

**Community Planning – Toronto & East York District**

18th Floor E, 100 Queen Street West  
Toronto, ON  
M5H 2N2

June 28, 2024

**Re: Proposal for two new 43-storey towers 191-201 Sherbourne Street (Application No. 20224753STE13OZ)**

This is a comment related to the above-mentioned planning application process as requested in the notice of community consultation meeting to be held July 10, 2024.

**Introduction**

1. We are residents of 191 and 201 Sherbourne Street, known as Sherbourne Estates. Some of us have lived here for more than 15 years. We have seen a multitude of changes both on this site and in the wider neighbourhood, and feel uniquely placed to offer perspective on the proposal at bar.
2. In brief: The revised proposal remains over-reach by several orders of magnitude \_ as evidenced by the need for significant zoning and other exemptions. Without substantive downsizing and modification, council should reject this proposal as detrimental to the neighbourhood, its residents and to city-building at large.

**Social**

3. More rental housing is sorely needed across the city of Toronto in general and in the downtown area in particular. The proponents deserve credit for proposing new purpose-built rental housing. However, the envisaged non-conforming and outsized towers fail to address the real rental-housing needs in this city \_ particularly in terms of affordability.
4. As Moss Park residents, we support the work of the shelters and respite centres in the neighbourhood. We recognize the value of the city-owned public housing in our neighbourhood \_ in fact we need significantly more of it. We have welcomed many changes, including new towers that have replaced older businesses and closed in the skyline to the west. We believe densification and a healthy mix of housing in any area is desirable.
5. However, this proposal would add extreme densification (in violation of existing rules) without doing anything to move the needle toward a healthier, sustainable housing balance.
6. Ward 13/Moss Park does not need more expensive rental units that are unaffordable for most renters. The area is already under enormous and ongoing developmental and

speculation pressure that council appears powerless to moderate. The proponent, unfortunately, appears willfully blind to, or unconcerned about, the realities of the existing neighbourhood \_ an area plagued by chronic homelessness and all its attendant ills. The number of truly affordable housing units has withered and continues to wither. Example: See 188 Sherbourne Street or the contentious 214-240 Sherbourne Street developmental battle.

7. The proponent graciously promises to abide by mandatory rent-control laws for the existing buildings. However, the proposal if executed would only exacerbate the area's chronic and acute affordability problem. It would create upward rent pressures on the existing rent-controlled buildings (rent controls are meaningless on unit turnover, with rents jumping as much as 80 or 90 per cent) as well as on buildings in the larger area. The proposed development would fuel an upward rent spiral for existing and future buildings in the area.
8. While the proponent is magnanimously offering to secure the rental tenure on the existing apartment buildings (at least for the near future), it would obviously benefit the proponent to have existing tenants leave in order to push rents in the vacated units sharply upwards. This is not conducive to tenant peace of mind.
9. To its further credit, the proponent makes no pretence about any sense of wider social responsibility in its proposal. Instead, it is promising the equivalent of baubles and trinkets by way of a community benefit charge (CBC) in exchange for significant city concessions. For example, the proposal calls for a roughly 30x40 metre public park on one corner of the lot \_ an area that is *already* treed green space (albeit landlord-neglected) \_ while destroying even more green space on the property. Who would be responsible for the new park? Other proposals re: the CBC amount to paltry landscaping efforts.
10. We are mindful that private developers are not social workers or welfare agencies. As proposed, however, the two outsized towers will do little for the larger neighbourhood \_ other than create significant additional stresses in terms of services, infrastructure and traffic. Given the broader lack of systemic response to current homelessness/social/economic/mental health issues in the neighbourhood, it is not unlikely that future tenants paying premium rental will demand heavier handed policing of the immediate area. This would compound the problems of the most vulnerable in our city. In effect, the proposal could very well contribute to a decline in quality of life in the neighbourhood and city more broadly rather than elevate it.
11. In short, this proposal seems calculated to benefit only the developer with little regard for city residents. The development does not fit the scale of the buildings already on site or in the heritage conservation designated vicinity \_ as noted by official planning documents and current zoning rules, which surely should have some meaning.

## Current Onsite Apartments/Tenants

12. The proponent and previous owners deserve credit for their extensive rehabilitation of the existing buildings at 191 and 201 Sherbourne \_ work that was long overdue. However, most of the heavy lifting \_ both financially and in terms of the scope of work \_ was done by the previous ownership. It should not go unremarked that the proponents in their documentary submissions attempt to take credit for work that preceded their ownership.
13. It can also not escape notice how rents have sky-rocketed in the two existing *rent-controlled* buildings upon turnover of tenants, many of whom lived through three years of intense and disruptive construction/renovation under the previous ownership. The previous owners at least did attempt mitigation efforts, including offering 'quiet rooms.'
14. Further major disruption has been ongoing unabated since the proponents took over the buildings in April 2023. Their efforts at nuisance mitigation have proven either woefully inadequate or non-existent. (As we write, there is no mail delivery to the buildings, non-functioning disabled access, almost 600 units are forced to share a 10-washing-machine laundry room that took months to redecorate and required unannounced fob reprogramming, and building lobbies and halls have been a construction zone for months).
15. The proposed new towers \_ on a site with limited staging space and immediately next to a thousand-plus residents \_ would create, at best, another three to five years of disruption (noise, dust, traffic, safety etc). In return, existing tenants, surrounding residents, and the wider city would gain no discernable social, economic or quality-of-life benefit at the end of the process.
16. As stated above, we are acutely aware of the need for more housing. As such, a now abandoned (2018) proposal for infill buildings for the site was far more thought-out and attuned to the location. Significantly, that proposal included something of a mix in terms of affordability \_ either rent-subsidized, below-market rents, or means-tested rent \_ as well as in terms of unit types. Such a mix is glaringly lacking in the current proposal. Any proposal should be much, much closer to the one from 2018 in terms of size, scale and approach.
17. The proponent is being misleading by suggesting that traffic flows will be enhanced by limiting the number of underground parking spaces while adding 831 new units in two towers. The thinking defies logic even if some underground parking spaces are currently unused. Residents without vehicles tend to rely on taxis, Ubers, delivery services and so on, not to mention the increased number of visitors that comes with new units. There are already bottlenecks both to the east and west of the site and the proposed development would worsen the situation and lead to safety and nuisance issues. Abandoning its untenable proposal to have a single entrance for three buildings on Sherbourne Street is a credit to the proponent but its revised proposal (the actual final version remains unclear) will do little to alleviate foreseeable traffic and parking problems on Sherbourne Street,

Windeyer Lane and Seaton Street. We have seen no detailed traffic counts or analysis that would alleviate this concern.

18. The proponent is graciously offering to widen Windeyer Lane on the east side of the site to allow for enhanced traffic flows. This, of course, will come at a cost of existing green or tenant-amenity space. It would be folly to believe the negative impact on the lane and on Seaton Street residents would be anything other than significant. (In this regard, we adopt the submissions made by homeowners and residents of Seaton Street). Similarly, the impact of the proposed towers on an already busy Sherbourne Street \_ a major route for emergency services \_ with its well used bicycle lanes would be substantial.
19. The proponent has made much of the notion that green space on the east side of the buildings is under-utilized and therefore ripe for infill buildings. The assertion is both specious and misleading. The space was blighted by years of neglect, construction, and lack of lighting and seating. Despite that, tenants have always used the space, more so now that both the earlier and current owners have gone a small distance toward cleaning up the area. Arguing under-utilization to support the cause for two huge, non-conforming towers does not inspire confidence and should be seen for what it is.
20. The proposed plans, with their destruction of trees and green space, would be detrimental to the local ecology. More than half-a-dozen bird species such as the downy woodpecker, cardinal, starling, house finch and blue jay nest on or use the site. New overly tall towers would also pose a threat to numerous species of migratory birds, including endangered chimney swifts. The fatality rate from bird strikes on high-rise buildings in this city is well documented.

### **Heritage Artwork**

21. The proposal appears to omit any mention of the heritage artwork on the property in the courtyard between the two existing buildings. The sculpture, by an internationally acclaimed artist whose work is on display at the Ontario legislature, across the country and abroad, would undoubtedly be threatened by construction of an infill tower. Two major pieces of wall art by the same artist's studio, featured in the existing building lobbies, disappeared during reconstruction without a mention. Their destruction \_ if that is what happened \_ would be a travesty, as would be any damage/loss to the still standing sculpture in the courtyard.

### **The Proponent as Landlord**

22. The proponent is clearly well resourced, as evidenced by their slick marketing and PR efforts regarding this proposal and in its wider advertising materials. Tenants who have direct experience with the proponent have seen a reality on the ground that often bears little resemblance to the rosy, progressive image the proponent is so adept at projecting.

23. Despite lofty words about tenants and community, building management appears bent on controlling every aspect of tenancy, as demonstrated by leases that run to about 90(!) pages. Referring in one part to tenants as ‘it,’ the document is replete with thoroughly self-serving and, at times, incoherent legalese that bespeaks an arrogance and deep distrust of tenants. The notion that rental units are our homes deserving of quiet enjoyment and that we are adults from all walks of life seems unimportant.
24. In addition, the proponent appears to misunderstand both the spirit and letter of the *Residential Tenancies Act* (for example when it comes to entry notices, withdrawal of amenities or quiet enjoyment). The proponent is currently subject of a complaint before the Office of the Privacy Commissioner for its cavalier approach to tenant privacy concerns as well as to ongoing and planned complaints before the Landlord and Tenant Board, in part related to the lack of nuisance mitigation during renovation.
25. The proponent makes much of its plans for new amenities. What it fails to mention is that the existing large indoor, in-ground swimming pool along with a hot tub and saunas have been shut down. The proponent deems these highly prized and previously well used amenities \_ rare in rental buildings \_ as ‘unsalvageable.’ Noteworthy is that the ‘unsalvageable’ pool is located essentially on the footprint of the proposed infill tower.
26. Despite the proponent’s boasts about their best-in-class project management, their ongoing renovation and construction in the existing buildings (much of which was cosmetic) has proven to be one of missed timelines, do-overs related to poor scheduling, and lack of nuisance mitigation. We recognize it is impossible to make an omelette without breaking eggs but the disruption to tenants has been unrelenting and significant.
27. Worth emphasizing is that the proponent appears to have violated \_ and continues to violate \_ the *Ontario Disabilities Act*. This relates to ramp access in and out of the two existing buildings as well as inside the buildings.
28. The proponent produces a constant stream of communication aimed at tenants (many carrying veiled and not so veiled threats) but has done little to solicit input about the ongoing and proposed changes. In fact, it shut down the only public feedback channel available to tenants. We note in passing there have been no communications as of this writing from the proponent about the upcoming public meeting on the towers proposal (which is taking place in the dead of summer). While perhaps not legally required, the lack of transparency speaks volumes by its silence.

### **Drainage Exemption**

29. The proponent is seeking exemption from drainage rules. This is ironic given the ongoing water infiltration and damage to the underground parking garage (where rehabilitation

efforts have been woefully slow and, at this point, ineffective) and other areas of the existing buildings. Consequences of poor drainage can be catastrophic and don't need belabouring.

30. Regarding the above, the footprint of the proposed towers would coincide at least in part with the current underground parking garage. Given the age of construction materials, affected by years of water/salt infiltration, it is unclear whether the existing structure was engineered to hold the weight of the proposed towers (or any other towers). There is little indication in the proponent's documentation as to planned remediation and/or upgrading. In addition, there appears to be no reference to the impact any remediation/construction would have on tenants/neighbours and those currently paying for underground parking.

## Conclusion

31. None of the above points \_ far from an exhaustive evaluation \_ bodes well for a future with the construction of two non-conforming buildings owned and managed by this proponent.
32. In closing, we urge city planners to raise the bar on enforcing zoning and bylaw variations/exemptions when faced with deep-pocketed investors whose sole business aim is to make profit. Nothing to date leads to the conclusion that rewriting public-minded planning rules solely to assist a private business goal is desirable for the community or for the social and economic health of the city.
33. The City of Toronto has invested significant effort in its development plans, including policies for the area that includes the 191 and 201 Sherbourne site. Setting aside good planning to suit the proponent and allow this project would adversely affect both the neighbourhood and city in terms of cost and quality of life, while doing little to address the seemingly intractable housing-affordability and related social questions.
34. There are preferable alternatives. The city can and should insist the proponent find them.

All of which is respectfully submitted.

Alan Solman  
Amir Ghorbani Pour  
Audi Etoffe  
Brian Dust  
Carolyn Rock  
Chris Syu  
Colin Perkel  
David Jubinville

Emilia Mahdiyan  
Geeta Tarani  
Jason Fulmer  
Jennifer Kerwood  
Jerome Major  
Jessica Clausen  
Jim Ellis  
June Yates

Justin Bain  
Kali Duffy  
Kim Rabjohn  
Liam Marecak  
Madison Rose  
Manny Pillai  
Mashayla Ritchie  
Matt Fielding

Nic Melder  
Pat Perkel  
Ricardo Mantilla  
Saarang Ahuja  
Samia Saad  
Summer Jones-  
Fielding  
Tony Fu

Contact: Colin Perkel ([cperkel@gmail.com](mailto:cperkel@gmail.com)) – 647-827-5058  
cc: Mayor Olivia Chow; Councillor Chris Moise, Planner Christy Chow

Mayor Olivia Chow

Members of Toronto City Council

July 18, 2024

**Ref.: 191-201 Sherbourne St. Development Application 20224753STE13OZ**

Dear Mayor Chow and Members of the City Council:

We, tenants of 191 and 201 Sherbourne Street, support a request from homeowners and residents of Seaton Street and area for Council to *delay approval* of amendments to the Official Plan, Zoning Rules and Bylaws related to the above proposed development.

In addition to the points raised in their letter/petition as well as in our submission to Toronto and East York District Council (attached with updated signature list for your convenience), we wish to stress the following:

- Despite contentions from the applicant and Ward 13 Councillor Moise to the contrary, we have had little opportunity to digest, evaluate and discuss the proposal with the applicant, city staff or council.
- Both in terms of the public meeting on Sept. 5, 2023, and the entire approval process (which is itself under separate Council review), consultation with a large group of people directly affected by the proposed development was wholly inadequate.
- One zoom call with stakeholders on Sept. 5, 2023, given the complexity of the new proposal, did little more than allow the applicant and planning staff to tick a box. At that, plans seem to have changed from that date. We are unclear about the shape of the final version.
- Most of us were unaware of the Community Council meeting on July 10, 2024, to approve staff's recommendation for approval. Dozens of us are now dismayed to belatedly realize the situation.
- Despite our written comments and various submissions, no one has engaged with us. Neither the applicant, city staff **nor a single councillor** has sought to discuss our concerns with us.
- Planning staff insist all concerns, objections and submissions raised have been duly considered. There is scant evidence of same in the planning report. We do not feel our questions or concerns have been properly addressed.
- The applicant has mislabelled the two existing buildings and gotten the number of storeys wrong in some of its materials \_ hardly engendering confidence in mastery of the file. We have pointed out other problems with the application we believe remain unaddressed.
- Planning staff are of the view we should rely on site-plan controls to assuage some of our serious concerns. We believe such controls are no substitute for sound planning.
- Residents with direct knowledge of the applicant's poor record on project management and disruption mitigation have little faith that hard-pressed city staff will have the resources to ensure site-plan controls are effective and enforced.
- We are of the view the proposed development is detrimental to the neighbourhood and larger city in that it ignores the housing affordability crisis and neighbourhood realities. This project will, in our view, exacerbate an already fraught situation.

- Planning staff, in their report, opine that everyone has a role in city building. Yet the applicant is let off the hook on its share of responsibility.
- Planning staff (and Community Council) missed a golden opportunity in agreeing to water down the Official Plan, Zoning Rules and Bylaws in exchange for almost nothing of benefit to the neighbourhood or larger community.
- This kind of market-only, market-driven, non-compliant development is at odds with the Official Plan, neighbourhood visioning, and the **mayor's priorities**.
- Rushing ahead with approval is especially ludicrous given the **Dundas-Sherbourne Neighbourhood Revitalization Plan**, which is supposed to be a “**community-centred process**.” Approval now would make a complete mockery of the spirit and intent of the plan.

*We therefore join the homeowners and residents of Seaton Street and area in calling on City Council to at least delay approval of the above changes as currently scheduled for July 24, 2024. A delay would not prejudice the applicant but would allow for fulsome and constructive dialogue between the City, the applicant and those affected by the proposed development.*

Yours very truly:

- |                       |                           |
|-----------------------|---------------------------|
| 1. Alan Solman        | 17. Justin Bain           |
| 2. Amir Ghorbani Pour | 18. Kali Duffy            |
| 3. Audi Etoffe        | 19. Kim Rabjohn           |
| 4. Brian Dust         | 20. Liam Marecak          |
| 5. Carolyn Rock       | 21. Madison Rose          |
| 6. Chris Syu          | 22. Manny Pillai          |
| 7. Colin Perkel       | 23. Mashayla Ritchie      |
| 8. David Jubinville   | 24. Matt Fielding         |
| 9. Emilia Mahdiyan    | 25. Nic Melder            |
| 10. Geeta Tarani      | 26. Pat Perkel            |
| 11. Jason Fulmer      | 27. Ricardo Mantilla      |
| 12. Jennifer Kerwood  | 28. Saarang Ahuja         |
| 13. Jerome Major      | 29. Samia Saad            |
| 14. Jessica Clausen   | 30. Summer Jones-Fielding |
| 15. Jim Ellis         | 31. Tony Fu               |
| 16. June Yates        |                           |

cc: City Clerk; Christy Chow, Community action: 191-201 Sherbourne St. in Toronto

**Contact:** Colin Perkel – 647-827-5058