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By Email

Mayor and City Council
City of Toronto
100 Queen St. W.
Toronto, ON M5H 2N2

Dear Mayor and Members of Council:

**Re: CC43.8
2442-2454 Bloor Street West and 1-9 Riverview Gardens, Official Plan and Zoning
By-law Amendment Applications - City Report CC43.8 - Request for Direction
regarding Local Planning Appeal Tribunal Appeal (Ward 13)**

We understand that development applications for the above property (currently under appeal) may be considered as early as this week by Council. We represent Arbor Memorial Inc. (“Arbor”), the owner of lands that are located directly adjacent to the east of the applicant’s lands, on lands municipally known as 2 Jane Street. Arbor is party to the pending appeal.

We are writing to express our client’s concerns regarding the above applications and any request by City staff for directions regarding this matter that could result in City support or approval of these development applications in their current form.

Our client has sought an opportunity to meet with City staff and legal counsel to discuss these concerns. This opportunity has not been provided, despite our client’s diligent participation in the public process from the outset and the importance of our client’s issues.

In short, it is our client’s position and evidence that ***approval of the development applications in their current form would be contrary to Official Plan policies***, as well as being contrary to good planning generally and in relation to the impact on our client’s property.

We wish to provide the following information which supports our client’s concerns about approving and/or supporting the development at 2442-2454 Bloor Street West and 1-9 Riverview Gardens in its current form.

There is a public lane adjacent to the subject property.



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The proposed development does not extend the existing public lane from Riverview Gardens further east through its property. On the contrary, the proposal uses the public lane to access a private drive which is used to connect to the building's service areas and underground parking. The private drive, as designed, will compromise use of the public lane in the future.

The approval or support of the proposed development will prevent the City's vision for the development of a public lane between Riverview Gardens and Rivercrest Road. The approval of this proposal also contravenes the City's policies for extending the existing public lane at the rear of the Bloor Riverview Residences Corp. development.

There is support from a policy level in the City's Official Plan, and in the Bloor West Village Avenue Study, for extending a public lane at the rear of the development lands to service the lands to the east and north that front onto Bloor Street West and Jane Street.

Both the City of Toronto Official Plan and the Bloor West Village Avenue Study (and proper planning principles) support the development of the laneway in this area.

A. City of Toronto Official Plan, June 2015 Consolidation

The following policies of the City of Toronto's Official Plan, in particular, support an extension of the current public lane at the rear of the development property towards the rear of the 2 Jane Street property owned by our client and the other properties to the east:

Section 2.2 Policies 3c) & 3g)

3. *The City's transportation network will be maintained and developed to support the growth management objectives of this Plan by:*

c) *acquiring over time lands to ensure that public lanes serving residential lands or parks and open space will be at least 5 metres wide and public lanes serving commercial, mixed commercial-residential, institutional or industrial lands on at least one side will be at least 6 metres wide. The conveyance of land to widen the lane to the standard width may be required for a nominal consideration from abutting property owners as a condition of subdivision, severance, minor variance, condominium or site plan approvals;*

g) *ensuring that laneways are not closed to public use and stay within the public realm where they provide present and future access and servicing to adjacent development(s);*

Section 2.2 Policy 4

4. *Require new development on lands adjacent to existing or planned transportation corridors and facilities to be compatible with, and supportive of, the long-term purposes of the corridors and facilities and be designed to avoid, mitigate or minimize negative impacts on and from the transportation corridors and facilities.*

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Section 2.4 Policy 8

8. Better use will be made of off-street parking by: b) expanding and upgrading laneways to improve access to the parking spaces along the laneways.

Section 3.1.2 Policy 2a)

2. New development will locate and organize vehicle parking, vehicular access, service areas and utilities to minimize their impact on the property and on surrounding properties and to improve the safety and attractiveness of adjacent streets, parks and open spaces by:

a) using shared service areas where possible within development block(s) including public and private lanes, driveways and service courts;

Section 5.1.1 Policy 6l) and m)

6. Section 37 community benefits are capital facilities and/or cash contributions toward specific capital facilities, above and beyond those that would otherwise be provided under the provisions of the Planning Act or the Development Charges Act or other statute, including:

l) land for other municipal purposes;

m) other local improvements identified through Community Improvement Plans, Secondary Plans, Avenue Studies, environmental strategies, sustainable energy strategies, such as deep lake water cooling, the capital budget, community service and facility strategies, or other implementation plans or studies.

B. Bloor West Village Avenue Study

Section 4.5 relating to the Existing Conditions of the Bloor West Village Avenue Study indicates that vehicle traffic constraint points include the Jane/Kingsway segment of Bloor Street W, due to demand combined with proximity of the two intersections. Section 11.3 relating to the Street Design and Transportation Summary of the Study acknowledges that a more complete laneway system could alleviate some circulation and curbside pressures for servicing and loading.

Figure 7.5 – Structure Plan relating to the Recommended Guidelines and Standards of the Study shows an Existing and Potential Lane along the entire rear of the properties fronting the north side of Bloor St. W from Riverview Gardens to Rivercrest Road. Section 7.3 of the Study in discussing the Structure Plan indicates that:

The Structure Plan envisions a range of uses in street related buildings, provides for a walkable environment, identifies placemaking opportunities, expands the public rear laneway network, and supports a further green character for the Study Area.



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It is our client's position that approval or support of the proposed development in its current form would undermine the City's vision to implement a public laneway system from Riverview Gardens to the easterly limit of the subject property and ultimately between Riverview Gardens and Rivercrest Road. This would undermine both current Official Plan policies and the evolving framework under consideration in the Bloor Street West Avenue Study.

The laneway system would play an important role in parking management in the area and for servicing and loading. The Bloor Street West Avenue Study and its supporting traffic studies suggest that a more complete laneway system could alleviate some circulation and curbside pressures for servicing and loading and is supported by the City's Official Plan (Official Plan Policy 2.2.3.(g)).

The corner of Jane and Bloor currently has significant traffic and circulation issues that will impose restrictions to further development in the area. The failure to implement a comprehensive laneway system with the current development applications will impose restrictions on future development in the area and the pedestrian experience and future public realm improvements in the vicinity.

Any approval or support by the City for these development applications, without integrating a comprehensive laneway system, will have a long term, adverse impact on the surrounding neighbourhood, including our client's lands.

Our client respectfully requests that Council refuse or defer any request to approve or support the development applications in their current form.

Our client also asks that City staff be directed to meet with our client before any decision is made.

Yours truly,

FASKEN MARTINEAU DuMOULIN LLP



Tom Barlow*

*Practising through a professional corporation

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