north side of the building, fronting the south side of Harbour Street, a set of stairs and a pedestrian ramp are used by residents and retail tenants for loading activities. This arrangement is contrary to the approved off-street loading facilities that are available for the use of residents and tenants of 10 Yonge Street. In addition, the set of stairs and pedestrian ramp have been constructed within the City's public right-of-way. Unpermitted use of the Harbour Street right-of-way for loading and unloading activities has been observed to result in unsafe conditions for pedestrians walking along the south boulevard of Harbour Street (Attachment 10).

The recommended design for Harbour Street would preclude the loading activities from occurring within the Harbour Street right-of-way and residents and tenants will be

required to use the approved off-street loading facilities located on the 10 Yonge Street property.

As a result of the realignment of Harbour Street, it may also be necessary to remove the existing set of stairs and pedestrian ramp and install protective measures such as a retaining wall and railing at the property line to protect pedestrians from the change in elevation between the Harbour Street right-of-way and private property. There may be opportunities to reduce (or eliminate) the height of any retaining wall by further lowering the profile of Harbour Street and through consideration of alternate cross-section details across the south side boulevard. This would be considered as part of the detailed design process which would seek to minimize the grade change along the 10 Yonge Street frontage and improve the integration of the public right-of-way and the ground floor retail establishments and enhance the public realm condition along this frontage.

Throughout the EA process, the 10 Yonge Street Condominium Corporation has been engaged and provided an opportunity to provide input into the mitigation measures proposed. The City will continue to consult with the Condominium Corporation through the design and implementation phase of work including exploration of alternate solutions and respond to the short term loading needs of 10 Yonge Street.

33 Bay Street

The recommended design of the new Yonge Street off-ramp from the Gardiner Expressway would impact laneway access for the 33 Bay Street property, currently provided to/from Yonge Street. Mitigation measures are necessary to manage the impacts of the recommended plan by providing alternate site access arrangements.

33 Bay Street is occupied by four (4) residential condominium towers with ground floor retail uses and a commercial parking facility. The complex is bounded by Harbour Street, Yonge Street, Bay Street and Lake Shore Boulevard West. The main access to the property is currently provided to/from Harbour Street with a secondary access to a laneway at the rear of the complex provided from Yonge Street.

The laneway at the north end of the site currently operates as a two-way operation with in/right out/right access provided to Yonge Street with internal connections to the Harbour Street entrance (Attachment 11). Under current operations, the laneway serves as an access route to on-site parking and is the only access to the loading facilities, which is required for waste removal, deliveries, and moving activities.

The recommended design of the new Yonge Street off-ramp would place the landing of the ramp immediately north of the Yonge Street access to 33 Bay Street. This would result in limited area for pedestrians walking on the west side of Yonge Street to take refuge between the Yonge Street driveway serving 33 Bay Street and the new off-ramp. Given the pedestrian volumes in the area, the size of the refuge area between the driveway and the ramp has been identified as a safety concern.

Opportunities to mitigate the impacts of the Yonge Street off-ramp have been reviewed, including the potential extension of the laneway at the north end of the 33 Bay Street to Bay Street, which would provide an alternate access point to the site. With the

extension in place, the laneway could be converted to one-way eastbound operations with the Yonge Street access restricted to right-out operations only. One-way operations of the laneway would also permit the installation of approximately eight (8) surface parking spaces that could be used by retail tenants and others for loading activities.

Discussions with the four Condominium Corporations about the impact of the recommended design of the Yonge Street off-ramp, including consideration of alternative access arrangements, are ongoing and will continue through project implementation. Should the laneway at the north end of the site be extended to Bay Street, it may be necessary to consider traffic control measures (e.g. gates) to prevent cut-through traffic.

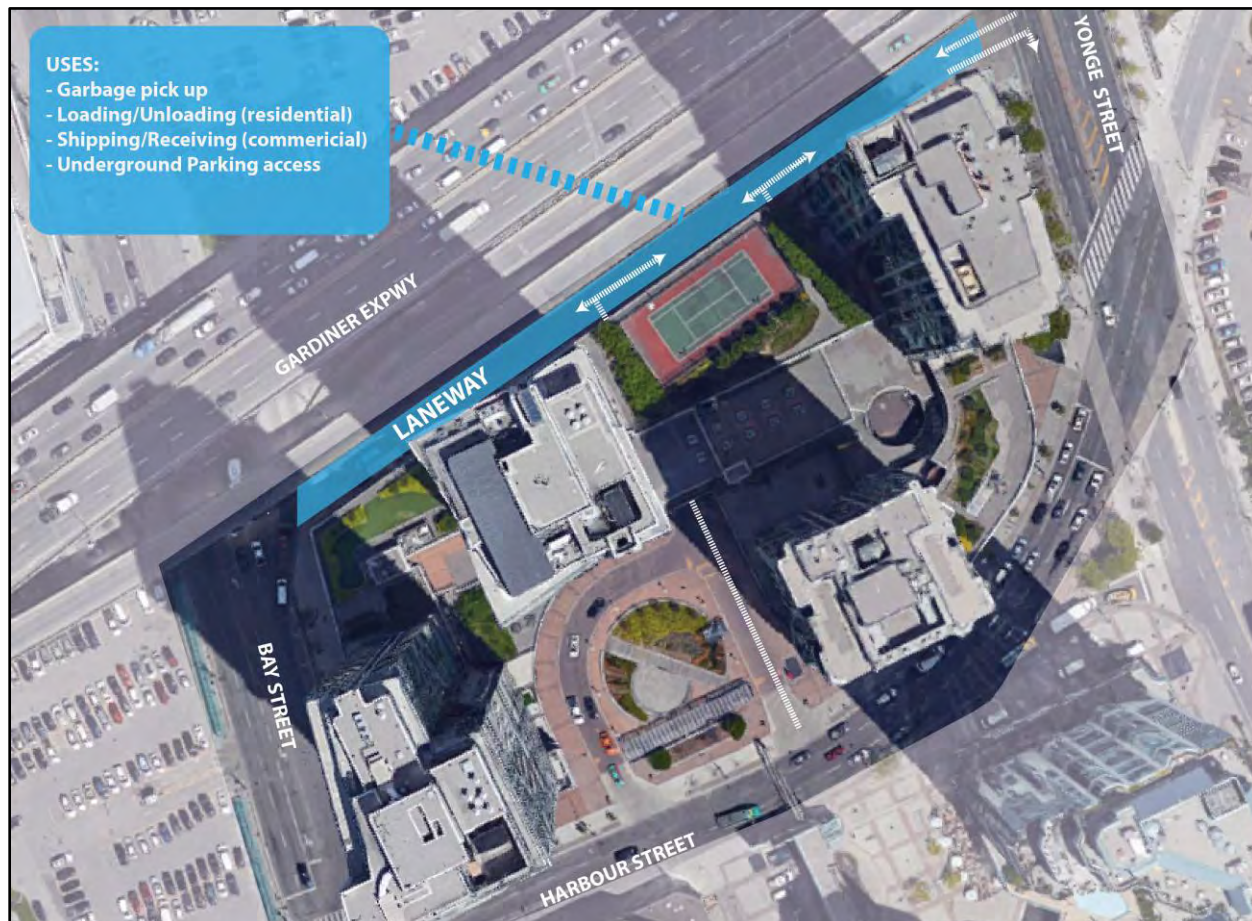
55 The Esplanade

The northerly extension of Cooper Street to Church Street via a below grade crossing of the rail corridor would impact lands owned by the TCHC at 2 Church Street and Metrolinx-owned USRC (Attachment 12).

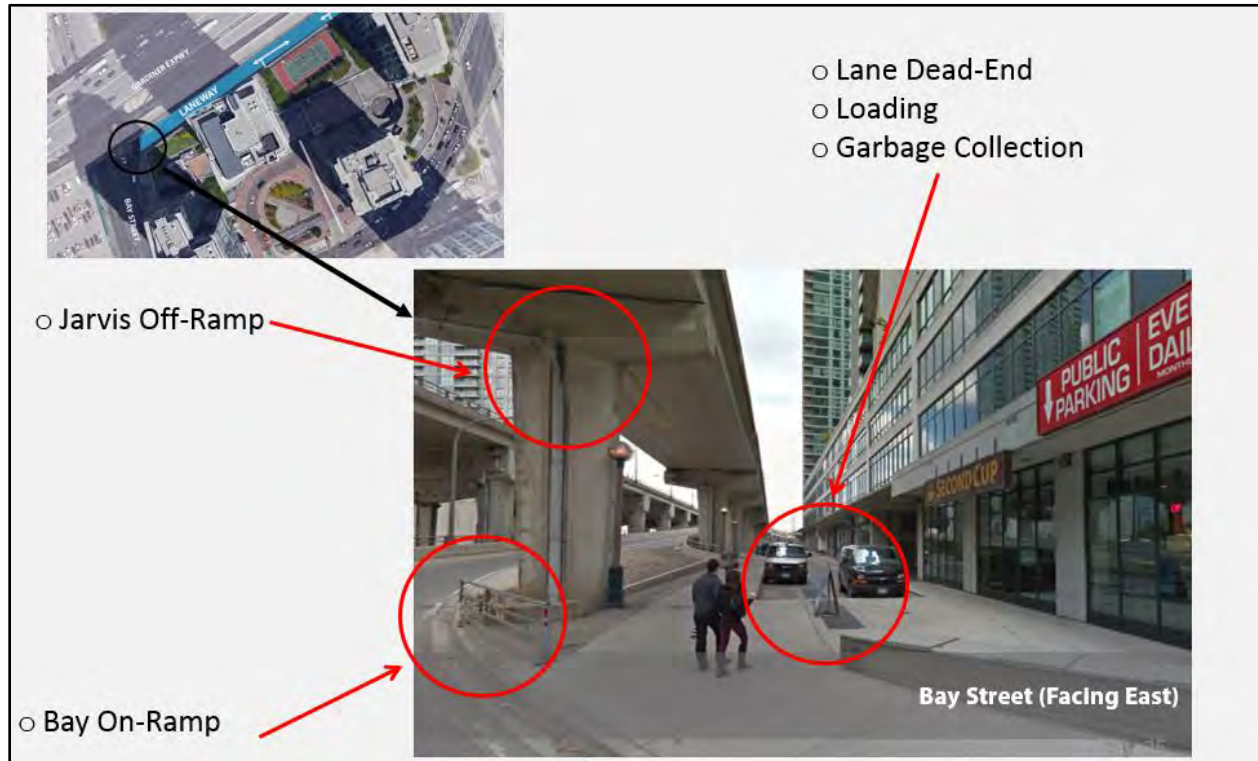
The Cooper Street extension has been identified as a long-term objective that is contingent on the redevelopment of an existing TCHC-owned residential building and a Toronto Parking Authority parking facility. The lands required for the Cooper Street extension would be secured as a condition of development at such time as the TCHC site is redeveloped. Metrolinx-owned lands would be the subject of future negotiations at such time as the TCHC site is redeveloped and funding for the Cooper Street extension secured.

ATTACHMENT 11 33 Bay Street Laneway

Existing Conditions



Laneway at Bay Street



Laneway at Yonge Street



PHOTO 1

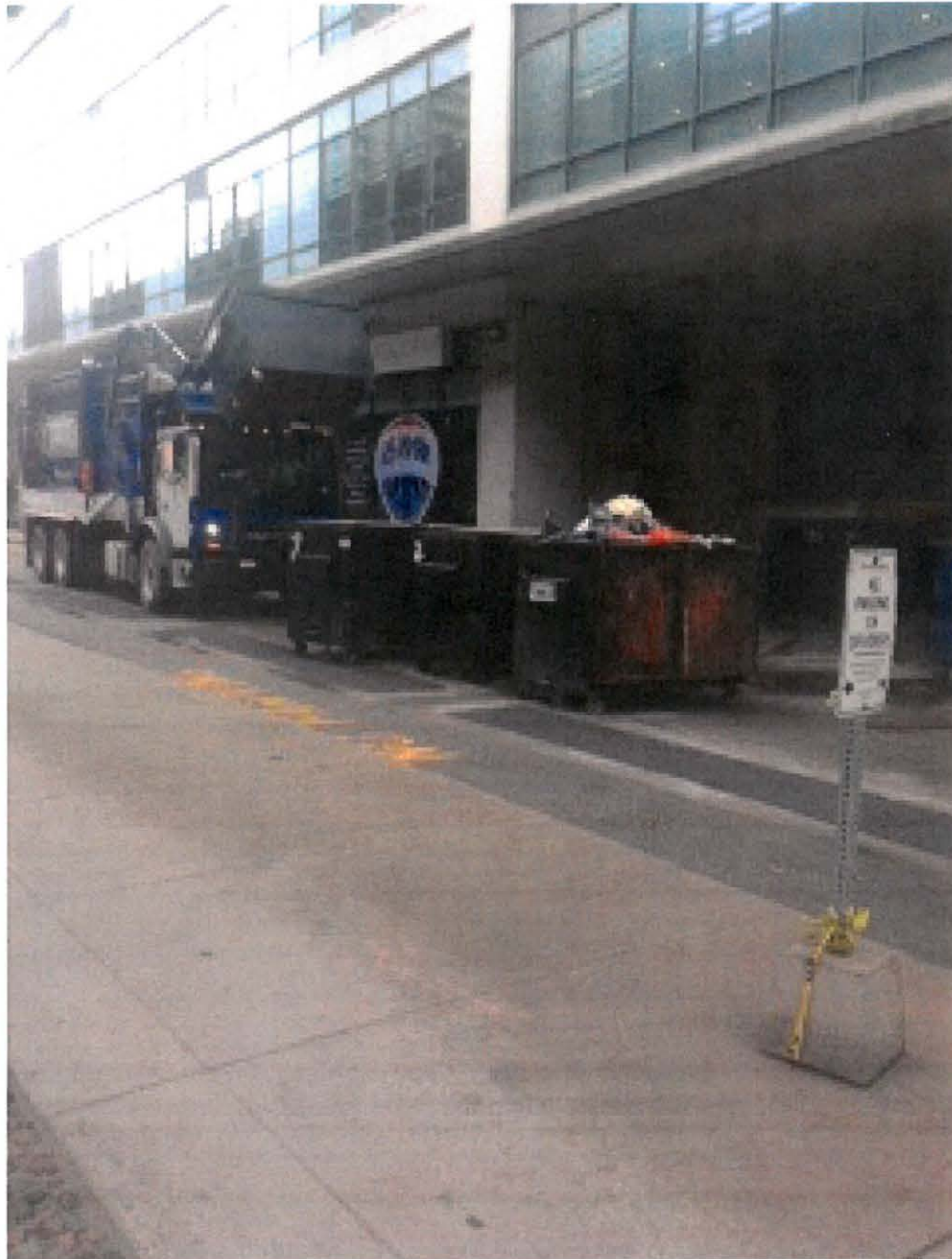


PHOTO 2

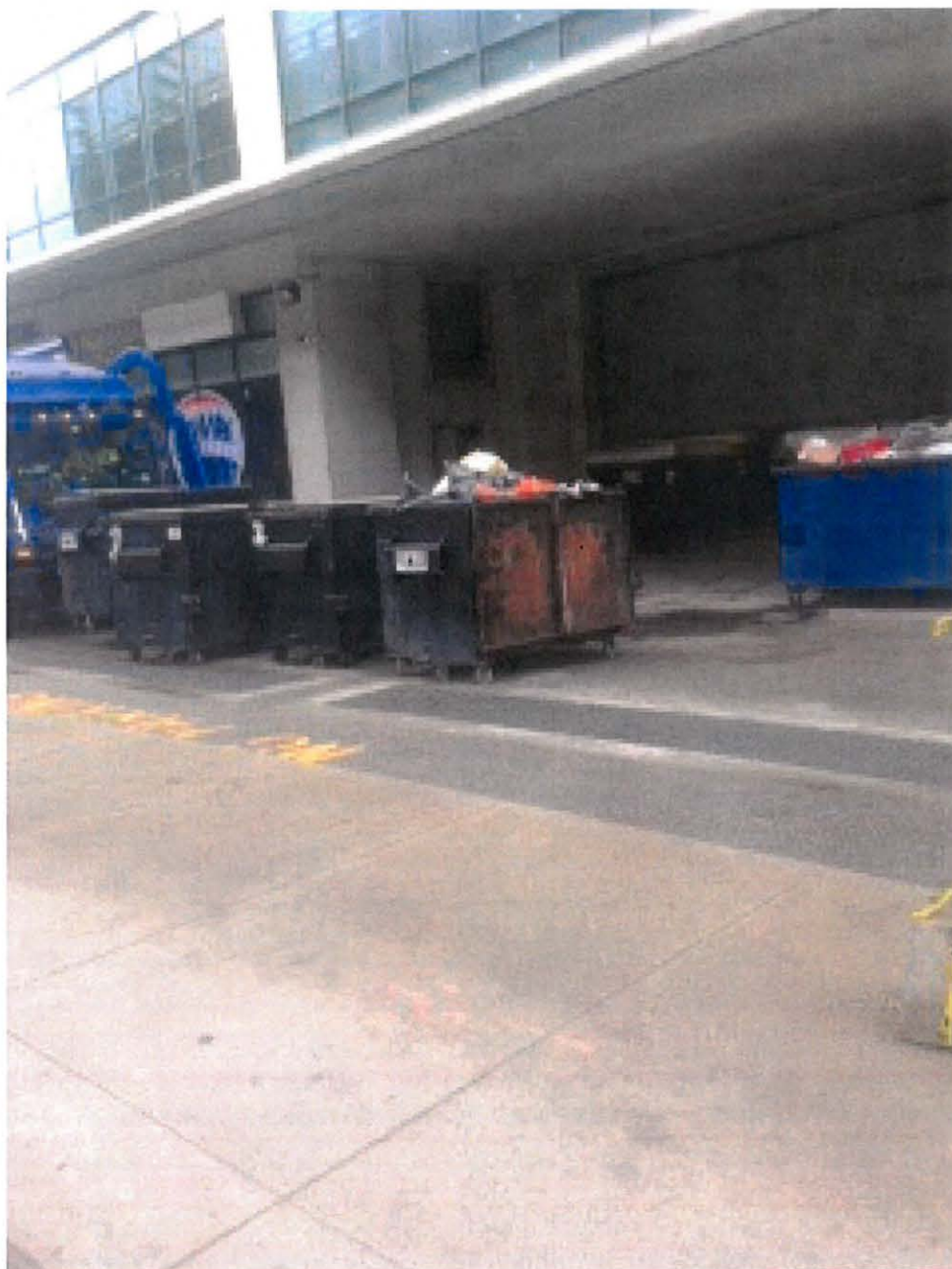


PHOTO 3

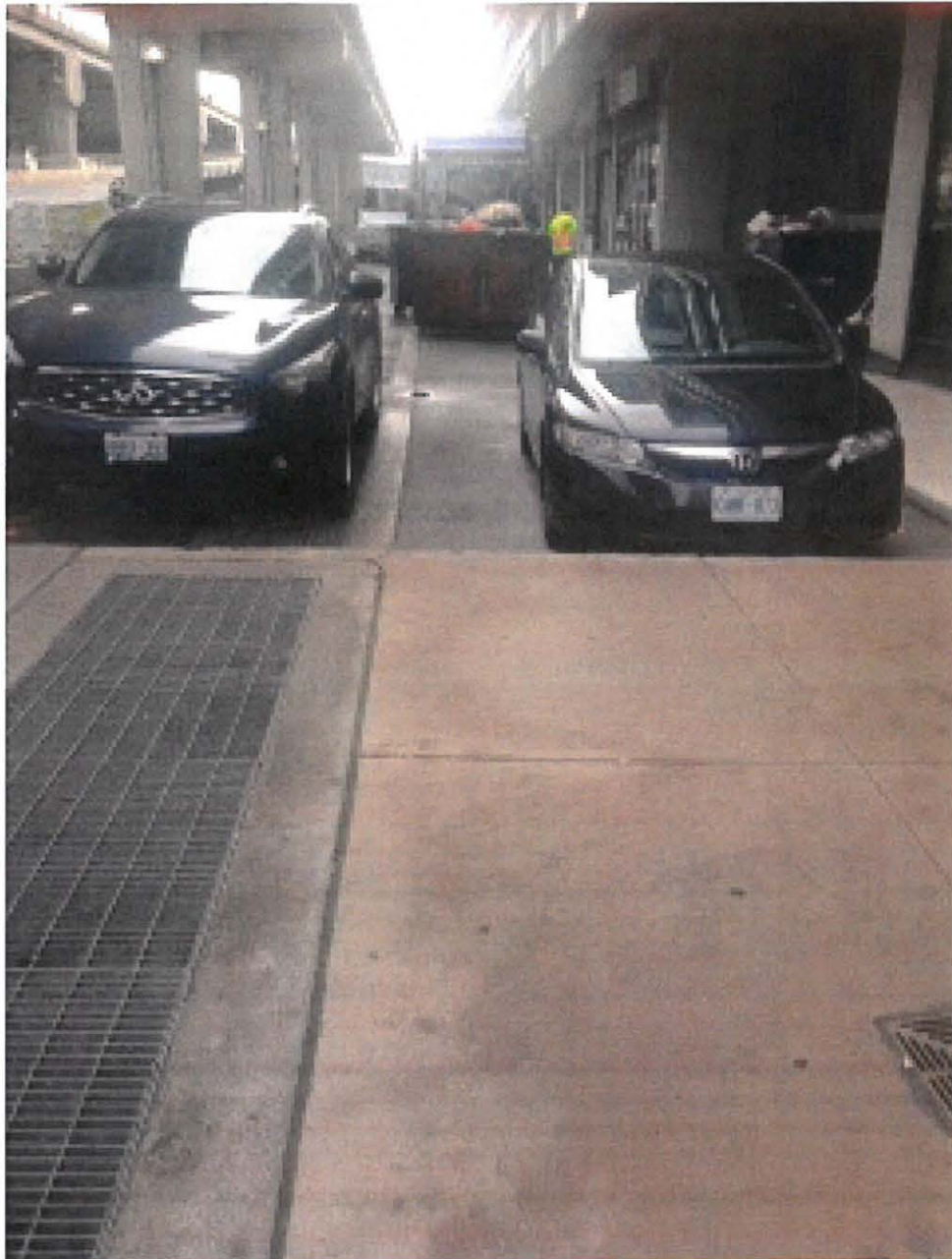


PHOTO 4

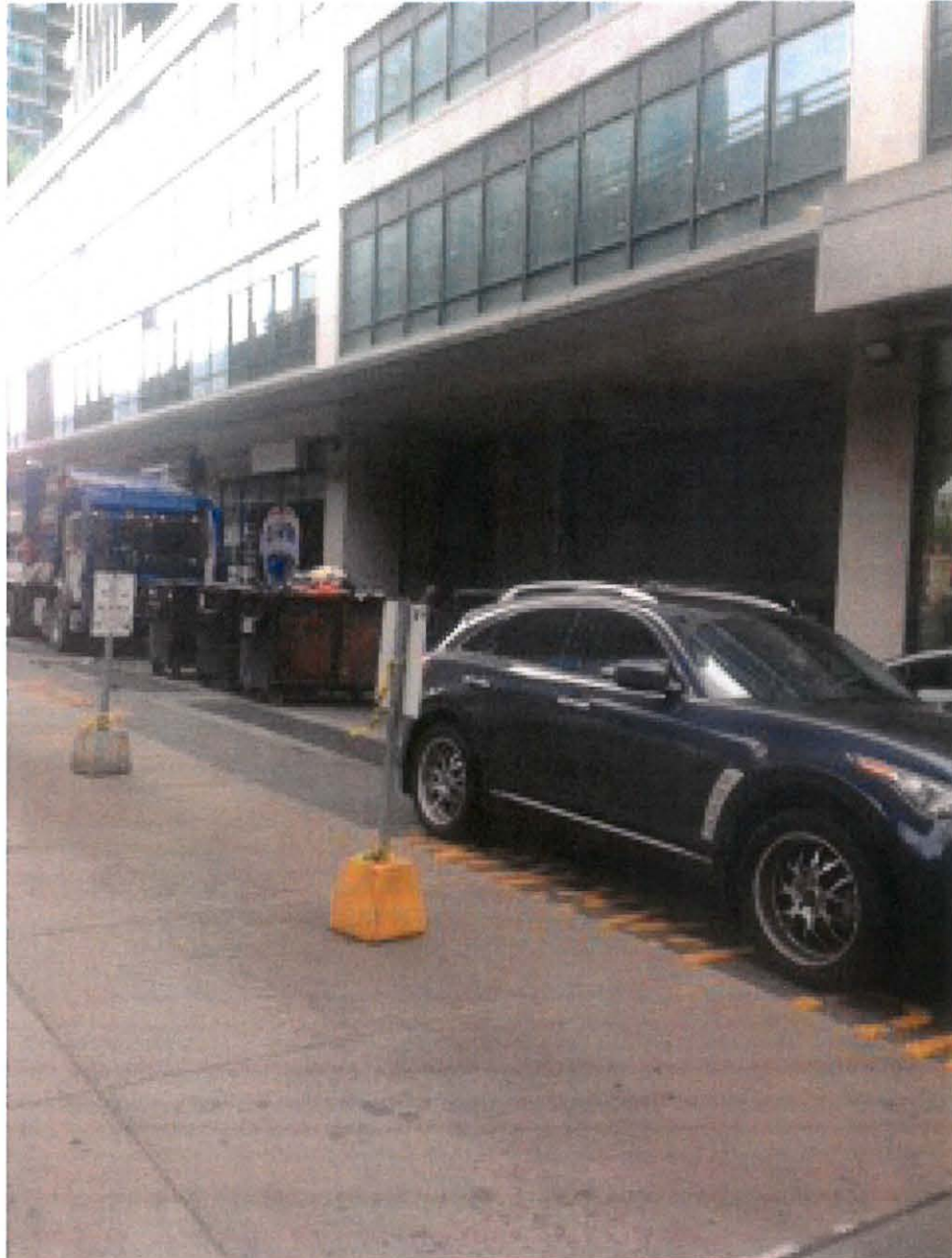


PHOTO 5

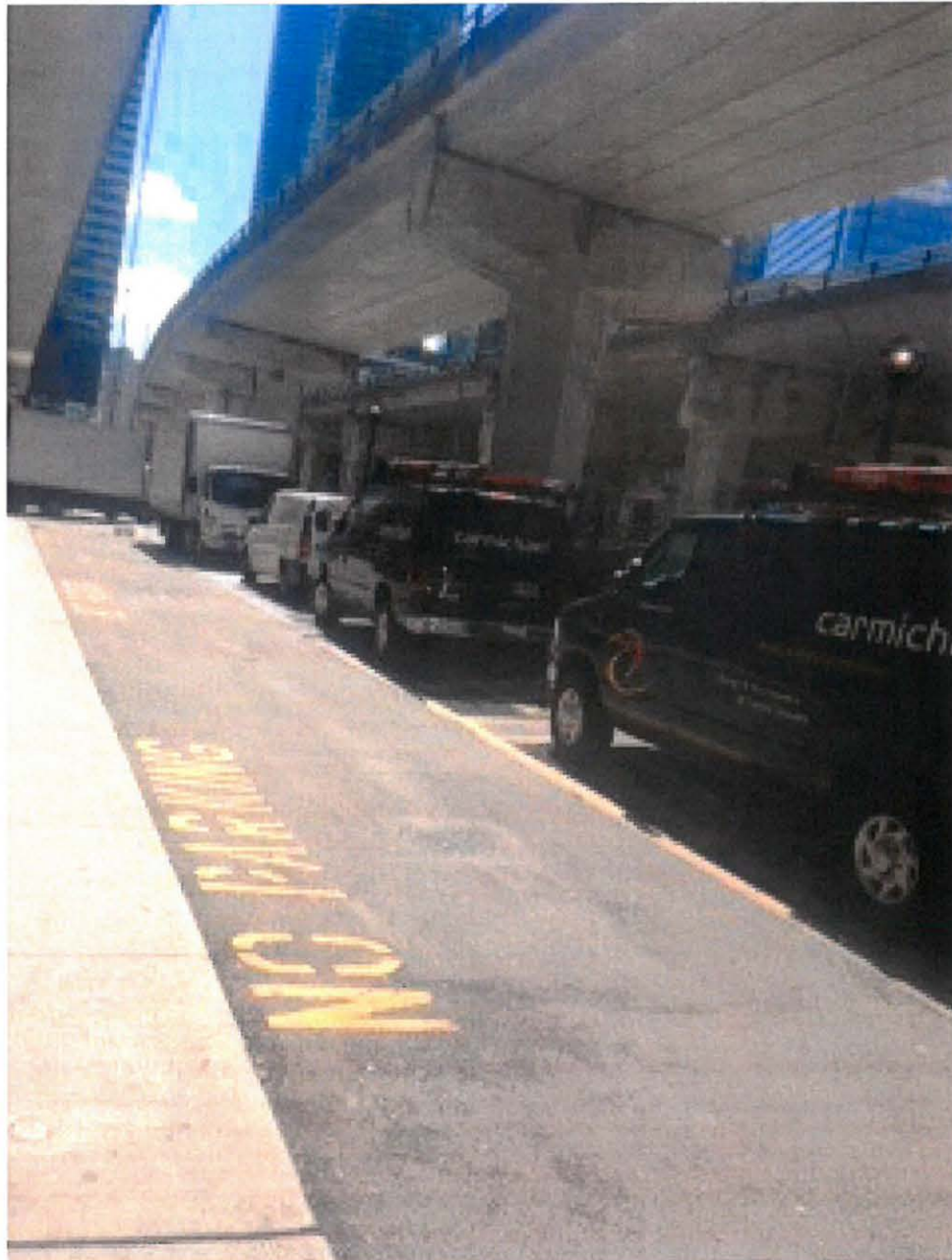


PHOTO 6

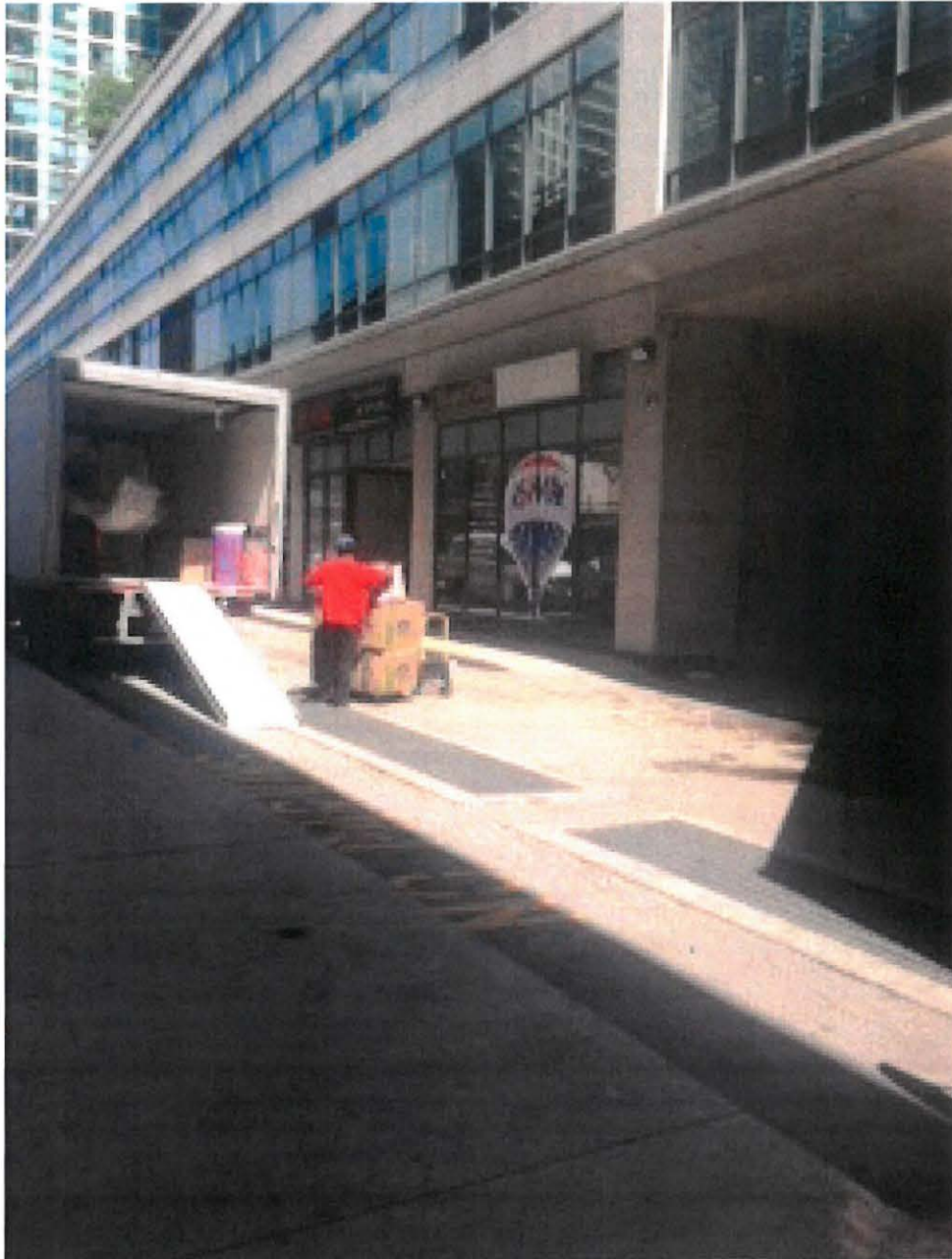


PHOTO 7



PHOTO 8

