

Date: May 20th, 2022  
To: North York Community Council  
From: Andrea Butt & Angela De Carvalho, On Behalf of the Residents of 260-278 Redpath Avenue, Toronto ON

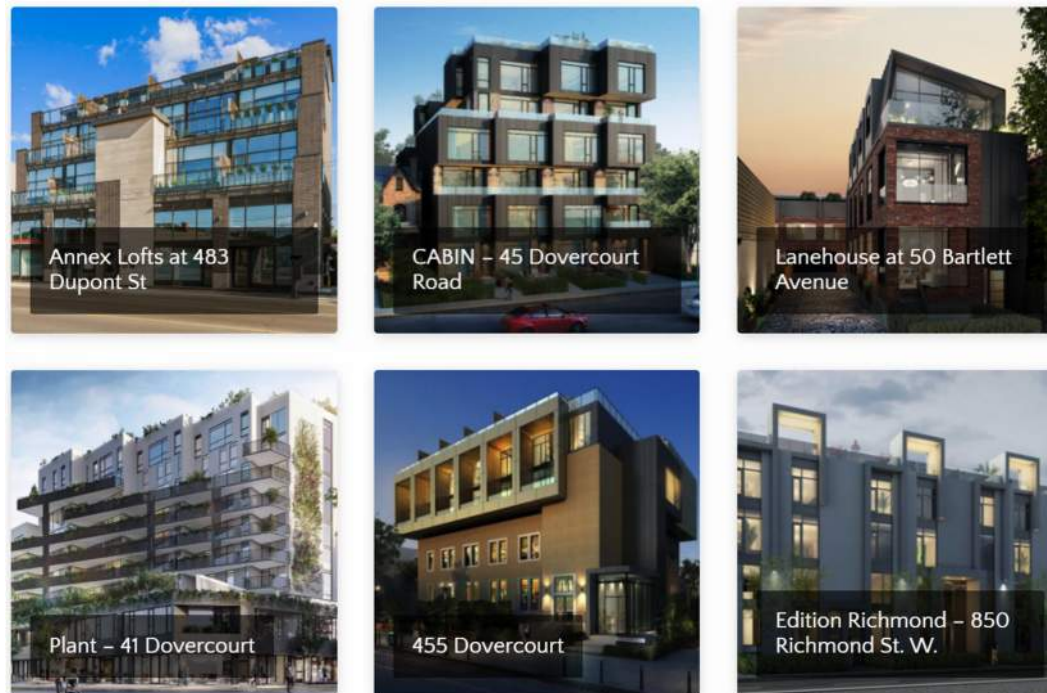
Dear Councilors,

Thank you for the opportunity to voice outstanding concerns on behalf of 260-278 Redpath Avenue townhouse residents. 260-278 Redpath Avenue directly reside along 109 Erskine Avenue's east property line.

Over the past few years, we have continued to participate and engage ourselves in community meetings, phone calls, and formal correspondences regarding this development; this included a letter and submission of written commentary in relation to 109 Erskine Avenue's development application that have repeatedly outlined concerns that have not been resolved in city reports or the developer's resubmissions since. Councilor Robinson's February 26<sup>th</sup>, 2021 follow-up e-mail correspondence to Redpath Avenue townhouse residents after the February 24<sup>th</sup>, 2021 City Planning's community consultation for 109 Erskine Avenue's development application also expressed concern and feasibility of the proposed project on this lot. There are complex reasons why we believe that the development as proposed is not feasible and they all relate back to public safety.

**Curated Properties' Past Experience**

Although Curated Properties has developed other multi-residential buildings in the past, they have all been buildings at lower heights, most within more confined sites similar to 109 Erskine Avenue. Development of a low-rise or split townhomes on the 109 Erskine Avenue property may have made more sense than a much taller building, based on lot size available.



*Past developments by Curated Properties, all low-rise or townhomes, available to review on their current website.*

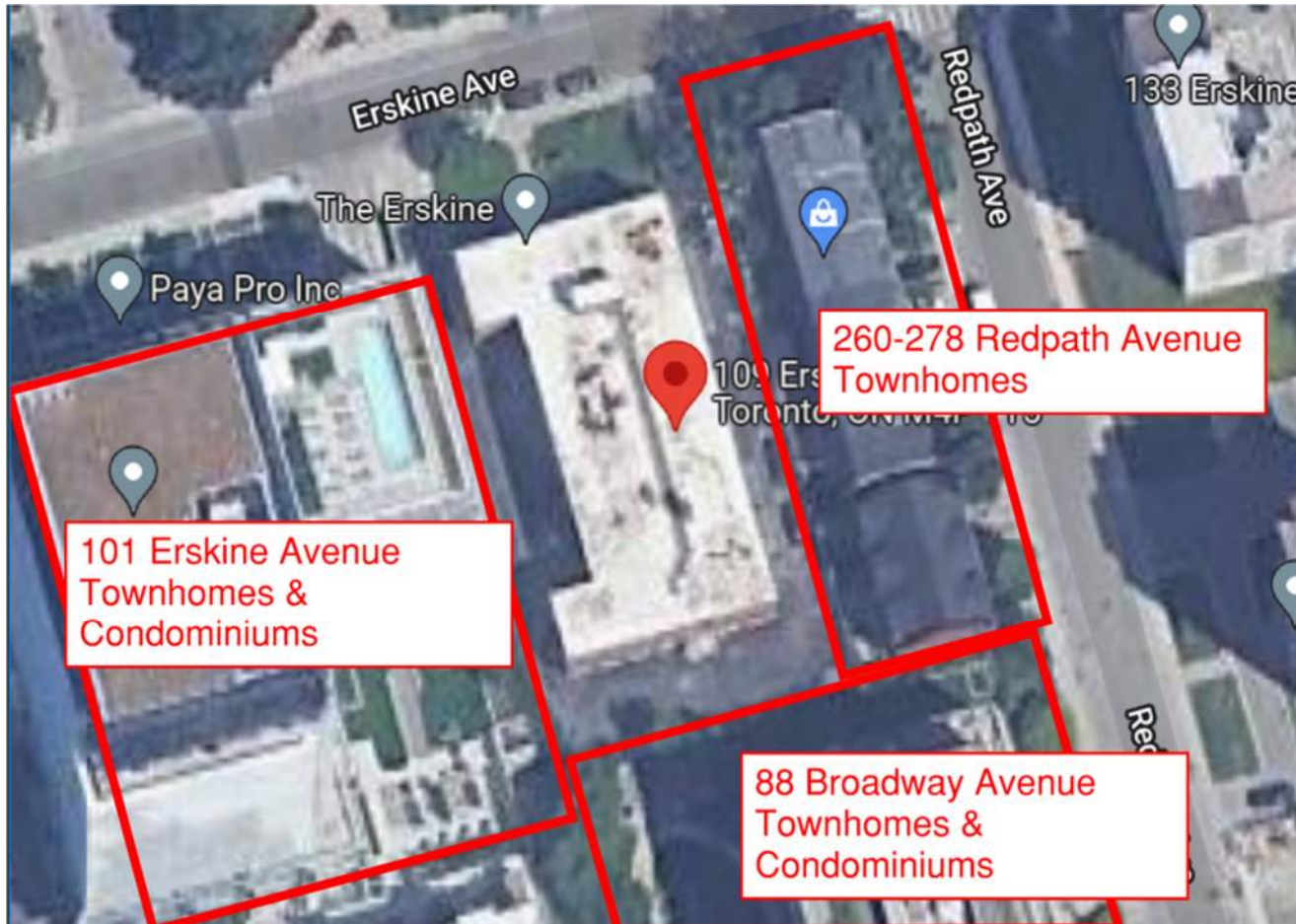
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**Limited Street Access**

In the proposed development for 109 Erskine Avenue, there is limited street access. Street access is only available via Erskine Avenue at the north elevation of 109 Erskine Avenue, where lot frontage is approximately 30m, and approximately 57m of lot depth at each the east and west elevations; the east elevation directly abuts 260-278 Redpath Avenue townhomes and the west elevation directly abutting 101 Erskine Avenue townhomes and condominiums. The south elevation does not have street access either, with 88 Broadway Avenue condominium and townhomes abutting the property on that side, boxing in the 109 Erskine Avenue property on 3 of 4 sides.

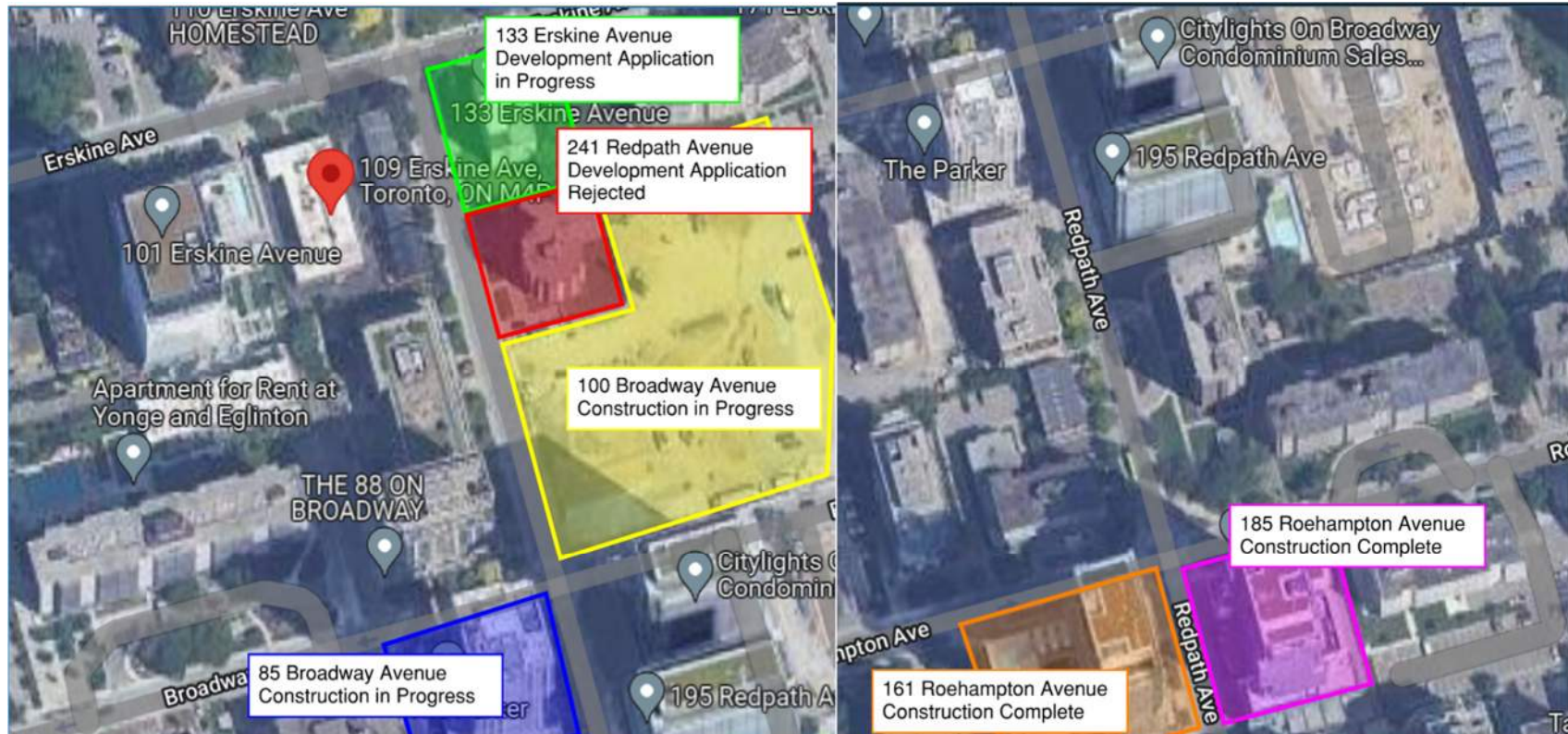


*Properties Surrounding 109 Erskine Avenue, sandwiching the property in, leaving the only street access available to for the building, along the narrowest elevation.*

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### Examples of other Developments Passively Maintaining Safety with Smart Site Selection

We often wonder why this project would be allowed to proceed, while other developments on this street have corner lots with dual street access during and post-construction, thereby minimizing adjacent residential and public disruption and potential safety concerns in the long term.



*Development proposals and projects currently underway directly within the vicinity of our homes have been highlighted. You will notice each approved or in progress development resides on a corner for a street, not sandwiched within other existing buildings as 109 Erskine Avenue is.*

As the 109 Erskine Avenue development is being proposed, the east elevation is not directly accessible in case of any accident or emergency; affecting not only the safety of ourselves and our existing properties, but also the public safety of other community members, children, pets, and various passerby throughout the day and night. **Although this is to be addressed at the site planning stage, we believe the safety concerns we have, would push the proposed building envelope back and therefore affect the project in the zoning stage of the development application process.**

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### Volume and Variety of Pedestrian and Vehicular Traffic

Another added layer to the danger of a lack of street access is the pedestrian and vehicular traffic; volumes on these streets, for a street that allows parking on both sides, as well as two way driving lanes, are high at various times of day.

This area is a school zone with school bus drop-off and pick-up due to already existing capacity issues at John Fisher Jr Elementary School. The school bus pick-up and drop-off which often creates congestion and confusion, in conjunction with rush hour traffic.

This area also has a high volume of food delivery couriers, zooming around on e-scooters and e-bikes, many of which refrain from stopping at the stop signs at the intersection of Erskine Avenue and Redpath Avenue, and are unregulated and used for their higher speed.



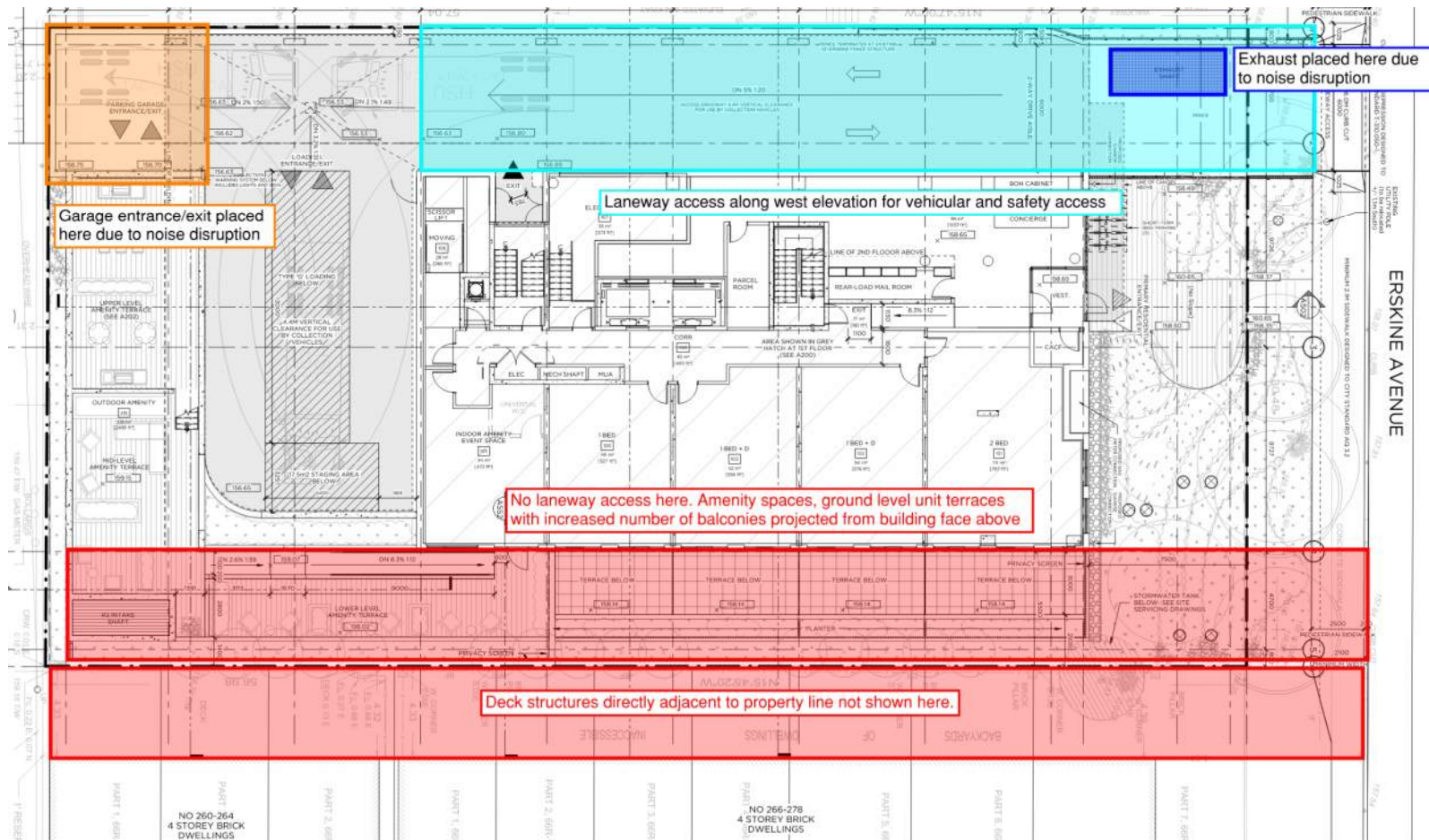
*Highlighted areas are where John Fischer Elementary School is and where students who are not able to attend this school due to capacity issues are picked-up/dropped off right at the intersection of Erskine Avenue and Redpath Avenue.*

**Well-knowing that there has been a traffic study conducted by the developer at this intersection for this development, we have concern that it did not take time to assess some of the various users of the streets throughout various days and various times of day that we encounter within this area thoroughly enough. This adds to the safety risk level when developing in this area.**

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**Lack of Sufficient Space to Maintain Safe Access and Meet all Parameters**

Fire safety was shortly assessed by the city on May 12<sup>th</sup>, 2022. The assessment was based on the ability of fire safety equipment to sufficiently reach the full extent of the elevation as it currently has a laneway with signage indicating fire route access. However, it may not have accounted for the removal of this laneway and the addition of residential areas of the proposed units at ground level and a full face of balconies projecting into this area. In the event of accident or emergency (for example but not limited to fire or falling debris, from any height of the proposed building etc.), we find it unsafe and negligent if this equipment were being used directly above our homes or along Redpath Avenue, of our own safety and the safety of the public. **Any liability for associated accident, injury, death, or property damage would be taken on by the City of Toronto and Curated Properties due to their potential approval and support of this development as proposed.**



A201 Drawing from Architectural Plans resubmission on Feb 24<sup>th</sup>, 2022. Markup in red demonstrating the lack of access proposed.

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A laneway is not currently proposed on the east side of the site, only the west side, as there would be constant noise disruption from exhaust and garage if it were placed on the east side of the site. To be able to meet any vehicular access and loading requirements and to avoid any noise disruption and safety issues with neighboring townhomes, the building footprint would thereby need to be smaller than proposed. **What we are proposing at minimum is a maintained laneway without obstruction between the townhomes and the east elevation of 109 Erskine Avenue, as well as a tapering of the floors above, down to the base building to avoid any debris falling on our roofs or on passersby along Redpath Avenue.** We have found that city guidelines and recommendations are correct in demonstrating the need for buildings to taper down to match the heights of any preexisting neighboring buildings. Although this has been mentioned in the city planning report for this public meeting, this has not been upheld in the city planner's recommendation and there is only some tapering of the building on the west elevation.

*Example taken from City of Toronto Tall Building Guideline: 1.3 Fit and Transition in Scale (right) vs. A403 Drawing from Feb 24<sup>th</sup> submission of 109 Erskine Avenue development application (below)*

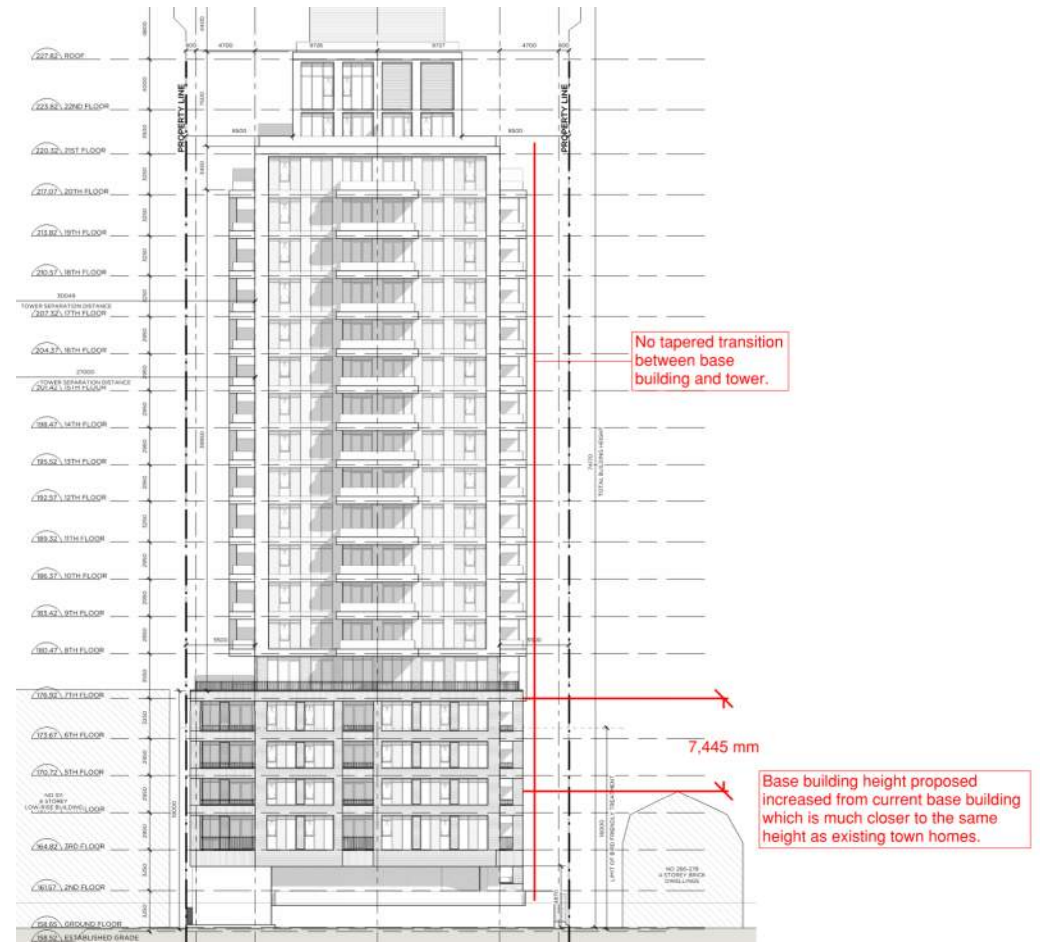
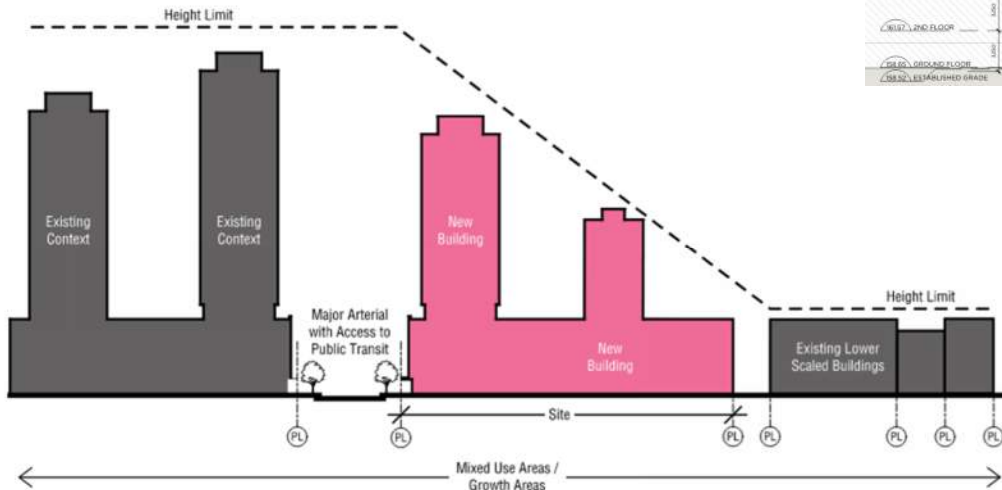


Figure 1: A conceptual illustration of a progressive transition in the height and scale of tall buildings from the centre of a growth area down to a lower-scale area.

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### **Example of a Development Built in Consideration of Neighboring Townhomes**

Further to this, we can also offer an example of another relatively recent development that neighbors townhomes, that was successfully executed right next to 109 Erskine Avenue; 101 Erskine Avenue condominiums next to 79-99 Erskine Avenue townhomes. **101 Erskine Avenue was built after 79-99 Erskine Avenue, therefore this developer had to design their building footprint and their site in consideration of the townhomes.** As you can see there is a very wide laneway between the two structures of at least 12m and at least some transition from base building/tower. Whereas the proposal for 109 Erskine Avenue has suggested a 5.5m setback from the building face, with additional balconies within this setback, a close to 0m setback of ground level residential areas, and no tapering from the base building up to other floors.



*Google maps image of 101 Erskine Ave laneway between townhouse complex that was existing prior to the development of the 101 Erskine Avenue condominiums and townhomes. Currently not used for regular vehicular access but maintains this laneway for vehicles servicing the building and in case of fire or emergency.*

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**Lack of Consideration for Privacy**

There has also been expressed concern throughout the process regarding the growing lack of privacy in the proposed design of 109 Erskine Avenue and inaccuracies of the submissions and reports. As documented and submit to the city planner as well as Councilor Robinson on June 15<sup>th</sup>, 2021, the number of balconies with direct sightlines into our windows has grown from 8 units with balconies above existing laneway, to approximately 28 units with balconies, projecting further above the existing space between the building face and our decks, and closer to our windows. It is noted in the Detailed Revision List submit on February 24<sup>th</sup>, 2022 and the city planner’s report only publicly disclosed to us on May 16<sup>th</sup>, 2022, that the projection of balconies projecting from the building face has been revised from 1.8m in the June 18<sup>th</sup>, 2021 submission to 1.5m. Upon review of the architectural drawing sets, the projection of balconies from building face was approximately 2.1m, revised to 1.8m. That projection should include the balcony in its entirety.

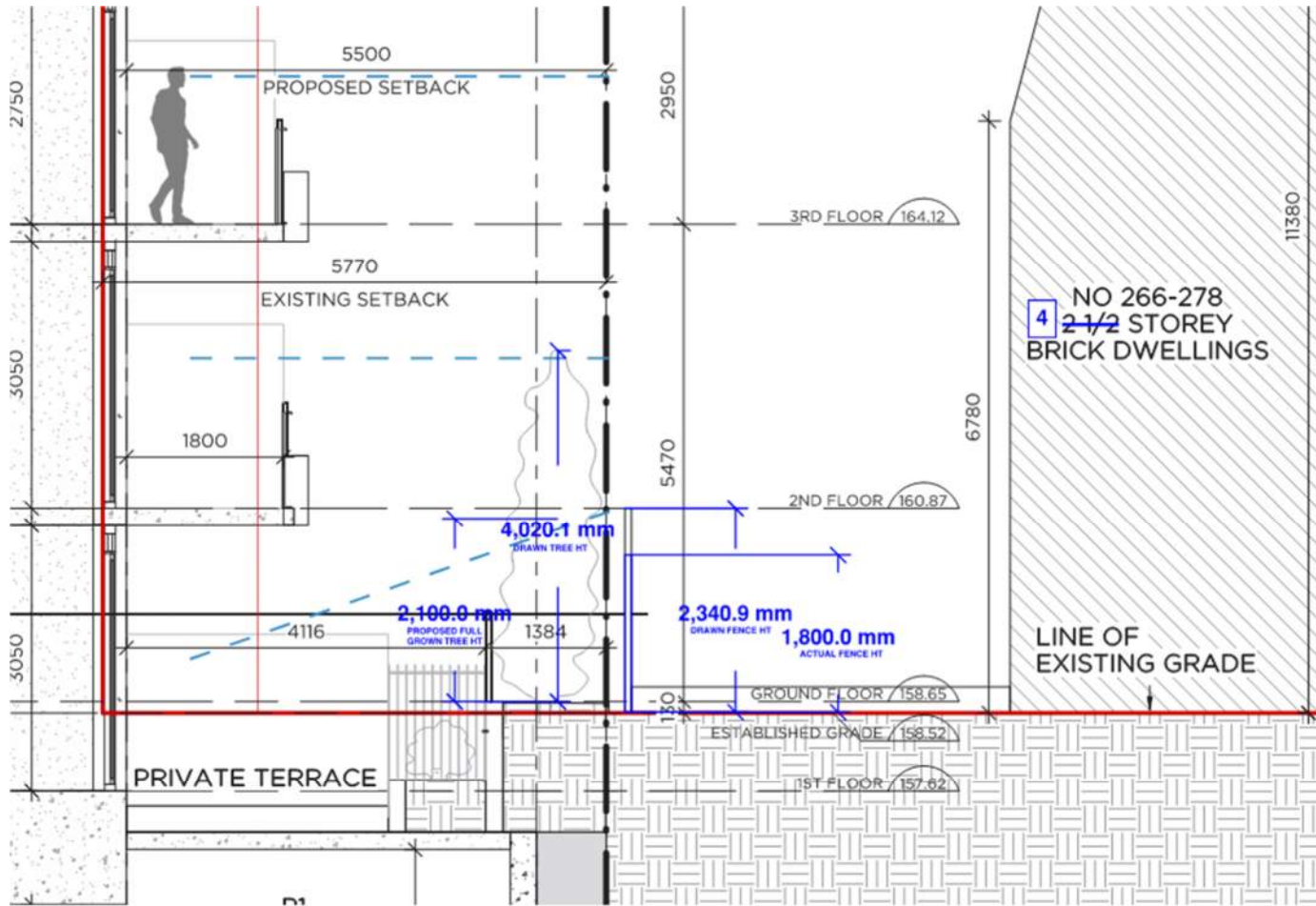


**RAW** 3D VIEWS  
EXISTING / PROPOSED  
19001 109 ERSKINE AVENUE  
JUNE 7TH, 2021 | NTS

*Rendering of east elevation with balconies from developer dated June 7<sup>th</sup>, 2021 vs. current view of east elevation with limited balconies.*



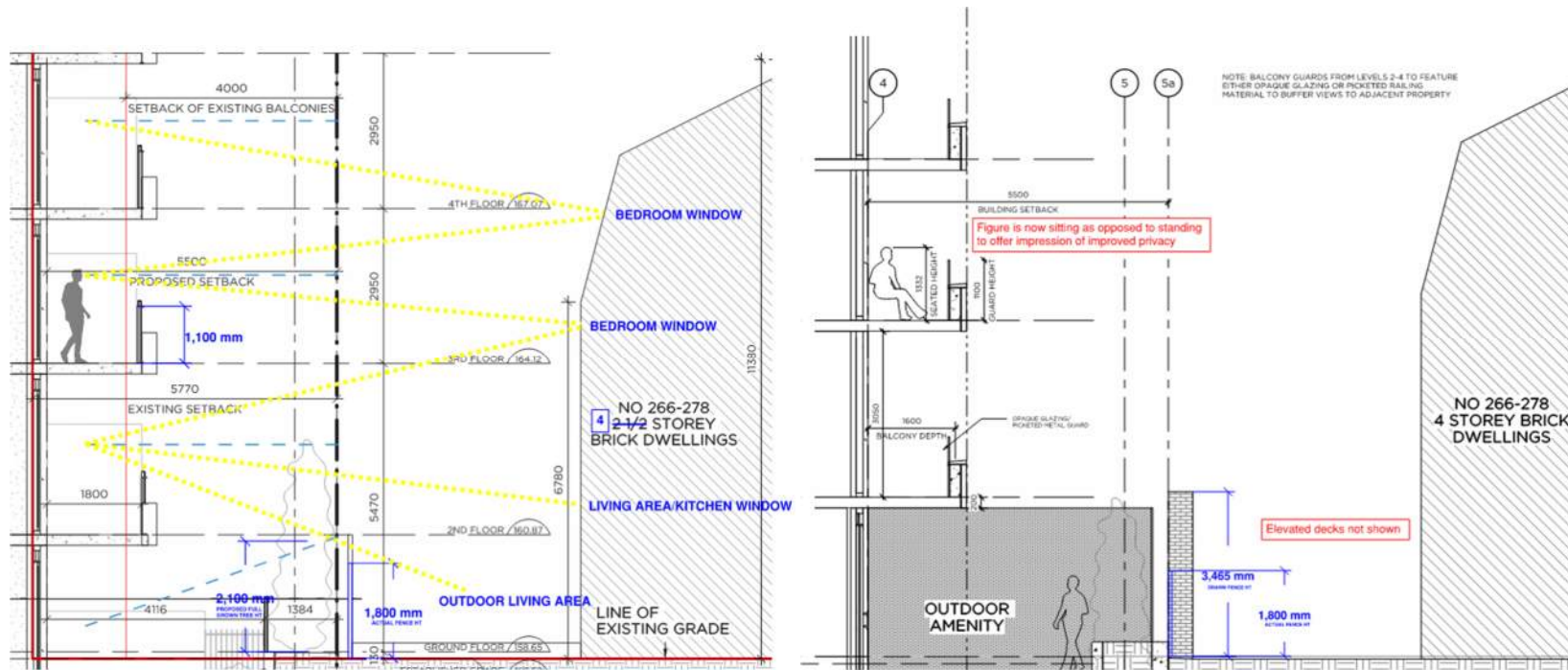
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Section showing sight lines from 109 Erskine Avenue balconies dated June 7<sup>th</sup>, 2021, marked up June 15<sup>th</sup>, 2021 to demonstrate discrepancy in fence height, as well as misrepresentation of privacy provided by proposed landscaping.

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Section showing sight lines from 109 Erskine Avenue balconies dated June 7<sup>th</sup>, 2021, marked up June 15<sup>th</sup>, 2021 to demonstrate where sight lines lead approximately into townhome windows (these are all operable windows and glazed doors) vs. A552 drawing from Architectural Plans submit February 24<sup>th</sup>, 2022 marked up to demonstrate that even still, there are inaccuracies in how the fences have been portrayed, and if section were placed further north, you would see how close the two properties are becoming.

### Inaccuracy in Representation of the Relationship Between the Properties

There has also been inaccuracies in how our properties have been represented. We are aware that showing this in the report is not a requirement, however it is very misleading, and portrays there being open space with sufficient privacy measures, when in fact there is not. In the architectural drawings submit, our fences are being shown anywhere between 2.3-3m high when they are closer to 1.8m high, without our deck structures shown, only empty space. Some of our decks are in fact elevated a fair amount above grade and are in much closer view to the proposed balconies. Per commentary in the most recently submit Detailed Revision List, the sightlines had been reduced, however this is not due to revision to privacy screen, but due to how a person on a balcony was represented in the drawings. Previous drawing dated June 7<sup>th</sup>, 2021, showed a person standing, and revision shows them seated to make it seem like there is less visibility, when the screening is in fact the same as shown above.

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**We are aware and accept that this area has been designated as an Urban Growth Centre; however, it is of utmost importance for pending projects within the community to be completed safely and properly.** Given the proposed project would be so densely populated by new units spanning the east and west elevations of 109 Erskine Avenue, noting the proximity to our backyard area during construction with lack of adequate street access, and the chaotic nature of the traffic along these streets, the way this development has been proposed raises safety concerns to both Redpath Avenue townhouses and surrounding community residents **well after construction would be complete.** It is also noted that in light of these repeatedly unaddressed concerns in both verbal and written communications, **project approval creates undue exposure to risk, and inevitable required legal pursuit pertaining to city addition as a responsible party regarding developer's insurer safety and property damage liability issues.**

**Without moving the building face further away from the east property line, we do not believe the development as proposed maintains a safe and livable environment and is not beneficial to the community. It is apparent that the developer did not account for the complexity of executing a tower on a lot with limited space in acquisition of 109 Erskine Avenue, and we should not have to pay for that negligence and irresponsibility. We ask on behalf of not only the Redpath Avenue townhouse residents, but also the surrounding community members, to consider in its totality the on-going and growing concerns regarding the development as proposed for 109 Erskine Avenue.**

Thank you, Councilors, for your time in reading and listening to our concerns.

Sincerely,

Andrea Butt & Angela De Carvalho

On Behalf of Residents of 260-278 Redpath Avenue, Toronto, ON.