

Bloor West Village Avenue Study

Meeting Summary — February 2017 Community Stakeholder Meeting

Thursday, February 9, 2017

6:30 – 9:00pm

Swansea Town Hall, Rousseau Room

95 Lavinia Avenue

Overview

On Thursday, February 9, the City of Toronto hosted a meeting with a group of Community Stakeholders in the Bloor West Village area. The purpose of the meeting was to introduce the Bloor West Village Avenue Study project and process, review the project team's preliminary analysis, and seek feedback on issues to be considered through the study.

Approximately 20 stakeholders attended the meeting, including representatives of residents' associations, historical groups, businesses, and natural environment groups (see Appendix A — Participant List). City of Toronto staff, members of the consulting team (including DTAH and MMM/WSP), and Councillor Sarah Doucette also attended and participated in the meeting.

The meeting began with a welcome from Councillor Doucette and an overview of the overall objectives of the Bloor West Village Avenue Study from Allison Reid and Greg Byrne from the City Planning division. After the welcome and overview, Brent Raymond from DTAH and Jim Gough from MMM/WSP gave presentations focused on different aspects of the study, including the historic context, planning & design, transportation, and servicing. After each presentation, participants asked questions shared issues they would like to see considered through the study. (see Appendix B — Meeting Agenda),

Ian Malczewski and Matthew Wheatley, third party facilitators with Swerhun Facilitation, facilitated the meeting and wrote this meeting summary and shared a draft with participants for review before finalizing it. This summary is meant to capture key themes and feedback from the meeting; it is not intended to be a verbatim transcript.

Key messages

The following key messages emerged from the discussion. They are meant to be read along with the more detailed summary of feedback that follows.

High Park's distinct contributions and environment need to be studied and considered. There needs to be a study of the cumulative impact of future development on High Park (especially from a hydrological perspective). High Park also contributes to the unique character of Bloor West Village as a place that feels open, is visited for its many features and is an important part of community life.

Congestion and parking are key issues to be considered in the study. Many participants said that congestion in the area has gotten worse and that it is increasingly difficult to find parking, especially on side streets.

Balance growth with the area's village feel and its infrastructure constraints. Participants said that future growth should be designed to enhance or complement (rather than override) the area's village feel. Future development needs to articulate and/or manage its impact on community infrastructure, especially natural heritage, transportation, servicing, parks, and community services. It will be important to understand how other Avenue Studies have helped the City manage growth.

Detailed summary of feedback

Over the course of the meeting, participants asked questions of clarification and shared feedback about natural heritage, the historic context, planning & design, transportation, servicing, the Study process and other feedback. The detailed summary below organizes participants' feedback within these different topics. Participants also shared other feedback in email and in writing, which has been incorporated in the summary (see Appendix C — Written Feedback).

1. Questions or Clarification

Participants asked questions of clarification throughout the meeting. Responses from the City and/or study team follow each question in *italics*.

- What do you mean when you say the study will “consider” neighbourhoods? *The team will consider the surrounding neighbourhoods to inform its understanding of the area's context, but will not recommend changes to these neighbourhoods.*
- Are the parking lots on the north side of Bloor in the study area? If not, how will they be addressed? *The parking lots are not in the study area, but that they are being taken into consideration, especially in the transportation component of the study.*
- Will this study present a reasonable, fair, expected amount of growth that this area will be required to take? Will there be any hard growth numbers associated with the study? *The study will describe what can be accommodated in terms of transportation, servicing, and built form. It will not define a specific number, but will strive to balance accommodating growth with providing the infrastructure needed to support it.*
- Will you look at the backs of buildings on Bloor? *Yes, the team will be looking at the backs of buildings, especially in terms of transitions to neighbouring properties.*
- How do you go about answering the question, “what is the place that Bloor West Village wants to be?” *It's not the consultants or City's role to decide what the area wants to be, but to listen to the many perspectives in the community (including residents, businesses, and others) and translate those aspirations into an Avenue Study.*

- What is the width of Bloor Street? *The Official Plan says it's 27 meters; the team's current measurements put it closer to 26 metres.*
- What happens between now and when a study gets completed if a developer comes in with a proposal? *If an application comes in today, the City is legally required to review that application against its current policies. The City would work with a developer to let them know of the study and its emerging directions to inform the application review.*
- Does the Servicing component of the study consider schools and open spaces? *No, schools and open spaces will be part of the Community Services & Facilities Study. This part of the study will be discussed at future meetings.*

2. Feedback about the historic context, natural heritage, and High Park

Brent Raymond presented an overview of the project team's current understanding of the historic context of the study area and asked participants to suggest any other historic issues they'd like to see considered in the study.

Historic context

Participants said they would like the old Kingsway Pharmacy at the corner of Mossom and South Kingway to be considered. Other suggestions included the Chess House in High Park, the Ukrainian festival, the St. Joseph's Halloween fest, Marlboroughs, and the Humber Odeon. Participants also said the area's social and indigenous heritage should be considered.

Following the plenary discussion there was a strong concern from a participant about the potential for the heritage study to limit the property owners' ability to redevelop their properties.

Natural heritage and High Park

Some stakeholders were very concerned that the study did not appear to be considering the unique role and environmental sensitivity of High Park. The park has provincial significance as a natural heritage site and "the whole area is running with aquifers" that have had a major impact on buildings in the area. The developers of the Brule condo near the Humber, for example, spent months pumping water out during construction. Another concern was that development along the north edge of the park is limiting the ability to do prescribed burns.

Participants said it was very important for the City to study how further development near High Park will impact the park's natural heritage, stressing that any development scenarios need to be based on an understanding of cumulative impacts, not just individual developments. Participants strongly suggested the City undertake a study (and possibly a hydrological study) to examine these impacts, either in this Avenue Study or in a separate study.

Studying cumulative impacts on High Park is currently beyond the scope of the Avenue Study, but the study can provide a framework to indicate there are unique considerations like High Park and recommend areas for further study. The Avenue Study includes a Technical Advisory

Committee composed of representatives of agencies and organizations interested in environmental impacts. This feedback will be shared with them to inform a response.

3. Feedback about planning and design

Following the discussion about historic context and natural heritage, the team shared a presentation about the planning and design context. Participants shared general feedback about planning and design and feedback about built form, retail, parks and open spaces, and draft character areas.

General feedback about planning and design

Some participants said they would like to see the team consider removing the Avenue designation from certain parts of Bloor — specifically north of High Park and north of the Humber River. Participants also said they wanted to see the study provide absolute certainty that policies will be respected since many other guidelines (including mid-rise guidelines and a 2005 study of the area) do not have enough teeth. *There is no such thing as absolute certainty in Ontario planning because developers have the right to appeal planning and Council decisions to the Ontario Municipal Board (OMB). The Avenue Study will help make the City's policies stronger, which helps discussions with developers and if decisions go to the OMB.*

Some participants insisted that the provisions of the BWV Avenue Study be encased in both an Official Plan Amendment (OPA) and Zoning By-Law amendment to ensure and secure the level of certainty that the Community requires to deter appeals to the OMB. Participants referenced the previous Bloor West Area Study of 2005 which they felt went nowhere because it was not incorporated into either an OPA or Zoning By-Law amendment.

Character and character areas

There was concern about streets having one character area on one side and a different character area on the other. The team should explain what is informing its decisions about character area boundaries. *There are some streets where different character areas on different sides of the same street make sense (like Bathurst Street, which is a boundary between policy areas in the Official Plan), but it is not always necessary to do so.*

General feedback about the character of Bloor West Village highlighted the need to carefully consider the scale and spacing of storefronts, building heights, and architectural features. Protection of a “small village feel in a city setting” and fine-grain retail were also suggested as important. The Avenue Study should reflect the “open concept” character and avoid turning Bloor into a strip of buildings that block the view from High Park.

Other suggestions about the Character Areas were:

- Consider separating 1 and 2 Old Mill into a separate Character Area
- Consider identifying the area west of Old Mill as a “green space” area (to prevent buildings from reducing the amount of green space there)

Built form

Participants asked the team to consider commenting on the appropriateness of the built form of existing developments (like 1 and 2 Old Mill) since they are being used as precedent for other applications in the area. There was also a suggestion to consider vistas looking both north and south through the area; the 1 and 2 Old Mill developments are dubbed “the wall” by some since they block the view north from South Kingsway. *The team will not comment on those buildings, but the Avenue Study is creating a revised framework, so new buildings will need to be reviewed against the new framework, not just against precedents.*

Other built form feedback included:

- A suggestion to limit and/or extend building heights to six storeys (19 metres with no wrap-around Gross Floor Area around the mechanical room) on Bloor with architectural features that support the village feel
- A suggestion that the Bloor West Village area have Mid-Rise “Lite” Guidelines, which include buildings with serious set-backs at the 3rd or 4th story, and again at the 5th or 6th story to minimize the impact at street level.
- A suggestion that future buildings should rely on high-quality architecture and materials (like brick masonry and mortar) that protect the look and feel of the village

Parks and open spaces

Participants suggested limiting shadows from new developments on Neighbourhoods, Parks and Open Spaces, and Natural Areas to 7 - 9 hours (above the current 5 hour limit). There was also a suggestion to use Section 37 money to upgrade existing parks and to require developers to contribute parkland instead of contributing cash-in-lieu.

Retail

Some participants cautioned the team against stretching retail too far east or west, since spreading retail too thin across a big area can create vacant storefronts and “dead areas” (for example, west of Clendenan). Another suggested retail consideration was that the retail character of the area has changed; it used to consist mostly of small boutiques, but now there are more banks and drug stores. The area has long drawn customers from a wide area and should continue to do so.

4. Feedback about transportation

After a presentation highlighting the preliminary analysis of transportation in the study area, participants shared feedback about transportation issues.

Congestion and traffic

Participants said congestion is a big concern and said they were skeptical that congestion has not worsened. New developments are contributing more traffic and the OMB does not seem to be concerned about traffic impacts on the neighbourhood. Jane and Bloor as well as Runnymede and Bloor were intersections participants said are particularly congested. Feedback

about how to address congestion and traffic included a suggestion to prohibit trucks and garbage vehicles during rush hour and a suggestion to undertake a full traffic study from the lake to St. Clair to measure the feasibility of one-way streets through Bloor West Village.

Participants suggested other transportation-related issues the study could explore:

- **Parking.** Consider requiring publicly-accessible parking in new development. Explore changing parking restrictions to keep Bloor parking-free for longer periods (for example, 4:00 - 7:00pm). A lack of side street parking is a problem that's getting worse.
- **Pedestrian and cycling safety.** Revisit the design and marking of certain intersections. Around South Kingsway, Mossom, and Riverview Gardens, the recent redesigns have made it difficult to make a left-hand turn. Shifting the pedestrian crosswalk east or west of its current location could improve pedestrian safety. The environment should be comfortable, human-scaled, and include a focus on pedestrians, bikes, and transit. Pedestrian activity is essential to the vibrancy of the street and planning must enhance its walkability.
- **Transit.** Consider adding more bus service on Saturday and Sunday; new development on Southport Street is going to increase the need for more bus service. Runnymede station needs an elevator and all bus stops should have shelters.

As the Avenue Study establishes a development vision for the area, the team will do a traffic analysis and study to see what can be accommodated in the area. The team will look at parking rates, fee structures, and enforcement strategies to come up with ideas on how to make parking more available and to reduce parking congestion on residential streets; there needs to be a carefully considered balance of on- and off-street parking. Extending off-peak parking periods can have impacts on businesses, so the team needs to consider all users in its recommendations.

Participants also suggested the team consider the Jane LRT in the plan in case it becomes a priority again. *Councillor Doucette said the Jane LRT is planned on a longer timeframe (30-40 years) than this study is planning for (20 years).*

5. Feedback about servicing

Participants suggested the study identify specific servicing studies that have to be done for any development. Another suggestion was to make sure that any Section 37 agreements should recognize the need for servicing infrastructure. Finally, there was a suggestion to mandate businesses to clear snow; after a big storm, pooling water is a big problem on Bloor.

6. Process and other feedback

At the end of the meeting, participants shared other feedback and feedback about process:

- **Explain this Avenue Study's influence.** The City could provide examples of how other Avenue Studies have helped address specific issues in other areas.

- **Clarify the relationship between this stakeholder group and the Local Advisory Committee.** *The Local Advisory Committee will be composed of representatives of a range of organizations. All the organizations in this stakeholder group meeting will be invited to apply to participate on the Local Advisory Committee, and all individuals will be invited to public meetings.*
- **Clarify what the team is taking to the Design Review Panel.** *The team is trying to establish a clear sense of direction for the Avenue Study and will be seeking general design-related advice from the Panel at the first meeting. The second time the team goes to the Design Review Panel, it will share and seek feedback on a preferred option.*

Next steps

The City and consulting team thanked the group for their feedback and committed to sharing a draft summary of feedback in the coming weeks. The City also committed to sharing the Local Advisory Committee Terms of Reference and Application Form. Participants were encouraged to come to the February 27 Public Meeting, which will cover similar content.

Appendix A. Participant List

Stakeholders

Area Resident. Viola Varga
Bloor West Village BIA. Graeme Aldridge
Bloor West Residents' Association. Diane Brassolotto
Bloor West Village Residents' Association. Jay Zimmerman
Bloor West Village Residents' Association. Jamie Isbister
Bloor West Village Residents' Association. Steve Dewdney
High Park Natural Environment Committee. Leslie Gooding
High Park Resident' Association. Allan Killin
High Park Residents' Association. Lorraine Cramp
High Park Tenants Association. Marc Senderowitz
High Park Tenants Association. Drew Harvie
Swansea Area Ratepayers Association. William Roberb
Swansea Area Ratepayers Association. Nick Singh
Swansea Area Ratepayers Association. Veronica Wynne
Swansea Historical Society. Linda Sym syk
Swansea Historical Society. Susan Zalepa

City of Toronto and Consulting Team

City of Toronto City Planning. Sarah Henstock.
City of Toronto City Planning. Greg Byrne
City of Toronto City Planning. Allison Reid
City of Toronto Heritage Preservation Services. Ragini Dayal
DTAH. Brent Raymond
DTAH. Chris Veres
MMM/WSP. Jim Gough
Swerhun Facilitation. Ian Malczewski
Swerhun Facilitation. Matthew Wheatley

Appendix B. Meeting Agenda

Bloor West Village Avenue Study
Community Stakeholder Meeting 1
Thursday, February 9, 2017
6:30 – 9:00 pm
Swansea Town Hall, Rousseau Room
95 Lavinia Avenue

Meeting Purpose: To introduce the Bloor West Village Avenue Study and process, review the team's preliminary analysis, and seek feedback on issues to be considered through the study.

Proposed Agenda

6:30 Welcome & introductions
City of Toronto

6:35 Review agenda and Terms of Reference
Swerhun Facilitation

6:45 Presentation: Study Overview & Historic Context

7:05 Discussion: Study Overview & Historic Context

1. Are there any other heritage issues you would like to see considered in the study?
2. What areas, events, institutions, or organizations do you feel have historical and/or cultural value?

7:25 Presentation: Planning + Design

7:45 Discussion: Planning + Design

3. Are there any other issues related to land use, built form, public realm, and natural heritage you would like to see considered in the study?
4. What are your thoughts on the proposed character areas? Do you have any suggested refinements?

8:05 Presentation: Existing Transportation

8:15 Discussion: Existing Transportation

5. What are the transportation issues that affect you on a day-to-day basis?
6. What do you see are the long-term transportation issues in Bloor West Village that we need to address?

8:35 Presentation: Existing Servicing

8:40 Discussion: Existing Servicing

7. Are there any other servicing issues you would like to see considered in the study?

Appendix C — Feedback submitted after the meeting

- Letter from Swansea Area Ratepayers Association
- Letter from Leslie Gooding

Avenue Study for the Bloor West Village & Surrounding Neighbourhoods 2016
Swansea Area Ratepayers Association Blue Sky Issues and Rationale
(Veronica Wynne, SARA/SARG V-P and William H Roberts, SARA/SARG Director)

The Avenue Study is to:

- Guide the development of the Avenue so that it provides the community with a reflection of the community's values and character
- Ensure that the Avenue will be a welcoming and desirable place for the pedestrian with a long term vision and plan to that effect.
- Provide welcoming and desirable place to be when socialising, shopping, banking or consuming other services, walking the dog or getting a coffee and a newspaper, passing through to go to work, going to the cinema, church or the parks or just people watching.
- Engineer Development to provide such an excellent experience.
- Include issues of circulation and parking in keeping with the character and needs of the Avenue.
- Give priority to respecting the OP, Swansea Secondary Plan and neighbourhood zoning regulations etc. over the provisions of the Mid Rise or any other guidelines in the form of an OPA By-Law

Features	Blue Sky Issues	Rationale
Character	<ul style="list-style-type: none"> • Scaling and pacing of the store fronts to be carefully calibrated to enhance the existing Village atmosphere to tie the area together and so give it a sense of place. • Scale and height of the buildings and architectural features must be carefully designed to contribute to the character and feel of the Avenue. • Connection to the community is important, the study should consider means of transport whether on foot, by bicycle, in a baby carriage, car or otherwise. • The provision and protection of green space environment and parks • Protection of the small village feel in a large city setting • Consideration of enhancing the Village core for pedestrian, transit and cyclist use • Encourage fine grain scaling & private ownership for store fronts to enhance the pedestrian perspective and a diversity of uses 	<p>*Bloor West Village is consistently defined as a vibrant, walkable and complete neighbourhood</p> <p>* BVW – the Village - is characterized by its incremental small-scale retail and mixed use activity from High Park to the Humber River</p> <p>* Its unique proximity to two major urban natural systems. These factors attract local residents and visitors as constant pedestrian & vehicular traffic</p>

Scale & Height	<ul style="list-style-type: none"> • A six storey height limit on Bloor Street with generous set-backs front & rear • Protection of the pedestrian feel of the village with 4-6 storey levels • Setbacks, corniches etc. design features to enhance the old to new look of the Village. • At street store design to promote boutique effect look for large and small stores. • Design issues: Angular planes, transition, height etc. 	These design features will support the transition to new development while supporting the Village style boutique look
Materials & Construction	<ul style="list-style-type: none"> • architectural styling on new buildings that respects local context and durability of bricks, mason and mortar rather than metal and glass • Step-backs, balconies, corniche effects to add to the character of new developments • Interesting boutique look to store fronts rather than the large box effect. • Improved quality assurance of environmental and building sustainability. Such sustainability, contemplated by City policy and provincial regulation, must have an effective enforcement and monitoring metrics. 	Bricks Mason and Mortar used with creative and innovative design will marry the historic aspect with new development
Business Hub	<ul style="list-style-type: none"> • The examination of the balancing of commercial & retail businesses • Consideration of the designation of the Village as a District or Community hub for retail businesses • Review the prospect of sidewalk leisure and business activity and its permissions 	The Village has always drawn customers from the wider District area. Businesses need to have the ability to continue to attract this flow of customers
Infrastructure & Utilities	<ul style="list-style-type: none"> • Services and infrastructure e.g. sewers, drains, underground gas and hydro piping, close to capacity levels, need urgent scrutiny. • Ensure that all new developments shall require an Infrastructure Services Study impacting in the Swansea/Bloor West neighbourhoods • Consider service needs in the BWV to be set out in an Area Policy that would identify specific studies that must be done as part of any complete action as well as the standard OP Segment or Site Study • Section 37 in Development applications should always reference Infrastructure/Services Studies for the immediate area. 	<p>*Reports of Sewer System at near capacity in the District Area</p> <p>*Power outages hit our area most frequently and for the longest period of time.</p> <p>*Underground drains at 100 years of use.</p> <p>*Flooding SW Swansea post development</p>

Transit	<ul style="list-style-type: none"> • As the Subway System nears capacity, include expanded service within the developmental plan for the area • Improvement to bus routes coming in and out of the Subway System into the neighbourhood • Examples: Adding a bus route on South Kingsway, going to the Jane Subway • Consideration of an LRT along the Lakeshore to alieve transit overload • Increasing the frequency of the Swansea bus route south from 11 to 5 mins in extended rush hour times 	<p>*Subway has pressure of near capacity</p> <p>*Need more busses because of long line-ups at the bus stops leading towards the subway.</p> <p>*People wait for second bus because are full ½ way up to subway.</p>
Traffic	<ul style="list-style-type: none"> • Improvement to intersections impacted by development including rear lane way upgrades • Ensuring that servicing is not adjacent to low rise developments • Design and working viability of intersections such as South Kingsway/Mossom/Riverview • A FULL Traffic Study of the area from the lake to St Clair Ave. should be done e.g.: <ul style="list-style-type: none"> ➢ The feasibility of one way streets in and out of the Village and examination of the traffic flow through the Village and the streets and arteries feeding BWV/TTC ➢ Trucks and Loading/Garbage vehicles prohibited time periods e.g. am and pm rush periods ➢ Traffic overload on arteries to the Gardiner/Lakeshore 	<p>*Ad Hoc Vehicular traffic planning is choking the value of the Village as a Pedestrian Main Street.</p> <p>*Clogged streets leading to the Gardiner & Lakeshore</p> <p>*Intersections appear designed as exits for new developments rather than to improve traffic flow</p>
Parking	<ul style="list-style-type: none"> • Many customers arrive from outside the area, at street level parking is important for the viability of both retail and offices • Large sites -- "No Frills parking lot", Turner and Porter Parking -- if redeveloped should be required to provide public parking including leasing/selling parking spaces to Green P @ street level • Review the neighbourhood permit parking and the District street parking required by the Village businesses. • Review the by-laws to allow parking pads in neighbourhoods single family dwellings 	<p>*As a District Hub for retail businesses, the Village would benefit from the continued use of street level parking open to all businesses. Discourage underground parking for specific sites.</p>

Green/Open Spaces	<ul style="list-style-type: none"> • Section. 37 should be used to upgrade existing parks, especially those east of Runnymede and west of Jane • Sunlight is essential to providing a good pedestrian experience as well. • Shadows and impacts -- increased requirements for more than 5 hours on Neighbourhoods, Parks and Open Spaces , Natural Areas • Suggest 7 or 9 hours as a requirement including the indication of early morning and late afternoon -- not for example from 7 to 2 or to 5 -- especially on north side where parks are used later in the day. Sunlight and shadowing should be given more importance and respect in Development Applications in this context • Developments adjacent to parks should be required to add land to parks, not cash in lieu • Additional public open spaces such as view platform overlooking Grenadier Pond from present parking lot adjacent/near to No Frills. • Consider the surrounding and connecting tissue of the Avenue • Parkland, laneways, view-points, view corridors, sightlines, and pathways all need attention. • Require appropriate study of High Park and related water shed prior to issuing building permit for related development 	<p>* Highly valued natural areas under stress from over-access and inadequate off-leash controls</p> <p>*Shadowing and Sunlight have a detrimental impact on the on-street café and businesses of the BWV especially on the north side of the street</p> <p>*Developers are escaping the obligation of providing green space on their sites. They are providing cash in lieu of and diminishing the green space canopy of trees and open park area</p>
Geo-Tech & Structure	<ul style="list-style-type: none"> • Geo-Technical soil Testing for all surrounding neighbourhoods within a 100 metre radius of the Village • Feasibility of underground levels of parking construction and its impact on the neighbourhood 100 year old single family dwellings adjacent to potential developments. 	<p>History:</p> <p>*Implosion of single family dwelling in TO</p> <p>*\$1 ½ m. in damages to Condo High-Rise in Swansea</p>
Pedestrian Perspective	<ul style="list-style-type: none"> • Provision of appropriate pedestrian-perception step-backs and angular plains at the street level • Fine grain scaling and boutique aspect as pedestrian level • Consider a pedestrian centric section in the Village allowing for bicycle and Transit traffic and excluding other vehicular traffic. 	<p>*Wide, well-used, heavy pedestrian activity on sidewalks characterize the retail/commercial strip</p>

KEY TO PLATES



ETOBICOKE TOWNSHIP

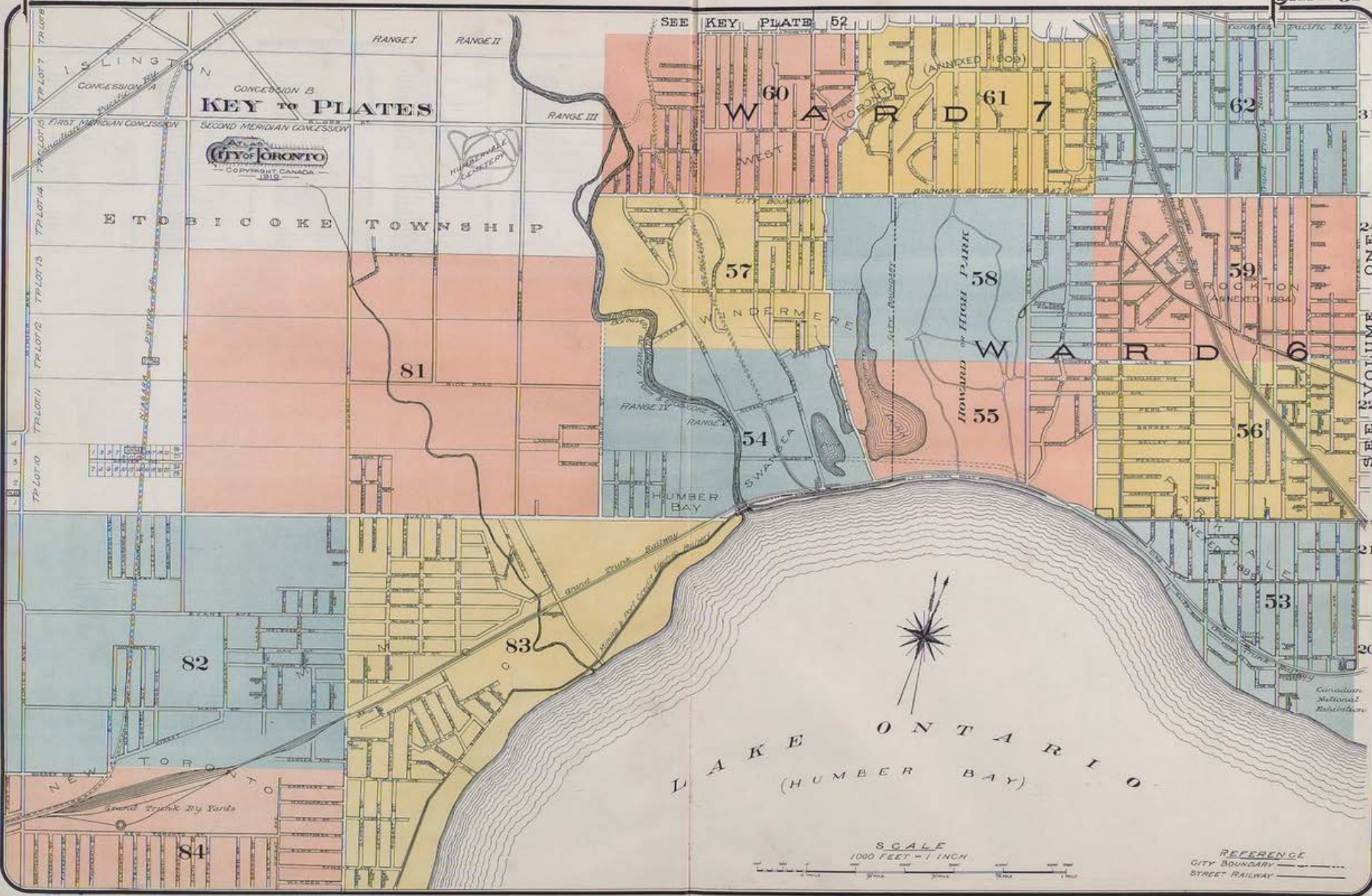
WARD 7

WARD 6

L A K E O N T A R I O
(H U M B E R B A Y)

SCALE
1000 FEET = 1 INCH

REFERENCE
CITY BOUNDARY
STREET RAILWAY



Bloor West Village Avenue Study

Community Stakeholder Meeting on February 9th – Feedback – Leslie Gooding
March 6th, 2017

A Secondary Plan such as an Avenue Study provides an opportunity to evaluate the negative impacts of single, multiple or successive development on the adjacent natural heritage feature or area. Planning documents provide that there should be no change in existing land uses in areas adjacent to a natural heritage feature unless there is a study that demonstrates that proposed developments are consistent with preserving the natural heritage.¹

Planning reports are regularly written to recognize planner expertise to balance competing interests. Some policies, in contrast, set out positive directives while others set out limitations and prohibitions.² Protecting significant natural heritage is covered by such a policy. Its protection overrules provisions of a Growth Plan.³

Context

The unusual diversity of High Park's plants was recognized as early as 1819.⁴ An important inventory was taken in 1989.⁵ As a result of that report and subsequent work, approximately half of High Park, including all of Grenadier Pond and much of the North side of the park, is designated the High Park Oak Woodlands provincially significant Area of Natural and Scientific Interest (ANSI).⁶ Most of the ANSI is also designated an Environmentally Significant Area (ESA) under the Official Plan (OP).⁷ The park's Oak

¹ NHRM Section 12.3.2 "... Official plan policies should restrict permitted uses in these areas (and adjacent lands) to existing uses and/or those uses that are compatible with the long-term protection of the natural heritage areas.

² Provincial Policy Statement 2014, Part III "...Some policies set out positive directives, such as "settlement areas shall be the focus of growth and development." Other policies set out limitations and prohibitions, such as "development and site alteration shall not be permitted." Other policies use enabling or supportive language, such as "should," "promote" and "encourage."

The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition...."

³ Growth Plan for the Greater Golden Horseshoe, 2006, Section 1.4: "...As provided for in the Places to Grow Act, 2005, this Plan prevails where there is a conflict between this Plan and the PPS. The only exception is where the conflict is between policies relating to the natural environment or human health. In that case, the direction that provides more protection to the natural environment or human health prevails...."

⁴ John Goldie, quoted in S. Varga, A Botanical Inventory and Evaluation of the High Park Oak Woodlands Area of Natural and Scientific Interest, Ontario Ministry of Natural Resources, 1989. Page 1.

⁵ S. Varga, *Ibid*

⁶ Toronto Maps v2, ANSI overlay, http://map.toronto.ca/maps/map.jsp?app=TorontoMaps_v2

⁷ Toronto Maps v2, ESA overlay, http://map.toronto.ca/maps/map.jsp?app=TorontoMaps_v2

Woodlands is a globally and provincially rare ecosystem.⁸ Provincially significant ANSIs are rare; another one, the Rouge, is a National Park.⁹

As an ANSI, much of High Park falls under the provisions of the natural heritage section of the PPS.¹⁰ The City also protects the natural areas of High Park through the Official Plan¹¹ and the Parks Plan 2013-2017.¹²

Although identified for its plant communities, the natural areas serve a variety of ecological functions. The ESA study noted It provides habitat for a number of birds, a few mammals, an amphibian and six species of reptiles, as well as migratory stopover habitat for birds.¹³ Since that study, the Park has also been identified one of fourteen sites for viewing butterflies.¹⁴ This summer, as a result of a bat monitoring program, three species of bats were found to use the park.¹⁵

The Oak Woodlands ecosystem is fire-dependent.¹⁶ As part of its restoration program, the City conducts prescribed burns annually.¹⁷ This practice is almost unheard of within a major municipality.¹⁸

⁸ High Park ESA Fact Sheet, City of Toronto, p. 2. Posted <http://www.highparknature.org/wiki/uploads/RestoreAndResearch/38%20High%20Park%20ESA%20June%202012.pdf> "The park contains a sizeable remnant of black oak savannah, a globally and provincially rare plant community."

⁹ Toronto Maps v2, ANSI overlay, http://map.toronto.ca/maps/map.jsp?app=TorontoMaps_v2

¹⁰ Section 2.1 of the PPS protects natural heritage.

¹¹ OP Policy 3.4.13 "... Development or site alterations with the exception of trails, where appropriate, and conservation, flood and erosion control projects, is not permitted on lands within the natural heritage system that exhibit any of these characteristics (ie ESA criteria). Activities will be limited to those that are compatible with the preservation of the natural features and ecological functions attributed to the areas..."

¹² Parks Plan 2013-2017 City of Toronto Recommended Action 4.1 "Implement a program to strengthen the management of sensitive natural areas to ensure that environmentally significant areas are protected and continue to function and flourish for the long term. Parks, Forestry and Recreation will establish a program that uses Environmentally Significant Area (ESA) mapping to identify, select and prioritize management areas and develop practices for their management and maintenance in order to support the consistent and long-term management of natural areas. This program will ensure that Parks, Forestry and Recreation and its natural area management partners operate with a shared framework that identifies natural area management objectives, establishes short and long-term priorities, assigns clear roles and responsibilities, identifies management strategies and supports monitoring."

¹³ High Park ESA Fact Sheet, *op. cit.* pages 2 and 3

¹⁴ Peter Hall, Colin Jones, Antonia Guidotti and Brad Hubley, *ROM Field Guide to the Butterflies of Ontario*, 2014. "...Sites were...chosen to ensure that the various vegetation regions and habitats were represented and that most of the resident species are present at the combined sites." page 42.

¹⁵ Bat monitoring program coordinated through High Park Nature Centre.

¹⁶ High Park Woodland & Savannah Management Plan, City of Toronto Section 9.1 Posted <http://www.highparknature.org/wiki/uploads/Resources/HighParkMgmtPlan-s.pdf> "...many [species] are dependent on periodic burning for their continued survival..."

¹⁷ Contract with Lands and Forests Consulting to Carry Out the Prescribed Burn Program, City of Toronto Staff Report, 2015. <http://www.toronto.ca/legdocs/mmis/2015/pe/bgrd/backgroundfile-76300.pdf>

¹⁸ City restoration staff, personal communication

High Park's boundaries are ecologically porous. High Park is surrounded by a matrix of backyards, some of which have pre-settlement oak trees.¹⁹ A glance at Google Earth shows a matrix of treed backyards leading north from Bloor Street. For some years the High Park Stewards, together with the City, have been selling surplus plants grown from native High Park seeds to ecologically expand the boundaries of the ANSI.²⁰ There is some evidence the ecological functions of the ANSI extend into the neighbourhoods as well. For example, since 2012, Cooper's hawks have nested in High Park or in the wooded backyards north of Lithuania Park, but not both.²¹ Hoary bats and eastern red bats, both found in the park for the first time this summer, migrate through or disperse to those same backyards.²² The backyards host many species of butterflies. It provides stopover habitat for migrating birds.²³ Since the vegetation communities within High Park itself are of higher quality, being larger and more diverse, it is likely that the backyards provide important habitat for lower status birds.²⁴ Foxes have been seen there.

High Park is hydrologically dependent to the surrounding areas. In 1995 Grenadier Pond (part of the High Park ANSI) was found to get half its water from groundwater.²⁵ Groundwater can include rainwater or snow melt that percolates through the ground from surrounding lands. Groundwater also makes its way to Spring Creek and supported plant communities.²⁶

¹⁹ "High Park's 200-year-old black oaks should be saved," *Toronto Star* December 1, 2012. https://www.thestar.com/opinion/editorials/2012/12/01/high_parks_200yearold_black_oaks_should_be_saved.html

²⁰ High Park Stewards Plant Sale Brochure

http://www.highparknature.org/wiki/uploads/Resources/plant_sale_brochure_2016_edit.pdf

²¹ Photos of clutches 2012-2015 inclusive for backyards available on request. Some public records (especially High Park) available through individual sighting reports on the citizen scientist site eBird. <http://ebird.org/content/ebird/>

²² Hoary bats and eastern red bats, as well as the expected big brown bats, were found in the backyards in the late summer (September) of 2015 and 2016. Data collected by the author using a bat monitor borrowed through the High Park Nature Centre.

²³ Since 1990 the author has recorded 80 species in the backyards. Data available on request.

²⁴ Dougan & Associates, City of Toronto Migratory Birds Study, 2009. Section 2.2.2.1 "Young birds (especially during fall migration, when they are only a few months old) are particularly susceptible to a lack of or reduced quality of stopover habitat. Young birds are less competitive than older birds (due to a lower social status) and are forced into marginal habitats if there is not enough available...."

²⁵ Gartner Lee, *Proposals for the Rehabilitation of Grenadier Pond, Wendigo Creek, and Associated Wetlands*, 1995. Posted http://www.highparknature.org/wiki/uploads/Resources/GartnerLee1995-report-textonly_Part1.pdf "The water budget analysis undertaken for this study for the Department of Parks and Recreation estimated that ground water, which is clean, cool and flows consistently throughout the year, contributes about 50% of the total water flow to the pond. Historically we have calculated the contribution may have been closer to 65% of the total inflow to the pond. Field studies carried out by Gartner Lee in 1993/94 confirm that ground water is actively entering through the sides of the pond but the data suggested that fine sediments may be preventing the full volume from entering. Some further hydrogeological work is needed in this area of study to quantify ground water contributions." page 2.

²⁶ High Park Woodland & Savannah Management Plan, *op. cit.* Section 7.4.2 "Small areas of meadow marsh intermixed with shrub-rich marsh are found in bottomlands along the west side of Spring Road Ravine between Deer Pen Road and Spring Road, and along a tributary stream on the east side which feeds into Spring Road Ravine. Grasses and sedges are absent along west Spring Road Ravine because

Policy documents

Toronto is covered by the Growth Plan for the Greater Golden Horseshoe (Growth Plan), the Provincial Policy Statement 2014 (PPS), the technical guideline to natural heritage protection the Natural Heritage Reference Manual (NHRM)²⁷ and the City's Official Plan (OP). The Growth Plan advises municipalities where to direct growth; the PPS requires that the natural heritage be protected for the long term.²⁸ The Growth Plan provides that policies protecting the natural heritage shall prevail in the case of conflict.²⁹

The Growth Plan identifies much of Bloor Street including the portion north of the park as meeting criteria for intensification. For example, it is a transit corridor and there are

of high disturbance resulting from stormwater scouring. These wetlands are maintained by water seepage from the base of ravine slopes...."

²⁷ NHRM Section 1.1 "The second edition of the Natural Heritage Reference Manual (the manual) provides technical guidance for implementing the natural heritage policies of the Provincial Policy Statement, 2005 1 (PPS) (see section 2). The manual represents the Province's recommended technical criteria and approaches for being consistent with the PPS in protecting natural heritage features and areas 2 and natural heritage systems in Ontario.

"While the manual provides information and approaches to assist in implementing PPS policy, it does not add to or detract from the policy. Additional ways to achieve the desired outcomes required by the PPS may exist, but if approaches other than those recommended in this manual are used, the onus is on the proponent of those approaches to demonstrate that they are consistent with the PPS...."

²⁸ PPS Section 2.1.1 "Natural features and areas shall be protected for the long term."

²⁹ Growth Plan for the Greater Golden Horseshoe Section 1.4. "...As provided for in the Places to Grow Act, 2005, this Plan prevails where there is a conflict between this Plan and the PPS. The only exception is where the conflict is between policies relating to the natural environment or human health. In that case, the direction that provides more protection to the natural environment or human health prevails. ... Detailed conflict provisions are set out in the Places to Grow Act, 2005."

subway stations (High Park and Keele), which form the centre of a 500m radius for intensification.³⁰ These stations are approximately 100m from the ANSI.³¹

The PPS prohibits development within lands adjacent to a provincially significant ANSI unless the lands have been evaluated and it has been demonstrated that there will be no negative impacts.³² Negative impacts are defined to include the impacts from single, multiple or successive development.³³ The NHRM suggests 120m³⁴ as the extent of adjacent lands³⁵ within which negative impact is likely, or municipal measures which have the same effect.

The NHRM provides guidance on identifying negative impacts. Cumulative negative impacts must specifically be addressed.³⁶ Indirect impacts must also be considered.³⁷

³⁰ Growth Plan for the Greater Golden Horseshoe Section 2.2.5.1 "*Major transit station areas and intensification corridors* will be designated in official plans and planned to achieve –

- a. " increased residential and employment densities that support and ensure the viability of existing and planned transit service levels
- b. a mix of residential, office, institutional, and commercial development wherever appropriate.

Where:

Intensification corridors are "*Intensification areas* along major roads, arterials or *higher order transit* corridors that have the potential to provide a focus for higher density mixed-use development consistent with planned transit service levels."

Higher order transit is "Transit that generally operates in its own dedicated right-of-way, outside of mixed traffic, and therefore can achieve a frequency of service greater than mixed-traffic transit. Higher order transit can include heavy rail (such as subways), light rail (such as streetcars), and buses in dedicated rights-of-way."

A major transit station area is "The area including and around any existing or planned *higher order transit* station within a *settlement area*; or the area including and around a major bus depot in an urban core. Station areas generally are defined as the area within an approximate 500m radius of a transit station, representing about a 10-minute walk."

³¹ Google maps

³² PPS Section 2.1.8 "*Development and site alteration* shall not be permitted on *adjacent lands* to the *natural heritage features and areas* identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the *ecological function* of the *adjacent lands* has been evaluated and it has been demonstrated that there will be no *negative impacts* on the natural features or on their *ecological functions*."

³³ PPS, Section 6; "Negative impacts: means ...

d) in regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

³⁴ NHRM Table 4-2

³⁵ PPS, Section 6: "Adjacent lands: means...b) for the purposes of policy 2.1.8, those lands contiguous to a specific *natural heritage feature or area* where it is likely that development or site alteration would have a *negative impact* on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives"

³⁶ NHRM Section 13.2 "To determine negative impacts on a significant natural heritage feature or area, the cumulative negative impacts from development or site alteration activities (e.g., impacts that adversely affect the stability of the feature and its ability to continue) must be considered against the integrity of the feature. The current and future ecological functions of the natural feature or area as they relate to the surrounding natural heritage system (e.g., connectivity) must be considered as well."

³⁷ NHRM Section 13.5.2.7 "Impacts can also be classified as direct (e.g., woodland cutting/clearing) or indirect. Examples of indirect impacts include reduction in forest interior habitat due to fragmentation or loss of forest edge; the potential for increased access because of road creation; human disturbance; the

To date the adjacent lands have not been evaluated. Without an evaluation it is not possible to show there is no negative impact from development. The provisions of the PPS, protecting the natural heritage, and those of the Growth Plan are in conflict in these lands. The provisions of the PPS prevail. Currently, permitting development would violate the PPS and Growth Plan.

Possible Impacts

The study process should use the NHRM to determine a comprehensive list of potential negative impacts. A couple of potential negative impacts are provided to illustrate what effects may occur and to provide some considerations that could assist with mitigation. Adequacy of mitigation can only be determined with a comprehensive study of the adjacent lands.

Negative impacts may arise from direct and indirect pressures on the ANSI.³⁸ One source of indirect pressure may be increased park use from nearby residential or commercial development. In addition to affecting recreational capacity, increased usage is likely to affect the natural heritage.³⁹ The NHRM recommends addressing these pressures through fencing⁴⁰ and increased bylaw enforcement⁴¹, although a study may identify other means of mitigation.

Negative impact may arise from intensification that compromises the ability to conduct prescribed burns. There are only a few days a year when conditions are suitable for burns.⁴² If buildings opposite the park along the north of Bloor adversely affect winds, the opportunity may be lost. Mitigation may be possible through consultation with a qualified burn boss on building design.⁴³

introduction of predators such as cats; invasion by non-native species; and the effects of noise on wildlife."

³⁸ *Ibid.*

³⁹ NHRM Section 3.4.6.2 "... Permitted uses in such a natural heritage system should be limited to those that support low-impact activities (e.g., walking, nature study, conservation). ..."

⁴⁰ NHRM Section 13.5.4.6 "... Fencing helps prevent access to natural features in locations where access is undesirable (e.g., where access leads to the development of ad hoc trails), funnels people to points of access planned as part of trails and recreational and educational programs, and restricts access from rear yards, thus reducing encroachment activities (e.g., dumping of grass clippings and yard waste, cutting of firewood, location of garden plots and accessory buildings). ..."

⁴¹ NHRM Table C-1, Activities Associated with Development, "... enforce "no dumping" rules and proper trail use" "

⁴² Park restoration staff, personal communication. "

⁴³ There is one contractor qualified to conduct the High Park burn. See Contract with Lands and Forests Consulting to Carry Out the Prescribed Burn Program, City of Toronto Staff Report, 2015. "

<http://www.toronto.ca/legdocs/mmis/2015/pe/bgrd/backgroundfile-76300.pdf> "

Negative impact may arise from depriving Grenadier Pond and Spring Creek of groundwater. This can probably be mitigated by requiring that all stormwater be returned to the ground, perhaps through slow release, rather than through a sewer.

Negative impact may arise from isolating High Park from its hinterland. There is some evidence the hinterland extends the ANSI's ecological functions. The effect of development on the connection between the ANSI and its hinterlands has yet to be studied. To achieve a comprehensive approach to protecting natural heritage, connectivity should be addressed in a Secondary Plan.⁴⁴ Connectivity is particularly important in Southern Ontario.⁴⁵ Connectivity may be the most important consideration in protecting natural heritage in an urban area.⁴⁶ If connectivity is not addressed, the Secondary Plan should expressly prohibit change in land use.

As part of the Avenue Study, the City currently has a technical committee to specifically study High Park. This demonstrates a commitment to protecting the City's valuable natural heritage. The NHRM recognizes that this is important but no longer adequate to address the complex needs of natural heritage.⁴⁷

There is no guarantee that it will be possible to mitigate the negative impacts. If not, the proposal should not proceed.⁴⁸ A study is necessary, but a study doesn't guarantee that development will be possible.⁴⁹ To the extent that the negative impacts can be mitigated, protecting the natural heritage features may limit the form or extent of

⁴⁴ NHRM Section 3.2 "... Identifying and planning for natural heritage systems ideally are achieved through a comprehensive approach provided that the approach is consistent with the PPS definition for "natural heritage system." An approach consistent with the PPS involves the inclusion of the fundamental components and characteristics (e.g., diversity and connectivity; long-term ecological function and biodiversity; linkages with natural heritage and water features) outlined in section 3.4.

⁴⁵ NHRM Section 3.4.1 "... in southern Ontario areas where human disturbance has resulted in fragmentation and a loss of connectivity among remnant natural features, planning for a natural heritage system is largely an exercise to maintain or develop a connected natural system. ..."

⁴⁶ NHRM Section 3.4.6.1 "... Efforts in such cases should concentrate on protecting the remaining significant features and their functions and connecting features or improving them wherever possible, through redevelopment and infilling opportunities, rehabilitation of existing open areas or other land stewardship opportunities, as may be appropriate. ..."

⁴⁷ NHRM Section 3.3 "... Historic planning approaches to protecting natural heritage have been limited to trying to preserve remnant individual features in a reaction to development pressure. At a landscape level, this approach has led to isolated and fragmented natural features and areas. Compared to features that were part of a connected system, isolated features have lower ecological functioning...."

⁴⁸ NHRM Section 5.3.1 "... If potential negative impacts of the proposed development or site alteration cannot be addressed through redesign or mitigation measures, the proposal should not proceed...."

⁴⁹ NHRM Section 3.5 "... An impact assessment does not ensure that development proposals will be approved;..."

development.⁵⁰ A study of the natural heritage features should be started early in the planning process.⁵¹

Conclusion

The proposed areas of intensification on the North side of Bloor opposite the park are adjacent to the High Park Oak Woodlands ANSI. There is a presumption that development in the adjacent areas will have a negative impact on the natural heritage features. The Growth Plan indicates that the conflict between preserving the natural heritage and development is resolved in favour of protecting the natural heritage. The PPS allows that a comprehensive study of the lands adjacent to the ANSI may disprove negative impacts or identify means of mitigating them. To meet the objectives of the Growth Plan, such a study should occur early in the process.

⁵⁰ NHRM Section 12.3.2 "... Official plan policies should restrict permitted uses in these areas (and adjacent lands) to existing uses and/or those uses that are compatible with the long-term protection of the natural heritage areas ..."

⁵¹ See, for example, NHRM Section 3.4.6.2 "...As part of a comprehensive planning process, it is recommended that a preliminary natural heritage system be identified before any other planning interests are considered. This will allow an opportunity to assess the natural heritage features and ecological functions up front and to determine the best way to connect them. A preliminary natural heritage system may need to be refined later in the planning process to incorporate other planning objectives. Any refinements contemplated for the final system will need to be assessed to ensure the original natural heritage objectives are met. The integration of a natural heritage system with other planning considerations is an iterative process in which the public and decisions makers, supported by appropriate experts, develop workable and achievable plans for urbanizing areas through the development of comprehensive official plan policies and land use designations."