



June 25, 2018

City of Toronto
100 Queen Street West
Toronto, ON M5H 2N2

Attention: City Council Members

Dear Members of Council:

**RE: Item NY31.5
Refusal Report - Official Plan Amendment & Zoning Amendment Applications
35-39 Holmes Avenue (Ward 23)**

Response to Planning Comments in Refusal Report
Our File: 17.584

Walker, Nott, Dragicevic Associated Limited (“WND”) is retained by Holmes Avenue Ltd. (the “owner”) with respect to the development of an assembly of three residential lots at 35, 37 and 39 Holmes Avenue in North York (the “Subject Site”). WND submitted an application for Zoning By-law Amendment and Official Plan Amendment on January 12, 2018, to facilitate the development of an 18-storey residential apartment building comprised of 154 residential units (the “Proposed Development”).

This memorandum has been prepared for the purpose of responding to the comments made in the City of Toronto Refusal Report dated May 30, 2018, recommending North York Community Council refuse the development application at 35-39 Holmes Avenue.

Concerns Raised & WND Response

The following is a summary of the comments and concerns raised by Planning Staff in the above-mentioned Refusal Report, and WND’s responses in blue.

Report Comment	WND Response
<p>While this proposal attempts to conform to the Provincial Policies and the Official Plan growth strategies, which steers population growth to built up settlement areas through intensification that support active transportation, the proposal is inconsistent with the PPS.</p> <p>In particular, PPS, Policy 1.6 states that Infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities shall be provided in a coordinated, efficient and cost-effective manner that considers impact from climate change while accommodating projected needs. Planning for infrastructure, electricity generation facilities and transmission and distribution systems and public service facilities shall be coordinated and integrated with land use planning so that they are: available to meet current and projected needs.</p> <p>As the Official Plan, through the North York Centre Secondary Plan, is the most important vehicle for implementing the Provincial Policy Statement, land use planning in the North York Centre has been closely integrated with infrastructure including transportation capacity. Policy 4.3 of the Secondary Plan states that development within the Plan area is to be managed "within the existing and planned transportation system" discussed in Section 4.2 of the Secondary Plan...</p> <p>The NYCSP policies state that no zoning by-law or holding by-law may be enacted that would permit the gross floor areas in the Secondary Plan from being exceeded. As NYCSP land use planning integrates infrastructure capacity through land use and density designations, the proposed density that represents more than triple the density permission in the North York Centre Secondary Plan is not consistent with the PPS. PPS policy 1.2.1 states that a coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards. As North York Centre Secondary Plan is the most comprehensive and long-term land use planning vehicle in implementing the PPS, the proposed development is not in keeping</p>	<p>As noted in the Planning Justification Report prepared by WND and submitted as part of the original application, the North York Centre Secondary Plan dates to 1986. The current Secondary Plan, which is largely based on prescriptive density limits, is in our opinion outdated and does not adequately reflect the evolution of the Provincial planning framework over the past 15 years, which includes among other things the Growth Plan (2017), the PPS (2014), the Big Move (2008) all of which support intensification within growth Centres and especially Major Transit Station Areas and Mobility Hubs. Moreover, the Secondary Plan has not been reviewed as part of a Municipal Comprehensive Review, nor is it currently under review as part of the ongoing Municipal Comprehensive Review despite the fact that other growth areas of the City, such as Yonge-Eglinton, are being reviewed in that context and have in fact resulted in higher intensification policies.</p> <p>The reference to infrastructure capacity is in our opinion not a sufficient basis on which to refuse the Proposed Development. The need to improve infrastructure capacity is an ongoing issue throughout the City which is continually being addressed by various levels of government in response to growth pressures (such as for instance the development of new transit lines, and upgrades to existing lines including signal upgrades to the Line 1 subway). In our opinion it is overly simplistic and inappropriate to limit desirable forms of intensification in areas where it is planned to be channeled on the basis of broad and unspecific concerns with respect to infrastructure limitations, especially when a plan has not been comprehensively reviewed for a significant amount of time.</p> <p>Additionally, supportive consultant reports were submitted with the application addressing servicing and transportation infrastructure and concluding that the Proposed Development could be accommodated without the need for significant modifications to existing infrastructure. More specific responses with respect the sanitary and transportation comments in the staff report have been included in the enclosed letters from Crozier and LEA Consultants.</p>

with the comprehensive long-range management of infrastructure that supports the anticipated growth within North York Centre.

The Growth Plan also provides growth and intensification strategies in Urban Growth Centres in which the subject site is located. Section 2.2.2.4 instructs that Urban Growth Centres will be planned to achieve, by 2031 or earlier, a minimum density target of: a) 400 residents and jobs combined per hectare for each of the urban growth centres in the City of Toronto.

Urban Growth Centres are key areas for population and employment growth as per the PPS and Growth Plan policies (2.2.3.1d) and the Official Plan policies (2.2.2.2a). Policies contained within the North York Centre Secondary Plan (NYCSP) are based on the Official Plan's minimum gross density targets of 400 jobs and residents per hectare for each Centre, which delineated the boundaries of the Urban Growth Centre for the purposes of the Growth Plan.

The North York Centre Secondary Plan has supported and successfully implemented redevelopment and growth around transit stations. The plan already encourages a substantial amount of residential and non-residential density and the North York Centre has exceeded its minimum density targets. By 2011, North York Centre had reached 455 people and jobs per hectare and by 2016, an estimated 523 jobs and people per hectare.

A substantial amount of residential and commercial density remains available to construct in the Centres. Although the residential and commercial targets of the Centre are minimums, there is no compelling rationale to significantly increase the maximum residential density permissions on the subject site in light of the evident success of the Plan.

NYCSP Policy 1.10 states that density limits and distribution within the North York Centre are intended to be strictly maintained to ensure that, amongst others: a) appropriate redevelopment takes place; and b) redevelopment does not exceed the capacity of the physical infrastructure as improved from time to time, including sewerage, roads and public transportation. The proposed density request is an overextension of the density permissions contemplated in the North York Secondary Plan, and creates unnecessary density pressures that could overextend its demands on the

As noted above, the density targets in the Growth Plan are minimums and policy 5.2.5.1 encourages municipalities to exceed them. Citing that UGC's are achieving or even exceeding the minimum density limit is in our opinion not an appropriate basis on which to refuse the Proposed Development; rather, it should be considered on its own planning merits which relates to its proximity to transit, a context which support high rise development, and its limited impacts on the surrounding area.

Moreover, other Urban Growth Centres have planned to exceed the density limits, including the Langstaff Gateway Urban Growth Centre at Yonge Street and Highway 407 in the City of Markham, which is planned to achieve 1,000 people and jobs per hectare, and the Yonge-Eglinton Urban Growth Centre, which has already greatly exceeded the minimum density target but is currently being planned to accommodate even more intensification without specific limitations on density.

Policy 4.7 does not limit or discourage site-specific amendments to Secondary Plans or Official Plans, particularly when those amendments would contribute to implementing provincial policy. The Proposed Development intensifies a site within close proximity to public transit and within a *Centre*, and is consistent with the Official Plan's basic principles and objectives. Moreover, as noted, the references to infrastructure limitations are very broad and unspecific.

existing infrastructure and public service facilities that was not intended for by this Plan. Provincial Policy 4.7 states that the most important vehicle for implementation of the Provincial Policy Statement is through the Official Plan, which is grounded on comprehensive, integrated and long-term planning policies, and should not be significantly changed by ad-hoc site-specific amendments that are not consistent with the basic principles of the Plan.

A priority for managing growth in the City is the establishment of vibrant transit-supportive mixed use Centres. The Official Plan reinforces the objectives of the PPS and Growth Plan, as it recognize (sic) the importance of locating jobs and residents close to rapid transit because of the limited capacity of the regional road network to support growth and to support the existing public investment in transit.

Provincial Policy 1.1.3.3 requires that planning authorities identify appropriate locations for intensification and redevelopment where it can be accommodated taking into consideration existing building stock or areas. The City of Toronto Official Plan has responded by establishing areas for intensification and includes policies to encourage intensification, provided that this can occur in the context of other applicable policies. Importantly, the North York Centre Secondary Plan.

The subject site is located within 500 metres of Finch Subway Station that make up one of the three subways along the Yonge Street corridor in North York Centre. Development in close proximity to the subway line stations should be transit-supportive that maximizes the size of the area and the number of potential transit users that are within walking distance of the station. Growth Plan policies 2.2.4.3a, provides for density targets in close proximity to subway lines of a minimum of 200 residents and jobs combined per hectare, in which North York Centre has successfully reached and exceeded as mentioned above. The proposal could easily develop within the policy framework of the plan and would still add substantial density within the proximity of Finch Station. Although the proposal is within a Urban Growth Centre and in close proximity to a subway station along a transit corridor, the proposal is in excess of the appropriate scale of development that can be sufficiently supported within the existing

As previously mentioned, targets found in the Growth Plan are minimums, therefore the fact that North York Centre has already met them bears no relevance to an assessment of the proposed development's adherence to good planning principles and consistency with provincial policy. Moreover, the paragraph refers to a target of 200 people and jobs per hectare and that North York Centre has successfully reached and exceeded the target; however, that target is referring to the 500-metre radius surrounding the Finch subway station, which is the Major Transit Station Area (MTSA); it is not to referring to the Centre as a whole. The boundary of the MTSA extends well beyond the boundaries of the Secondary Plan (including into areas of low rise neighbourhoods) and the City is required to study these areas and update its policies to ensure that these minimum densities are achieved. The report does not provide the current density of the Finch Station MTSA.

Additionally, we do not agree that the proposal is "in excess of the appropriate scale of development", considering the scale of approvals in the area. Generally, the pattern of development has included tall buildings (up to 49 storeys) closest to Yonge Street, with the scale decreasing towards the edges of the *Centre*, with tall buildings in the high teens and low 20-storey range along the boundaries, which is consistent with the Proposed Development. Moreover, the height of the Proposed Development complies with the angular plane policies of the Secondary Plan, which the report acknowledges in a subsequent section.

<p>land use planning framework and planned infrastructure capacity.</p>	
<p>Furthermore, the Growth Plan encourage optimizing the use of existing urban land supply and infrastructure needs to support growth through compact built form as per Growth Policy 2.2.1 and 5.2.5 3. As a result of the assembly of three residential lots for this proposal on Holmes Avenue, a remnant piece of land will be created that will be the sole single family residential lot within the subject site block. This proposal will significantly limit the redevelopment potential of 33 Holmes Avenue. This orphan lot is not an efficient use of land that is within a growth area and in close proximity of the transit corridor. Provincial Policies discourage such inefficiencies, and it is contrary to the compact built form and efficient use of land objectives of the Growth Plan. Compact built form encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace, and institutional) all within one neighbourhood, proximity to transit and reduced need for infrastructure, which is expected for in strategic growth areas, such as where the subject site is located.</p>	<p>The concern with respect to the Proposed Development limiting the potential of 33 Holmes is in our opinion illogical and frankly strains credulity given that the report is premised on objecting to the Proposed Development which would result in intensification that meets all of the goals cited in the paragraph supporting the intensification of 33 Holmes Avenue. Moreover, even with the inclusion of 33 Holmes into the Proposed Development that property (or its equivalent area) would need to be kept as private open space for the development in order to come closer to meeting the Secondary Plan’s density limits. There are many circumstances that may lead to particular properties not being included in a development application, and this should not preclude otherwise viable forms of intensification, especially in a <i>Centre</i> and in a <i>Major Transit Station Area</i>.</p> <p>Furthermore, 33 Holmes Avenue is still capable of intensifying through a variety of forms and is not rendered undevelopable by the Proposed Development on 35-39 Holmes. 33 Holmes is a large corner lot with frontage onto Doris Avenue and Holmes Avenue which in our opinion and experience would be able to accommodate a mid-rise building form, or an infill townhouse development, or be converted into an office or retail building consistent with many other lower scale buildings in the Centre.</p>
<p>The site is designated Mixed Use Areas in the Official Plan. It is intended that Mixed Use Areas achieve a multitude of planning objectives by combining a broad array of residential uses, offices, retail and services, institutions, entertainment, recreation and cultural activities, and parks and open spaces. Mixed Use Areas are to be areas where residents will be able to live, work, and shop in the same areas, or even in the same building, giving people an opportunity to depend less on their cars, and create districts along transit routes that are animated, attractive and safe at all hours of the day and night. Although Mixed Use Areas will absorb most of the anticipated increase in retail, office and service uses in the City, not all Mixed Use Areas will experience the same scale or intensity of development. The proposed land use in the form of a high-rise residential building is supported by the Mixed Use Areas designation. However, the scale of development</p>	<p>When considering the appropriate scale of development for North York Centre, previous approvals and the emerging context must also be taken into account. In this case, there are two existing 28-storey buildings at 18 Holmes Avenue and at 60 Byng Avenue, in addition to a number of approved and existing tall buildings in the vicinity, including east of Doris Avenue. Both the east and western edges of the Centre are defined by tall buildings that respect the angular plane established by the Secondary Plan (as does the Proposed Development as acknowledged in a subsequent section of the report). In this context, an 18-storey building is appropriate on the Subject Site and allows for a transition towards the <i>Neighbourhoods</i>.</p>

for this mixed-uses areas has been established through specific density maximums in the NYCSP. The proposal is out of scale with the existing and planned context as envisioned through the Plan. Generally, the highest densities are planned for blocks adjacent to Yonge Street and Highway 401 and areas well served by rapid transit. As the subject site is located at the edge of the North York Centre "North", this area will be demarcated as clearly as possible from the stable residential area and distinguished by physical features that visually mark the boundary and serve a buffering function through parks, open spaces and low-scale residential buildings.

The role of the North York Centre Secondary Plan is to provide a more detailed planning framework to help implement the Official Plan objectives. The application proposes amendments at a density and scale that are not permitted, nor contemplated by the Centre Plan.

It is intended that distribution of densities assigned in the North York Centre will be strictly maintained to ensure that:

- a) Appropriate redevelopment takes place;
- b) Redevelopment does not exceed the capacity of the physical infrastructure as improved from time to time, including sewerage, roads and public transportation; and
- c) The built form of redevelopment is compatible with the abutting stable Residential community.

The densities of the North York Centre including the density incentives were designed based on the available infrastructure and what would be required in the future to maintain a viable mixed-use centre. The proposed density of 9 times the area of the lot is in excess of the permitted 2.6 FSI, which is more than triple the NYCSP density maximum. The NYCSP's numeric limits contained in the Secondary Plan with respect to density, and the limits respecting height, are considered to be absolute. NYCSP Policy 1.10 and 1.11 states, that the distribution of density will be strictly maintained to ensure that redevelopment does not exceed the capacity of the physical infrastructure as improved from time to time, including sewage, roads and public transportation.

While sections 1.13 and 1.14 of the NYCSP address the criteria for amendments to the Secondary Plan, any general change in the boundaries, densities or heights

As noted previously, in our opinion it is inappropriate to refuse appropriate forms of development on the basis of unspecified infrastructure capacity issues especially where a development otherwise meets the requirements of the Secondary Plan, in particular its angular plane policy. The Proposed Development is therefore an appropriate form of development that is compatible with the stable Residential community to the east.

As noted previously, the Secondary Plan has not undergone a comprehensive review in response to the Growth Plan 2017 and PPS 2014, nor is there any indication that a review

will be preceded by a comprehensive review of the Secondary Plan, or of a major portion of the Plan. In absence of a comprehensive review of the Secondary Plan and the applicant's inability to demonstrate the cumulative impact on infrastructure on similar soft sites in the Centre at the proposed density increase, the proposed density of 9 times the lot area is not justifiable nor supportable.

Furthermore, NYSCP discourages substantial ad hoc, site-specific amendments that are not consistent with basic principles of the Secondary Plan or that create uncertainty. Site-specific amendments will be considered if "the proposed amendment is minor in nature and local in scope, and that it does not materially alter provisions of the Secondary Plan dealing with boundaries, land use, density, height or built form. This proposal represents a substantial ad-hoc site-specific amendment that is not "minor in nature and local in scope".

Through the Site Specific Zoning Bylaw 744-2002, the density of 898m² assigned to 35 Holmes Avenue was fully utilized through the redevelopment of the adjacent south property containing a 28 storey residential tower. The proposal is requesting the maximum density limit of 2.6 times the lot area be applied twice within the same block, which is a misuse of the density permissions. Density has a direct impact on infrastructure and transportation capacity, and this proposal creates undo (sic) development pressure for the site and block that is not appropriate nor supportable.

Section 3.2 sets out density policies and states the City will not approve a development that:

- Exceeds the amount of actual floor space that can reasonably be accommodated in conformity with applicable policies of the Secondary Plan; and
- Exceeds the maximum permitted gross floor area as set out in Section 3.2(a) by more than 33 per cent through density incentives and density transfers combined as set out in Sections 3.3 and 3.4, except where and to the extent specifically provided for in Figure 3.3.1.

Eligible density incentives in the NYSCP include: bicycle parking, public recreational centre, social facility, private recreational use accessory to a residential use

is underway or pending; accordingly, site-specific amendments are the only method by which development can be brought into line with these policy changes.

Moreover, the proposed Official Plan Amendment also does not "materially alter provisions of the Secondary Plan" and is "consistent with basic principles of the Secondary Plan". The most fundamental principle of the NYSCP in the vicinity of the Subject Site is to provide for residential intensification near subway nodes, which the Proposed Development accomplishes while complying with the angular plane provisions.

As previously discussed, it is our opinion that the density transfer provisions in the NYSCP are largely an outdated tool especially in the context of the minimum density targets of the Growth Plan for Growth Centres and Major Transit Station Areas in particular, as well as contemporary planning and urban design approaches which deemphasize quantitative approaches in favour of qualitative approaches that achieve good urban design. This is most readily demonstrated by the elimination of quantitative height and density limitations in the Toronto Official Plan.

In our opinion community benefits can and should be negotiated through Section 37 discussions. There has been no opportunity for these discussions leading up to the refusal of the application.

and places of worship amongst others. Thus, the site allows for a density of up to 3.56 FSI with density incentive permissions. The proposal does not include density incentives in its proposed density calculations and there is no rationale or strategy of incentives for the significant excess density proposed above the limits permitted in the NYCSP. There is no framework or mechanism to approve the proposed FSI of 9 times the lot area within the current plan's approach.

The subject site straddles two separate height zones under the height maximums contained in the NYCSP: the western portion, 35 and 37 Holmes Avenue are located within the maximum height of 70% Horizontal Distance from the Relevant Residential Property Line and represents an angular plane of 35 degrees. The eastern portion of the site, 39 Holmes Avenue is within the "Buffer Area" with a height limit of 15 metres or four storeys, whichever is lesser.

In the North York Centre "North", a "Buffer Area" generally consists of land within 75 metres of the closest property line of detached or semi-detached dwellings outside the boundaries of the North York Centre "North" as identified on Map 8-5. These areas are the interface between North York Centre and adjoining neighbourhoods. The use and form of development is intended to establish a clearly defined edge, generally with provision of low-rise residential uses or landscaped open space.

The proposed building complies with both the height maximum limits: the angular plane of 70% horizontal distance from 35 and 37 Holmes Avenue to the closest property lines of detached dwellings outside the boundaries of the North York Centre "North"; and the portion of the proposed building that lies within the Buffer Area (39 Holmes Avenue). Although the proposed height of the building has met the height limits within the Buffer Area, the intent of the Buffer Area is to provide low-rise residential uses or landscape open space. The placement of the podium portion of the tower within the Buffer Area alters the intent of the NYCSP and ultimately creates less transition protection within the buffer area. In this case, the proposal provides less tower and open space setbacks in relationship to the buffer area and abutting townhouses that would normally be executed in a low-rise residential development.

The intent of the NYCSP is to minimize the impact of high density building forms on adjacent lower-scale *Neighbourhoods*. To this end, the Plan specifically identifies "low-rise residential uses" in policy 5.3.6.b as an appropriate use within the buffer. The Proposed Development includes a 3-storey residential podium within the buffer, which is in our opinion entirely consistent with the intent of the Secondary Plan and, as noted, meets the height criteria. It also creates a more urban edge that meets the contemporary built form objectives of the City better than the Secondary Plan's more suburban approach to tower siting and development.

In considering whether to permit a tall building on a site-by-site basis, many other planning issues must first be taken into account, including, but not limited to, the site context and availability of adequate infrastructure, public transit, parks, community and cultural services and facilities, schools, and child care facilities. If it is determined that a tall building is supportable, and represents "good planning," the Tall Building Guidelines will then apply.

As already identified that the proposed building is not supportable at the requested density, the proposed building cannot adequately meet the performance standards of the Tall Building guidelines. The guidelines minimum tower setbacks aid in identifying the feasibility of the site dimensions to accommodate a tall building. In reviewing the proposal against the performance standards, the minimum tower setbacks adequately meet the minimum setbacks to the east and west property line, however, the rear yard setback of 12.5 metres is not provided. The proposed tower setback at the rear is 9.24 metres in which six metres of this setback is occupied by a driveway and a vehicle ramp. The proposed driveway and vehicle ramp is proposed to the rear lot line and provides no setback or landscape buffer for the surrounding properties which is inappropriate.

The construction of tall buildings on sites that are too small to accommodate the minimum tower setbacks and site organization results in negative impacts on the public realm, accessibility, neighbouring properties, the living and working conditions for building occupants, and the overall livability of the City.

In its current form, the site area at the proposed gross floor area cannot feasibility (sic) apply the minimum tower setback and proper site organization, and the resulting density increase request is not supportable.

With respect to the residential uses contained in the proposal, a range of unit sizes is proposed including 100 (69.94%) 1-bedroom units and 54 units (35.06%) two bedroom units.

Although the Guideline recommends a critical mass of larger two and three bedroom units, the proposal does not provide 3-bedroom units. The Growing Up Draft Urban Design Guidelines help implement the Official Plan's housing policies (Section 3.2.1), and the Growth Plan (2017) growth management and housing policies

The Subject Site is 2,376.40m², which is sufficiently large enough to accommodate a tall building based on similar approvals in the area and other *Centres*. The proposed rear setback falls short of the guidelines by just over 3 metres; however, it should be noted that these are considered to be *guidelines*, and subject to individual site conditions. The Proposed Development maintains a separation of over 25m to the tall building to the south (Monet) which meets the intent of the Guidelines. Given this, it is our opinion that a 9.24 metre setback is appropriate and providing the 12.5 metres is unnecessary and would undesirably reduce the full development potential of the subject site.

As noted, the Growing Up Guidelines were in draft form at the time of the application, and regardless, are not statutory policies. The subject site is located in a broader area that includes a substantial amount of grade related dwellings that provide a large amount of living space. The Proposed Development provides unit types that are relatively smaller and more affordable than these larger housing options which can appeal to smaller families, and will help to achieve a complete community. The Proposed Development also provides amenity space and bicycle

<p>(Policy 2.2.1.4) to accommodate within new development a broad range of households, including families with children. More detailed plans and some 3-bedroom units will be required to assess the actual unit sizes to address the Growing Up Draft Urban Design Guidelines.</p>	<p>storage, and proximity to schools, daycares and public transit. Thus, in our opinion, the Proposed Development has adequate regard for the guidelines of the Growing Up Urban Design Guidelines.</p> <p>In addition, the proposed unit mix should not necessarily be taken as final. There are opportunities to make modifications, including the potential inclusion of three-bedroom units through discussions with staff. Due to Staff's decision to proceed directly to a refusal report, there has been no opportunity thus far to review the unit mix.</p>
<p>The applicant has submitted a Community Services and Facilities (CS&F) Study, prepared by Walker, Nott, Dragicevic Associates Limited. The report fails to provide a full assessment of the current capacity of each sector to respond to the proposed growth in the Centre. The report concludes that "the proposed development can be accommodated by the existing and planned community services and facilities within the study area and through appropriate program development of agencies or departments responsible for the respective facilities and services." Findings from the Study highlight the significant growth that continues to occur within the NYCSP area, as highlighted in Section 3.0 Recent Development Activity. This level of growth projected for the NYCSP area will require a full range of growth-related community services and facilities to serve the increased resident and worker population.</p>	<p>It is our opinion that the above-mentioned Community Services & Facilities Study does offer a full and comprehensive assessment of the capacity of each sector. Based on the population yield of the Proposed Development, the effect on community services is likely to be minor, particularly as it relates to schools and day care facilities. In our opinion it is incumbent on the City, not on individual applicants, to do a comprehensive Centre-wide Community Services study as it has undertaken in the Yonge-Eglinton area and Downtown.</p>
<p>The applicant has not identified any improvements to the Community Services and Facilities on the site or in the area. Planning staff have identified potential improvements to Community Services and Facilities as follows:</p> <ul style="list-style-type: none">• Secure an on-site social facility at-grade to provide for a non-profit child care facility or a multi-purpose community facility for human services agencies to run locally-based programs and/or services; and/or• Secure financial contributions towards improvements to the local community facilities that serve the proposed development, including: the Mitchell Community Centre; Douglas Snow Aquatic Centre; or the North York Central Library.	<p>There has been no opportunity for Section 37 discussions as part of the application process.</p>

Conclusion

In summary, WND Associates reiterates the findings of its reports, particularly those of the Planning Justification Report and the Community Services & Facilities Study. In our opinion, the Proposed Development is consistent with the PPS, conforms with the Growth Plan and the Toronto Official Plan, and satisfies the intent of the North York Centre Secondary Plan.

For responses to staff comments regarding sewer, servicing, and stormwater infrastructure capacity, please see the attached letter prepared by Crozier Consulting Engineers. For responses relative to staff comments about transportation-related issues, please see the attached letter prepared by LEA Consulting.

Should you have questions regarding this submission or require further information, please contact the undersigned.

Yours very truly,

WND associates
planning + urban design



Andrew Ferancik, MCIP, RPP
Principal

cc. M. Daryabeigy
C. Tanzola, Overland LLP

JUNE 25, 2018

**PROJECT NO: 1474-4782
18 104519 NNY 23 OZ**

SENT VIA: EMAIL

City of Toronto – City Council
100 Queen Street West
Toronto, ON M5H 2N2

Attention: Members of City Council

**RE: 35-39 HOLMES AVENUE
RESPONSE TO REFUSAL REPORT
RE: SERVICING AND STORMWATER MANAGEMENT**

Dear all members of City Council,

We are writing to you today in response to the City of Toronto's *Report for Action* regarding 35-39 Holmes Avenue. We have reviewed the aforementioned report (Planning Application Number: 18 104519 NNY 23 OZ) and have the following comments.

Page 21 and 22 of the Report for Action indicate the following four (4) topics as justification for the refusal of the report:

- Redevelopment does not exceed the capacity of the physical infrastructure as - improved from time to time, including sewerage, roads and public transportation. -
- Additional information and revisions are required in accordance with Engineering and Construction Services memo dated March 16, 2018, to identify the required infrastructure upgrades and demonstrate that the proposal can be adequately serviced and supported by the existing infrastructure and proposed servicing strategy.
- Policy 8.14 of the North York Centre Secondary Plan (NYCSP) addresses current capacity constraints that exist within the sewer system. In order to ensure that development does not exceed interim capacity allocations, any application for rezoning may be refused as premature if it cannot be demonstrated that the needed capacity in the sewer infrastructure can be provided upon occupancy.
- Furthermore, the applicant has not undertaken analysis to demonstrate what the cumulative impact at the proposed density would have on servicing infrastructure should similar soft sites in the NYCSP develop at a similar level as proposed by this application. There are currently several other applications proposing densities at a similar scale (triple the allowable density).

The subject of these refusals generally revolves around the capacity of sanitary sewer infrastructure within the area due to the proposed size of the development. A residual capacity analysis of the sanitary sewer is a reasonable request to ensure capacity prior to occupancy. An analysis of this nature will indicate any potential external sanitary sewer upgrades which may be necessary to support new development within the subject properties.

These reasons for refusal and analyses can be addressed in a resubmission and there is no reason that they should justify an outright refusal of the development. Should deficiencies in capacity be discovered within the local sanitary infrastructure, an engineering design of the required upgrades is a mutually beneficial solution for both the City of Toronto and the developer.

The request to account for and analyze similar soft sites within the immediate catchment area is a reasonable request. An analysis of this nature would include capacity considerations downstream of the subject property to the municipal trunk sewer. These proposed developments, if as it sounds are in a similar scenario regarding available sanitary capacity, should have either already conducted residual capacity analyses or be in the process of currently doing so. Additional information will be required from the City of Toronto for it to be possible to consider these in an analysis with 35-39 Holmes Avenue.

Should you have any questions or require any further information, please do not hesitate to contact the undersigned.

Sincerely,

C.F. CROZIER & ASSOCIATES INC.



Jim Harnum, B.Eng.
Civil E.I.T.
/jh

C.F. CROZIER & ASSOCIATES INC.



Ashish Shukla, P.Eng.
Project Manager

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June 25th, 2018

Our Ref. 18221/35-39 Holmes Ave

Members of City Council

City of Toronto – City Council
100 Queen Street West
Toronto, ON
M5H 2N2

**RE: Letter of Response to City of Toronto Refusal Report
35-39 Holmes Avenue, City of Toronto**

Dear all members of City Council:

LEA Consulting Ltd. is pleased to present the letter of response on City of Toronto’s comments (herein referred to as “the City”) in the Refusal Report dated May 30, 2018 regarding the zoning by-law amendment application for the proposed residential development at 35-39 Holmes Avenue in the City of Toronto. The response to each “Traffic Impacts, Access, Parking” comment, on Pg. 22 and 23, is listed in the table below.

Items	Paragraph #	Traffic Impact, Access, Parking – Quoted City’s Comments	Responses
1	1	The applicant has submitted a Transportation Impact Study, prepared by LEA Consulting Ltd., and dated January, 2018, to support the zoning bylaw amendment application. The Study did not include a Transportation Demand Management report, which is required for review by Transportation Planning.	Transportation Demand Management (TDM) was included in Section 8 of the submitted Transportation Impact Study (TIS) dated January 2018 and several TDM measures were recommended regarding pedestrian, transit, cycling and vehicle management. Those TDM measures include proposed building entrances with direct connections to the pedestrian pathways and linkages to transit stops, good walkability to nearby amenities, good connection and availability of nearby transit services, Presto Cards with pre-loaded value for new tenants, provision of short and long-term bicycle parking, promotion of cycling, a modified parking ratio, prevent oversupply of parking and provision of car share spaces. By implementing those TDM measures, residents of the subject site are encouraged to use non-vehicular modes of transport and reduce the need of

			<p>automobile ownership and vehicle trips which is consistent with the visions of the NYCSP.</p>
2	1	<p>In addition, the report requires resubmission to address insufficient information related to the parking supply and determination of municipal infrastructure upgrades required to support this development.</p>	<p>For responses on parking supply, please refer to item 3.</p> <p>As mentioned in Section 5 of the submitted TIS, the future total capacity analysis indicated that all signalized and unsignalized intersections are expected to operate acceptably during both peak hours, with all individual movements operating within the roadway capacity (i.e. a v/c ratio of below 1.0). No intersection/roadway upgrade is required to support this development.</p> <p>As mentioned in Section 4.4 of the submitted TIS, the proposed development is expected to generate 25 and 23 new pedestrian trips during AM and PM peak hour respectively and the traffic impact is minimal considering the well-established pedestrian network in the vicinity of the site.</p> <p>For transit capacity analysis, please refer to responses in item 5.</p>
3	2	<p>Based on the submission, and in accordance with North York Centre Secondary Plan parking provisions, the overall parking supply does not meet minimum requirements as outlined in the Zoning By-law by a shortfall of six spaces. In its current form, the proposal is not acceptable. The proposal should include three car share spaces and four small car parking spaces. Transportation Services only accepts parking spaces that have a minimum length of 5.6 metres.</p>	<p>As mentioned in Section 6 of the submitted TIS, the subject site requires a total of 153 parking spaces consisting of 138 resident and 15 visitor spaces based on the recommended parking rate for residential uses in the NYCSP. Three car share parking spaces were proposed as one of the TDM measures to reduce the need for automobile ownership. As suggested in the <i>Parking Standards Review: Examination of Potential Options and Impacts of Car Share Programs on Parking Standards</i> report prepared by IBI Group in March 2009 for the City of Toronto, one car share space can replace the demand of up to four resident spaces. As a result, those</p>

			<p>three proposed car share spaces are equivalent to 12 resident spaces.</p> <p>The detailed calculation of the proposed number of parking spaces is summarized below:</p> <p>Required Parking: 138 resident + 15 visitor = 153 spaces (138 - 3 car share x 4) + 3 car share + 15 visitor = 144 spaces (reduced requirement with 3 car share spaces)</p> <p>Proposed Parking Supply: 126 resident + 3 car share + 15 visitor = 144 spaces</p> <p>The proposed parking supply of 144 spaces (with 3 car share spaces) is equivalent to 153 effective parking spaces, which satisfies the minimum parking requirements.</p> <p>The four proposed small car parking spaces have the length of 5.6 m which meets the minimum requirement as stated in the comment and should be considered for the overall parking supply.</p>
4	3	<p>In addition the Study estimates that the project will generate approximately 37 two-way trips during the a.m. and p.m. peak hours, respectively. Given the scale of the proposed building, a dedicated on-site pick-up/drop-off area is required on site, or some additional illustration indicating how the proposed facilities will accommodate pick up/drop-off activity on-site.</p>	<p>Revisions to the site plan to address this comment would, in the normal course, be considered in conjunction with a revision to the development application following receipt of all departmental comments.</p>
5	4	<p>Policy 1.11 of the NYCSP addresses transit modal split and the capacity of infrastructure. It establishes a principal objective of the Secondary Plan to work towards reducing the</p>	<p>For conservative approach, if the overall transit modal split of 60% and auto driver modal split of 33% or less stated in the NYCSP can be achieved with the implementation of proposed TDM</p>

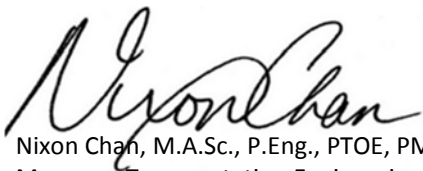
		<p>reliance on the use of the automobile and attaining a high transit modal split, consistent with the North York Centre Parking Policy, and to ensure that development levels do not exceed the capacity of the infrastructure serving the North York Centre.</p>	<p>measures, more passenger demand is expected on the transit system in the future than existing situation (i.e. 45% and 36% transit modal split, 37% and 40% auto driver modal split during AM and PM period respectively).</p> <p>By applying the modal split stated in the NYCSP on the site vehicle trip generation (as stated in Section 4.3), the proposed development is expected to generate approximately (37 vehicle trips / 33% auto driver modal split x 60% transit modal split) = 67 transit trips for both AM and PM peak hour. The traffic impact is minimal considering that both TTC Routes 39 and 97 have residual capacity to accommodate future transit demand (as stated in Section 2.7). There are other transit alternative options such as TTC Line 1 – Yonge-University Subway, GO Transit as well as YRT/Viva are available at Finch Station.</p>
6	5	<p>Furthermore, the applicant has not undertaken analysis to demonstrate what the cumulative impact at the proposed density would have on transportation infrastructure should similar soft sites in the NYCSP develop at a similar level as proposed by this application. There are currently several other applications proposing densities at a similar scale (triple the allowable density).</p>	<p>Similar soft sites were identified in Section 13 (“North York Centre North Site Specific Policies”) of the NYCSP. Since the NYCSP map within subject site vicinity was updated in October 2009, some of the soft sites are already built and the associated trips were already part of the existing counts. The development at Newtonbrook Plaza (southeast corner of Yonge Street and Cummer Avenue intersection) was also included as one of the background developments in the analysis (refer to Table 3-1 of the TIS). Other soft sites noted in the NYCSP did not provide any site stats that we could include in our analysis, nor do the NYCSP included any high-level traffic analysis. LEA is prepared to work with City Staff to identify reasonable parameters for further testing of soft sites in order to respond to this comment.</p> <p>As mentioned in Section 3 of the submitted TIS, several background developments</p>



			within the study area were identified and the cumulative traffic impact of those background developments and the subject site were assessed. The future total capacity analysis indicated that all signalized and unsignalized intersections are expected to operate acceptably during both peak hours, with all individual movements operating within the roadway capacity (i.e. a v/c ratio of below 1.0). No intersection/roadway upgrade is required to support this development.
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Should you have any question with regards to this letter, please do not hesitate to contact me at 905-470-0015.

Yours truly,
LEA CONSULTING LTD.



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Encl.