

**Sent Via E-Mail**

**My comments for distribution to Toronto and East York Community Council consideration on April 12, 2023**

**Submitted by Janis Jaffe-White (Mrs.)**

**Re: TE4.16 - 1366 Yonge Street - Official Plan and Zoning By-law Amendment Application - Decision Report - Refusal**

**Consideration Type:** ACTION

**Time:** 10:00 AM

**Ward:** 12 - Toronto - St. Paul's

### **Introduction**

I am writing, on behalf of my family, to express our concerns regarding the aforementioned application and to respond to the comprehensive decision report prepared by City Planning Division.

We expressly do not support the application.

We support the City Planning Division decision report and recommendations.

We feel strongly that the members of the Toronto and East York Community Council should overwhelmingly refuse the application for the reasons set out in the City decision report.

We also feel strongly that the City Solicitor and appropriate staff should appear before the Ontario Land Tribunal should this application be appealed by the applicant to the Ontario Land Tribunal.

Before providing more detail, I want to stress the effort it takes to provide this kind of input.

You may or may not realize this but the time it takes to organize one's thoughts and write them up is hard work. It is time-consuming and quite frankly quite stressful. Please, in all sincerity, do not lose sight of this reality when you read communications submitted by everyday ordinary stakeholders like myself.

My family has a strong interest in this application because we and others we know would be directly and adversely impacted should this application be approved. Our

family doctor's practice is located in the Balmoral Medical Arts Facility building which is proposed by the applicant to be demolished. Also housed in this building are various other essential healthcare related services that we have accessed over the years. Numerous times we have made use of the diagnostics services available in this building. We have also used the Life Labs clinic in the building for urine and blood work. Our family doctor has been our primary healthcare provider for more than twenty years. To say we have a history with the Balmoral Medical Arts Facility would be an understatement.

We are not alone.

Even when we moved out of the area, we continued to remain with our family doctor in this building for all our health and medical needs. Our family seen by our family doctor in the Balmoral building includes our adult son who has autism spectrum disorder and lives with us.

Everyone knows how incredibly difficult it is to find a family doctor in the City of Toronto. This reality should not be lost on the members of the Toronto and East York Community Council who are tasked with reviewing this application and the City Planning Division's response to it.

Without a doubt losing our family doctor and the services also found in the existing building would be a huge loss to our family and others. Having to find another family doctor in this city would be near impossible, especially for our son. Can you even imagine how difficult it is to find basic health services, like a family doctor, for those like our son living with a life-long developmental disability?

Do you care?

### **Caveat**

While we are highlighting a number of concerns that we have with the application before you today, we ask that you please note there are many other pressing issues with this application. These have been identified loud and clear by Planning staff. They include concerns regarding intensification, height, massing, density, and transportation with respect to the proposed provision of a total of two (2!) car share parking spaces which is contrary to the new regulations related to vehicle and bicycle parking in new development adopted by City Council on December 15, 2021 and defies the City of Toronto resident requirement for a dwelling unit in multiple dwelling unit buildings found in City of Toronto Zoning By-law 569-2013, as amended, Version Date September 30, 2022, Chapter 200 Parking Space Regulations,

City of Toronto. There is neither the space or time to delve into this more here but suffice to say the information provided by the applicant concerning vehicular parking spaces for residential occupant and residential visitors deserves further scrutiny.

In this submission (for brevity's sake for readers) I also won't get into all the issues and ramifications relating to Section 37 of the Planning Act in relation to this application but please keep in mind that whatever community benefit charges are considered they should and must reflect the savings of the applicant who does not want to provide for the provision of adequate parking and equitable access for accessible parking. Despite the position of the applicant's consultants, etc., to justify the paucity of proposed parking, let us keep in mind the standards set by the city in this regard. With all due respect, there is no point in having an official plan and zoning bylaws if they carry no weight in your decision-making process.

### **Analysis**

Let me just start off by pointing out that the *Planning & Urban Design Rationale* document prepared by Bousfelds Inc. for 1366 Yonge Street Inc., dated August 2022, submitted by the applicant, arrives at the following conclusion:

*This report concludes that the application is in keeping with the planning and urban design framework established by the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the City of Toronto Official Plan, and the applicable urban design guidelines, and is generally in keeping with the overall intent of the Yonge-St. Clair Secondary Plan, although it requires a site-specific amendment. (Page 75)*

Does that make sense to you?

On the one hand it is claimed that the application is in keeping with the various requirements set out in the Provincial Policy Statement, the Growth Plan, etc., yet on the other hand states that a site-specific amendment is required.

Which one is it? Logically, in my opinion, both cannot be the case.

Non-compliance also seems to be a huge issue requiring your attention. There are many red flags.

First is the matter of being in keeping with and complying with legal requirements.

Even the most basic do not seem to be met and this should be cause for concern.

The application as submitted does not meet the threshold for complying with the Provincial Policy Statement.

This application does not meet the threshold for complying with the Growth Plan for the Greater Golden Horseshoe.

The application does not meet the threshold for complying with the requirements of the City of Toronto Official Plan.

The Healthy Neighborhood Policies of the City of Toronto Official Plan are not met.

The Land Use Policies of the City of Toronto Official Plan are not met.

The Public Realm Policies of the City of Toronto Official Plan are not met.

These are only the tip of the iceberg.

Under the Growth Plan, according to the applicant's rationale document, the purpose of the Growth Plan is to support the achievement of complete communities that are *healthier* [my italics], safer, and more equitable.

Upon review the application does not proven or even demonstrate how removing long standing heavily used local healthcare services ensures that the community becomes (or even remains) *healthier*.

Under the Healthy Neighbourhood Policies in the City of Toronto Official Plan, according the applicant's rationale document, new development needs to ensure that neighbourhoods are to be protected from negative impacts.

The application as submitted does not prove or even demonstrate that the Balmoral Medical Arts Facility neighbourhood is protected from negative impacts.

Under the Land Use Policies in the City of Toronto Official Plan, according to the applicant's rationale document, Torontonians are expected to be able to live, work, and shop in the same area, or even the same building.

I submit that the application does not prove or even demonstrate how residents will have the ability to live up to this expectation.

The application fails to achieve these required elements because none of the submitted documents address the human costs of losing the Balmoral Medical Facility building.

Let's consider this impact and its relevance to the application. The Balmoral Medical Arts Facility building currently consists of 60+ long-serving busy full-time doctors' offices. Currently, there is also substantial retail/commercial space in the Balmoral building containing extensive and essential laboratory services, x-ray and ultrasound services, and long standing busy main floor street level pharmacy serving the community. Compare this to the meagre 100 square metres of non-residential floor space on the ground being proposed in the application.

Do you care?

Compounding all this is that there are a number of development proposals for multi storey seniors' residences and assisted living buildings in the immediate geographic area that have already received City approval to proceed or are in the process of waiting to be approved.

Let's be realistic. It is only a matter of time they the applications waiting to be approved will be approved given the nature of these buildings to be built.

The added population growth as a result of these new growth in the area will in turn, inevitably and deleteriously, impact on and increase the need for local and comprehensive medical and healthcare services and supports.

It's a no-brainer.

With the demolition of the Balmoral Medical Arts Facility, the options for existing and new local residents will be severely limited. Options within reasonable distance will be restricted. Planning decisions must take this into account because obviously their quality of life will suffer greatly.

Does anyone care?

Why can't the proposal be required to be amended to ensure retention of the existing non-residential uses?

Why can't the city recommend that the new development be built on top of the existing structure in order to maintain the status quo?

If such compromises are not possible then the policy framework for the City of Toronto seriously lacks teeth and this has great ramifications system-wide.

Let's look at the City of Toronto Official Plan from another perspective.

The City of Toronto Official Plan's housing policies, as pointed out in the submission by the applicant, support a full range of housing in terms of form, tenure, and affordability.

Did someone say *affordability*?

Nowhere in this application am I able to find how the proposal intends to ensure that the residential units that will be available for purchase on this site will actually be affordable.

There is a breakdown of the number of storeys (i.e., Levels 1-8 and Levels 9-41), breakdown in the number of proposed residential units, and breakdown in the number of residential units by number of bedrooms, but, however, there is no attention paid to the city's priority (and for that matter the province's) to have affordable housing built to meet the needs of residents.

Did anyone else notice this about the application?

Furthermore, this application is also extremely problematic because there is only a scoped Community Services and Facility (CS&F) study included and not a full CS&F study.

How can this be?

It is stated that a full Community Services and Facility study was not required based on consultation with Strategic Initiatives, Policy and Analysis (SIPA) staff.

According to the application submitted, staff requested only that a scoped CS&F study be prepared relating to childcare demand and school pupil yield estimates.

Only in relation to childcare demand and school pupil yield estimates?

With all due respect, I believe that this does not make sense.

Why would less be acceptable?

No attention paid to public libraries? No attention to parks? Open spaces? No attention to community recreation centres and programs? No attention to places of worship? No attention to social and health services? No attention to social and health services? Nothing about social and health services? Really? How can this be?

Why is it with other development applications submitted to the city that a fully developed reckoning of social and /or health services is a requirement and provided yet with this particular application it is not? What is the justification? What criteria was used to make this determination?

How does this make any sense given that this application proposes the demolition of a key neighbourhood medical building that has served the community well and for decades? How does this make sense given that this application does not propose to incorporate the existing medical and healthcare services on the site into the new development?

My apologies but I cannot help repeating this: Nothing.

There is nothing that I can find on the City of Toronto Application Information Centre website pertaining to this application that deals with social and health services.

Why this was allowed is bewildering to me considering that approval of this application as it is currently submitted would mean the destruction and eradication of what all know are excellent and essential services that are already lacking within City of Toronto.

This is not about tearing down a row of houses along Yonge Street to construct a new high rise. This is about the removal of key quality of life services from the community that quite frankly, in all honesty, in my humble opinion, only seems to line the coffers of those who do not seem willing to collaborate and compromise with the community involved and impacted most. It is truly sad and immensely frustrating.

### **Time for Action**

In the introduction of the Bousfields Inc. Rationale document submitted by the applicant, the following is stated:

*For all the foregoing reasons, it is our opinion that the proposed development represents good planning and urban design, and, accordingly, we recommend approval of the Official Plan Amendment and rezoning application. (Page 4)*

It is widely known, recognized, and clearly expressed by community stakeholders that this application has numerous negative impacts on the neighbourhood and beyond, and this is strongly reflected in the City Planning staff report. These legitimate concerns require significant action.

Taking significant action means taking a stand against non-compliance.

There is every reason to expect the members of Toronto and East York Community Council to accept the Call for Action Decision Report prepared and submitted by City Planning Division for today's meeting.

There is every reason for Toronto and East York Community Council to support the primary stakeholders who are directly and negatively affected by this application.

### **Concluding Remarks**

This submission to you, the members of Toronto and East York Community Council, is longer than I initially anticipated.

This submission is intended to give hope to those like my family who are directly impacted by the application at hand.

I realize that our elected city officials have no direct involvement with the Ontario Land Tribunal should this application move in that direction because the applicant is unhappy.

This submission is based on a review of much of the supporting documentation submitted to the City of Toronto, media articles, information obtained through the Avoca Vale Residents' Association Change.org Petition which currently has over 7500 signatures (my own comments on the petition are provided in Appendix A for Toronto and East York Community Council and other readers).

This submission is also based on e-mail communications (January 18, 2023, January 19, 2023, January 23, 2023, January 26, 2023) between myself and the local City Councillor, Josh Matlow, Ward 12 Toronto-St. Paul's, via his Manager of Community and Stakeholder Relations, who made it clear that Councillor Matlow does not support the 1366 Yonge Street development application in its current state and wants the Medical Centre and other commercial spaces saved. The Manager also made it clear to me that Councillor Matlow has articulated his position very strongly to both the developer and City staff.



While there might be those who believe existing policies and legal tools will not save the Balmoral Medical Facility and may not sway a decision in a formal hearing, it is essential and paramount that the voices of the community not be drowned out which, in my experience, has been the case.

As a final closing note, let it be known how critical it is in a democratic society like our own that negotiations between the city and applicants are transparent, fair, and equitable.

Consideration needs to be given to all parties.

Authentic collaboration is key.

Compromise rather than any hint of intimidation needs to be paramount.

Closed door conversations that are undocumented cannot be allowed.

This includes what transpires between solicitors for all parties.

Conversations need to be documented and made public or even at minimum be made available upon request by a member of the public.

The development application process must be rigorous and inherently balanced in order for it to be trusted and effective.

As Toronto and East York Community Council, you have an opportunity today to make a real difference.

Please do what is right and what is based on good management practices.

I ask that you vote unanimously in accepting the report and recommendations of the City Planning Division.

Thank you. Also thank you very much to the city for allowing me this opportunity to provide Toronto and East York Community Council with my input.

Submitted By:

Janis Jaffe-White (Mrs.)

Date:

April 10, 2023

## Appendix A: Avoca Vale Residents' Association Petition "Save the Balmoral Medical Arts Facility – My Posted Comments

[Janis Jaffe-White](#) · 3 months ago

I signed the petition because my family and so many others are directly and adversely affected by this news. Our family doctor of more than 20 years has a shared practice in the building and if he is forced out we do not know what to expect next. If we will need to find another family doctor in the city (after having such an excellent doctor for so many years), we know that this will be an impossibility. The proposed condo development will not help increase the housing stock that is actually needed in Toronto. Builders/Developers are in the business of making money while destroying old established communities. More high priced unaffordable city condos that will be purchased and likely in some cases purchased to be rented out at unaffordable rents at the expense of losing critical health services is 100% unacceptable. Councillor Josh Matlow do something! Stop this in its tracks. You know that this project won't be in compliance. You already know they will try to sweeten the pot with supposedly generous community benefits funding. Don't be fooled. Don't be intimidated. Their supporting documentation reports are written by their consultants. They are prepared to be in their favour. Hold the Planning Department accountable. Ensure the whole process is transparent unlike what has transpired with respect to other development proposals. Don't let this reach the Ontario Land Tribunal because we all know in whose favour that will turn out. All the healthcare services housed in the Balmoral Medical Arts facility building have well served the community for years, met the needs of a diverse population and continue to be essential. It's a no-brainer: to uproot the lives of those who access these vital services and uproot the lives and livelihoods of the current building occupants would have far reaching ramifications. It would be devastating and unconscionable. Do what's right and needed.