To: Nancy Martins
Etobicoke Civic Centre
Main floor, 399 The West Mall
Toronto, ON M9C 2Y2

(Sent by email to etcc@toronto.ca)

May 10, 2021

From: Martin Green, PhD
Email: magreen@sympatico.ca

Re: Item EY24.4: **250 Wincott Drive and 4620 Eglinton Avenue West - Zoning By-law Amendment Application - Final Report**
Etobicoke York Community Council, May 17, 2021

Dear Councillors,

1. Introduction

These comments are organized as follows:

- Section 2 presents my recommendations
- subsequent Sections present evidence and arguments supporting my recommendations
- Appendix 1 provides a precis about me and my engagement with the Richmond Gardens Ratepayers and Residents Association (RGRRA), related public initiatives, and the present Application
- subsequent Appendices provide supporting drawings; pertinent emails; and substantive detailed submissions that I have made to City Planning over the past three years regarding the subject Application.

In almost all cases, questions I have submitted to the assigned Planner, even with an explicit request for a response, have not been answered. In some cases my questions were forwarded to another department. One important response, received following publication of the Final Report, is discussed in Section 3.

In the course of multiple meetings and email exchanges spanning 18 months, it became evident that my submissions had not been forwarded to involved subject matter experts in various City departments or, where relevant, to the applicant. I raised this concern in emails and then publicly at the "Community Consultation Meeting". I was subsequently

assured, in an email from the assigned Planner, on Dec. 4, 2019, that my submissions would be part of the official record. That has not happened.

The majority of the concerns I have raised are acknowledged and addressed in only a superficial manner, without detail, in the Final Report from City Planning. Two pages of the 99 page report are devoted to summarizing all community concerns. The entire response to those concerns is just one paragraph.

2. Recommendations

I recommend that City Council:

1. **not approve** the Recommendations of City Planning Division, due to significant, material reasons detailed in the following sections
2. **initiate appropriate action** to ensure that future reports submitted by City Planning Division to Council can be relied upon to provide an unbiased, accurate and complete presentation and analysis that:
    - includes complete, comprehensive documentation of all meetings held with and written inputs received from interested parties, including the applicant, City agencies, politicians, lobbyists, third party organizations and the public
    - identifies, in detail, all deviations from the Official Plan and supporting City By-laws, Policies and Guidelines that would result from approval of any recommendation, including any Zoning By-law Amendment
    - provides a balanced analysis, with supporting arguments, of the pros and cons of such deviations in regards to the application, including full disclosure of different perspectives presented by the various involved City departments and by engaged members of the public
    - provides a substantive explanation as to why each such deviation would be in the public interest, taking care to address each of the different perspectives mentioned in the bullet item above
    - certifies that there have been no situations or instances that did or could have compromised the ability of City staff to conduct their work or make impartial recommendations without any form of inappropriate involvement, direction or duress.
3. request that City staff review and update the "Wet Weather Flow Management Guidelines" to provide more reasonable, science-based parameters for calculation of storm intensity-duration-frequency – likely doubling the stormwater volumes that must be managed.

3. Central Issue – Private Street or Public Street

One critical issue is central to the development application and the recommendations from City Planning Division. This is **whether the new road through the site, connecting Wincott Drive to Eglinton Avenue West, should be a private street or a public street**. The Final Report addresses this issue with the paragraph (emphasis added):

> "The proposed access driveways of the site would be connected by an internal private street system. **Public Realm, Official Plan Policy 3.1.1.17 states "new streets should be public streets. Private streets, where they are appropriate**, should be designed to integrate into the public realm and meet the design objectives of new streets". Although Planning staff explored securing the proposed private street as a new public road, it was determined during the application review process that **existing easements with the adjacent property to the immediate west would encumber the proposed location of a new public street**. Engineering and Construction Services have indicated that all new public roads that are to be assumed by the City are required to be free and clear of any above or below-grade encumbrances, and as such the City would have no interest in assuming a public road at this location. The applicant has already, by way of a consent application, created reciprocal easements/rights-of-way for the private street that would allow for pedestrian and vehicle access. In addition to the existing easements, the City would be securing additional easements in favour of the City through the Site Plan Control process. The proposed private street and the adjacent public realm has been designed to meet the design objectives of new public streets."

3.1 Absence of True Encumbrance

The present author requested that Planning provide details regarding the "existing easements" presented as sole justification for the City having "no interest in assuming a public road at this location". That request has led to the discovery that, **contrary to what the Final Report states, there is no easement that would prevent the new road from being accepted as a public street.**

An email response received from a Senior Engineer in Engineering and Construction Services, indicated that **existing easements are solely "for the purpose of permitting vehicular and pedestrian thoroughfare for the general public"**. Contrary to the above highlighted statement in the Final Report, such easements would not encumber the proposed location of a public street.

However, the Senior Engineer also stated the following:

> "The parking garage for the seniors residence to the west extends to the westerly curb line of the private road, what would have been the public boulevard (if the

road was public). A parking garage below the entire boulevard is considered an encumbrance, as such the road remains a private road."

Through several follow-up email exchanges, it became apparent that the above assertion about the parking garage was based on a July 2017 site plan drawing for the Shannex seniors building at 4650 Eglinton Avenue West, **not the present application**. The site plan submitted for the present application shows the proposed new road shifted eastward by 4 to 5 metres. The boulevard no longer extends over the adjacent property and its underground garage – the (potential) encumbrance is eliminated by the present site plan. Both drawings are included in Appendix 2.

Neither the identified easements nor the adjacent underground garage would be an encumbrance should the new street, built according to the present site plan, be a public street.

But the Senior Engineer persisted, sending another drawing that shows a stormwater management system – drains, manholes, holding tank and connecting pipes – located under the private road. None of this extends over the adjacent (Shannex) property, and its primary purpose is to manage stormwater flow for the recently-built private road itself. **There is no evidence of an easement related to this stormwater management system.** Nonetheless, the fact that it could receive stormwater not captured and managed by the Shannex stormwater management system – that is, in **storms more extreme than a 100-year storm** – was sufficient to make the street unacceptable as a public street. The Senior Engineer wrote: "according to our criteria local public roads can only accept up to the 100 yr flow". No authoritative source was given for "our criteria"; the City's published Guidelines are addressed below.

There is no evidence of any attempt to resolve the purported issue so that the road would be acceptable as a public street. No apparent consideration was given to modifying the road or the handling of the beyond-100-year overland flow from the adjacent property, e.g., by installing grates, drains, buried pipes and possibly a culvert to transfer overland water from the Shannex cul de sac driveway and private lane to a new holding tank just east of the north-west corner of the Shannex property (at the eastern end of the private lane).

The reader is reminded that the present application requires the private street to be moved about 5 metres eastward, so the existing stormwater management system will need to be replaced or substantially modified in any case.

Furthermore, Section 2.2.3.8 of Toronto's "Wet Weather Flow Management Guidelines" (WWFMG) specifies:

> (4) Overland flow shall only be conveyed through walkways, easements **and within the road allowance**.

(7) **Roads may be used for major system overland flow conveyance during the 100 year storm** subject to the following depth constraints and minimum flood protection:

Local Roads: Maximum depth of ponding shall be the lesser of 0.15 m above the crown of road or the water level up to the right-of-way limit.

The WWFMG defines **no requirements for storms more severe than the 100-year storm.**

A significant related issue is whether a new public road should be classified as a "local" road. The "Toronto Road Classification Summary Document" (TRC) characterizes "local" roads as follows:

- Provide access to property
- Less than 2,500 vehicles per day
- Low traffic speed
- Generally no bus routes
- Cyclists - special facilities as required
- Sidewalks on at least one side of road
- Truck restrictions preferred
- Low priority for winter maintenance

The proposed new road is required to provide access to commercial and residential users of the existing one-storey plaza, four Mid-Rise buildings, one a seniors residence, as well as to connect Dryden Way (located west of the seniors residence) via the private lane north of the seniors building to both Eglinton Avenue West and Wincott Drive – not at all similar to the detached home residential roads provided as examples in the TRC. The Final Report has indicated that over 8,000 vehicles per day could use the new road. TTC bus route 405 has had a stop within the existing plaza for many years. Due to the need to serve the seniors residence, higher priority should be given to winter maintenance. With these characteristics, the new public street should be classified as a "collector" road or even a "minor arterial" road.

Both Wincott Drive and Widdicombe Hill are public streets presently classified as "collector" roads. (In 2013 these roads were classified as "local" roads. Sometime since then, for unknown reason and without informing local residents, the classification was changed to "collector".) During events more extreme than a 100-year storm, excess overland runoff from the entire present development site will flow north-west onto

Widdicombe Hill and north-east onto Wincott Drive, and from there (from Widdicombe Hill via Hunting Ridge) to Strathdee Drive, which is classified as a "local" road. **The above assertion that "according to our criteria local public roads can only accept up to the 100 yr flow" thus contradicts City staffs' willingness to allow such flows on Widdicombe Hill, Hunting Ridge, Wincott Drive and Strathdee Drive.**

It appears there was no interest in having the new street accepted as a public street, even though that is required by the Official Plan.

Not disclosed in the Final Report is that Urban Design has repeatedly, in responses from Planning to the applicant, stated that the new street should be a public street. The applicant has simply stated, in subsequent submissions, that the new street will remain private.

3.2 Private Bridge

The applicant's representative has stated in a recent meeting with the author, RGRRA representatives and Councillor Holyday that their primary reason for wanting a private street is to be able to have a single underground garage for all three new buildings, with the garage extending under most of the new street. He was not aware that any easement might present a barrier to having a public street.

If, as shown in the applicant's Architectural Plans, the underground garage extends under the private street then that means that **about 170 metres of the private street will, in fact, be a bridge**.[1] With the projected daily traffic exceeding 4000 vehicles per lane, it will be classified as a Class A bridge – the highest of four classes. It is unthinkable that the City would permit such a long, private bridge on a road designed for use by the general public on a daily basis, with a predicted traffic volume typical of a minor arterial road.

3.3 Omitted Information

The **Final Report from City Planning Division makes no mention of the consequences that requiring a public road would have for the application.** Neither does the Final Report, in its section on Community Consultation or elsewhere, acknowledge the many criticisms and detailed arguments presented by local residents, including myself, that **a private street would not be appropriate**.

If the new road is made a public street, as required by the Official Plan, then the applicant would be forced to make major changes:

1 The Canadian Highway Bridge Design Code defines: "Bridge — a structure that provides a roadway or walkway for the passage of vehicles, pedestrians, or cyclists across an obstruction, gap, or facility and is greater than 3 m in span."

- Buildings must be set back 3 metres from a public street ROW, whereas the submitted plans have zero setback relative to a 20 metre (virtual) ROW.
- Parking garages would need to be redesigned so as to not extend under the public street ROW.
- The new public street would need to be incorporated into the applicant's Transportation Considerations Study, quite likely revealing that, as proposed, the street has significant performance deficiencies and significant safety issues for pedestrians and cyclists.

The Final Report notes that the new street may have a daily traffic volume of 8,850 vehicles. This is a level typical of "minor arterial" roads, but the report does not note that fact nor discuss whether the submitted design could possibly meet the City's design criteria for a minor arterial road. For example such roads are expected to have uninterrupted traffic except at intersections and crosswalks and to specifically provide for safe bicycle traffic – neither of which would be the case with the requested private street.

3.4 Appropriateness of a Private Street

Independent of whether the City is willing to accept the new street as a public street, the Final Report provides **no reason why it should be deemed "appropriate" as a private street** as is required by the Official Plan Policy 3.1.1.17 cited in the above excerpt from the Final Report. Absent such reason, **approval of a private road would violate the Official Plan**.

The Official Plan includes the annotation (emphasis added):

> "The **Development Infrastructure Policy and Standards** provide direction for the design of public local streets and includes **criteria for when private streets may be considered appropriate**, as well as supporting design standards."

The Development Infrastructure Policy and Standards (DIPS) provide direction with a limited scope (emphasis added):

> "1.0 Scope
>
> The policy and standards in this document **apply to public local streets and private streets (or mews) that are created to serve grade-related residential developments. Grade-related residential developments are singles, semis and townhouse units with their own footprints and they are not located above a shared structure such as an underground parking garage** and do not share servicing or centralized waste collection area. This policy document also applies to grade-related residential units that form part of a bigger development proposal with other types of development (e.g. high density residential development, mixed

residential-commercial development.) For the purpose of this policy, ground floor units of apartment buildings are not considered grade-related residential units."

"4.2 Standards for Private Streets or Mews

Private streets have to meet the Official Plan goals on the role of streets and the design criteria for new streets. The following are the design standards for private streets:

1. Pavement – minimum width of 8.0m for two way traffic with parking permitted on one side.
2. **Length of Street – maximum 45m from the curb of existing a public street**.
3. **Number of Units – maximum 10 units (not counting units that front onto an existing public street.)"**

The private street being requested by the applicant is over 230 metres long and would have 347 residential units not fronting on an existing public street – both far beyond the 45 metres and 10 units specified in the DIPS.

However, the presently proposed private street does not fall within the above scope of the DIPS. There is no established City precedent or process for deciding that a private street would be "appropriate" for the development under present consideration. The absence of such precedent, or a process for deciding, and the failure of the Final Report to acknowledge such shortcoming, suggests that it has simply been assumed that if Engineering and Construction Services is unwilling to accept a new street as a public street then it must be a private street. But that logic is flawed, since it could lead to any new street that did not meet the City's criteria for a public street automatically being accepted as a private street, in contravention of the Official Plan.

For good governance, a separate, non-arbitrary process should be established and followed to determine and document whether and why a proposed private street is "appropriate" if it does not fall within the scope of the DIPS.

4. Density

Community members have objected at the Community Consultation Meeting, through written submissions and in other meetings with assigned Planning staff that the combined residential and commercial density of the proposed development is excessive.

The Final Report states that the FSI value for the proposed development is 2.14. However, this was calculated using the entire area of the property, including the land

occupied by and surrounding the existing plaza building and the land designated for the new street.

If the new street were to be a public street, then the entire 18.5 or 20 metre wide ROW could no longer be included in the FSI calculations. Moreover, the entire site could not be joined as one lot with parts on either side of the public street. Taking the land for Buildings B and C to be bounded by Wincott Dr., Eglinton Ave. W, the new park and the new (public) street yields an **FSI of about 4.6 for Buildings B and C**. Since future redevelopment of the existing plaza remains a possibility, the land attributable to Building A is uncertain. But if it is taken to include the entire area of the underground garage to the north of Building A then the corresponding **FSI for Building A may be approximately 4**.

City Planning has repeatedly asked the applicant to document its future plans for potential redevelopment of the existing plaza. For example, Planning's Preliminary Report states (emphasis added):

> "The proposal indicates that only a portion of the site will be redeveloped, with the north portion containing the one storey Richview Square Plaza to remain as is. **Staff have requested that the applicant provide a vision or master plan concept for the entire site to ensure that full development of the site is considered at this time. The applicant has not provided this information** advising that the existing plaza is to be significantly upgraded and will remain for the foreseeable future."

The higher FSI values that would result from a new public street and exclusion of the existing plaza should be used for fair comparison to recent developments adjacent to the site; for example, the **seniors residence immediately to the west has an approved maximum FSI value of 3.36**.

4.1 Transportation limits to Density

The author has submitted detailed comments (see Appendix 4) on the applicant's Transportation Considerations Study. Almost none of those comments have been acknowledged or addressed in the Final Report. Those comments included analysis of traffic considerations within the site – a topic that the applicant and City Planning have ignored. A clear conclusion was that **the proposed garage ramps would be unable to accommodate the applicant's projected traffic volumes**. The applicant has since eliminated the garage ramp for one of the three new buildings, making the situation worse.[2] (The second paragraph below provides an illustrative calculation for the current plans.)

2 The ramp for Building B was eliminated in response to feedback from the Design Review Panel.

The inadequacy of the internal street and driveway system and garage ramps is a direct consequence of excessive density of the proposed development. A density reduction of perhaps 30-50 percent, combined with improved configuration of the garage entrances, would be necessary to achieve a functionally acceptable balance between vehicle demand and intra-site (including garage) traffic capacity.

The applicant has projected that the site will generate 935 Saturday peak hour two-way trips. Given the limited ground-level parking and the dominance of the Wincott Drive entrance, it is fair to assume that at least 50 percent of those 935 vehicles would need to enter the garage – one vehicle every 7.7 seconds – via the Building C ramp. A typical vehicle has a length of about 4.5 metres. At a ramp speed of 5 km/h, a vehicle will travel 10.7 metres (35 ft.) in 7.7 seconds. This means that a continuous stream of vehicles spaced 6.2 metres apart (3 vehicles on the ramp at all times) would need to enter the parking garage during the peak hour. A similar continuous stream of vehicles would need to exit the garage during the same hour, on the same 6 metre wide 2-way ramp. Moreover, there are conflicting sharp turns at the bottom, with some entering / exiting vehicles going left and others right; and a pedestrian sidewalk crosses the ramp driveway at the top. **Such traffic flow is clearly not possible, even if it were totally controlled by computers – collisions at the bottom of the ramp are inevitable. It is also not safe for pedestrians.** The submitted design is doomed to failure due to inability to safely manage the projected traffic within the site. Adding back a ramp for Building B would not be sufficient to resolve the issue.

5. Deviations from existing Standards

The proposed Zoning By-law Amendments entail many deviations from established City Standards. Many "notwithstanding" paragraphs / clauses in the proposed Amendments would allow these deviations, but very little information is given in the Final Report regarding the nature or implications of the deviations that would result.

After I raised concerns at the Dec. 3, 2019, Community Consultation Meeting, Councillor Holyday asked me to document details of the deviations from established City Standards that would result if the then-proposed Zoning By-law Amendments were approved. The document I prepared is included as Appendix 5. A copy was sent to the involved Planners.

The comments I provided illustrate how the implications of deviations could (and, I believe, should) be documented by Planners in their reports to Council. Councillors, and the public, would be best served if Planners would also document the pros and cons of allowing each deviation and the rationale for their recommendations.

6. Design Review Panel

The Final Report documents four areas of concern for which the Design Review Panel (DRP) suggested improvements be made. (Details of the DRP observations and recommendations have not been disclosed.) Without repeating here text from the Final Report, I will only note that the four areas of concern were:

- Open and Green Space Connections
- Transportation and Traffic Design
- Sustainable Design
- Proposed Courtyard

I have been able to find only one significant change in the subsequently revised proposal that relates to the DRP's suggested improvements: one garage ramp was eliminated and one tree added in its place. The adverse consequences of eliminating the garage ramp of Building B have been discussed in Section 4.1, above.

No design changes were found in subsequent application revisions that would address most of the stated DRP concerns. It is thus troubling that the Final Report states: "Planning staff are satisfied the revised proposal achieves the objectives identified by the Design Review Panel."

One DRP recommendation that I strongly support, but which has not been addressed, is to **target Tier 3 or Tier 4 of the Toronto Green Standard**. Toronto declared a Climate Emergency in October, 2019, acknowledging that the City must reduce net greenhouse gas emission to zero by 2050. **Allowing new buildings to be constructed now that will need to be retrofitted at great expense within 25 years makes no sense. Especially when new buildings are to be constructed on land over which the City has some control (e.g., through CreateTO), the City should require that they be built to at least Tier 3, and preferably Tier 4.**

6. Comments endorsed by RGRRA

On June 6, 2019, I submitted 13 pages of wide-ranging, detailed comments on the then-current application revision to Community Planning with the endorsement of the Richmond Gardens Ratepayers and Residents Association. Those comments remain substantially applicable to the current revision of the application. They are attached as Appendix 6.

Notable in those comments is Section 9, Stormwater Management. Analysis is presented showing that the **stormwater cisterns for the site should be doubled in size, at least, to achieve runoff objectives**. Further, the **Toronto Wet Weather Flow Management**

Guide (WWFMG) (2006) that specifies how to calculate storm intensity-duration-frequency is badly flawed and in need of major revision. As a physicist with 40 years of experience, I am well-qualified to make these statements.

The Final Report does not acknowledge or address my comments on stormwater management in any way.

Appendix 1

Precis – Martin Green

I am a resident, and a research scientist, who has lived near the subject development site for 36 years. My knowledge of and engagement with both the neighbourhood and the project is as deep and comprehensive as is reasonably possible. I have:

- participated on a Traffic Working Group (2016-2017) sponsored by (former) Councillor Campbell focused on traffic characteristics and control measures on local neighbourhood streets to ensure safety and preserve community character
- chaired the Eglinton West LRT Community Working Group, which recommended the grade-separated configuration and station locations since adopted by the Provincial Government
- discussed, prior to any development proposal, with other residents, Councillor Campbell and senior City Planning staff, the potential joint redevelopment of Richview Square plaza and adjacent Build Toronto land fronting Eglinton Ave., and the desire of community residents for an Avenue Segment Study to guide development plans and decisions
- reviewed all of the materials made public by the applicant, including during the pre-submission public engagement in 2017 and, starting in 2018, multiple versions of the application submitted to the City
- participated (actively) in all public meetings organized by the developer (Trinity Development) and by the City
- participated in many meetings with Councillor Campbell, Councillor Holyday, staff in City Planning and other involved departments, Build Toronto / CreateTO, the developer, and local ratepayer representatives (Richmond Gardens Ratepayers and Residents Association (RGRRA))
- reviewed the Official Plan, the Toronto Zoning By-law and all other applicable City Standards and Guidelines
- researched external practices, literature and standards on complete streets, traffic engineering, storm water management, wind studies, green buildings, and environmental forecasting
- prepared and submitted to the assigned City staff (with copies to Councillor Holyday) detailed analyses of the application that identify and carefully substantiate many specific areas of concern
- followed up by email to ensure that my submissions had been received and would be seriously considered.

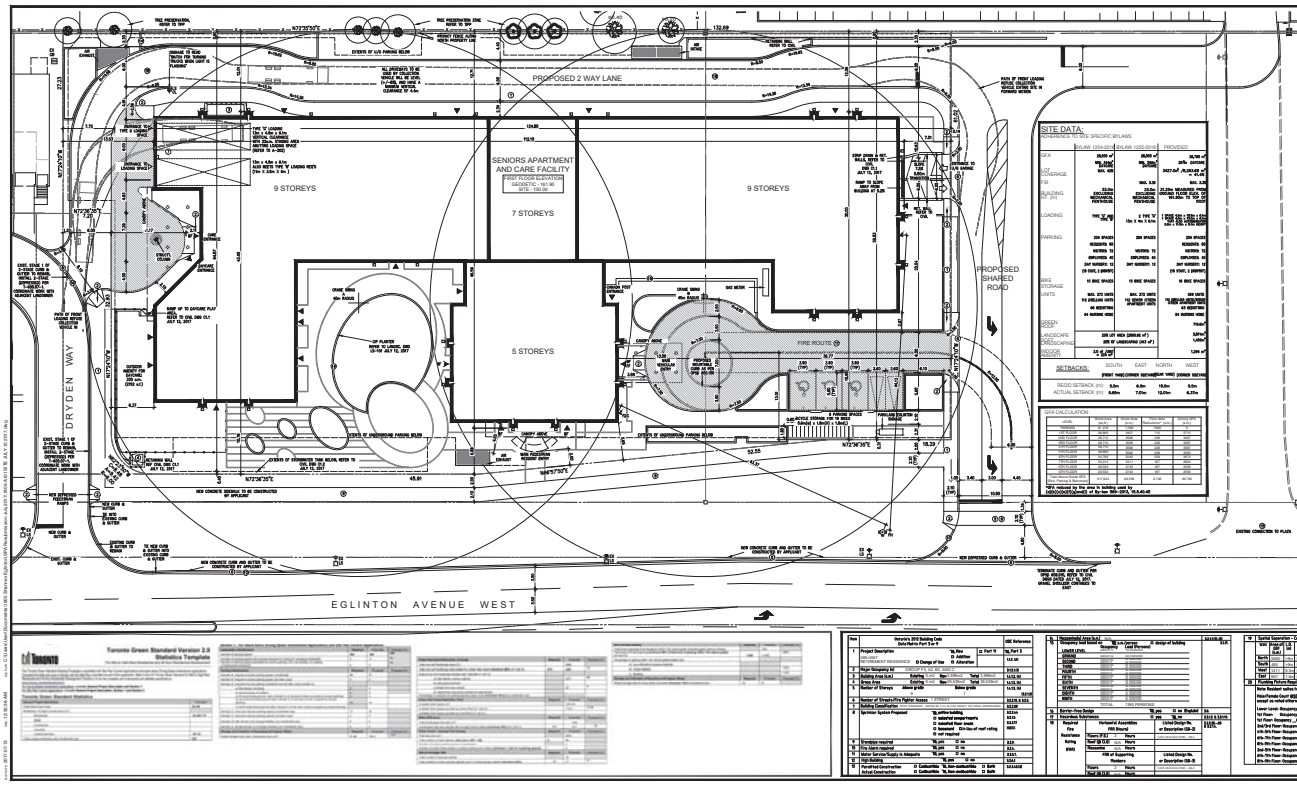
Appendix 2

Site Plan Drawings

Drawings on the following two pages are:

- Site Plan for 4650 Eglinton Avenue West, dated July 12, 2017, which shows the (now constructed) private road on the present development site, with the boulevard extending over the property line.

- Site Plan for the present development application, at 4650 Eglinton Avenue West, dated October 26, 2020, which shows the new road moved several metres east so the boulevard no longer extends over the underground garage of the adjacent property.



SHANNEX

LOCATION MAP

SITE

MARTINSIMMONS ARCHITECTS

113 BRETHAUPT STREET, SUITE 200
KITCHENER, ONTARIO, N2H 5G9
TEL. 519-745-4754 FAX. 519-745-0081

NO.	ISSUED	ITEM
1	02/28/17	SITE PLAN APPLICATION SUBMISSION #1
2	05/03/17	SITE PLAN APPLICATION SUBMISSION #2
3	06/30/17	SITE PLAN APPLICATION SUBMISSION #3
4	10/20/17	SITE PLAN APPLICATION SUBMISSION #4
5	11/17/17	SITE PLAN APPLICATION

BY	DATE	ITEM

ARCHITECTS ASSOCIATION OF ONTARIO
20 MAY 2017
CERTIFICATE OF PRACTICE
LICENCE

PARKLAND EGLINTON

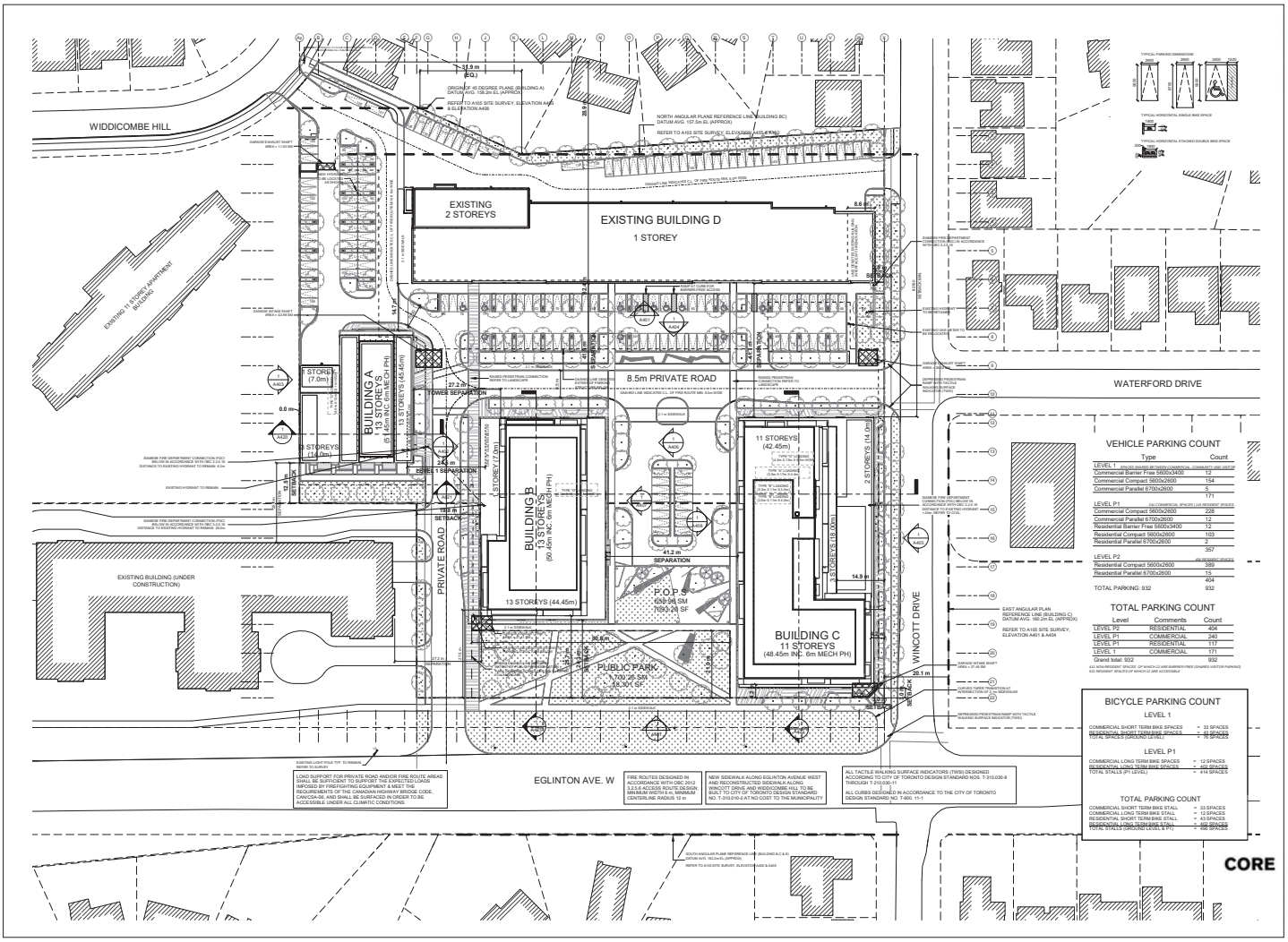
4650 EGLINTON AVENUE WEST,
TORONTO, ONTARIO

SITE PLAN

DRAWN BY	CHECKED BY
KED	PS

DATE	SCALE
JULY 12, 2017	1:200

PROJECT NO.	DRAWING NO.
1805-1	A101



TRINITY

RICHVIEW SQUARE

4620 Eglinton Avenue West
& 250 Wincott Drive
Etobicoke, ON
17-319

7	ISSUED FOR REZONING	OCT. 26, 2020
6	ISSUED FOR REZONING	MARCH. 13, 2020
5	ISSUED FOR REZONING	OCT. 21, 2019
4	ISSUED FOR REZONING	MARCH 22, 2019
3	ISSUED FOR REZONING	APRIL 30, 2018
NO.	REVISIONS	DATE

NOTE 1 REFER TO LANDSCAPE PLAN FOR PLANTING AND PAVING LOCATIONS, MATERIALS AND DETAILS.

NOTE 2 TYPE G & B LOADING SPACE THAT HAS AN UNENCUMBERED VERTICAL CLEARANCE OF 6.1 METERS. LOADING SPACE AND STAGING AREA TO BE LEVEL (+-2%) AND CONSTRUCTED OF 200mm REINFORCED CONCRETE.

NOTE 3 A TRAINED ON-SITE STAFF MEMBER TO BE AVAILABLE TO MANOEUVER WASTE BINS FOR CITY COLLECTION AT THE LOADING AREA AND ALSO ACT AS A FLAGMAN WHEN TRUCK IS PARKING AND REVERSING. IN THE EVENT THAT ON-SITE STAFF IS UNAVAILABLE AT THE TIME THAT COLLECTION VEHICLES ARRIVE AT THE SITE, THE COLLECTION VEHICLE WILL LEAVE THE SITE AND NOT RETURN UNTIL THE NEXT SCHEDULED COLLECTION DAY. THE BUILDING MANAGER IS RESPONSIBLE FOR THEIR COLLECTION DAYS TO BE SCHEDULED ON OPPOSITE DAYS FROM THOSE OF THE RESIDENTIAL COLLECTION DAYS (SHARED TYPE G LOADING SPACE). NON-RESIDENTIAL WASTE BINS TO BE LABELLED SEPARATELY FROM RESIDENTIAL WASTE BINS.

N

ONTARIO ASSOCIATION OF ARCHITECTS

SITE PLAN

OCTOBER 26, 2020

SCALE 1 : 500

A105

CORE ARCHITECTS INC
130 Queens Quay East Suite 700
Toronto ON Canada M5A 0P6

Tel 416 343 0400
Fax 416 343 0401
info@corearchitects.com
COREARCHITECTS.COM

Appendix 3

Emails regarding Avenue Segment Study

Well before the initial submission of the present application, local residents engaged with then Councillor Campbell and City Planning staff to express the desire that an Avenue Segment Study be conducted for this portion of Eglinton Avenue West. An email chain that illustrates those discussions is on the following pages.

Re: Eglinton Avenue

From: Martin Green <magreen@sympatico.ca>

To: Neil Cresswell <Neil.Cresswell@toronto.ca>

Cc: Rosemary DiSalvo <Rosemary.DiSalvo@manulifesecurities.ca>

Date: Thu, 22 Mar 2018 14:03:58 -0400

Hi Neil,

Thanks for your offer of a meeting. Perhaps a conference call, including RoseMary, would give sufficient opportunity for discussion. If you prefer a face-to-face, then that will also be fine with me. In the next week I am not available Monday morning (before 1 pm) or Thursday (all day); other times should be okay. Further into April, I am not available April 5, or any following Tuesday.

I'm sure you recall that, at public meetings for the Shannex application, many people wanted to know why no Avenue Segment Study was being done for this part of Eglinton Ave. One explanation given to me privately was that such a study could result in re-zoning, and much more intensive development. If that was the result of the study then I would accept it -- I do support intensification. But re-zoning without such a study, and contrary to the wishes of the community, seems at odds with the clear intent in the quoted section of the Official Plan that Avenue Studies may not be warranted where Avenues "function well and already have appropriate zoning in place". If the quoted clause is not true for Eglinton Ave., then presumably an Avenue (Segment) Study is warranted. If it is true, then that means the existing zoning is appropriate, and there is no reason (consistent with the Official Plan) to change it.

I think RoseMary would agree that one of our major concerns is that there has been, and continues to be, progressive development along Eglinton Ave. with no apparent strategic plan. The result, so far, has been disjointed developments that fail to enhance the Avenue, have poor integration with the local roads (e.g., right-in, right-out), have inadequate parking, and are not consistent with the character of the neighbouring community. Refusal to do an Avenue Segment Study will only ensure that no strategic plan is ever developed, and local residents will increasingly avoid going near or along Eglinton Ave. -- whether they are driving, cycling, or walking.

Best regards,
Martin
--
On Thu, 2018-03-22 at 16:30 +0000, Neil Cresswell wrote:
> Hello Martin.
>
> I'm not suggesting that amendments to Zoning By-laws are "not much
> more than technicalities". There are many instances where current By-
> law permissions are appropriate and when applications are received
> that staff are of the opinion do not meet the Official Plan policies
> or represent an inappropriate development given its existing and
> planned context, staff recommend refusal of these applications. But
> by the same token, there are instances where existing By-laws may not
> reflect current context, City Council priorities or the City's
> Official Plan. In those instances, it may be appropriate to amend the
> Zoning By-law for a number of reasons. And please recall that the

> zoning by-law for a number of reasons. And please recall that the
> notion of good planning starts at the provincial legislative level
> and then is encoded in the City's Official Plan.
>
> I'm sorry to say that your interpretation of the Official Plan is not
> quite accurate. But I'd like to suggest that we have a conversation
> about this rather than a back and forth by email. Would you like to
> set up a meeting to discuss the City's Official Plan policies and how
> they're interpreted and applied?
>
> Neil
>
> From: Martin Green [mailto:magreen@sympatico.ca]
> Sent: March-21-18 1:24 PM
> To: Neil Cresswell <Neil.Cresswell@toronto.ca>
> Cc: 'Rosemary DiSalvo' <Rosemary.DiSalvo@manulifesecurities.ca>; John
> (Ward 4) Campbell <John.Campbell@toronto.ca>; 'Yvan Baker, MPP' (ybak
> er.mpp@liberal.ola.org) <ybaker.mpp@liberal.ola.org>; John DiSalvo <J
> ohn.DiSalvo@manulifesecurities.ca>
> Subject: Re: Eglinton Avenue
>
> Hi Neil,
>
> I would also like to thank you and the other presenters for a very
> informative evening.
>
> From the discussion on Monday evening and your response to RoseMary,
> below, it seems that you are suggesting that amendments to Zoning
> Bylaws are not much more than technicalities -- provided Planning
> considers the development application to be consistent with good
> planning (and some Section 37 money can be negotiated). I am
> assuming there is no need to amend the Official Plan.
>
> But RoseMary cited from the Official Plan: “Not all of the Avenues
> can be studied at once, and some, which function well and already
> have appropriate zoning in place, may not need further study at all”.
> I interpret this as saying that, if there is no Avenue Study or
> Avenue Segment Study conducted, then the expectation is that the
> zoning already in place will be applied and will ensure new
> development "fits with the neighbourhood". The fact that there are
> no other mixed use properties along the Avenue Segment to justify an
> Avenue Segment Study does not seem good justification for
> recommending approval of changes to the existing Zoning Bylaw --
> indeed that would be counter to the above-quoted clause.
>
> So, as followup questions:
> Why would Planning choose to recommend a development proposal that
> does not conform to the existing zoning, when the stated expectation
> in the Official Plan is that the existing zoning will be applied in
> cases where no Avenue Study or Avenue Segment Study has been done?
> How could an application that is not consistent with the existing
> zoning be judged an example of good planning, even though no Avenue
> Segment Study has been conducted to determine what kind and scale of
> development would be appropriate for the site?
>
> Best regards,
> Martin
> --
> On Wed, 2018-03-21 at 16:07 +0000, Neil Cresswell wrote:
> Good afternoon Rosemary. And my apologies for not responding to your
> email yesterday.
>

>
> I was pleased to be invited to attend Monday nights' meeting and was
> very encouraged by the turnout.
>
> The portions of the Official Plan you quote below are from the
> descriptive text contained within Section 2.2.3 "Avenues:
> Reurbanizing Arterial Corridors". They provide relevant background
> information and context that assist in the understanding of the
> Policies which are the formally approved City Council policies that
> guide staff in providing recommendations to Council on land use
> planning matters. Policy 2.2.3.1 states that Avenue Studies will be
> prepared for strategic mixed use segments of the Avenue corridors
> shown on Map 2. As you correctly note, the majority of Eglinton
> Avenue in Etobicoke is designated Neighbourhoods and Apartment
> Neighbourhoods on Map 14, which are intended to be stable communities
> and thus would not be candidates for a reurbanization study.
>
> You also correctly note there are two Mixed Use Areas on Eglinton
> Avenue in Etobicoke at Lloyd Manor and Wincott. Avenue Studies speak
> to "segments of corridors" (Policy 2.2.3.1) which, when redeveloped,
> would set a "precedent for the form and scale of reurbanization along
> the Avenue" (Policy 2.2.3.3). As noted in the staff report on the
> Shannex proposal, staff were of the opinion that an Avenue study
> along this stretch of Eglinton Avenue wasn't warranted as the Lloyd
> Manor node has been developed and the only remaining Mixed Use Areas
> lands are the Richview Plaza/CreateTO lands at Wincott, so a study to
> review the precedent of reurbanization of mixed use lands wasn't
> warranted. Etobicoke York Community Council endorsed this opinion
> through the approval of the staff reports for Shannex, so a
> reurbanization study/Avenue Study in this area will not be
> undertaken.
>
> As to heights and Section 37 – what I said Monday night was there are
> no height limits or maximum densities in the Official Plan Mixed Use
> Areas designation. If you review Section 4.5 of the Official Plan,
> you'll see there are no height limits for this designation (unlike
> the Neighbourhoods designation in Section 4.1 which has a height
> limit of 4 storeys). That means that any application for a Zoning
> By-law Amendment to increase heights or densities on lands that are
> designated Mixed Use Areas designation will not require an Official
> Plan Amendment.
>
> If you review Section 5.1 of the Official Plan, you'll see that
> Section 37 applies when a proponent is seeking an increase in
> permitted height and/or density through a Zoning By-law Amendment for
> developments larger than 10,000 square metres of gross floor area and
> where the density is being increased by at least 1,500 square metres
> and/or a significant increase in the permitted height is being
> sought. Both Shannex and Landterra proposed amendments to the Zoning
> By-law which met these parameters, so the City had the ability to
> negotiate with the proponents for community benefits.
>
> And I'd like to reiterate something I mentioned numerous times Monday
> night – Section 37 only gets discussed and negotiated after a
> conclusion has been reached on the land use merits of the
> application. If the proposal is deemed to be good planning, Planning
> staff start the negotiations with the applicant and bring the Ward
> Councillor in, and the community where appropriate, to determine the
> types of benefits to be discussed and the quantum of the ask. The
> City does not make "concessions" in order to obtain community
> benefits from development applications.
>

> I trust the above information answers your questions. Please let me
> know if you need anything further.
>
> Regards,
>
> Neil
>
> From: Rosemary DiSalvo [mailto:Rosemary.DiSalvo@manulifesecurities.ca
>]
> Sent: March-19-18 10:24 PM
> To: Neil Cresswell <Neil.Cresswell@toronto.ca>; John (Ward 4)
> Campbell <John.Campbell@toronto.ca>; 'Yvan Baker, MPP' (ybaker.mpp@li
> beral.ola.org) <ybaker.mpp@liberal.ola.org>
> Cc: John DiSalvo <John.DiSalvo@manulifesecurities.ca>; Rosemary
> DiSalvo <Rosemary.DiSalvo@manulifesecurities.ca>; Martin Green (magre
> en@sympatico.ca) <magreen@sympatico.ca>
> Subject: Eglinton Avenue
>
> Thank you for attending tonight's meeting.
>
> Neil, as a follow-up to my question, most of Eglinton Avenue in
> Etobicoke is neighbourhood and apartment neighbourhood except for the
> mixed use sites at the south-east corner Lloyd Manor/Eglinton and the
> north-west corner of Wincott/Eglinton. The Official Plan states
> that "Not all of the Avenues can be studied at once, and some, which
> function well and already have appropriate zoning in place, may not
> need further study at all". Is it correct to assume that an Avenue
> Re-urbanization Study will not be carried out by the city? I base
> this on discussions from prior consultations and from the observation
> that the city is approving plans without amending the current land
> use designation (Toronto Land Use Map 14). The plan continues by
> stating that "These traditional "main street" Avenues already have
> zoning in place to guide mixed use development in a way that fits
> with the neighbourhood, and will be a low priority for Avenue re-
> urbanization studies." Furthermore, the Official Plan was that
> Toronto's avenues outside of the main intensification centers were to
> be developed with mid-rise buildings (4 to 11 storeys) while
> respecting the neighbourhood.
>
> At the meeting tonight, you suggested that the height limits don't
> apply in mixed use zones. I'm not able to find this in the Official
> Plan. Please point me to the source of your information. If the
> height limits don't apply, then what concessions did the city make
> with Shannex and Lanterra to achieve a day care and $450,000 in
> section 37 money from the former and $3,000,000 plus $800,000 of art
> from the latter?
>
> The community should not have to cede on conditions stated clearly in
> the Official Plan in exchange for money. Assuming communities must
> always cede in fear of OMB decisions leads us to think that section
> 37 as nothing more than a negotiated tax.
>
>
>
> RoseMary Di Salvo
>

Appendix 4

Comments on Transportation Considerations Study

The following pages include my email of July 24, 2018 to the then-assigned Planner and the attached “Comments on Transportation Considerations Study”.

When, during a meeting, City staff denied knowledge of my submission, the email and attachment were resent on October 29, 2018, with the additional recipients including Transportation Services. At a meeting with City Planning on Oct. 22, 2019 the representative of Transportation Services denied awareness of my “Comments on Transportation Considerations Study”, so I forwarded the same email and comments to him the same day.

At the Community Consultation Meeting on Dec. 3, 2019, I spoke with the applicant’s transportation consultant (BA Group), who was also unaware of my Comments. I offered him a printed copy, but he refused to accept it, saying that he could only accept material from City staff. I spoke publicly at the meeting, raising my concern that submissions were being ignored. The next day I again forwarded the same email and attachment to the then-assigned Planner. Receipt was acknowledged. However, **there is still no evidence that any consideration has been given to my comments.**

Richview Square Redevelopment Re-Zoning Application

From: Martin Green <magreen@sympatico.ca>

To: Kathryn Thom <Kathryn.Thom@toronto.ca>

Cc: RGRRA-President <director@richmondgardensrra.ca>, Neil Cresswell <Neil.Cresswell@toronto.ca>, John (Ward 4) Campbell <John.Campbell@toronto.ca>

Date: Tue, 24 Jul 2018 14:51:08 -0400

Attachments: 1

Hello Kathryn,

I understand the you are the Planner assigned to the application referenced in the Subject. As a resident of Richmond Gardens and a long-time user of shops and services at Richview Square I have significant interest in the proposed redevelopment.

My main concern relates to the scale of the proposed development. I believe that both the retail and the residential components are far larger than can be reasonably accommodated on the site without major adverse impacts on the surrounding community and the roads. Richview Square has, since its construction in the early 1960s, served as the primary location for shops and services for the surrounding community, both north and south of Eglinton. While there is convenient surface parking, many people access the plaza by walking. I and my family walk to Richview Square to access the dentist, orthodontist, medical clinic, bank, barber, pharmacy, coffee shop, convenience store, and more. There used to be a supermarket, family restaurant and LCBO store, but they left years ago.

The proposed retail development will have a focus on larger stores operated by major chains. The local, small businesses will be forced out. I know that already some of these long-term tenants have been told that, with the pending redevelopment, their leases will not be renewed. Instead of walking, we will be forced to drive to wherever our dentist can find a new office. Such development would thus target drive-in customers from a much wider area, while detracting from the local communty. This is counter to the City's strategic plan for mid-rise, mixed use development on the Avenues. The whole spirit of such mid-rise and mixed use development is to create a higher density, more vibrant community in which residents have better access to the services they need without always having to drive elsewhere.

I have been an active participant in community meetings, working with the Richmond Gardens Residents and Ratepayers Association (RGRRA), correspondence with Councillor John Campbell, and direct correspondence and meetings with Trinity Development. Following public posting of the Re-Zoning Application I have prepared a detailed review of the Transportation Considerations Study. My review is attached. Very briefly, I have concluded: "**Regardless of whether the Study adheres to standard City of Toronto methodology, its findings should be recognized as badly flawed and unacceptable for the purpose of predicting the true impacts and functional viability of the proposed development.**"

I trust that you will consider the general input that I have provided above, as well as the detailed analysis provided in the attached document, in your review of the Application. If there are any questions, please do not hesitate to contact me.

Best regards,
Martin Green, PhD
(416-247-2818)

Attachments

Name	Size
CommentsOn_TransportationConsiderationsStudy.pdf	165.9 kB

Comments on:
Richview Square Redevelopment Re-Zoning Application
Transportation Considerations Study

Martin A. Green*, PhD

June 30, 2018

Critical analysis of the methodology and findings of the subject Transportation Considerations Study reveals serious flaws. Total failure to consider statistical uncertainties, and reliance on insufficient empirical data, have led to findings that must be deemed unreliable. The Study fails to assess whether the anticipated flow of vehicles into and out of the site can be reasonably accommodated by the internal road network and garage ramps. No consideration is given to pedestrian or bicycle traffic, or the safety issues arising from potential interactions with motor vehicles. Regardless of whether the Study adheres to standard City of Toronto methodology, its findings should be recognized as badly flawed and unacceptable for the purpose of predicting the true impacts and functional viability of the proposed development.

1 Introduction

Trinity Development has submitted to the City of Toronto a Re-Zoning Application for redevelopment of the Richview Square plaza and additional land to the south of Richview Square at 4450 Eglinton Ave W. Provided here are comments on and analysis of the *Transportation Considerations Study* [1] (the Study) submitted in support of the Re-Zoning Application.

The following sections address trip estimation, performance of the road network, traffic within the site, pedestrian and bicycle traffic, and vehicle maneuvre diagrams. A final section summarizes the analysis and findings.

2 Trip estimation

2.1 ITE Methodology

The Study used methodology and tools from the Institute of Transportation Engineers (ITE) for estimation of trip generation associated with the proposed development. The Study presents results without uncertainties, as though they are true.

Actually, there is great uncertainty associated with estimates derived using ITE tools. The ITE acknowledges the uncertainties and provides standard deviations for many of its estimates in its Trip Generation Manual and Handbook. In spite of such standard

*Email address: magreen@sympatico.ca

deviations being available, the Study does not report any of those standard deviations or implied uncertainties. The actual outcomes that may result if the development is built as proposed may differ by a factor of two or more from the trip generation estimates reported in the Study.

The ITE Manuals on Parking Generation and Trip Generation rely on data provided voluntarily in the United States for primarily suburban developments with many different land use categories. The ITE Trip Generation Handbook provides guidance on how to adjust the outputs of the Trip Generation Manual to address urban, infill and mixed use environments. However, the data to guide such adjustments are sparse and the results not very reliable. Producing more reliable predictions of trip generation is a topic of ongoing research [2].

While the ITE methodology gives specific numbers, the actual results in any specific situation may differ substantially from the trip generation and parking generation predictions [3]. Estimates produced using the ITE methods often differ by ± 50 percent, or worse, from actual observed outcomes. Much of the data on which ITE estimates are based is several decades old, describing developments in low density suburban neighbourhoods scattered across the United States in the 1980s and '90s. The data for a particular land use situation may come from just one or a few States. In general, the developments studied had ample, free, ground-level parking and the local roads would not be congested. Those conditions are very different from the environment of the proposed Richview Square development.

A study of five different trip generation methodologies [4] provided the following cautions regarding the ITE Trip Generation methodology:

> The ITE Trip Generation Handbook (Handbook) guides practitioners on the proper use of the data provided in Trip Generation, and includes supplemental material regarding the trip generation estimation process. Chapter Seven of the Handbook provides a methodology for estimating trip generation rates at mixed-use sites, using a worksheet in the document. However, the analyst is instructed to exercise caution when using this methodology to estimate reductions, as the data on which the method is based come from a very small sample of sites, and all sites are located in a single state. According to the Handbook, this methodology is only applicable to multi-use developments and does not account for other factors known to affect trip rates, such as density, transit availability, street design, etc. In fact, the Handbook specifically cautions against using ITE trip rates data in downtowns or locations served by transit.[1] Also, because trip generation rates calculated using this worksheet are expressed as reductions from the ITE vehicle trip generation rates, there is no modal split information. Though Trip Generation is widely used and is the most cited authority on trip generation estimates in the United States, it has serious drawbacks, as listed above.

2.2 Corridor Growth

Appendix D of the Study shows data for the Kipling and Eglinton intersection collected on 7 days from 1993 to 2016. Projections of growth were made by fitting linear curves to this data. No attempt was made to understand whether the trends are statistically meaningful.

Looking up the weather records for the listed dates reveals that on the day with lowest traffic, January 22, 2004, there was freezing rain and fog. Other winter days (2010, 2013)

also had snow and ice pellets. Data for 1993 and 2000, which show relatively high traffic, was on nice summer and spring days. The weather-driven and seasonal variations of daily traffic volumes are likely to greatly exceed any yearly trends in traffic volumes.

Many other factors also affect traffic volumes over both short and long time-frames. Accidents and construction elsewhere on the road network are known to cause traffic to divert onto alternate routes, including both Kipling and Eglinton. Obstruction or congestion on Kipling and/or Eglinton causes traffic to divert elsewhere. The road surface condition on Kipling deteriorated significantly over many years prior to 2015, leading to its major reconstruction in 2015. The bad road condition caused many drivers to choose alternate routes and slowed those who chose to remain on Kipling. Over the 25 year period of the presented data there have been many major construction projects on the 401 and 427 that will have impacted the traffic volumes on Kipling and Eglinton. The Study did not investigate or consider significant factors such as these.

Given the significance of weather, construction and other factors, the data presented is clearly insufficient to support any claim that traffic volume has been systematically changing at some annual rate. The annual rate of change over the past 25 years is simply unknown. Even if that number were known, there is no particular reason to believe that it has been roughly constant growth or that it will provide a reliable indicator of future growth. Instead, future long term traffic growth will be determined primarily by strategic road network design decisions, including decisions regarding the signals control system and major network changes such as reconfiguration of the 401 / 427 / 27 / Eglinton interchange.

2.3 Residential Trips

Without explanation, the Study did *not* use the ITE tools to estimate trip generation attributable to the proposed new residences. Instead, data collected for the apartments and condominiums along Richview Rd. was used as a proxy for traffic that would be generated by the proposed residences.

Richview Rd. is convenient because there are only two entry/exit points at which vehicles need to be counted. Inbound and outbound traffic was counted on just one day — January 28, 2015 — for two hours in the morning and two hours in the afternoon. The weather that day was clear, with a high of -2 C. The morning and evening traffic counts indicate about 0.4 trips per unit (0.2 in the peak hour), which suggests that a low percentage of residents drive to work. No effort was made to determine population demographics or TTC usage (there is frequent bus service on both Eglinton and Scarlett). No comparison was done to ITE estimates. With data from only the peak hours on one day there is no information about daily, monthly, seasonal or weather-related variations, or Saturday trips. Such variations could easily be ±30 percent. No effort was made to justify the assumption that trips observed for the Richview Rd. community will be reasonably indicative of trips generated by the proposed new residences. One might expect the demographics and trip patterns of residents of the 40+ year old, relatively low cost, buildings on Richview Rd. to be significantly different from the anticipated residents of the proposed new development.

An assumption is made that the number of peak hour trips made by residents of the proposed development will be reduced due to residents not making a trip because the non-residential components of the development would eliminate the need. The Study's provision for residential interaction reduces the number of peak hour trips (out in the morning, back in the evening) to just 95, or 0.14 per residential unit. Eliminating this reduction would add 40 trips in the peak PM hour. The reduction assumed seems excessive, and may not

be justified at all.

2.4 Fitness Club

Observations of peak hour trips at three fitness clubs in Mississauga and Ottawa were used as proxies for the proposed new Fitness Club. Each of the proxy clubs is much larger (1.7, 2.4 and 4.5 times the floor area) than the proposed Club and each is stand-alone — not part of a larger retail / residential development but in a commercial area. No attempt was made to address the discrepancy between the scale and environment of the proposed Club versus the proxy clubs. Cost of rent, and thus the required utilization intensity, at the proposed small Club is likely to be much higher, resulting in more trips per square foot. (Note that the proposed residences have their own fitness facilities.) Almost all local community members of the proposed Club are likely to drive there every time.

2.5 Pass-by Trips

In the ITE methodology, pass-by trips are identified as visits to the proposed development that are attributed to drivers who would pass by on the adjacent roads anyway, but divert briefly into the new development. Pass-by trips thus do not add to the ambient traffic of the adjacent roads (although they will add to the number of turns at intersections).

The Study subtracts pass-by trips from the gross trip estimates. But pass-by trips do add traffic into and out of the development site, including diversions onto local roads in order to access or leave the site. Using the Study data, this amounts to 215 uncounted trips into or out of the development in the peak pm hour. These trips appear to be correctly included in the Figures showing traffic flows in the road network.

Due to congestion on Eglinton, the assumption that pass-by trips would only affect Eglinton and Wincott is almost certainly wrong. Instead, drivers will use the plaza as part of a short-cut through the local roads of the community (Widdicombe Hill, Hunting Ridge) to avoid Eglinton.

3 Performance of the road network

To derive existing and projected traffic flows, the Study relied on traffic measurements reported in Table 7. Counts were performed at six intersections on two hot, sunny days in early June, 2016. Counts were reported for the site entrance on Widdicombe Hill on "**Thursday** May 12, 2013", but May 12, 2013 was a **Sunday** so it is not known when the count was actually done. (Perhaps it was May 12, 2016, which was a Thursday.) Counts were done at the north driveway on Wincott on two very warm February days in 2018.

As discussed above, such extremely limited data is insufficient to produce reliable estimates of present or future traffic, including normal fluctuations, at various times of year. With measurements on only one weekday and one Saturday, it is impossible to determine the standard deviation of the measured quantities. All of the intersection performance analyses must thus be recognized as just one possible outcome amongst a wide range of possible outcomes. Many of the possible outcomes are likely to involve much higher traffic volumes and correspondingly worse road network performance.

The Study has failed to present any statistical analysis, or any analysis of sensitivity of the projected outcomes to changes of the input data (e.g., increase input numbers by 5%). Ignoring the expected statistical variation of input data and the uncertainties associated

with the calculational methods indicates a total lack of understanding of or regard for the significance of erroneous or highly uncertain results.

Without adequate data and proper statistical analysis, there is no reasonable basis for trusting the traffic flows shown in Figures 12 through 28, or for estimating the likely uncertainties.

The Study has used the ITE trip calculator to estimate existing trips (Table 10 and Figure 12). Given the great uncertainty of ITE estimates, it would have been far more reliable to perform counts of actual traffic into and out of the site on sufficiently many days to establish statistical significance.

Background traffic growth due to other developments along Eglinton (Figure 13) shows a total estimated number (both directions) of 325 vehicles in the peak AM hour and 370 vehicles in the peak PM hour. On Saturday the number grows to 455. This 12% growth over 5 years is attributed to only the active developments listed in Table 8. Strategic changes to the transportation network, such as completion of the Eglinton Crosstown LRT and the introduction of HOT lanes on the 401, may have a much greater impact on the background traffic. Toronto Transportation Services, Metrolinx and the Ministry of Transportation should be challenged to provide modeling results for traffic on Eglinton West related to such strategic network changes.

It appears that Figure 14 shows the traffic reductions due to the proposed reduction of the existing retail building, which would only happen if the new development is approved. This reduction would thus never actually be realized.

On Wincott, south of Hunting Ridge, the estimated weekday numbers from Figure 12 are 305 (AM) and 410 (PM), and the Saturday number is 205. Figure 16 shows existing residential traffic volumes based on the Transportation Tomorrow Survey. For the same section of Wincott as discussed above the weekday numbers are 25 (AM) and 20 (PM), and the Saturday number is 25. These are far lower than the total numbers in Figure 12. *If the Figure 16 numbers are correct*, they indicate that almost all traffic on Wincott is due to incursion into the neighbourhood by non-residents – most of which is associated with Richview Square. More likely, they are not correct. Indeed, this may well illustrate the *large errors that should be expected of all the ITE trip generation estimates.*

Figures 17 and 18 show site Residential traffic. On the weekday peak AM hour there are only 95 vehicles leaving the site whereas Table 9 indicates 135 outbound resident vehicles. This is not consistent. It seems that left turning vehicles at the new access on Eglinton have been omitted.

Retail pass-by traffic shown in Figure 22 shows no pass-by traffic in the AM peak hour. It thus seems to assume there will be no coffee shop, bank or pharmacy to divert commuters in the AM. But the community will clearly expect to have such amenities. This is another example of the inadequacy of ITE estimates.

There appear to be calculational errors in the combination of data from various of the traffic flow figures. These errors have resulted in all inbound and outbound traffic at the north driveway on Wincott disappearing from the Total Site Traffic Volumes in Figures 23 to 25, even though the driveway is not closed off and will provide access to many parking spaces and through-access to Widdicombe Hill. An error has also resulted in no southbound vehicles on Widdicombe Hill being shown entering the site at the north-west entrance. That is an access path regularly used by the author, and many other residents who live north-west of the site. The missing flows reappear in the Future Total Traffic Volumes of Figures 26 to 28, whereas adding future background traffic increases should have had minimal / no effect on traffic into or out of the site.

3.1 Adjacent developments

The Study fails to include Dryden Way and the seniors' residence currently under construction at 4650 Eglinton Ave. W. Both of those developments will create additional traffic (not reported in the Study) through the site to both Wincott and Widdicombe Hill, as well as increasing the traffic flows at the new private road to Eglinton.

The access through the Richview Square site to Wincott was incorporated into the approved plan for 4650 Eglinton, as was access from Dryden Way via the private lane behind the seniors' residence. Dryden Way and the private lane north of the seniors' residence will provide a fifth path in/out the site that avoids Eglinton Ave. and has not been included in any of the analysis.

4 Traffic within the site

The Study provides no analysis of traffic within the site. However, the trip generation estimates and entry / exit data from the traffic study indicate the number of vehicles expected to enter and exit the proposed development at each of its connections to the adjacent roads. From Figure 26, the total counts entering and leaving the site are:

Weekday AM - inbound	695
Weekday AM - outbound	670
Weekday PM - inbound	1145
Weekday PM - outbound	1040
Saturday - inbound	1125
Saturday - outbound	1150
Weekday AM - total	1365
Weekday PM - total	2185
Saturday - total	2275

I will make some simplifying assumptions to calculate how many vehicles per hour might be able to enter and exit via the three garage entrances in the proposed design.

There is a sharp turn required for both entering and exiting vehicles at the bottom of each parking ramp. For two of the ramps turns are also required at the ground-level entrances. These turns will force vehicles to slow to perhaps 3 km/h. (Movement may be faster before and after the turns, but the lowest speed will determine the flow of the stream of vehicles.) The tight turns will also cause contention between vehicles moving in opposite directions. I will optimistically assume that vehicles will follow each other with a two vehicle-length gap at the turns and that contention between vehicles in opposite directions will not slow the flow. For an average vehicle length of 5 m that means each vehicle will move 15 m at 3 km/h until the next vehicle takes its place. Assuming a steady, continuous stream, the resulting flow rate is 200 vehicles per hour per lane. The three entrance and three exit lanes will thus, at best, be able to move a continuous stream of 600 vehicles into and 600 vehicles per hour out of the garage. With the stated assumptions, equal division between the three entrances, and no gaps or bunching, significantly less than the expected hourly flows (listed above) can be accommodated.

Moreover, there are good reasons to believe that the above assumptions are overly optimistic. Figure 26 shows relatively few vehicles entering the site from Eglinton Ave. The number entering from the north-east and north-west entrances is comparable to the Eglinton

entrance, while the Wincott and Waterford entrance has triple the number. Balancing traffic flows at the three garage entrances would require significant cross flows of on-site traffic at ground level.

A more comprehensive analysis that considers detailed on-site traffic flows, bunching, turn restrictions/delays to and from the adjacent roads, and the predominantly older local population would likely show a peak hour limit of no more than 500 vehicles entering and 500 exiting the garage by all ramps. The number could be as low as 400 vehicles per hour. This is far below the traffic flows projected in the Study.

While the above analysis involves multiple assumptions, it should raise sufficient concern to justify a more thorough analysis based on data from other parking facilities with reasonably comparable development characteristics, garage entry/exit turn requirements, scale, users, and local road environments.

Traffic flow in and out of the garage could be improved substantially by redesigning the garage entrances both at ground level and at the bottom of ramps to provide greater width, eliminate sharp turns, and reduce the number of turns.

5 Pedestrian and Bicycle Traffic

The Study takes the perspective that all traffic into and out of the site is motor vehicles. There is no consideration or analysis of the potential interaction between motor vehicles and pedestrians, cyclists and people who may use mobility assistance devices. Proper consideration of these other users of the site may reveal significant constraints on the motion of motor vehicles entering, leaving or moving within the site. Those constraints are likely to require changes to much of the tabular data and figures in the Study, as well as impacting any analysis of vehicle motion at ground level and entering or leaving the garage.

6 Vehicle Maneuvre Diagrams

The Study includes many diagrams that demonstrate the ability to maneuvre garbage and other trucks into and out of the loading areas, and passenger vehicles into and out of the garage. While these diagrams demonstrate the possibility of successful motions, they do not examine whether it is possible, and how likely is it to occur, that a truck could be inadvertently maneuvred into a position from which it cannot be extricated in a reasonable time by further maneuvreing.

7 Summary

We have demonstrated that traffic estimates presented in the Study are not reliable. The data upon which the estimates are based are too sparse to be statistically significant. Intrinsic uncertainties in the ITE traffic generation method and supporting data, which are acknowledged by the ITE and examined in further detail in cited references, have not been taken into consideration.

Results presented in the Study on performance of the road network and capacity of intersections are also based on sparse data that cannot be considered statistically significant. Uncertainties in the data will be so great as to render useless all the Study results.

Several examples of internal consistency errors in the Study have been identified.

The Study has failed to consider any impact of pedestrians and cyclists on the flow of traffic, which is a serious omission for a development that must be pedestrian and cyclist friendly.

Although the Study may follow standard practices for preparation of such studies, the analysis provided here demonstrates that such standard practices do not, in this case, yield reasonably reliable results. With few exceptions, there is no justification for believing that the results presented in the Study are statistically meaningful.

References

[1] BA Group. Richview Square Redevelopment Re-Zoning Application – Transportation Considerations Study, April 25, 2018. URL `http://www.richviewsquare.com/sites/default/files/Transportation_Impact_Study.pdf`.

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Appendix 5

Comments on Draft Zoning By-law Amendment

The following pages contain a document that Concillor Holyday asked me to prepare following the Community Consultation Meeting on Dec. 3, 2019. It provides details regarding the existence and nature of deviations from existing zoning requirements that would result from approval of the proposed Zoning By-law Amendment. In addition to Councillor Holyday, copies were sent to the involved Community Planning staff.

Redevelopment Proposal
250 Wincott Drive and 4620 Eglinton Ave. W

Comments on: **Draft Zoning By-law Amendment (Etobicoke)**

Prepared by: **Martin Green (magreen@sympatico.ca)**
Date: **December 6, 2019**

1 Introduction

Montrin Richview GP, Inc. (the applicant) has proposed two By-law Amendments – one for Etobicoke and one for Toronto. I believe that they are substantially equivalent. These comments apply to a detailed reading of the Etobicoke version.

The proposed By-law Amendment is crafted to avoid generally applicable zoning requirements by specifically permitting what the applicant, wants to build. It does not identify in what ways the development would violate existing zoning requirements, nor does it make any mention of a road through the site even though the provision of and public access to such a road, and corresponding easement through CreateTO property, was included as part of the approval of the Shannex seniors' residence.

City Planning should be challenged to identify in detail the deviations from published Zoning By-Laws, Mid-Rise Building Performance Standards, and other requirements or guidelines that would result from the proposed Amendment and why each of the deviations is in the public interest, including the interest of the local community.

Council should not approve the Amendment unless such details and explanations are provided. Planning should also be required to demonstrate that fair and reasonable consideration has been given to all public objections to Planning's analysis and recommendations.

Failure of Planning to properly identify the deviations, provide reasonable explanation of the public interest, or respond completely and fairly to public objections should be grounds for refusing to approve the proposed Amendment.

Observations and issues that I have identified, and are specifically relevant to the proposed Amendment, are listed below. Indicated paragraph numbers refer to numbered paragraphs in the proposed Amendment.

1. Current zoning for the site is CR 0.5 (c0.5; r0.0) SS3. This allows for commercial use to a Floor Space Index (FSI) of 0.5, no residential use, and a height limit of 11 m. For details, see the interactive map http://map.toronto.ca/maps/map.jsp?app=ZBL_CONSULT. The "Lot coverage" data from the map indicates that buildings may cover no more than 25 percent of the existing Richview Square property.

2. Paragraph 2 of the Amendment designates the lands to be Sixth Density Residential (R6). This is a designation in the Etobicoke Zoning Code (https://www.toronto.ca/legdocs/etobicokecodes/0894_320.pdf, page 153). R6 has *"Area requirements"* (frontage, area per dwelling unit, setbacks, etc.) that the Amendment overrides with huge variances.

3. Paragraph 3 designates the entire lands – both the original Richview Square property and the land fronting Eglinton and owned by CreateTO – to be a single "lot". This would entitle calculations of FSI to be based on the entire lot area even though a new road through the lot will be required as discussed above and in order to provide access to the new buildings (because driveways are not allowed to Eglinton and Buildings A and B have no road frontage). The proposed Amendment does not disclose the FSI, but instead indicates in the drawing the gross Floor Area (GFA) of each of the four buildings. Combining the lands into one "lot" thus seems unreasonable and should not be permitted.

   Whether the new road is public or private (see below), it will necessarily divide the lands into at least two functional lots. The southern functional lot, bounded by the new road, Wincott and Eglinton, would have Buildings B and C. The northern functional lot(s) would have Buildings A and D. By my estimation, the FSI of the proposed Buildings B and C on the southern functional lot would be about 5.5. The maximum FSI generally allowed for mid-rise buildings is 4.5, with a target of 3.0, although no standard has been approved.

   If Building A is considered to be on its own lot (which is reasonable since the applicant has declined to comment on their future plans for the existing Building D) then the FSI for Building A will be approximately 7.4. While the proposed Building A is a tall building, there are no other tall buildings in the surrounding context, making it inappropriate for this context. If a building is to be allowed at the location of the proposed Building A then it should be a mid-rise building no taller than the ROW width of the (new) road it faces on.

4. The Staff Report of October 27, 2016 to Etobicoke York Community Council on the 4650 Eglinton Avenue West – Zoning By-law Amendment Application (the Shannex senior's residence) includes the paragraph: "*A new private lane would be provided at the rear of the development connecting the newly constructed Dryden Way to the vacant lot to the east of the development. These lands are also owned by Build Toronto which has secured easements to allow pedestrian and vehicular access over the development site to the existing plaza to the north and Eglinton Avenue West to the south. The Build Toronto lands to the east do not form part of this proposal.*" It was part of the public discussion at the time, and the cited text clearly requires, that a publicly accessible road be provided through the site, generally connecting to both Eglinton Ave. and Wincott Drive. Although the requirement for and configuration of the required road is clearly material, the present proposed Amendment fails to disclose the noted easement or required road.

5. Paragraph 4 makes explicit that this Amendment would take precedence over the Etobicoke Zoning Code, allowing higher density, greater height, less parking, etc. But the Amendment gives no such precedence over the Toronto Zoning By-law.

6. Section 40.10.40.70 (3) of the Zoning By-law requires *"(B) where the main wall of a building has windows or openings, the main wall must be set back at least 5.5 metres from a side lot line that is not adjacent to a street or lane, otherwise no building setback is required;"* The Zoning By-law defines *"(455) Main Wall means any exterior wall of a building or structure, including all structural members essential to the support of a roof over a fully or partly enclosed area."* Building A has residential units with a main wall on the west side levels 2 and 3 with windows and **zero setback** from the lot line.

7. The same Section requires *"(C) where the main wall of a building does not have windows or openings, the main wall must be set back at least 3.0 metres from a side lot line that abuts a lot in the Residential Zone category or Residential Apartment Zone category, otherwise no building setback is required*". Building A violates this also at level 1.

8. Section (3) 40.10.50.10 (3) requires:
*"**Landscaping Requirement if Abutting a Lot in the Residential or Residential Apartment Zone Category***
If a lot in the CR zone abuts a lot in the Residential Zone category or Residential Apartment Zone category, a minimum 1.5 metre wide strip of land used only for soft landscaping must be provided along the part of the lot line abutting the lot in the

Residential Zone category or Residential Apartment Zone category." This is violated by Building A and the ground-level parking north of Building A.

9. Section 40.5.40.10 (5) requires:
*"**Limits on Elements for Functional Operation of a Building***
In the Commercial Residential Zone category, equipment, structures or parts of a building exceeding the permitted maximum height for a building, as permitted by regulation 40.5.40.10(4), must comply with the following: (A) the total area of all equipment, structures, or parts of a building may cover no more than 30% of the area of the roof, measured horizontally;"
The architectural drawings indicate that Buildings A, B and C all violate this by very significant amounts.

10. Section 40.10.40.1 (1) requires:
*"**Location of Commercial Uses in a Mixed Use Building Condition***
If a lot in the CR zone has a mixed use building, all residential use portions of the building must be located above non-residential use portions of a building, other than: ..."
This is violated by ground-level townhouse units at the south end of Building A.

11. Section 40.10.40.1 (3) requires: *"**Residential Use Orientation to Street***
In the CR zone, a building with a dwelling unit may not be located so that another building is between any main wall of the building and the street on which the building fronts."
This is violated by Building A, considered as a building on Eglinton Ave., since it is located almost entirely behind the Shannex seniors' residence. The alternative would be for Building A to have an address on a new public road through the site.

12. Paragraph 7 of the Amendment specifies maximum permitted Gross Floor Areas without consideration of FSI. From the Schedule B drawing, Building A is a "tall building", with floors of about 750 sq. m. Buildings B and C have floor plates 2 to 3 times the 750 sq. m limit for tall buildings, but their heights (46.1 m and 42.8 m) also exceed the 34.5 m limit for mid-rise buildings stated in the Mid-Rise Building Performance Standards, Table 5, p. 38.

13. The Mid-Rise Standards, p. 38, state: *"Eglinton Avenue West is the only Avenue that has a 45 metre wide R.O.W. As the maximum mid-rise height is defined as 11 storeys, or approximately, 36 metres, the City should undertake further study of this area to determine*

appropriate building heights." It would be inappropriate for approval of the proposed Amendment to set a precedent for a topic that requires "further study".

14. Although it is not shown in the the attached figure, the site plan that would need to be acceptable to Planning before recommending approval of the Amendment, shows a park between Building B and Eglinton Ave. Building B thus has no frontage or entrances on Eglinton Ave. and should not have an Eglinton street address – it should have an address on a new public road through the site. In that case, the mid-rise height limit for Building B would be slightly less than the ROW width of the new public road – most likely 19.5 m instead of the requested 46.1 m.

    (I and other residents have objected that a public park, if created, should not be in the proposed location. Instead, it could be in the location proposed for Building A, at the end of an extended Waterford Drive, or it could be at the south-west corner of Wincott and Waterford or the north-east corner of Wincott and Eglinton (on other CreateTO land). Building B could then be moved south to front on Eglinton.)

15. Paragraph 8 of the Amendment would permit the building heights desired by the applicant. As noted above, the heights for Buildings B and C exceed the mid-rise height limit by a large amount.

16. Requirement of a public road (e.g., an extension of Waterford Drive into the site, at least as far as Building A) would bring into play the Mid-Rise Standards requirement that Buildings B and C should ensure 5 hours of sunlight (from March 21 to Sept. 21) on the sidewalk at the north side of the public road. With the proposed design, even the sidewalk at Building D (existing plaza), especially at the west end, might not have 5 hours of sunlight.

17. The Mid-Rise Standards require: *"Right-of-ways of 20 to 30 metres inclusive should provide a minimum sidewalk dimension of 4.8 metres."* The design drawings show a 2.1 m sidewalk on Wincott, in violation of the Standard. The architectural drawings also show 2.1 m sidewalks along the private road within the site, which would thus not be build to the same standard as a public road.

18. Eastward extension of existing Building D would eliminate the present transition to front yard setbacks of houses to the north on Wincott. The setback of the existing Building D was no doubt required at the time it was constructed, and the need for such alignment has not changed. Indeed, to comply with the Mid-Rise Standards, Building C

should have a setback for the northern 15 percent of its frontage on Wincott to align with the existing Building D.

19. Paragraph 8 of the Amendment permits building heights as shown in the figure of Schedule B. As discussed above, the heights for Buildings B and C are much greater than allowed by the Mid-Rise Standards. For Buildings A, B and C, the allowance for mechanical elements above the maximum heights are increased to 6.5 m from the 5 m allowed by the Zoning By-law. This is in addition to the excessive areas of the mechanical elements, discussed above.

20. Paragraph 9 of the Amendment permits the building envelopes and setbacks as shown on the provided figure, without regard to Zoning By-law requirements. As discussed in 6 and 7 above, Building A violates the setback requirements. Building C also violates the setback requirements along the south and east property lines, and especially at the south-east corner (0.6 m instead of 3 m). This paragraph also permits extensions beyond the defined building envelopes that could be in violation of Zoning By-law provisions for Permitted Encroachments (Section 40.10.40.60).

    The additional traffic created by the proposed development will quite likely necessitate the widening of Wincott Drive between Eglinton and Waterford. At the intersection with Eglinton there will likely be a need for three southbound lanes (left, thru, and right) and two northbound lanes. After allowing for sidewalks, the existing ROW will not be sufficient for five lanes. Furthermore, bicycle lanes should be provided so that cyclists can safely use Wincott to access the multi-use trail on the south side of Eglinton. To allow such widening of Wincott and bicycle lanes any development approved for 4620 Eglinton should be required to have significantly greater set back from Wincott than 3 m.

21. Paragraph 11 of the Amendment specifies required parking that appears roughly consistent with the Parking Rates for Policy Area 4 (PA4) specified in Table 200.5.10.1 of the Zoning B-law. City Staff have indicated to the applicant that the parking should be in accordance with PA4. However, the interactive map http://map.toronto.ca/maps/map.jsp?app=ZBL_CONSULT does not show PA4 to be applicable to the subject property. Without the PA4 designation, the residential parking rates would be roughly 10 percent greater, and the residential visitor rate 0.2 instead of 0.15. The architectural design documents (not referenced in the proposed Amendment) provide only the minimum number of residential and residential visitor parking spaces for PA4. Moreover, the residential visitor spaces are shared

with non-residential uses even though they must be available 100 percent of the time in the evening and a high percentage of availability in the evening is also required for known and expected commercial tenants. Use of the PA4 designation and sharing of visitor spaces leads to a significant reduction in the required parking spaces relative to the Zoning By-law requirements.

22. Paragraph 14 of the Amendment provides for the provisions of the Amendment to apply to the entire lot even following the severance, partition or division of the lot. I believe that this means that any significant change to (existing) Building D or to the number of parking spaces would require another By-law Amendment, but there might be other implications I am not aware of.

23. Paragraph 15 states that the PURPOSE OF BY-LAW is

"To amend the Zoning Code to permit the development of 2 Mixed-Use Buildings and the retention/expansion of the existing commercial plaza with site specific standards."

This is incorrect/misleading. The Amendment explicitly shows 3, not 2, new Mixed-Use Buildings. The Amendment misleadingly fails to disclose that over 40 percent of the floor space of the existing commercial plaza will **not** be retained, and that the expansion is only a minor eastward expansion that would eliminate the existing setback that provides alignment with adjacent residential properties. Moreover, the elimination of over 40 percent of the existing commercial plaza will result in almost all of the existing small business tenants being forced out of this location. This is already having significant adverse impact on the local community.

Appendix 6

Comments endorsed by RGRRA

The following pages are wide-ranging comments that I submitted on June 6, 2019, in response to the applicant's revised application, dated April 5, 2019. They were sent again on Dec. 4, 2019 to the newly assigned lead Planner on the project, who acknowledged receipt, saying: "Please trust your comments will form part of the public record for this application. I will forward you comments to Urban Design and Transportation." The Final Report does not acknowledge these comments in any recognizable way, nor do I have evidence that my comments "form part of the public record" (prior to inclusion in this Appendix).

These comments were written on behalf of, and endorsed by, the RGRRA. Most of them remain relevant to the present revision of the application.

DELIVERED BY E-MAIL June 6, 2019

Luisa Galli, Manager
Community Planning, Etobicoke York District
City of Toronto
2 Civic Centre Court, 3rd Floor
Toronto, Ontario M9C 5A3

Dear Ms. Galli,

Comments on: Richview Square Redevelopment Re-Zoning Application

1 Introduction

Montrin Richview GP Inc. and Build Toronto Inc. have submitted to the City of Toronto:

> Zoning By-law Amendment Application – Resubmission
> File No. 18 150932 WET 04 OZ
> 250 Wincott Drive & 4620 Eglinton Avenue West

dated April 5, 2019, and supporting documents – collectively referred to below as the Proposal. The Proposal relates to the proposed redevelopment of the Richview Square plaza and additional land to the south of Richview Square at 4450 Eglinton Ave W. These lands are zoned CR 0.5 (c0.5; r0.0) SS3. The "c" value indicates that the current zoning allows a maximum Floor Space Index (FSI) of 0.5; the "r" value indicates no allowed residential use. The lands are not located in a designated Policy Area (PA1, PA2, PA3 or PA4).

In response to the original submission, in April 2018, for the proposed development, I submitted comments (including an attached document: "Comments on: Richview Square Redevelopment Re-Zoning Application, Transportation Considerations Study") by email to Kathryn Thom and others, on July 24, 2018, resent on Oct. 19, 2018. Most of my comments in that submission remain valid in the context of the revised Proposal; I will not repeat them here, but expect that they will be considered, by reference, as part of the current comments.

The comments presented below have been reviewed and endorsed by the Executive of the Richmond Gardens Residents and Ratepayers Association.

2 Overview

We find that the proposed development would:

1. impede the establishment / continued success of local shops and services that cater to and meet the needs of the residents living both north and south of Eglinton Ave. (An increase in such shops and services would support evolution toward a more integrated, complete community with reduced reliance on cars.)
2. prevent successful business continuity of existing tenants of building D during the construction period due to almost complete elimination of both parking and vehicle and pedestrian access (Many of these tenants have served the local community for over 30 years. Their loss will be a major blow to the community.)
3. fail to function as a community hub both for the new residents and the adjacent neighbourhoods due to lack of appealing, community-focused spaces, interesting character, and attractive, thoughtful design
4. not be compatible with the scale, height and character of the surrounding buildings or the needs of neighbouring residents
5. not be consistent with Toronto's Tall Building Design Guidelines
6. fail to provide a public road for (already-approved) use by developments to the west and for local access to a proposed new community with over 1000 residents, multiple large buildings with retail businesses, and requiring signalized intersections for access to Wincott Dr. and Eglinton Ave.
7. contribute to functional fragmentation of the extended community, which has been steadily degrading into an agglomeration of effectively disconnected housing developments (detached houses, townhouses, apartment buildings, seniors' residences) across which there is very little common interest or interaction between residents
8. result in excessive ground-level wind, particularly in the high-activity area between buildings B and C and in the proposed POPS, between the buildings, and adjacent public park

9. create unsafe conditions for bicyclists and pedestrians, especially seniors and those with mobility challenges, moving within the site at ground level
10. force truck traffic, including difficult turns and backing-up, into high-traffic private vehicle and pedestrian areas
11. have peak-time traffic demand that exceeds the reasonable capacity of the internal roads, truck bays and garage ramps, exacerbated by the large number of turns required of any vehicle, in places where pedestrians must also walk, when entering or leaving.

The above issues, and further remarks provided in the following sections, lead us to the conclusion that the Proposal should be rejected as unacceptable for the designated lands.

I and other community members have met with the proponent on multiple occasions. We have provided constructive verbal and written input and suggestions for development of the site in a manner that would have high likelihood of commercial success while also contributing in a positive manner to the evolution of a vibrant, complete community. This community input has evidently been disregarded in the present Proposal.

While we support having a mixed use development on the site, such development should be of a scale and form that respects and enhances the local context, helping to build a more vibrant, complete residential community with complementary shops and services.

Since the largest buildings in the local context are widely spaced mid-rise buildings, we maintain that development on the present site should also be mid-rise (maximum height 36 metres) with ample spacing between buildings both within the site and from the adjacent seniors' residence.

The total scale of both the retail and residential components should be much smaller than proposed, in large part because it does not seem feasible to accommodate, within the site, the volume of traffic and parking that would be required to make a development with the proposed scale successful in the long term. A greatly reduced scale is also needed to enable creation of a safe, comfortable, vibrant public realm that would encourage pedestrians and cyclists to access, move through and use the site.

We encourage the proponent to work constructively with the community to develop a different design concept with a more appropriate scale and with design features that would make it a highly desirable, attractive and successful addition to the community. This design should address the entire site, including any long-term changes that may be made to the existing

buildings and taking care to ensure the ongoing viability of the existing, well-established shops and services.

We believe that such a cooperative design process could lead to a design that will meet the proponent's reasonable commercial interests and have strong support from the community.

3 Development Type

Sheet S-A101 of the submitted Architectural Plans identifies the Project Type as High Rise. This classification was necessary because the proposed building heights are 72.6, 73 and 46 metres, each of which exceeds the 36 metre maximum for mid-rise buildings.

Neighbouring buildings within 400 metres of the site are either mid-rise residential, one-storey commercial (plazas), townhouses, or detached houses. The proposed high-rise buildings would thus impose a stark change on the local context. They would create a level of density (both commercial and residential) that is incompatible with the local context and inappropriate for this location. Although we support the introduction of increased density, we maintain that, for compatibility with the existing context, **development on this site should be limited to mid-rise, not exceed 36 metres in height**.

4 Compliance Issues

In spite of being classified as High Rise, the Proposal violates the Toronto Tall Buildings Design Guidelines (March 2013) (henceforth, the Guidelines) in many ways.

The Guidelines define three building components: base building, middle (tower), and tower top. The base height should not exceed 24 metres and the base will generally have a larger floor plate than the tower. The tower floor plate should not exceed 750 m^2. The Guidelines state: "For sites where the adjacent context is lower-scale and not anticipated to change, provide a transition in the base building height down to the lower-scale neighbours. Match at least a portion of the base immediately adjacent to the lower-scaled context with the scale and height of neighbouring buildings."

Contrary to the Guidelines, the base for proposed building C goes to a height of 42-46 metres, with no setback along Wincott. None of buildings A, B, C provides a transition in the base building height to match the adjacent single-storey buildings (which are not anticipated to change in any material way). Building E, designed as a bridge between B and C, has no base.

Buildings B, C and E are fully integrated (continuous hallways) from levels 4 to 11, with a combined floor plate over 4000 m^2, while level 12 is about 2800 m^2. This far exceeds the 750 m^2 limit for the tower portion of tall buildings. The requirement in the Guidelines to "avoid big, boxy, dominant massing, and large, elongated, or slab-like floor plates" has also been grossly violated.

The Guidelines also specify: "Where taller buildings or larger tower floor plates are proposed, provide greater [than 25 metres] setbacks and separation distances proportionate to increases in building size and height. For larger floor plates, use the widest dimension of the tower floor plate as a guide to determine adequate tower setbacks and separation."

The north side of the unbroken floor plate of B,C and E from floors 4-11 is about 105 metres long. This exceeds the setbacks by more than ten times and is about four times the separation between buildings A and B, both in gross violation of the Guidelines. The length of the floor plate of building A also significantly exceeds the separation from B.

The Guidelines require tower separation from an adjacent laneway centre-line to be at least 12.5 metres. But where the private road passes between buildings A and D, building A has much less separation than required. Indeed, the private road has been made unusually narrow (7 metres) in order to squeeze between buildings A and D.

The Zoning By-law requires parking spaces to be set back at least 0.5 metres from a lot line, but the drawings show zero setback of parking spaces on the west lot line.

The Proposal has used requirements for parking space numbers that apply in designated Policy Areas, which is not the case for the involved land. As a result, the provision of parking spaces falls significantly below what the By-law requires. The minimum required parking spaces per 100 m^2 are 2.5 for a grocery store, 4.5 for a financial institution (bank), 3.0 for a medical office or recreation use (fitness club), and 1.5 for retail less than 10,000 m^2. Retail parking spaces must be available 100 percent of the time in the afternoon and evenings, which means that the Proposal's strategy of having the same spaces allocated to both retail and residential visitors violates the By-law requirement.

5 Documentation Issues

The Proposal claims that building A has a 12.5 metre setback from the west property line, but the drawings show that ground level has zero setback. The garage entrance and terrace above it will be framed by a 7 metre tall wall,

right on the property line. This design would require removal of numerous trees on the adjacent property (apartment building on Widdicombe Hill), very close to the property line, significantly degrading the treed nature of that property.

The Project Data Sheet claims a setback of 12.5 metres at the south property line, but the architectural drawings show an actual setback of 3 metres.

The provided elevation and angular plane drawings fail to show the significant change in grade across the property or to the residential area to the north. There is a 3 metre drop in grade from the south to north ends of the east property line, a further 1.5 metre drop to the west corner of the north property line, and several metres more drop to Hunting Ridge, north of the site. This affects drainage, shadows and integration with the neighbourhood in ways that have not been examined. The actual shadows will extend further north than has been shown in the drawings.

Massing models leave out the seniors' residence, currently under construction west of the site, creating an inaccurate visual representation.

The Planning Rationale Addendum Letter asserts, as part of its justification arguments, that an Eglinton West LRT station is planned adjacent to the site. But with the Province's announced plan to construct the LRT mostly underground it is most likely that there will be no LRT station at Wincott/Bemersyde. The Eglinton West LRT Community Working Group, which I Chaired, recommended that LRT stations be constructed only at north-south arterial roads.

6 Road within site

Based on existing, approved plans, the road that passes through the site from Eglinton to Wincott has been designated as the primary road for access to the seniors' residence currently under construction immediately west of the site and, together with the private laneway to the north of the seniors' residence, it has been designated as a road that will be used to connect Dryden Way to both Eglinton and Wincott (because Dryden Way is right-in, right-out at both Eglinton and Kipling). This road is thus required to serve not only the residents and businesses at the proposed development, but also neighbouring developments. Because of the large, diverse community of users of this road **a public road should be created through the site, connecting to Eglinton and Wincott, with right-of-way (ROW) width 20 metres or greater (according to the anticipated usage), instead of a private road**.

Drawing sheet A103 indicates a 18.5 metre ROW (10 metre paved width) where the road through the site meets Eglinton Ave., suggesting that this segment may actually be planned as a public road (although unusually narrow). But north of the public park the road narrows to 8.5 metres, with no ROW indicated. It would be highly unusual for a public road to transform into a private road, with no opportunity to avoid proceeding from the public to private portions. How, for example, could City vehicles clear snow from the public road without driving on the private road?

7 Public realm, pedestrians, cyclists

The Guidelines state that the development should "create a safe, comfortable, accessible, vibrant, and attractive public realm and pedestrian environment". Also: "Provide comfortable, safe, and accessible pedestrian and cycling routes through and around the tall building site to connect with adjacent routes, streets, parks, open space, and other priority destinations, such as transit and underground concourses."

The Proposal provides no detail on how pedestrians and bicyclists would access and move comfortably and safely through and around the site. The ground-level design seems primarily focused on vehicles, with little consideration for pedestrians and cyclists other than provision of 2.1 metre wide sidewalks.

Locating all truck and passenger vehicle entrances to buildings B and C between the buildings creates a very dangerous situation for pedestrians and cyclists, who, from the north, must go past both the loading and garage ramps to reach the residential and retail entrances. This is bad design and contrary to the Guidelines.

The section of private road that passes between buildings A and D is narrow and curved, and a location where pedestrians would be expected to cross and where trucks would need to pass through in order to reach the loading area of building A. This unsafe configuration illustrates the complete lack of consideration for pedestrians and cyclists in the design.

Roadways within the site should have clearly marked (preferably separated) bicycle lanes, but they are too narrow to do that. Driving lanes, including those intended for trucks, are often just 3 metres wide. This issue would be alleviated by a public road through the site, but remaining private roads would still need to be designed to provide appropriate pedestrian and cyclist routes.

The long, tall wall created by buildings B, C, and E would result in the existing plaza (building D) and the trees proposed for the surface parking

being shaded most of the time. The trees would not likely prosper, and the shade would significantly degrade the comfort and attractiveness of the space in front of building D. If the road within the site is made a public road and the development is limited to mid-rise, as we believe it should be, then the mid-rise standards will require sidewalks beside the public road to have seven hours of sunlight each day.

The Proposal would extend existing building (D) to the east by 8.1 metres, replacing the existing green slope and stairs with a tall wall about 3 metres from the sidewalk. This would significantly detract from attractiveness of the public realm and make access by pedestrians to building D less convenient than at present.

As noted in the submitted Pedestrian Level Wind Study Addendum, building E will create a wind tunnel in the space beneath it, making the entrance area to buildings B and C and the POPS and park all hostile areas on even modestly windy days (especially during the winter). Increased wind is likely to also cause increased ambient noise, further detracting from the appeal of the site and making conversation difficult.

The dominance of roads and parking, lack of sunlight, and excessive wind and noise could severely diminish the prospect of developing a comfortable and vibrant public realm.

The proposed public park, while unshaded, would not likely be a location that draws many users or activity. Directly adjacent to Eglinton Ave. and its severe traffic congestion, this has long been a relatively hostile location. It is noisy, exposed to dust and exhaust fumes from vehicles, difficult to access from the existing residential communities to the north and south, lacks street parking, and would be dangerous for children due to the proximity of Eglinton and the need to walk or cycle through high-traffic areas in order to reach the park.

A much better location for a public park, within the site, would be along the west property line, north of the seniors' residence (in place of building A and some of the parking). This would not have significant shade, would be adjacent to the nicely treed property of the apartment building to the west, would be protected from wind, noise and traffic, and would be safely accessible from the community to the north and west as well as the seniors' residence. If the road through the site is made a public road, then the park would be directly adjacent to this public road.

8 Scale and Density

The Proposal is to construct 773 residential units on a site that has only retail uses at present. The current 6,072 m^2 of retail space would be expanded to 13,409 m^2, an increase of 121 percent. After subtracting the proposed public park (but not the recommended public road), the total lot area of the site is just 31 percent greater than the lot area of the existing plaza. Also subtracting the area of the recommended public road would make the total lot area just 12 percent greater than the lot area of the existing plaza. We maintain that increasing the retail by 121 percent and adding 773 residential units would create a density of people and traffic that is far in excess of what can be reasonably accommodated on the site without causing serious adverse impacts to the surrounding neighbourhoods and traffic on both arterial and local roads.

The Proposal claims a Floor Space Ratio of 2.56. However, this was calculated using the entire area of the property instead of the area of the segments of the property on which the new buildings would stand. A more reasonable calculation would, for buildings B, C and E, use the property area bounded by Wincott, Eglinton and the proposed private road (considered to be 20 metres wide), but excluding the proposed public park – an area of about 8,680 m^2. The FSI for buildings B, C and E then becomes 6.7. A similar calculation for building A gives an FSI of 7.5, and for all four new buildings the FSI is 6.8. These FSI values are far greater than would be possible for a development governed by Toronto's Mid-Rise Performance Standards. We believe that the FSI for each distinct land parcel (bounded by property lines and public and/or private roads, and excluding the public park and the existing building D and its adjacent parking) within the site should not exceed 3.0.

We note that, in spite of having been requested by Toronto Community Planning to indicate the long term plans for the existing building D, the proponent chose not to address what those plans might be. It is reasonable to infer that the proponent is reserving the option to submit a separate application for (presently unspecified) redevelopment of the northern part of the site at some future date. This provides further support for our argument that FSI should be calculated based on the area of the sections of the property that will both functionally and visually (at ground level) relate to the proposed new buildings. (We have excluded areas associated with the extension of the proposed garage under and north of the proposed private road because the garage has no visibility above ground. Similarly, the garage is not included in the gross floor areas.)

The Proposal includes 332 parking spaces for retail use. The survey of the existing plaza shows 290 parking spaces; at busy times of year these spaces

are almost all used. The 42 new parking spaces allocated for retail will almost certainly be inadequate to serve additional retail that is 121 percent of what exists today. The By-law specifies different requirements depending on the nature of retail tenants, which means that (unknown) information on the expected tenants is required to accurately calculate the minimum requirement. Using 3.0 parking spaces per 100 m^2, the 13,409m^2 of retail space in the proposed development would need at least 402 parking spaces, but the design allocates only 332 spaces; experience with the existing plaza suggests that many more spaces would actually be needed. Insufficient retail parking will result in customers parking on adjacent local roads and will also impede success of retail tenants. The success and vitality of both the retail complex and the local community will be diminished.

The Proposal includes 681 parking spaces for the residences and 116 for residential visitors. The Zoning By-law requires 1.0 parking spaces for each residential unit and 0.2 visitor parking spaces for each unit. For the proposed design, that implies 773 parking spaces for the residences and 154 for residential visitors, which are, respectively, 92 and 38 more than have been allocated.

However, as noted above, all of the residential visitor spaces are indicated as shared with the retail parking, even though the retail parking is already less than the likely true requirement. This double-counting violates the By-law. The true deficit of residential parking spaces is thus 246 (26 percent) of the required 773+154=927 spaces.

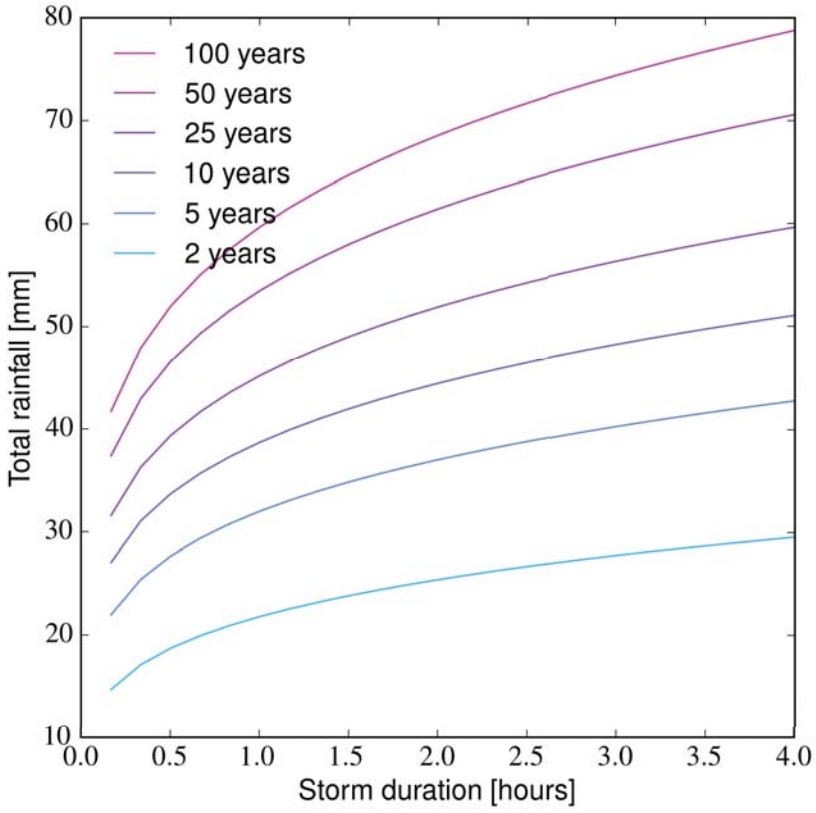
In total, the Proposal would need about 316 (31 percent of 1013) more parking spaces in order to meet the minimum By-law requirements for the proposed retail and residential development. Given the low density of the residential communities to the north and south and extremely light pedestrian traffic on Eglinton Ave., it is almost certain that the true demand for parking would exceed the minimum requirements. The shortage of parking spaces will result in huge competition for surface spaces, and parking pressure on local roads. Short trips will be discouraged by the need to park underground.

As demonstrated in my earlier Comments on the Transportation Considerations Study, the internal roads and garage access ramps would not be able to support the level of traffic one should expect for the proposed retail and residential development. Instead of increasing the number of parking spaces, the only viable alternative is to significantly reduce both the number of residential units and the floor area of retail space.

9 Stormwater Management

The Stormwater Management Report was based on requirements documented in the Toronto Wet Weather Flow Management Guide (WWFMG) (2006). The latter Guide defines an Intensity-Duration-Frequency (IDF) equation, which has two parameters, A and C, whose values are given for storms with repeat periods of 2, 5, 10, 25, 50 and 100 years. A footnote in the Guide states: "The updated IDF curves were derived based on the rainfall statistic analysis from three Toronto Gauges: Toronto Bloor Street (Gauge# 6158350 – 24 years record), Ellesmere (Gauge# 6158520 – 21 years record) and Pearson Airport (Gauge# 6158733 – 24 years record), as part of the WWFMP Study." Since the rainfall statistics used to determine the parameter values for IDF were based on less than 25 years of data, the parameter values specified for 25, 50 and 100 year storms have no factual basis.

In calculations of Hydrographs using HydroCAD software, it was assumed that a storm was characterized by continuous rain at a constant rate for the duration of the storm, with the intensity given by the IDF equation using a time equal to the local duration of the storm. The IDF equation has the characteristic that as the storm duration increases the calculated rainfall intensity decreases. The following plot shows the implied total rainfall during a storm, as a function of storm duration.



On July 8, 2013, 126 mm of rain fell at Pearson Airport in about 90 minutes – 1.95 times the 90 minute duration 100-year storm from the above plot, and 2.17 times the 50-year storm. On August 4, 2014, Burlington recorded up to 192 mm of rain, with the intensity varying widely over a period of 4 hours. On August 8, 2018, downtown Toronto received between 100 and 200 mm of rain in about 2 hours from slow-moving storm clouds, causing severe flooding. Hurricane Hazel, 65 years ago, dropped 285 mm of rain in 48 hours. This suggests that the A parameter for 50 and 100 year storms (which were estimated without supporting data) should be increased by a factor of about 2.

A recent scientific study[1] of Regional Climatic Changes over Ontario characterized the trend and expectation for extreme storms to become more severe in coming decades due to climate change. A separate study[2] examined implications for urban drainage design rules, concluding that storage capacities should be significantly increased.

Major flooding events are typically caused by thunderstorm clusters or (larger) mesoscale convective systems (MCSs). They may take several hours to move across a given property, during which time the rainfall will likely vary from light to very intense. Such systems generally have the capacity to drop over 250 mm of rain, but local amounts will vary widely and will depend on how fast the individual storms are moving. On August 8, 2018, the slow movement of the storm system resulted in severe local flooding. Due to the stochastic spatial distribution of total rainfall amounts, a small number of widely spaced rain gauges (e.g., 3 used for the WWFMG) will not provide sufficient data to meaningfully characterize the statistical distribution of severe storms in space or time. It should thus be recognized that the A and C parameters used in the IDF equation have great uncertainty.

As stated in the Stormwater Management Report: "Runoff from the 2-year to 100-year design storms must not exceed the allowable release rate as stated in the WWFMG. The allowable release rate to the municipal storm sewer system from the development site is the 2-year pre-development flow rate based on a runoff coefficient of 0.50 or the capacity of the receiving sewer." The pre-development catchment area flow rates, with a runoff coefficient of

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1 X. Wang et al., Journal of Climate, 28:18, pp. 7327-7346 (2015). https://doi.org/10.1175/JCLI-D-15-0185.1

2 P.Willems, Journal of Hydrology, 496:24, pp. 166-177 (2013). http://www.academia.edu/download/41522119/Revision_of_urban_drainage_design_rules_20160124-16415-1de3jbo.pdf

0.5, for 2-year storms were calculated as 33.1 l/s (.27 ha) and 243.9 l/s (1.99 ha). Mapping these to the redefined catchment areas gives allowed rates of 49.6 l/s (.41 ha) and 228.0 l/s (1.86 ha). However, the HydroCAD runs for the new catchment areas were incorrectly performed using the flow rates for the old catchment areas.

The 100-year storm used for the HydroCAD runs was of 19 minutes duration, with a total rainfall of 47 mm. Although 126 mm of rain was recorded at Pearson Airport the afternoon of July 8, 2013, the actual rainfall in central Etobicoke was almost certainly more. Such a rainfall would overwhelm the capacity of the proposed cisterns, resulting in uncontrolled overland discharge at a rate perhaps twice that permitted, and for a much longer time. **The capacity of the cisterns should be doubled, at least.**

10 Conclusion

The many issues and concerns documented above provide strong rationale for our contention that the Proposal should be rejected as unacceptable for the site. We would welcome an alternative proposal for mid-rise, mixed use development that is compatible with and sensitive to the existing context and contributes to the evolution of a safe, vibrant, complete, walkable community.

Sincerely,

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