

Meeting Summary — Community Consultation Meeting 3

Monday December 4, 2017

6:00 – 9:00pm

Runnymede United Church – Memorial Hall

432 Runnymede Road

Overview

On Monday, December 4, 2017, the City of Toronto hosted the third and final Community Consultation Meeting for the Bloor West Village Avenue Study. The purpose of the meeting was to present and seek feedback on the draft recommendations for the Bloor West Village Avenue Study.

Approximately 70 people attended the meeting. The City of Toronto staff, members of the consulting teams, and Councillor Sarah Doucette also attended and participated in the meeting.

The meeting consisted of: a welcome and land acknowledgement from Jeffrey Schiffer, the City's new Indigenous Affairs consultant; an overview presentation describing the process followed for the Avenue Study; four rotating facilitated discussion focusing on Built Form, Land Use, Natural Heritage and Hydrogeology, and Street Design and Transportation, and; a plenary report back (see appendix A – Meeting Agenda).

Matthew Wheatley, Ian Malczewski, and Khly Lamparero, third party facilitators with Swerhun Facilitation, wrote this meeting summary and shared it with participants 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 feedback provided by participants. They are meant to be read along with the more detailed summary of feedback that follows.

Additional work is needed to understand impacts on water and natural heritage. Many participants shared a wide variety of concerns about impacts on water and natural heritage. They said additional work is needed to develop strategies to not only to understand and mitigate impacts but also to enhance the natural environment, especially in High Park. Participants were pleased to hear the city is considering further study on these issues, beyond the Avenue Study.

Building height is a key issue. Participants shared a variety of opinions about the recommended heights, both in specific character areas and across the entire avenue. Some participants felt the draft recommendations allow for too much height, especially in the High Park Frontage Character Area. Others said the recommended heights are generally appropriate, a few said they are too restrictive.

Protecting office and employment uses are good recommendations. Many participants were pleased to see a specific recommendation to restrict the conversion of office uses.

Support for retaining the character of small shops. Participants supported the recommendation to restrict retail shop sizes in the Village Main Street character area with some suggesting this recommendation be extended to other character areas.

Any future bike lanes should prioritize safety and efficient traffic flow. Many participants supported the exploration of future bike lanes. They said bike lanes should be designed to create a safe environment for all road and sidewalk users and avoid creating traffic congestion.

The study and proposed recommendations should demonstrate consideration of indigenous rights and knowledge, especially in terms of water and natural heritage. Some participants at the meeting raised concerns that there wasn't recognition of the United Nations Declaration on the Rights of Indigenous Peoples or the Truth and Reconciliation Commission in the proposed recommendations.

Questions of Clarification

Following the overview presentation, participants asked questions of clarification. Responses from the City and/or study team, where provided, are noted in *italics*.

1. Will the meeting materials be posted online? *Yes, the City will post them online within a week. It can take time to post materials because the City needs to ensure they are compliant with the Accessibility for Ontarians with Disabilities Act (AODA).*
2. What is meant by "soft intensification?" *Soft intensification refers to additions to existing buildings that are small; for example, a one-storey addition on three-storey building. It is a form of intensification that is encouraged along Avenues.*
3. Is the hydrogeology study done? Are there no more chances to understand water impacts on High Park? *The City is going to continue to the review of water and natural heritage in High Park. Additionally, every project/proposed development has to demonstrate that it will not negatively impact water in the area.*
4. I'm not hearing reference to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) passed by the City and an over-arching indigenous lens. How did the City engage indigenous communities as part of this process? *As part of this process City Planning worked with Heritage staff on outreach with Indigenous communities. City Planning sent three letters to three Indigenous groups and received one response asking about the study area boundary. Jeffrey Schiffer (City of Toronto's Indigenous Affairs Consultant) added that he was at the meeting to listen to and learn from this participants about the City's Indigenous engagement process.*

Detailed summary of feedback

After the questions of clarification, participants moved to one of four facilitated discussions, each focused on a different topic, including: Built Form; Land Use; Natural Heritage and Hydrogeology; and Street Design and Transportation. There was a total of four rotations allowing participants to attend all four topic areas. Each rotation lasted thirty minutes, with approximately ten minutes dedicated to an overview of the proposed recommendations and twenty minutes to discussion.

The detailed summary below organizes participants' feedback within the topics listed above. The summary also includes a section summarizing process and other feedback received.

1. Feedback about Built Form

Building heights and setbacks. Participants shared avenue-wide as well as area -specific feedback about building heights.

Avenue wide feedback.

There was a range of opinions shared about the recommended building heights. Some participants felt the recommendations allow for too much height, some said they seem appropriate for the avenue, and a few said they are too restrictive. Some said the recommended heights should be based on the existing height of buildings, not the current as-of-right heights. Some participants said they support intensification near subway stations, especially if it includes units that people could more easily afford.

High Park Frontage.

There were different opinions about building heights and setbacks along the High Park Frontage character area, including:

- Some participants felt 8 and 9 storeys are too tall for the High Park Frontage. Others felt that 6 storeys should be the maximum height allowed with maximum street wall of 4 storeys. There was a suggestion to allow additional intensification in the other character areas and restrain intensification in the High Park Frontage.
- Participants also expressed appreciation for the recommended landscaped setbacks, green fingers, and separation between buildings in the High Park Frontage.
- There was concern that taller buildings would require deep underground structures that would negatively impact underground water flow through High Park.

Village Main Street.

- Some participants felt that 6 storeys would be too tall and preferred a 4 storey height limit with a 3 storey maximum streetwall.
- One participant said the majority of buildings are currently 2 to 3 storeys tall and that, by allowing 6 storey buildings, the perceived change would be too intense.

Rear transitions / angular planes. Some participants said the recommended rear transitions are appropriate. There was a suggestion to start the rear angular plane measurement at 10 metres for properties on the south side of Bloor St. Others noted that not all properties on and behind Bloor St are flat and that changes in slope/grade can increase the impacts of rear transitions and therefore should be taken into account when calculating rear transitions.

Concerns about precedents and built form demonstrations. Participants referenced existing buildings they feel are inappropriate for the area and should not be used as a reference for future development (e.g. 1844 Bloor St West and 1990 Bloor St West). There was also a concern that the "aggressive approach" taken for the built form demonstrations normalizes overdevelopment. *The study team said they took an aggressive approach so as to not underestimate potential change and that not every site will be redeveloped.*

Interest in seeing a variable streetwall. Participants said there should be a variety of building heights, separations, and setbacks along Bloor St to prevent creating a uniformed/unbroken streetwall. There was a suggestion to use the proposed “green fingers” to break up the street wall along Bloor St.

2. Feedback about the land use and community services and facilities

Support for office and employment use retention. Participants supported recommendations to restrict the conversion of office uses in the West Village and Village Main Street Character Areas.

Future greenspace and “green fingers.” Participants liked the idea of protecting some existing parking lots for future parks and “village greens.” There was particular support for having a village green next to the No Frills building. Participants also liked the proposed “green fingers,” with some saying they should be entirely green without commercial uses. Some participants said they would like to see rooftop gardens/greenspace and more street trees to further expand greenspace in the village.

Support for site-specific Avenue Overlay removals. Several participants supported recommendations to remove the Avenue Overlay from the Humber Gateway and the south side of the High Park Frontage.

Protecting and encouraging small retail. Participants supported the recommendation to “restrict retail shop sizes” in the Village Main Street Character Area with the desired effect of “retaining the character of small shops”. There was a suggestion to extend this recommendation to the East Village Character Area. Some said maintaining small retail and services (e.g. banks, dentists, shops) is important because they allow the Village to remain “self-sufficient”.

Concerns about commercial use near High Park. Participants raised concerns about the recommendation to “consider allowing some commercial uses on key sites framing the entrance of High Park.” Participants felt that allowing commercial uses near High Park, specifically within the High Park Frontage Character Area, would facilitate increased use and additional strain on High Park.

Schools, child care, and other facilities. Some participants said there are many children in the neighbourhood and raised concerns about low vacancy rates in schools and child care facilities. Other participants suggested schools be used outside of regular hours for additional uses and raised the idea of following the Community Hubs model. There was a suggestion to include a recommendation of what population-to-facility ratios are appropriate to help prevent over- or under-population of facilities.

Increasing affordable housing and seniors housing. Some participants said there is a need for more affordable housing in the area, especially rental housing, to make the area more accessible to people of different income levels. Others said there is a need for more senior residences to accommodate the aging population.

Other ideas & concerns. Participants shared other ideas and concerns related to land use, including:

- Participants shared comments about parking. Some participants said they are concerned that if there are reductions to minimum parking requirements that on-site visitor parking could be lost resulting in more people parking on neighbourhood streets. Others raised concerns that underground parking could have impacts on underground water, especially around High Park.
- Suggestion to consider dog-off leash areas in new parks. One participant said there are not any in the area except for one in High Park, which they felt should not be there.
- Concern about the impacts of glass buildings regarding energy use.
- Some participants said they want to see the No Frills grocery store protected, noting that it is a vital community resource. A few participants said the No Frills currently has a negative impact on the existing streetscape and suggested if a grocery store is redeveloped it should help promote the “village feel” of the area.
- Suggestion to develop policies to prohibit bright signs in the area.
- Desire to see community gardens / “village vegetable gardens” in the community.

3. Feedback about the transportation and street design

Cycling & Bike lanes. Several participants showed support for considering opportunities to introduce cycling infrastructure when reconstruction takes place. Participants said many people currently ride bikes on sidewalks and hoped that bike lanes could alleviate this issue. Participants also said safety for all users and traffic flow should be top priorities, with several indicating a preference for Redesign Exploration 1. Some participants suggested introducing a pilot project for bike lanes. Others said increased enforcement is needed to ensure cyclists follow the rules of the road.

Traffic flow & parking. Participants said that improving traffic flow, especially at busy intersections during rush hour, should be a priority for any future redesign. Other concerns and ideas expressed included:

- Concern that intensification occurring outside of the study area is increasing traffic congestion at major intersections at Bloor St (e.g. Runnymede Rd, Jane St, South Kingsway)
- Concern that any reductions in on-street parking could result in increased parking in the surrounding neighbourhoods.
- Concern that any removal of parking lots behind buildings on the north side of Bloor St could result in reduced customers for small businesses.
- Concern that any new left hand turning lanes could impede traffic flow.
- Suggestion to increase parking and loading enforcement rules along Bloor St to improve traffic flow and safety for pedestrians.
- Suggestion for the City to buy the ESSO gas station on the south-east corner of South Kingsway and Bloor St to resolve the “traffic nightmare” at this intersection with Riverview Gardens. A participant said that this could also help fulfill the recommendation in the Avenue Study to create more green space opportunities.

Increased focus on public transit. Participants said they would like to see more emphasis on improving/increasing access to public transit. Some participants said that car use is diminishing and/or is becoming less sustainable in the city, which will require increased planning for public

transit infrastructure. There was a suggestion to increase signage for TTC stations because some entrances are not directly on Bloor St.

4. Feedback about natural heritage and hydrogeology

The discussions at the natural heritage and hydrogeology station included a number of specific questions of clarification as well as feedback and advice. The questions asked are included below along with responses provided by the study team in *italics*. A summary of the feedback and advice follows the questions and responses.

Questions of Clarification about natural heritage and hydrogeology

- What did the hydrogeology desktop study include and what have you done to look at on-going, cumulative impacts? *The desktop study included a review of previous development applications, academic papers, and other studies. The consultants recommended restraining future development so that it doesn't create any risk of pressure to the aquifer. The concern about cumulative impacts is a valid point and merits a further, big picture conversation.*
- Is there any long-term monitoring of the aquifer? *No, there is no long-term monitoring.*
- What is the rock type above the aquifer? *It is an aquitard made of clay.*
- Did the study review / use the Gartner Lee Study? *Yes.*
- Is there an baseline study of High Park's aquatic biodiversity? *No, the team is not aware of any aquatic biodiversity baseline study.*
- Can a developer appeal the recommendation to not go below the water table to the Ontario Municipal Board (OMB)? *A developer cannot appeal Toronto Water's policies — they must adhere to them. Toronto Water does not issue a building permit if its policies are not adhered to.*
- Have you considered protection of adjacent neighbourhoods as a result of water extraction and sand? *We are recommending that development not touch the water table.*
- Will you be recommending "bathtub technology" that requires buildings to manage water on-site? *Yes, the Hydrogeology study is recommending new development use this technology.*

Feedback and Advice

Concerns and suggestions related to water. Several participants shared specific concerns and suggestions related to the protection of water both at and below the surface. Participants were concerned about the risk of breaking clay above the underground aquifer and about the management of storm run-off. Participants shared other suggestions they would like to see considered about hydrogeology and water:

- Consider the ecological integrity and ecological function of natural resources and how they impact human health.
- Ensure that groundwater infiltration is neutral, (i.e. have no removal or diversion of ground water). Reductions in groundwater could negatively impact Grenadier Pond and Spring/Wendigo Creek because they rely on ground water.

- Embed the requirements of the Hydrogeological Study as part of every development with the emphasis on testing soil and underground water conditions. This requirement would help investigate impact of development on adjacent 100-year-old homes.
- Prohibit underground parking.
- Follow the City's Green Streets Technical Guidelines to help soak up water and make sure these guidelines are adopted by the Province as well.
- Compare the findings of the Hydrogeology Study to the previous Gartner Lee Study on High Park.
- Explain what impact (if any) the City's downspout disconnection program had on the area.

Concerns and suggestions related to natural heritage. Some participants were concerned that the recommendations did not demonstrate there is no cumulative impact from development on High Park. Participants shared suggestions related to natural heritage:

- Take an urgent and proactive approach to protecting High Park's natural heritage to prevent reaching a "tipping point" when mitigation may no longer be effective. Consider identifying High Park's carrying capacity.
- Make sure the Avenue Study identifies High Park as a special area and recommend that hydrogeology and natural heritage be considered at a higher standard than in other parts of the city.
- Include a recommendation to enhance and restore natural heritage, not just mitigate further impacts.
- Develop a recommendation that considers invertebrate biodiversity.
- Develop a baseline study of High Park's biodiversity — could be easily done by volunteers.
- Strengthen the recommendation about bird-friendly guidelines by requiring "bird-safe" design.
- Identify measures to mitigate tree canopy loss and protect high value mature trees.
- Add a recommendation requiring all new developments along Bloor Street to have Chimney Swift habitat.
- Put less emphasis on High Park as a recreational area.
- Establish a Design Review Panel for any development proposed within 500 metres of natural areas, similar to the panels for the Waterfront and Toronto Community Housing.

Concerns and suggestions related Indigenous rights and knowledge. Some participants were concerned that there is no recognition of the United Nations Declaration on the Rights of Indigenous Peoples or Truth and Reconciliation Commission in the recommendations. They shared suggestions:

- Indigenous rights should be the starting point for recommendations — an Indigenous worldview would exceed environmental standards.
- The recommendations should focus on restoring environments, not just mitigating or minimizing impacts.
- Consider programs for indigenous youth for baseline data collection studies.
- The recommendations should encourage the nurturing of Indigenous plants, medicines, and collective knowledge about local food.

5. Other feedback

Appreciation for work being done. Participants expressed appreciation for the work being done by City staff and the consultant teams as part of the Avenue Study and for paying attention to crucial issues in Bloor West Village.

Consideration of human health impacts. There was a suggestion that impacts on human health should be given greater consideration in order to create and maintain good human health as well as environmental health.

Ongoing work is needed, especially for natural heritage and hydrogeology. Participants were pleased to hear the City is considering further study natural heritage and hydrogeology. They said this work will be crucial to understanding cumulative impacts of existing and future development. There was also a suggestion that more consultation is needed around the Avenue Study's recommendations.

Next steps

The City and consultant team thanked participants for their feedback and continued participation in the process and committed to sharing a draft summary of feedback in the coming weeks. The Study Team committed to putting the materials online and asked for any additional feedback be shared by Monday December 18th.

Appendix A. Meeting Agenda

Bloor West Village Avenue Study

Community Consultation Meeting 3

Monday, Dec 4, 2017

6:00 – 9:00 pm

Runnymede United Church – Memorial Hall

432 Runnymede Road

Meeting Purpose

To present and seek feedback on the draft recommendations for the Bloor West Village Avenue Study.

Proposed Agenda

6:00 Welcome & introductions

Councillor Sarah Doucette

City of Toronto

6:05 Agenda review

Swerhun Facilitation

6:15 Overview presentation

DTAH

City of Toronto

Questions of Clarification

6:45 Facilitated discussion: workshop

Four rotating, interactive stations focusing on draft proposed recommendations for Built Form; Land Use & Community Services & Facilities; Transportation & Street Design; Natural Heritage & Water.

Focus questions

1. What do you like about the draft proposed recommendations?
2. What parts of the draft proposed recommendations are you concerned about, if any? What suggestions do you have to address those concerns?
3. Do you have any other advice?

6:50 Rotation 1

7:20 Rotation 2

7:50 Rotation 3

8:20 Rotation 4

8:50 Plenary Discussion & Next steps

9:00 Adjourn

Appendix B. Worksheet Feedback

Participants provided written feedback at the meeting by completing worksheets. The worksheets included questions about the Built Form, Natural Heritage and Water, Land Use and Community Services & Facilities, and Transportation and Street Design Draft Recommendations and any other feedback or advice. The feedback provided has been transcribed and aggregated by topic and question.

Built Form

What do you like about the draft recommendations?

- Protecting parking lots for future park development; new village green by No Frills.
- I like soft intensification. Make sure new stories have to be stepped back from existing facades. This would allow protection of existing streetscape and would accommodate heritage and character supporting facades.
- Respects central Bloor West current properties.
- Good approach to mixed use and building mix in different zones.
- Soft intensification is preferable to high rise; putative need for each project.
- Lower use building adjacent to TTC's and condos; context to maintain existing sky view as much as possible; not going to rezone apartment neighbourhood to accommodate retail; Clendenan – keeping buildings no more than double the depth in retail area and minimize having to create new buildings; maintain deeper setbacks of buildings; creating more public greenspace.
- 3 metre step back is appreciated; transition between zones is good; rear angular planes seem appropriate
- High Park Frontage – landscape set back and green fingers; separation between buildings. All rear transition plans are good.
- Village Green – yes.

What concerns do you have, if any, about the recommendations?

- Aggressive sampling for redevelopment normalizes overdevelopment.
- In the whole street wall and one all heights make sense; make sure you keep 3 metre step back – very important.
- Near High Park building heights are taller and setbacks are smaller. How is that respectful of the park and the residential homes?
- Would propose that new buildings north of High Park area.
- mid-rise construction always better than high rise. High rises require deep underground structure which will impede the flow of High Park.

- Building structures between buildings on existing green and infill space shouldn't be allowed not only due to zoning, but due to space, shadows, wind, light and human physical and mental health.
- I believe intensification pressure is being under estimated. Even so, I believe in the Main Village that the economic ecosystem will be endangered by allowing six stores.
- High Park Frontage – 6 to 8/9 storeys (20-27m) seems too high; inappropriate to reference 1844 Bloor St. West (Daniels) – it should not have been built; same with 1990 Bloor Street West.
- Additions of rooftop gardens; trees on streets; cultural diversity; response to local economic need; maintaining green spaces.

What refinements, if any, would you like to see considered?

- I would like to see a limit on frequency of high developments.; I would like to see rooftop greenspace mandated on new developments.
- Need to find a way to break up new massing where lots are being incorporated and new building is much larger- in street – need to protect “fine grain” character through further design guidelines.
- Bigger/higher buildings should have larger setbacks/greenspace. Area near High Park is more residential – building heights should be constrained.
- Trade-offs between zones to reduce impact on High Park area. Ie allow for more intensification in zones that don't affect High Park.
- Maintain existing sky view and green on the ground and on top of buildings or as well as top of buildings, depending. Ensure minimal wind tunnels, shadows and crowding of buildings between buildings; focus on impact on human health – mental and physical; negative impacts on High Park.
- Do not allow lack of site step backs on narrow lots. Maintain the present four-storey maximum in the Main Village; scenario #4 should match the existing parts. Should only allow three stores at ground as in #2.
- High Park Frontage – at the very least, do not increase from 23m if it exists. If you want to be generous, go with 4st. (14.0m) street wall and 6 st. (20.0m) maximum height (with same setback). Should also be bird safe (better than bird friendly).
- Question: fortification (intensification of the original structures)? Eg. Plumbing, renovations, building code, etc.

Natural Heritage & Water

What do you like about the draft recommendations?

- Enhanced protection for 'high-value' trees; enhance TGS (Toronto Green Standard) to make bird-friendly facades; implementing green solutions e.g. tree pits; cleaning ponds
- Sensitivity to bird and mammal habitat is good. Tree and green canopy sensitivity appreciated. Green roofs in planning are excellent, as well as green street provisions.

- Rare plant and animal left identified; findings i.e. general water quality not currently adequate (stormwater). Focus on wildlife (plant and animal) protection and ongoing maintenance; 7 bay points identified; identification of the aquifers and the 4 ponds and how water feeds them.
- Green roof for green street enforcement are appreciated.
- Consideration of: 1. “Area of Influence” as important support for High Park; 2. Slope (even if existing policy)
- Pervious pavements, more “soakable” surfaces, tree pits.

What concerns do you have, if any, about the recommendations?

- Not strict enough recommendations for protecting water
- Impacts on High Park hydrology must be minimized, especially given existing towers and intense density north of High Park; high percentage impervious built environment. Waterfowl may be at risk of degraded H₂O.
- Protection of aquifer is key to any proposal. These consequences of miscalculation in this area can be irreversible to damage to Oak Savanna in High Park.
- Is there a baseline study and continued monitoring? I.e. use of breaking thru water table; concern for water quality of clean and chemically reduced water for animals, plants, including humans; no focus on human impacts – physical health in particular and mental health, which is impacted by physical health.
- There isn’t enough protection of the Laurentian aquifer (though this is more the apartment area than the Avenue Study area) this needs to be addressed; should be no further diversion of ground water sources.
- Only considering bird friendly should be mandating bird safe.

What refinements, if any, would you like to see considered?

- Stricter policies on monitoring developers impact; more stringent consultation with local First Nations
- More thorough investigation of long term effect of construction on ground water table. Especially on older sites where guidelines may not have been in place.
- Total replenishing of aquifer?; What’s limit to impervious percentage preparation?; Plans to limit %?; Bio-retention zones, slow absorption of H₂O and managing runoff to mitigate impact on quality in High Park and ponds.; set policies to limit increase of impervious % as much as possible.
- I hear guidelines, but what is to prevent developers from going to the OMB to overturn on city recommendations however stringent?
- Need to focus on the impacts all of these items on human beings. I.e. physical and mental health, as well as that of the wildlife; needs to be Federal, Provincial and City good participation once these matters; recommend High Park and Humber River for Federally protected site.

- Should be monitoring of Laurentian aquifer flow into Spring Creek; why were there no mention of First Nations insight on any of this? Should be bird safe, not bird friendly.
- Need to identify and empower an individual with power and authority across the city (and TRCA) departments whose primary mandate is protecting and enhancing High Park's Natural Heritage.
- Also, please consider collecting traditional Indigenous knowledge re: traditional/natural medicines. Ensuring knowledge of local plants are protected. Share this wisdom too with public. Incorporate Indigenous voice and knowledge in assessment of local ecosystems.

Land Use and Community Services & Facilities

What do you like about the draft recommendations?

- Remove avenues overlay; restrict retail shop size; considering child care space
- Like restructuring retail shop sizes to retain character of small shops like approach for High Park area.
- Like the addition of green space/parks
- Pleased to see plans are aiming to minimize development impact to compensate for Daniels precedent.
- Effort to keep the diversity of BWV intact; preserving small shops concept and low residential buildings; High Park no development on south side by the path.
- Strongly agree with keeping large retailers out of the Main Village; support removal of Humber Gateway from Avenue Study.
- Protecting office usage; restricting retail size in Main Village; reduce parking on transit corridor.
- Considerations of local needs and services, and fluid response to local demographics.

What concerns do you have, if any, about the recommendations?

- Not enough focus on lower income residents
- Concern that East Village will not have fine grained small retail store fronts. Should try to extend character of Main Street.
- Concern that existing parking at 2155 Bloor will not be accommodated in new Land Use Policy. Need to provide flexibility for parking lot and other interim uses over the short to medium term.
- But where are shoppers going to park?
- No retail on High Park Avenue.
- Subway trains bypass High Park TTC station driving rush hour and makes it appear that there is no one boarding at High Park station; developers efforts to have high rise buildings versus low rise concepts; call of schools, childcare, health services, police, ambulance, hospital and fire services.
- Daniels building should not be a baseline for anything.

- Concerned about facilitating increased use of High Park by providing more commercial near High Park. (Keele already well served, consider very limited at High Park, perhaps on TTC property.)

What refinements, if any, would you like to see considered?

- Taking public service buildings and having their uses shift as demographic changes; consider expanded services to lower income residents; independent café at High Park station.
- Need to protect for existing uses vital to community (ie No Frills) that may not fit under proposed retail GFA (gross floor area) cap in Village Main Street. In the event the No Frills lands are redeveloped, a grocery store should be allowed to be re-introduced to the site upon completion of development, and any new store should not be subject to a GFA cap.
- Encourage transit and cycling by reducing/transforming parking lots and encouraging few if any parkade.
- If the fastest growing population are children and seniors, why does the city allow developers to build 1600 condos and need more senior residences.
- Keep retail out of High Park community; keep the low rise historical contents minimal. Focus on public health – physical and mental – of the village with independent retail stores vs chains and leaves No Frills in the Village where it is; City Hall needs more control over our destinations; focus and get input from the people who live in the area for all community development.
- Allowing east and west village to be taller will put pressure on main village – restrict them to 6 storeys too.
- Due care converting guidelines to official policy (risk of aggressive developer interpretations that are not city's intent).
- Open up neighbourhood to lower income families? E.g. apartments at lower rent (affordable housing). Open door for all people to experience life near High Park.

Transportation & Street Design

What do you like about the draft recommendations?

- Cycling infrastructure support; improving safety and mobility; redesign 1
- Concerns if parking lots are removed behind north side of Bloor. This will result in decrease in customers to small businesses on Bloor.
- Prefer plan to have off peak parking on both sides. Redesign 1
- Good plan for bike lanes and pedestrian friendly access
- Opportunity 1 – less disruptive and appear to public safety much more than opportunity 2 and 3
- Favour redesign 1 for balance of traffic flow and bike infrastructure in the bulk of the village; definitely need to remove planters to create full 5 metre pedestrian space.
- Traffic: redesign Opportunity 2 works for me, isolating left turn lanes, and is probably easier to keep consistent at Jane and Runnymede. Feels similar to Bloor bike lane experiment, where floor is actually better with one lane (in my experience).

- Key: Cycling infrastructure. Issues with road space? Invest in public transport; eco-friendly approach; as population increases, so does congestion – makes sense for better transit infrastructure!

What concerns do you have, if any, about the recommendations?

- Not enough focus on optimizing public transit accessibility and mobility
- Redesign 2 – not clear how centre lane for turning only would be used midblock where there is no place to turn; need more design for pedestrians crossing midblock-very common at No Frills (jay walking)
- Car use is diminishing. Must not assume need for same number of parking spaces.
- Safety isn't emphasized. Re: pedestrians on side walls, cyclist and traffic and safety or vehicles parking, opening doors and hitting other cars etc.
- I don't see any mitigation of the congestion in the Jane – Kingsway movement on the bicycle danger in this area. No dog off-leash area (especially after necessary closing of High Park dog off leash).
- Travel by car is non-sustainable in the City of Toronto, long-run population is on the rise, infrastructure for public transport must be taken into consideration for long-term planning.

What refinements, if any, would you like to see considered?

- Focus on increasing accessibility and mobility of public transit.
- Which is safer for cyclists? Pedestrians? 1. Parking cars on the right. They cross bike lane and drivers "door" cyclists – also drivers park on stop o bike lane forcing cyclists into traffic. 2. Bike lane with parking on left. Car passengers open doors and have to cross bike lane.
- In Montreal, the bike lanes are on one side of roadway. Bikes travel on both directions in these lanes. Bike lanes have their own traffic light to allow vehicles to make turns and pedestrians to cross.
- Suggest have bike lanes in retails area as a pilot study – due to concerns re: congestion, current lack of licensing. Cyclist respect for pedestrians and driving rules and enforcement for cyclists.
- There doesn't seem to be any accommodation for ride-sharing/self-driving vehicle pick-ups and drop-offs; consider one lane traffic each direction and expanding sidewalk beyond 5 metres; need to account for priority bus movements.
- For bike lanes: please use an actual divider. Paint/markings are inefficient for cyclist safety. "explorations" slide – prefer "redesigns". Redesigns has better safety for cyclists.

Other Feedback or Advice

- Community garden developments; more green space! Indigenous consultation re: developments around High Park; strict monitoring of developer's potential impact; regenerative approach, to not just protect but expand endangered habitats.
- Is this work open to people of all economic background? E.g. integrity of gentrification process to be open to all Toronto citizens – not only "up-scale", expensive building development, but remaining open to all people; Accessible residents, stores, etc.

- What legacy do we want to have? We have potential, infrastructure and technology for powerful, sustainable innovation. Shoot for the stars!
- Limiting cars on Bloor Street. Look to London, England case – increase of toll \$ as congestion rose in the city, investment in transit.
- Please take on this project with intention of creating the most sustainable, eco-friendly planning forward. We have the potential and capacity to be global forerunners in developing sustainable solution – with incredible innovative possibility. Please think of our future generations and the wealth of the Earth.

Appendix C — Feedback submitted after the meeting

Personal identifying information has been removed from this feedback. Otherwise, these submissions have been included as submitted.

- Submission 1, November 29
- Submission 2, December 4
- Submission 3, December 5
- Submission 4, December 7
- Submission 5, December 11
- Submission 6, December 15
- Submission 7, December 15
- Submission 8, December 16
- Submission 9, December 18
- Submission 10, December 18
- Submission 11, December 19

Submission 1, November 29

Hey,

I have just become aware of the Bloor West Village Avenue Study, and I want to express conditional support.

I remember coming to High Park from North Toronto in the seventh grade for a cross-country race, and as soon as I left the subway station the neighborhood felt unique. Even as a kid the age and character of the buildings was palpable.

Now I live in the neighborhood, and though it has changed (giant condo at 1838 Bloor) many of the buildings that created that feeling are still there. When you enter or exit High Park, or look out from between the trees, the old homes and apartments that line the road are a part what makes the place feel special. They should be protected. As should a few other exceptional buildings within the study.

But the rest of this proposal is anti-housing bullshit. It is an obvious scheme cooked up by local homeowners to preserve what they have and keep others from getting it.

This city needs housing more than it needs to protect a enormous stretch of chain restaurants, pet stores, and magical healing clinics. Any sort of blanket heritage designation that suppresses intensification will be a slap in the face for the thousands of families who can't afford housing in this city.

Submission 2, December 4

Hi all,

Let me stress how much I appreciate seeing the City planners and other staff, paying the attention to this crucial issue.

This is a critical time for High Park, a Jewel of Toronto's Park System and one of the most significant ESA/ANSI and wildlife habitats citywide.

It seems now that we could be arriving to the situation described in the document below from 1994 as "what was left over after development took its course" - Metropolitan Waterfront Plan, prepared by Metropolitan Planning Department, Feb 1994:

"Too often in the past, we have considered green space as an afterthought, what was left over after development took its course. We now realize that if any natural spaces are to remain, we must take a pro-active approach to saving them."

We are running out of time here in terms of rapidly rising pressures on Ecological Integrity of High Park Natural Heritage.

This process resulting in degradation and undermining of ecological functions is accelerating cumulatively and incrementally with more local residents using park on daily basis. Each 100 new local residents will introduce to the area potentially 40 plus pets (less than 25% of those will be properly licensed).

There are other heavy recreational uses placing stress on wildlife habitats and vegetation (fishing, bicycling, walking off trails, foraging, trampling, fragmentation of habitat. etc.) and incompatible uses with ESA/ANSI (cherry blossom, skating, big sport events, etc.)

Results from 2014 Parks User Survey of Toronto Parks corresponds to and Physical Activity in a Sample of Public Parks in the City of Los Angeles

"Most park users (81%) live within one mile of the parks, and only 19 percent of park users live more than one mile from the park. This is a key finding"

Natural Heritage does not have resiliency, as some may believe, to withstand pace of recent development, intensification and increasing recreational pressures. Once the degradation reaches "tipping point", mitigation may not be possible even if attempted and funded.

The proactive planning decisions are the first in the forefront of the City's various agencies decisions crucial to preserving the Natural Heritage in GTA, including High Park, for a long term and future generations.

Those from us, who are concerned about Protection of Natural Heritage of High Park not being addressed adequately so far, including myself, would like to learn more specific information on "Next Steps for High Park"

("City staff and TRCA are integrating the information on hydrogeology, surface water and natural heritage and exploring opportunities to improve the ecosystem in High Park")

Are we going to be able to participate? What would be timing and potential scale of these efforts? How would be connected to current and potential future development?

In my opinion, we really need to establish strong policies here along this BWVA Study to be as inclusive of the existing protection policies (PPS, NHRM, The City Official Plan, etc.) as possible.

Thank you for all your efforts.

Please, see attached docs :

1. BWVA Study_LAC#4 FINAL_Nov 27_additional information1

This finding generally corresponds to included findings from 2014 Parks User Survey:

"Most park users (81%) live within one mile of the parks, and only 19 percent of park users live more than one mile from the park. This is a key finding"

BWVA Study_LAC#4 FINAL_Nov 27_additional information1

High Park has been lately under increasing pressures from growing number of visitors and heavy recreational use. This situation has impacted the natural heritage (ESA/ANSI) of the park and the visitor's experience.

According to Natural Heritage Desktop Investigation Study by Dougan and Associates which is a part of Terms of Reference for BWVA Study, there is

“a high level of disturbance in respect to all Key Sensitivities: Prairie Habitat, Wildlife & Wildlife Habitat, Species at Risk, Urban Canopy, Steep slopes, Wetlands and Aquatic Habitat.

“3. Most indirect and cumulative impacts are regional (local) in nature, and already occurring

-increased population increases trampling / disturbance impacts”

Over the past 2 years, the area along the Bloor St. (beginning with Keele St. and ending with Jane St. at the west end) and partially fronting with High Park, **added about 2,500 people**. Some of these developments are yet to be completed. **This number does not include 51 Quebec Ave, recently under construction, that will add 586 units and about 1,200 people by next summer 2018.**

Moreover, if the developments along **the High Park Apartment Neighbourhood Character Study** were built as proposed, there would be **another 1700 units and about 5,000 more residents in immediate High Park proximity** (adjacency). This area is not included in BWVA Study.

It is being suggested by Preliminary Recommendations along Natural Heritage Desktop Investigation Study by Dougan and Associates, part of BWVA Study, that some of the impacts from development can be mitigated by Enhanced Best Management, Resource Management Planning, Monitoring and Adaptive Management.

Nowhere in this Natural Heritage Desktop Investigation Study is suggested “acceptance of an existing state of decline”, rather repeated conclusion of high level of disturbance and recommendation of mitigation measures. This Study also does not conclude in any way that these mitigating measures even if followed up rigorously would mitigate degradation ensuing from overuse and excessive recreational use of the park.

Only Environmental Impacts Study done properly along PPS, NHRM, TRCA Guidelines and other supportive guidelines could determine all of this after finding out needed data.

<http://cloca.ca/resources/Outside%20documents/Natural%20Heritage%20Policies%20of%20the%20Provincial%20Policy%20Statement%20MNR%202010.pdf>

NATURAL HERITAGE REFERENCE MANUAL, 2010 for Natural Heritage Policies of the Provincial Policy Statement, 2005

13.5.6 Planning Authority Decision

In making its decision about a proposed development, the planning authority would consider the results of the assessment review, along with other relevant PPS policy (see section 2.3).

The planning authority’s decision can be contingent on the revision of the development proposal and/or the attachment of conditions. For example, approval may be contingent on the implementation of specific mitigation and/or monitoring measures. Alternatively, approval may be granted only after extensive revisions of the proposal.

According to the Provincial Policy Statement and The City Official Plan, the Natural Heritage is to be preserved for a long term; all activities are to be compatible with designated areas ecological function and designated natural features. Development proponents need to prove that there will be no negative impacts on the natural heritage and designated natural features. This also includes impacts of multiple developments and cumulative impacts of increased use by local residents.

It seems that the planning decisions regarding development proposals adjacent and/or in vicinity of High Park so far have not taken into consideration cumulative impacts on the natural heritage ensuing from increased use by rapidly growing numbers of local residents, dogs and other recreational activities.

FYI:

https://www.rand.org/content/dam/rand/pubs/technical_reports/2006/RAND_TR357.pdf

Park Use and Physical Activity in a Sample of Public Parks in the City of Los Angeles

"Most park users (81%) live within one mile of the parks, and only 19 percent of park users live more than one mile from the park. This is a key finding"

From 2014 Toronto Parks User Survey follows:

<https://www1.toronto.ca/wps/portal/contentonly?vgnextoid=6fe078c1c8c1e410VgnVCM10000071d60f89RCRD&vgnextchannel=8e28dada600f0410VgnVCM10000071d60f89RCRD>

Parks are important to my quality of life - (2,010 response) 89.8% Strongly agree

How often do you visit parks? (2,224 responses)

26.3% Every day

24.7% 4 or more times/week

28% 2 4 times/week

Why do you visit parks?

(11,184 responses)

14.9% Walk or hike

14.1% Enjoy nature

9.2% Unstructured activity

8.8% Meet friends

8.7% Passing through

7.8% Cycling

7.2% Picnic

6.7% Special event

6.6% Walk the dog

6% Playground/ splash pad / wading pool

5.2% Organized activity

3.5% Other reason

1.3% Volunteer

What are the best features of your local park?

(9,285 responses)

16% Trees

14.6% Naturalized areas

6.7% Special event

6.6% Walk the dog

6% Playground/ splash pad / wading pool

5.2% Organized activity

3.5% Other reason

1.3% Volunteer

How did you learn about this park?

(2,765 responses)

63.8% Live close to the park

BWVA Study_LAC#4 FINAL_Nov 27_additional information2

It seems now that we could be arriving to the situation described in the document below from 1994 as *"what was left over after development took its course"* - **Metropolitan Waterfront Plan, prepared by Metropolitan Planning Department, Feb 1994:**

"Too often in the past, we have considered green space as an afterthought, what was left over after development took its course. We now realize that if any natural spaces are to remain, we must take a pro-active approach to saving them."

This is a critical time for High Park, a Jewel of Toronto's Park System and one of the most significant ESA/ANSI and wildlife habitats citywide.

Background Information:

<http://trca.on.ca/trca-user-uploads/MetropolitanWaterfrontPlan.pdf>

Metropolitan Waterfront Plan, prepared by Metropolitan Planning Department, Feb 1994

Excerpt, pg17

Ecosystem Approach

An ecosystem is a network formed by the interaction of living things, including humans, with one another and with their habitat. The waterfront planning process takes an ecosystem approach that recognizes the dynamic and complex interactions of natural and human communities and processes, on a scale from microscopic to the global. This approach to planning implies the recognition of natural boundaries, necessitating a greater degree of inter-governmental collaboration. It also requires policies that recognize a broader spectrum of issues and which take into account connections between the various components of the ecosystem.

In the urban context, the planning priority is to ensure that we benefit from the natural system while not unduly impairing natural processes. The state of the ecosystem's health is vitally important to Metropolitan Toronto. Water quality, for example, influences public health and recreational opportunities for residents. Public works facilities play an essential role in safeguarding a high quality of life.

Too often in the past, we have considered green space as an afterthought, what was left over after development took its course. We now realize that if any natural spaces are to remain, we must take a pro-active approach to saving them.

The ecosystem approach requires us to look beyond a particular site to what is happening in the next bay and in the whole watershed, and to have regard for cumulative impacts. A new structure in the lake at one site may destroy the beaches at another. Factors outside the shore area, such as upstream activities, have a major impact on the quality of the shoreline environment. All elements of the community have complex and changing relationships that require coordination and consideration.

Submission 3, December 5

Good Day

Bloor West Village has been a very successful community which is why, so many developers are focused here. One of the reasons for success is that it is a community which is what is missing in the suburbs. We are self-sufficient in the Village as one can access all our daily needs within walking distance. To name a few services, banking, dentist, fill-up, vegetable market, groceries and or even a blood lab. The bigger properties which are attractive to developers will be under pressure for redevelopment. This might include the gas station or our No Frills. These are essential parts to the community and if we do redevelop we will still need these services, so we must find a way to keep these utilities in any future proposals. I know this self-sufficient community idea is a little removed from planning philosophy as to the placement of certain businesses in a community, but it fits with climate concerns and walkability trends. If many residents will be living in condos or apartments without cars, then the walking option is essential. So, I wish planners would stop salivating over big spaces for redevelopment without considering the self-sufficiency of the COMMUNITY. One last point while I'm on self-sufficiency, a village vegetable garden might make a nice addition to the village inventory.

BWV, it really is a village and we need more of them not less.

Submission 4, December 7

Please reconsider the building heights you are recommending along the entire avenue. In my opinion, allowing building heights to be 3x the current height will be extremely detrimental to the look and feel of our neighborhood, regardless of setback from the street and the stepped feature of the top 2 levels. Our street is not wide enough to make this palatable.

To give you perspective, please look at this picture from Bloor, and try imagining buildings 3x the height.

<https://www.google.ca/maps/place/2300+Bloor+St+W,+Toronto,+ON+M6S+1P2/@43.6504579,-79.4795018,3a,75y,246.82h,85.44t/data=!3m6!1e1!3m4!1su2o1uFJWvoKcQT7XMYl0og!2e0!7i13312!8i6656!4m5!3m4!1s0x882b3687afa046fb:0x33c2ba494096a823!8m2!3d43.6505848!4d-79.4793603?hl=en>

As a reference, here is a picture from Yonge St., north of Eglinton. As you know, Yonge is a much busier and wider street (with much less character), yet even there the buildings are 2 or 3 stories.

<https://www.google.ca/maps/@43.7145769,-79.399964,3a,75y,348.74h,76.8t/data=!3m6!1e1!3m4!1sJAjmX4ww7zbZzmcbNlz6Eg!2e0!7i13312!8i6656>

Lastly, please see this picture of the movie theatre with the billboard on top. Now imagine a building that is more than twice that height in its place. You'll be ruining one of the best views of the sky at sunset.

https://www.google.ca/maps/place/2300+Bloor+St+W,+Toronto,+ON+M6S+1P2/@43.649858,-79.4819479,3a,75y,239.09h,97.37t/data=!3m6!1e1!3m4!1s2O76Mxke2_RizzpWSu641g!2e0!7i13312!8i6656!4m5!3m4!1s0x882b3687afa046fb:0x33c2ba494096a823!8m2!3d43.6505848!4d-79.4793603?hl=en

I ask that you seriously reconsider your recommendations.

Thank you

Submission 5, December 11

I plan to send more complete comments next week. Just a couple of quick comments / questions this morning:

I almost feel that we need another three or four meetings. With each meeting we achieve incremental changes and improvements, but we are not "there" yet.

What happens after the last comments are submitted on December 18? Will there be any opportunities for continued communication until we reach the "fine tuning" phase?

Submission 6, December 15

Changing rules on OMB and the Bill 139 will influence BWVA Study as well.

For my own sake I put together Compiled information -Transition from the Ontario Municipal Board to the Local Planning Appeal Tribunal under BWVA Study_LAC#4 FINAL_Dec15_additional information3

I would like to share it in case that people find the information useful.

BWVA Study_LAC#4 FINAL_Dec15_additional information3

Compiled information -Transition from the Ontario Municipal Board to the Local Planning Appeal Tribunal.doc

Excerpt from the article **Developers racing to OMB ahead of new provincial planning rules**

By Jennifer PagliaroCity Hall reporter

Mon., **Nov. 27, 2017**

"For far too long, the OMB has decided how Toronto's neighbourhoods will grow without any regard for our residents' quality of life, said Matlow. We need to address overcrowded schools, packed subways, a lack of affordable childcare and other social supports that make a community livable before new condos are approved in areas like Yonge and Eglinton."

For the entire article SEE text below.

Included Topics:

1. Statement on Transition from the Ontario Municipal Board to the Local Planning Appeal Tribunal

December 7, 2017 12:41 P.M

<https://news.ontario.ca/mma/en/2017/12/statement-on-transition-from-the-ontario-municipal-board-to-the-local-planning-appeal-tribunal.html>

2. Proposed new regulation under the Planning Act to prescribe transitional provisions for the Building Better Communities and Conserving Watersheds Act, 2017 (Bill 139)

<https://www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTMzODk5&statusId=MjAzNjY4&language=en>

Proposed new regulation under the Planning Act to prescribe transitional provisions for the Building Better Communities and Conserving Watersheds Act, 2017 (Bill 139)

3. Bill 139 Receives Royal Assent

Dec 12, 2017

By Patrick Harrington

<http://www.airdberlis.com/insights/publications/publication/bill-139-receives-royal-assent>

Our last two updates outlined the proposed amendments to the Planning Act and the Ontario Municipal Board under Bill 139.

Today, Bill 139 received Royal Assent and came into force as the Building Better Communities and Conserving Watersheds Act, 2017.

While the Act itself came into force today, the Schedules to the Act (which contain the legislative amendments) come into force on a day to be named by proclamation of the Lieutenant Governor. There is currently no firm date for proclamation. Indications from the Ministry of Municipal Affairs is that proclamation will occur once the rules and regulations applicable to the new Local Planning Appeals Tribunal (the LPAT, which replaces the Ontario Municipal Board (OMB) are finalized. A recent Ministry press release anticipates that this exercise will be completed in spring 2018.

A key issue will be the transition between the current planning appeals system under the jurisdiction of the OMB to the new planning appeals system under the jurisdiction of the LPAT. Last week, the Province posted a summary of its proposed transition regulations on the Environmental Registry and commenced a 45-day public comment period. The Minister of Municipal Affairs and the Minister of the Attorney General also issued a helpful statement on transition.

Assuming the transition regulation is ultimately issued as proposed, and based on the joint-Ministry statement on transition, the following is offered by Aird & Berlis LLP's Municipal & Land Use Planning Group as a simplified summary:

For Planning Act applications:

If you have appealed to the OMB before today, your appeal will stay at the OMB.

If you have filed a complete application before today and you file an appeal before proclamation, your appeal will stay at the OMB.

If you file a complete application from this point forward, your appeal will go to the LPAT after proclamation.

If you file any appeals after proclamation (decisions or non-decisions), your appeal will go to the LPAT.

The following restrictions will apply where a decision on the relevant instrument is issued after proclamation:

No appeals of Ministerial Zoning Orders.

No ability to appeal an Interim Control By-law (ICBL) for one year.

No ability to apply to amend an approved Secondary Plan.

With respect to appeal and approval timelines:

The extended appeal timelines (210 days for OPAs; 150 days for ZBAs; 210 days for a combined OPA/ZBA) will apply to complete applications filed from this point forward.

The approval authority's timeline in which to approve an adopted OP/OPA is 210 days from this point forward.

Municipal authorities, ratepayer groups, consultants and landowners with questions about Bill 139 and the proposed transition from the OMB to the LPAT are encouraged to speak directly with a member of our Municipal & Land Use Planning Group. We can help simplify what promises to be a complex and at times unclear process of transition.

4. -Developers racing to OMB ahead of new provincial planning rules

https://www.thestar.com/news/city_hall/2017/11/27/developers-racing-to-omb-ahead-of-new-provincial-planning-rules.html

By Jennifer PagliaroCity Hall reporter
Mon., **Nov. 27, 2017**

Excerpt from the article. See for the entire article below.

"But the current limbo that has existed for more than a year, councillors and community groups say, has put additional pressure on areas currently buckling under unprecedented growth a reason they say the reforms were needed in the first place.

For far too long, the OMB has decided how Toronto's neighbourhoods will grow without any regard for our residents' quality of life, said Matlow. We need to address overcrowded schools, packed subways, a lack of affordable childcare and other social supports that make a community livable before new condos are approved in areas like Yonge and Eglinton."

5. - Toronto tells province that clear planning reforms are needed as soon as possible

https://www.thestar.com/news/city_hall/2017/10/16/toronto-tells-province-that-clear-planning-reforms-are-needed-as-soon-as-possible.html

By Jennifer PagliaroCity Hall reporter
Mon., **Oct. 16, 2017**

"Toronto city officials told a Queen's Park committee Monday that reforms to the OMB, the province's powerful planning tribunal, can't come soon enough, as the city continues to grow at an unprecedented rate and new development applications pour in at an increased pace.

On Monday, the city's acting chief planner Gregg Lintern and Councillor Josh Matlow both praised a government plan to overhaul the long-controversial Ontario Municipal Board, which has not seen substantial reform for more than 100 years.

But there remain concerns about the limbo between new and old legislation as developers unhappy with the changes may be rushing to beat the government's timeline to enact the new bill by the end of the year, a committee heard.

"These reforms have been a very long time coming," Matlow told the standing committee on social policy."

6. <https://www.thestar.com/opinion/editorials/2017/05/16/planning-changes-go-in-the-right-direction-editorial.html>

Editorials

Planning changes go in the right direction: Editorial

By Star Editorial Board
Tues., May 16, 2017

7. - Bill 139_Top10 Things You Need to Know About Bill 139

<http://www.airdberlis.com/insights/publications/publication/municipal-planning-law-bulletin---top-10-things-you-need-to-know-about-bill-139->

Excerpt:

" **Secondary Plan Two-Year Freeze.** Once approved, no one would be able to request an amendment to a new secondary plan before the second anniversary of the secondary plan coming into force, absent permission from the municipality."

8. - Toronto Star's ongoing series on development in Toronto please visit:

<http://on.thestar.com/2kTZPpl>

Some of included articles in more depth:

<https://news.ontario.ca/mma/en/2017/12/statement-on-transition-from-the-ontario-municipal-board-to-the-local-planning-appeal-tribunal.html>

Statement on Transition from the Ontario Municipal Board to the Local Planning Appeal Tribunal

December 7, 2017 12:41 P.M.

Ministry of Municipal Affairs

The following statement was issued today by Bill Mauro, Minister of Municipal Affairs, and Yasir Naqvi, Minister of the Attorney General:

"The proposed Building Better Communities and Conserving

Watersheds Act 2017 , Bill 139, would, if passed, overhaul the province's land use planning appeals system, giving communities a stronger voice and ensuring people have access to faster, fairer and more affordable hearings. Once in force, the act would establish **the Local Planning Appeal Tribunal** to replace the Ontario Municipal Board. It would also give the Minister of Municipal Affairs and the Attorney General the power to make regulations to deal with matters affected by the act coming into force.

Today, our government posted proposed transition regulations that set out rules for planning matters in process at the time of proclamation (i.e. "transition") if Bill 139 is passed. The proposed transition regulation would mean that:

- 1. - appeals that are already before the Ontario Municipal Board as of the date of Royal Assent of Bill 139 would be subject to the existing rules and would be heard by the Ontario Municipal Board;**
 2. - appeals made after the new rules come into force would be subject to the new rules and heard by the new Local Planning Appeal Tribunal;
 3. - appeals of matters between the date of Royal Assent and the date that the new rules are proclaimed into force: would be heard by the Ontario Municipal Board if the planning matter began (e.g. the complete application was received) before the date of Royal Assent; and would be heard by the Local Planning Appeal Tribunal if the planning matter began after the date of Royal Assent.
-

https://www.thestar.com/news/city_hall/2017/11/27/developers-racing-to-omb-ahead-of-new-provincial-planning-rules.html

2. Developers racing to OMB ahead of new provincial planning rules

By Jennifer PagliaroCity Hall reporter
Mon., Nov. 27, 2017

As Toronto awaits new rules that will shift the balance of power long held by the Ontario Municipal Board, uncertainty over how to transition from the old system to the new has city officials and communities warning of a rush of problematic applications.

The soon to be created Local Planning Appeal Tribunal will change the way local planning decisions are made. It is expected to be approved by Queen's Park before the end of the year.

The soon to be created Local Planning Appeal Tribunal will change the way local planning decisions are made. It is expected to be approved by Queen's Park before the end of the year. City officials are warning that developers are rushing en masse to appeal problematic applications to the powerful provincial tribunal that oversees land-use planning in order to avoid a less-favourable system.

City data shows the number of appeals to the Ontario Municipal Board on major development applications to the city have more than doubled compared to the same period last year.

Despite the current instability, a provincial official told the Star, new rules will not be made retroactive to earlier this year, as the city had requested.

The situation we're dealing with is an appeal a day, said Councillor Joe Cressy, who represents a downtown ward that includes the King-Spadina neighbourhood, one of the fastest-growing areas of the city.

At a public meeting on a proposed development last week, Cressy said a representative for a developer told the room: We're sorry for subverting the process, and we know that this is not an application that you or the city can support. But we needed to quickly submit an application given the uncertainty at the provincial level.

That uncertainty, Cressy said, is resulting in not only flash applications and appeals, but at this point there is **a very real risk that we end up with a lot of bad development that nobody wants, probably including the developer.**

Last year, the provincial government outlined its plan to table new legislation that would significantly shift the power dynamic created by the more-than-100-year-old Ontario Municipal Board, which today has the jurisdiction to overrule city council decisions and has largely favoured developers looking to build taller and denser towers.

Those new rules and a rebranding that would strip the OMB title for a new one, the Local Planning Appeal Tribunal are expected to be made law after debate continues at Queen's Park on Wednesday.

But in the interim, city officials and local communities have decried a limbo state they say has led developers to try to squeeze applications through under the old system.

In that void, planners and councillors say developers are submitting applications without first consulting with the city or the community in order to start the clock on when they are allowed to appeal to the OMB either after 120 or 180 days, depending on the type of application. And those who had not yet appealed existing applications are rushing to get in line at the tribunal.

In 2017, the number of major appeals at least doubled in all four corners of the city between May 16 and Nov. 24, according to city data compiled by Councillor Josh Matlow's office. In the downtown, East York and midtown areas, the number of appeals in 2016 was 24 compared to 50 in 2017.

Overall, there were 38 major appeals in that period in 2016, compared to 85 in the same period in 2017. Some applicants have informed city staff that in the absence of understanding how transition will take place they are advancing appeals, said Kerri Voumvakis, director of strategic initiatives, policy and analysis in the city planning division.

It is critical that all parties understand the transition provisions related to the bill. In the absence of this certainty, I anticipate that applicants will continue to appeal.

Joe Vacccaro, president and CEO of the Ontario Home Builders' Association, said developers are acting quickly to avoid uncertainty.

If we don't know what the transition rules are, lawyers are saying to the developers, 'if you have appeal rights... if you do not trigger those rights today there's no guarantee tomorrow that if you have to appeal, it goes to the OMB', he said.

CONTESTED DEVELOPMENT: Many question whether the Ontario Municipal Board should be allowed to continue wielding its unelected power over a city crunched for resources. For more on the Toronto Star's ongoing series on development in Toronto

please visit: <http://on.thestar.com/2kTZPpl>

Earlier this month, council requested the province make the new rules retroactive so they apply to appeals submitted after the new legislation was first introduced at Queen's Park on May 30.

But Friday, a spokesperson for Minister of Municipal Affairs Bill Mauro told the Star that won't be the case.

If passed, the bill would allow for a transition regulation that would apply the bill's changes to appeals that are filed after royal assent, but prior to proclamation, Mark Cripps said in an email.

Making first reading the threshold for transition would mean almost a year's worth of OMB cases would be left somewhere between the old system and the new. The resulting confusion the legal, administrative and financial impact would be significant.

A transition plan would be posted in the coming weeks, he said, adding the government would welcome feedback before it is finalized.

<https://www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTMzODk5&statusId=MjAzNjY4&language=en>

But the current limbo that has existed for more than a year, councillors and community groups say, has put additional pressure on areas currently buckling under unprecedented growth a reason they say the reforms were needed in the first place.

For far too long, the OMB has decided how Toronto's neighbourhoods will grow without any regard for our residents' quality of life, said Matlow. We need to address overcrowded schools, packed subways, a lack of affordable childcare and other social supports that make a community livable before new condos are approved in areas like Yonge and Eglinton.

Geoff Kettel, co-chair of the Federation of North Toronto Residents' Associations, which represents dozens of residents' groups, said they've been watching the reform process closely and with anxiety.

Income tax changes at budget time are always effective as of the announcement date. It is stupid for a government to introduce an important reform but let affected entrepreneurs have a six-month loophole in which to accelerate the ventures that the legislation is meant to prevent.

https://www.thestar.com/news/city_hall/2017/10/16/toronto-tells-province-that-clear-planning-reforms-are-needed-as-soon-as-possible.html

Toronto tells province that clear planning reforms are needed as soon as possible

By Jennifer PagliaroCity Hall reporter
Mon., Oct. 16, 2017

City officials praised the province's plan to reform the OMB at a committee hearing while asking for a clear transition plan as the city sees an uptick in development applications. Toronto city officials told a Queen's Park committee Monday that reforms to the OMB, the province's powerful planning tribunal, can't come soon enough, as the city continues to grow at an unprecedented rate and new development applications pour in at an increased pace. On Monday, the city's acting chief planner Gregg Lintern and Councillor Josh Matlow both praised a government plan to overhaul the long-controversial Ontario Municipal Board, which has not seen substantial reform for more than 100 years. But there remain concerns about the limbo between new and old legislation as developers unhappy with the changes may be rushing to beat the government's timeline to enact the new bill by the end of the year, a committee heard. These reforms have been a very long time coming, Matlow told the standing committee on social policy.

Read more:

Province plans to overhaul OMB and give more power to cities and citizens.

As province overhauls OMB, local zoning bylaws need updating Planning changes go in the right direction: Editorial

He said the city has lacked the necessary tools to deal with unprecedented development and resulting growth that is currently taking place in his ward and in many parts of the downtown and North York.

“Over many years, ad hoc OMB decisions on individual sites in the Yonge-Eglinton area, which I represent, have set a narrative and have far too often created precedent for subsequent developments with little regard for wider context, or local needs for infrastructure and social services.”

While the Yonge-Eglinton area has been slated for intensification by the province’s growth plan, the area exceeded those density targets the year they were created.

That has left the city struggling to keep up with growth — local public schools are full, people are left waiting for the third or fourth subway on the Yonge line, and planners worry basic necessities like sewers and water pipes will reach capacity.

The province’s proposed changes to legislation were tabled in May, drawing praise from planners, councillors and residents. The bill passed second reading in September and was forwarded to committee for debate.

For more than a century, the OMB has had the final say in a wide range of planning issues and has the power to overrule council decisions.

Most significantly, the changes, if passed, would require the body — to be renamed the Local Planning Appeals Tribunal — to have more regard for local decisions. It would scrap a practice called “de novo” hearings, or hearings “as new,” that essentially allow developers and other groups to have what critics call a “do over” when a council decision doesn’t go their way.

Under the new rules, the OMB would instead consider whether a council decision was consistent with provincial and city rules.

If not, the decision would be sent back to council.

“The changes proposed by the bill will enable municipalities to focus on adopting planning principles, what we call proactive planning, to address growth and change,” said the city’s acting chief planner Lintern. “Currently a large amount of municipal time is spent at the OMB defending council-adopted policies approved by the province but which are appealed by parties who may not support the decision of the locally-elected officials.”

Lintern said they are currently seeing an increase in applications and are requesting the province make clear a transition plan between old and new legislation.

That plan is currently underway, Attorney General Yasir Naqvi told the committee, one that doesn’t impact processes that may be at the tribunal as we speak.

That suggested a request from the city’s planning and growth committee headed to council next month that the new rules be retroactive to May is unlikely to succeed.

Naqvi said they hope to have new legislation passed by the end of the year.

The largest organizations representing developers also spoke at the committee Monday, arguing there would be unintended consequences in reforming the OMB and that providing

more power to councils would see councillors pandering to local residents and Not In My Backyard(NIMBY) attitudes.

City officials said the new rules would actually force council to make a thoughtful decision that could be backed up by the city's own official plans and policies as well as provincial rules, knowing that's the basis on which an appeal would be judged at a reformed tribunal.

<https://www.thestar.com/opinion/editorials/2017/05/16/planning-changes-go-in-the-right-direction-editorial.html>

Opinion
Editorials

Planning changes go in the right direction: Editorial

By Star Editorial Board
Tues., **May 16, 2017**

'The Wynne government is taking a welcome and long-overdue step towards reining in the power of developers to shape the future of our cities.'

The Wynne government is taking a welcome and long-overdue step towards reining in the power of developers to shape the future of our cities.

Stripping away the details, that's the essence of the government's overhaul of the Ontario Municipal Board, the tribunal that for more than a century has had the final say on land-use planning.

The intricacies of all this don't make for easy reading, but they're vital to determining what kind of city we're going to live in – and who gets to decide on that.

For far too long, decisions taken at the local level, by planners and city councillors responsive to ordinary citizens, have been too easily overturned by the unelected, unaccountable OMB. All too often it has brushed aside attempts to protect neighbourhoods and tilted the playing field in favour of developers.

The province has been talking about reforming the system for years. Now it has finally taken its courage in its hands and proposed a major change that should go a long way towards redressing the balance and giving cities a lot more control over their destiny.

It begins with a change of name. The province plans to replace the OMB with a new body called the Local Planning Appeals Tribunal. But the real change would be in the powers of the new tribunal.

According to the government, it would function like a true appeals board. In other words, it would be able to overturn local decisions only if a municipality failed to follow its own policies or provincial planning guidelines.

Unlike the OMB, it would not be able to conduct so-called de novo hearings in effect allowing developers to start over again if they don't like a local decision. The result in too many cases is

that the OMB has overruled city- and neighbourhood-level wishes and given developers the green light to build over-sized projects that don't respect residents' wishes.

The results can be seen all around Toronto, and the complicated, secretive process was extensively documented in a recent series of articles by the Star's Jennifer Pagliaro. The OMB system has been complicated and expensive, giving well-financed developers a clear advantage over volunteer residents' groups – and even over harried city planners.

The province proposes to “level the playing field,” in the words of Attorney General Yasir Naqvi, by making it easier for the public to play a role in appeals. Among other things it would create a support centre that will offer free legal and planning advice to non-experts who want to take part.

The proposed law does not contain something that the City of Toronto and some other big municipalities have long been asking for: the right for them to be exempt from the OMB and set up their own development appeals board.

That won't be necessary if the new tribunal works as advertised. If local decisions are better respected and the appeals process is made more accessible and less complicated, then Toronto shouldn't need its own separate body. A properly reformed appeals tribunal should be sufficiently flexible to serve all communities.

Developers worry that changes along the lines of those proposed on Tuesday will undermine provincial plans for denser growth and empower so-called NIMBYs who don't want to see any changes in their communities.

Those fears are almost certainly overblown. The Toronto region is one of the fastest-growing areas on the continent and the demand for new buildings of all kinds will surely continue. The difference, if the province carries through on its promises, will be that the inevitable growth will be carried out in a way that's more sensitive to the needs and priorities of communities. That can't be a bad thing.

<http://www.airdberlis.com/insights/publications/publication/municipal-planning-law-bulletin---top-10-things-you-need-to-know-about-bill-139>

Bulletin - Top 10 Things You Need to Know About Bill 139

Bill 139 (Building Better Communities and Conserving Watersheds Act, 2017), which has received First Reading, proposes to continue the Ontario Municipal Board as the renamed Local Planning Appeal Tribunal, make fundamental changes to the Planning Act approval process, and revise the Conservation Authorities Act.

While the final content of Bill 139 has not yet been determined and the regulations are not available, below is a summary of the most salient changes proposed.

THE NEW LOCAL PLANNING APPEAL TRIBUNAL

New Hearing Rules. No party would be permitted to call evidence or examine witnesses in most planning appeals (Official Plans and Amendment, Zoning By-law and Amendments, and Plan of Subdivision). Instead, evidence would be based primarily on the written record that was

before council when it made its original decision. An oral hearing would involve only submissions by the parties to the appeal. Proposed time limits for parties' oral submissions are to be stipulated in a regulation which has not yet been published.

Mandatory Case Management. The tribunal would require that a case management conference be held for any proceeding in the above matters for purposes such as identifying the issue(s) raised by the proceeding, discussing opportunities for settlement and determining administrative details of the conduct of hearings.

Local Planning Appeal Support Centre. A new Local Planning Appeal Support Centre, staffed by a duty lawyer, would be established to provide free information and support, as well as representation for residents seeking to participate in the appeal process.

THE PLANNING ACT

The New Test. On an appeal of a municipally-adopted/approved Official Plan or Amendment (OP/OPA), or a Zoning By-law or Amendment (ZBL/ZBLA), the appellant would have to explain how the part or section of the aforementioned instrument of concern to the appellant is inconsistent with a provincial policy statement, fails to conform with or conflicts with a provincial plan, or fails to conform with the applicable upper-tier official plan.

The Joint Test. On an appeal from a refusal of a privately-initiated OPA or ZBLA, the applicant/appellant would have to explain (i) how the existing policies/regulations of the OP or ZBL sought to be amended do not satisfy the New Test and (ii) how the proposed OPA or ZBLA does satisfy the New Test.

The First and Second Appeal Process

If the tribunal determines that the appellant has not met the applicable test (i.e. the New Test or the Joint Test), the appeal would be dismissed.

If the tribunal determines that an appellant has met the applicable test, the tribunal would have to issue a notice to the municipality that it is being given an opportunity to reconsider its decision on the matter.

If the municipality does not render a decision on the reconsideration within 90 days, the non-decision could be appealed to the tribunal.

If the municipality does render a decision on the reconsideration, the municipal decision could be appealed a second time. On a second appeal, if the tribunal finds that the appellant has again met the New Test or the Joint Test, only then would the tribunal be empowered to modify the appealed instrument to resolve the matter.

Municipal Law Bulletin - June 2017 rev

Major Transit Station Areas. Upper and single-tier municipal Official Plans would be able to include policies that identify a protected major transit station area. These policies can prescribe the land uses, heights and minimum employment/residential densities to be achieved in the major transit station areas. Lower-tier municipalities would have to amend their OPs to give effect to the upper-tier's policies. Exemption orders would not apply in the case of new Major Transit Station area policies, so all of these policies and maps would have to be approved by the

relevant approval authority (i.e. an upper-tier municipality or the Minister). If approved by the relevant approval authority, new Major Transit Station Area policies and maps would not be appealable. These new policies and maps would not be able to be amended by a private application absent permission from the municipality.

Secondary Plan Two-Year Freeze. Once approved, no one would be able to request an amendment to a new secondary plan before the second anniversary of the secondary plan coming into force, absent permission from the municipality.

Non-Decisions. The appeal period on a private OPA is proposed to be extended from 180 days to 210 days. The appeal period on a private ZBLA is proposed to be extended from 120 days to 150 days, unless the private ZBLA is accompanied by a private OPA, in which case the appeal period for both would be 210 days. This is in addition to all of the Bill 73 amendments regarding approval authority extensions. On reconsideration matters (i.e. second appeals), the non-decision period is proposed to be reduced to 90 days.

No Appeals of Minister's Decisions. Where the Minister of Municipal Affairs is the approval authority of an OP or OPA, there would be no ability to appeal the Minister's decision to approve. This becomes important in the context of OP reviews and conformity exercises undertaken pursuant to section 26 of the Planning Act, where exemptions from Ministerial approval do not apply. Further, the definition of a Municipal Comprehensive Review has changed under the 2017 Growth Plan for the Greater Golden Horseshoe such that an MCR may only be undertaken by an upper or single-tier municipality pursuant to section 26. Because upper and single-tier decisions under section 26 are subject to Ministerial approval, none of these matters would be capable of being appealed.

ADDITIONAL CHANGES ALSO PROPOSED TO THE CONSERVATION AUTHORITIES ACT

Stop Work Orders. Officers appointed by the authority would have the power to issue stop work orders halting activities done without a permit or in contravention of a condition of a permit.

Appeals. Appeals in respect of applications for a permit in the area of an authority's jurisdiction would be made to the Minister of Natural Resources.

Higher Fines. The maximum fine for contravention of the Act would be increased from \$10,000 to \$50,000 in the case of an individual and to \$1,000,000 in the case of a corporation. An additional fine of \$10,000 to \$50,000 a day for individuals and \$200,000 a day for corporations could be imposed if the offence continues after conviction.

http://www.ontla.on.ca/web/bills/bills_current.do?locale=en

Bills from the Current Session Session 2, Parliament 41

Bill 139, Building Better Communities and Conserving Watersheds Act, 2017

Mauro, Hon Bill Minister of Municipal Affairs

Current Status: Third Reading Debate

Excerpt:

"Section 2.1 of the Planning Act currently requires approval authorities and the Ontario Municipal Board, when they make decisions relating to planning matters, to have regard to decisions of municipal councils and approval authorities relating to the same planning matter, and to any supporting information and material that was before a municipal council or approval authority relating to the same planning matter. The section is amended to limit its application to specified planning matters relating to official plans, zoning by-laws, interim control by-laws, site plan control, plans of subdivision and consents."

Submission 7, December 15

<https://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/Environment/Files/pdf/ESA/OPA%20262%20Environmental%20Policies%20and%20Designation%20of%20ESA%20Areas%20OBL%20No.%201158-2015.pdf>

Official Plan Environmental Policies

CITY OF TORONTO BY-LAW No. 1158-2015

AMENDMENT NO. 262 TO THE OFFICIAL PLAN OF THE CITY OF TORONTO, Enacted and passed on November 3, 2015

"The natural heritage system is important to the City, both within and beyond our boundaries, and needs to be protected for the long term.

It is made up of areas where protecting, restoring and enhancing the natural features and functions should have high priority in our city-building decisions.

We must be careful to assess the impacts of new development in areas near the natural heritage system. The size of this adjacent impact zone will vary across the City, depending on the local characteristics of the natural heritage system and adjacent areas."

OP

<http://www1.toronto.ca/planning/chapters1-5.pdf#page=57>

OFFICIAL PLAN AMENDMENTS INCORPORATED IN OFFICE CONSOLIDATION, JUNE 2015, Approved, in part, with modifications by the Ontario Municipal Board June 2006 and further approved by the Board June 2015

"The natural heritage system is made up of areas where protecting, restoring and enhancing the natural features and functions should have high priority in our city-building decisions.

We must be careful to assess the impacts of new development in areas near the natural heritage system. The size of this adjacent impact zone will vary across the City, depending on the local characteristics of the natural heritage system and adjacent areas."

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG7.2>

City Council consideration on November 3, 2015

Official Plan Five Year Review: Final Recommendation Report - Amendments to the Official Plan Environmental Policies and Designation of Environmentally Significant Areas

I've found nothing here that could relieve the City from a full compliance with PPS 14 in its full extent.

Wording of OP is identical with the Amendment doc

OP must conform to PPS and relevant planning decisions are to be consistent with the Planning ACT, OP and PPS.

Submission 8, December 16

Thank you for everyone's work on this project so far and for the opportunity for further feedback. We were not able to stay for all of the presentations, so perhaps this feedback will be redundant.

My comments pertain mainly to the Natural Heritage section of the presentation. In particular, I would like to reinforce the need for strong measures to mitigate tree canopy loss and protect high value mature trees that make a significant impact in providing shade, sound dampening, cooler temperatures and better air quality, not to mention bird and wildlife habitat and aesthetic value and a sense of well being/mental health/relief from concrete. I am concerned that green roofs (although a valuable addition to the plan) do not make many of the contributions made by mature trees. We particularly need mature trees along the avenue in order to provide the shade and temperature reduction needed for pedestrians and residents as the climate warms. Trees planted along the avenue need to be of sufficient size and be provided with sufficient space, irrigation and nutrition to make them viable. The trees currently on the avenue, both the established trees and those that have been recently planted, are extremely small and/or are in pitiful condition and are a long way from making the kind of contribution to the environment that is needed and that is provided by existing mature trees.

I am also concerned that the measures recommended to protect High Park are extremely inadequate given the increasing pressure the park is currently under. Much greater funding for the ongoing maintenance and improvement of the park (not to mention by-law enforcement) both for users and for the protection of biologically sensitive areas is vital to the survival of the park. Creative thinking is needed around development fees, taxes, increasing dog licensing fees (surcharges for large-sized or number of dogs owned) or other sources of funding to adequately support High Park as well all of Toronto's overused and inadequate green spaces. I am concerned that inadequate funding contributes to poor solutions such as the work done recently to replace perennial beds in the Village parks along the subway easement. Perennial beds were replaced with hard brick surfaces, large planters and benches that face the street/parking lots/garbage containers and bike racks (rather angled toward each other, the greenspace or even the planters). No additional trees or bushes were planted. The results are barren and inhospitable and increase the heat and water run off. We need better solutions than this!

With regard to Water I would say that the management of all of the ponds appears to be a work in progress and the whole water system continues to need attention and upgrading as development continues to have an impact. For years, there has been a stench coming from the pond at the bottom of Spring Road that pervades the whole Bloor/Parkside area (especially in

the warm weather) and that can make walking in the north east corner of the park a nauseating experience.

Submission 9, December 18

Built Form

What do you like about the draft recommendations?

Creation of green and Open Spaces

Angular planes that respect the parts bases

Respect your view corridors

What concerns do you have if any about the draft recommendations?

The proposed height recommendations for the Village Main Street are based on the as of right zoning instead of the existing built form context. The context should inform the zoning not the other way around. This then affects the height requirements for the East and West Village because of the application of the transition principle as it applies to the taller neighborhoods to the east and west when they are compared to the Village Main Street area.

The recommendation for "Soft Intensification" calls for setbacks at the two-three storey level but unless the existing "as-of-right zoning" for height is modified then setbacks at heights lower than 14m, such as shown on the village Main Street concept for soft intensification, are not enforceable. The as-of-right height should be modified to require setbacks at the existing two-three storey level with further setbacks after the four storey level

The established neighborhoods on the south side of Bloor should be respected as existing stable neighbourhoods and the measurements of the rear angular plane should commence at 10m not at 14m.

What if any refinements would you like to see considered

The consideration of the height of the Main Street buildings should be based on the existing context and character not on the as of right height.

The as-of-right height should be modified to meet good planning principals such as the proposed "soft intensification" setbacks at the existing two-three storey level with further setbacks after the four storey level.

For the South Side neighborhoods the angular plane should start at 10m to respect the neighborhood.

Natural Heritage and Water

What you like about the draft recommendations?

The recommendations are going in the right direction.

What concerns do you have if any about the draft recommendations?

What if any refinements would you like to see considered?

Policies should not only seek to replace habitat they should seek to enhance habitat because the loss of habitat is not avoidable and only an aggressive policy to add can maintain the balance.

Land Use and Community Services and Facilities

what do you like about the draft recommendations?

Removal of the West residential area from the Avenue designation is a good idea.

Strong bylaws and the development of clear regulations are important to provide appropriate growth and stability.

The maintenance of small size retail units promotes the character of the area.

What concerns do you have if any about the draft recommendations?

What if any refinements would you like to see considered?

Careful development of the bylaws and regulations with the community to ensure that they are not ambiguous or carry unintended consequences.

A recommendation of what population vs. facility ratios are appropriate would help to prevent over or under population of facilities.

Facilities such as schools, recreation centers, libraries, etc... should have permitted uses which will allow them to adapt to the changing ebb and flow of population cycles such as children rich neighborhoods transforming to older family neighborhoods and even retirement neighborhoods.

The High Park subway station proposal could be a positive addition if it's done on a small scale commercial basis and respects the location near to High Park, i.e. the uses enhance the park usage. This is a good location for bike share, sports goods, playground toys, or café.

The current No Frills , while convenient, does not contribute to the fine grained character of the Village neighborhood. But it does maintain heights, sky views, pedestrian traffic, vitality, and potential views down to the lake. All of which we would like to maintain.

Transportation and Street design

What do you like about the draft recommendations?

There are many positive ideas here.

What concerns do you have if any about the draft recommendations?

Only design number one allows for effective deliveries to businesses.

Pedestrian traffic is essential to the vitality of the main Street and should be encouraged.

Cycling needs should be assessed to see what kind of uses will enhance the vitality of the area. For example if residents would like to take a short peddle to the main Street with the little one to do a spot of shopping we need routes to the area and lockups once there.

Cycling infrastructure in anticipation of greater uptake of commuter biking is a positive idea. But unless there are sufficient numbers making the daily journey there is the danger of over development.

Submission 10, December 18

LAC Nov. 27 and Community Consultation Dec. 4, 2017

The Additional Memo received Dec. 18, 2017

Comments from Veronica Wynne, V-P

Swansea Area Ratepayers Association

These comments are based on the details of the actual presentation and the comments & conversations beyond the presentation with City Planning staff and DTAH personnel.

- 1. Remove the reference to the City Staff revision 'to resolve minor inconsistencies. 20 new properties added' as it appears on page 6 of the presentation.**

Allison Reid of Urban Design approached me during the discussion portion to indicate that the properties on Kennedy/Runnymede, south side, would be part of a mixed-use or enhancement designation. There appeared to be a difference of opinion between DTAH and the City as Brent Raymond, DTAH Lead Consultant, said to the whole group that they were not recommending describing these properties as Mixed-Use.

With the arrival of the Additional Memo re Boundary Adjustments, there appears to have been direction from City Planning to change this descriptor to Mixed-Use contrary to the recommendation and statement of Brent at our meeting. This is a major concern and impacts the objectivity, transparency and authenticity of the Avenue Study process. The understanding at the outset was that the Avenue Study would be at arm's length from City Planning and independently guided by the expertise of DTAH. This memo leaves me in doubt that we are being well served by City Planning and Urban Design in contradicting the initial recommendations of DTAH.

As these properties currently are situated within the Neighbourhood area of the Swansea Secondary plan, it would be prejudicial to the future calculation of the angular plane and the Neighbourhood zoning definition of the properties to include them as mixed-use or enhancement properties.

It is also prejudicial to amend the Neighbourhood boundaries of a Secondary Plan within the Official Plan with revisions in an Avenue Study describing them as 'minor inconsistencies'. These are amendments with major implications for the Swansea Secondary Plan and the Bloor West Village within the Official Plan.

- 2. Calculate the rise of the angular plane based on its historic particular measurement**

The current measurement of the Angular Plan rise is 10 metres – 4m for the retail storey and 3m X 2 storeys = 10m. If you are recommending a 4 storey rise measurement, the calculation should be as follows: 4m for retail storey + 9m for 3 further storeys of 3m each. The retention of the 45° angular plane is commendable. To alleviate the slab effect for the Neighbourhood to the south, setbacks at the second or third floor should be considered.

- 3. Embed the requirements of Hydrological Studies as part of every development with the emphasis on testing soil and underground water conditions with the intention of investigating their impact on the adjacent 100 year old neighbourhood homes. This**

study should prohibit the building of underground parking as per the directives of these studies.

During the process of approving and appealing the development of the Southport Plaza, 34 Southport Street, we were advised by City's Planning and Legal departments that there were really no absolute guarantees against damages even with Bathtub technology. When asked what the community could do in the event of damages as a result of digging for underground parking under these adverse circumstances, the City lawyer's answer was that we would have to sue both the City and the Developer!

Better to be sure than sorry. Do not allow for underground parking in developments adjacent to neighbourhoods and 100 year old residential homes.

4. The City should buy the ESSO gas station on the south-east corner of South Kingsway and Bloor to resolve the traffic nightmare at this intersection with Riverview Gdns – As suggested by Transportation Staff at this particular station during the Community Consultation Meeting.

When asked what would resolve ultimately the traffic nightmare at the South Kingsway-Riverview Gdns-Bloor-Mossom intersection, the answer from the Transportation personnel was 'Buy up the Esso Station'! As another recommendation of the Avenue Study was to create more Green Space opportunities, this purchase could address both needs to the betterment of the Village and neighbourhood communities.

These amendments and revisions are presented in the interest of the betterment of the Village and adjacent neighbourhood communities and maintaining the integrity of the Avenue Study process.

Submission 11, December 19

Environmental Considerations

Potential park, TPA Lot/Potential future park, Landscape Frontage (High Park), Green Fingers --- all excellent

Green Fingers The green fingers are excellent, especially since some of them will be wide enough to allow for the planting of trees. Our final document needs to make it clear that the green fingers are not to be used for retail. No stores, no coffee shops, no restaurants, no sidewalk sales, no noise, no bright lights. Only enough light as is necessary to provide for pedestrian safety at night. (It seems to be almost an automatic response from developers, architects and planners to "animate the street with retail".) The primary purpose of the green fingers is to provide corridors for species movement between natural areas. The second purpose is to provide a space where trees can grow to a mature size. They will then be able to contribute to the park's buffer zone. The third purpose is to provide a quiet green oasis, where the residents can sit, read a book, check their emails, and get in touch with Nature.

However, the green fingers will probably not be able to give us the 50% tree canopy which we need to create a proper buffer zone for the park. Street trees help, but they do not give us 50%

canopy extending at least 100 metres north of the park. The ideal would be built form with small footprints intermingled with the trees. The modelled buildings still seem to have quite large footprints. I wonder if we could experiment

to find some way to address this.

Built Form P. 11 The modelled building depicts a long continuous street wall, bordered by a row of street trees along Bloor Street. It would be preferable to break up this wall with two or three green fingers, in order to protect the ravine area to the north. When a street wall is both wide and tall it creates a barrier to species movement.

In the present drawing, the row of street trees is sort of "trapped" next to the building. There is no way for them to "communicate" with the natural areas to the north.

Mid Rise Buildings Performance Standards -- In 2015, a request was made to City staff to change the requirement for a continuous street wall, for a development near a Natural Area. This change has not been included in the 2016 Addendum. It is up for consideration in the next round of consultations.

Before this Avenue Study is used to inform a policy document, we will have to work hand in hand with the City to decide how we want to protect High Park. Otherwise, we will be putting the cart ahead of the horse. We don't yet know the carrying capacity of the park. Our species data is out of date. We don't know where we might have valuable Natural Heritage resources outside of the park. Our Natural Heritage System is not limited to our parks and open spaces.

It encompasses the entire City. I refer again to the stand of century black and white oak trees which used to live on the 1844 Bloor West site. In the 2001 TRCA Natural Heritage Study, they were shown on several of the maps, including Map 15: City of Toronto - Natural Heritage System Components. When the 1844 development application came in to City Planning, these maps could have been checked to see if there were any important Natural Resources which needed to be protected.

Field studies need to be undertaken on a regular basis, in order to keep the data current. We have many Environmental Science and Forestry students who would be capable of doing this work.

Once we know the carrying capacity of the park, we can decide how much density to allow in the surrounding areas, and possibly, whether we need to put some restrictions on the use of the park. We need to put less emphasis on High Park as a recreational area. City staff seem to be scheduling events and activities without having any understanding that these activities stress the park and its wildlife.

The City talks about wanting to protect biodiversity, but this will not happen by magic. In order to protect species, we must protect the habitats on which they depend. The word "protect" needs to encompass "preserve, enhance and restore".

In future, development applications near a Natural Heritage area need to include a requirement to "restore", rather than giving "cash in lieu of parkland".

The City has separate Design Review Panels for the Waterfront and for Toronto Community Housing. How about a Design Review Panel for any development situated within 500 metres of a Natural Area?

This may not be any easy task, but it will be well worth the effort.

Some information about Chimney Swift habitat. (source: Bird Studies Canada)

Swifts will use chimneys with openings of various shapes (square, rectangular, round), but the opening diameter must be greater than 28.5 cm. The average length of chimneys used by swifts extends 2.86 metres above the roofline and the average internal area is 10,078 cm². The inside of the chimney needs to be a rough surface (bricks, stone, etc.) so swifts can cling onto the vertical wall. Internal temperature may also play an important role. 13 degrees Celsius is considered the temperature below which swifts will abandon nests. If it gets too hot, this can also result in nest failure. They typically build their nests below the roofline to protect the nests from rain and sun.

All new developments along Bloor Street West should have swift habitat built onto the building.

Submission 12, January 9

Attached is my feedback for Draft Summary BWV Avenue Study Public Meeting 3, Dec 4:

1. Draft Summary_BWV Community Consultation Meeting 3_Dec 4_Comments
2. Draft Summary_BWV Community Consultation Meeting 3_Dec 4_email to Greg Bryne
3. Draft Summary_BWV Community Consultation Meeting 3_Dec 4_List of developments
4. Draft Summary_BWV Community Consultation Meeting 3_Dec 4_Sample EIS Guidelines

Discussed Environmental Policies of the City Official Plan:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG7.2>

City Council consideration on November 3, 2015

PG7.2 ACTION Adopted on Consent Ward:All

Official Plan Five Year Review: Final Recommendation Report - Amendments to the Official Plan Environmental Policies and Designation of Environmentally Significant Areas

<https://www.toronto.ca/legdocs/mmis/2015/pg/bgrd/backgroundfile-84224.pdf>

Date: September 15, 2015

To: Planning and Growth Management Committee

From: Chief Planner and Executive Director, City Planning Division

This report presents recommended environmental policies and the designation of 68 new and the expansion of 14 existing Environmentally Significant Areas (ESA). The proposed changes to the environmental policies are the result of extensive consultation with stakeholders including environmental groups, community associations, the general public, the development industry, City Divisions including Parks, Forestry and Recreation, Toronto Water, Public Health,

Environment and Energy, the Toronto and Region Conservation Authority (TRCA) and with the Ministries of Municipal Affairs and Housing (MMAH), and Environment and Climate Change (MOECC). The proposed ESA designations are the result of detailed review of previous studies and extensive field surveys carried out between 2009 and 2012.

2a Official Plan Five Year Review: Amendments to the Official Plan Environmental Policies and Proposed Designation of Environmentally Significant Areas - Final Recommendation Report

<https://www.toronto.ca/legdocs/mmis/2015/pg/bgrd/backgroundfile-84146.pdf>

Official Plan Five Year Review: Amendments to the Official Plan Environmental Policies and Proposed Designation of Environmentally Significant Areas - Final Recommendation Report
Date: August 18, 2015

To: Planning and Growth Management Committee

ESA_OPA 262 Environmental Policies and Designation of ESA Areas BL No. 1158-2015.pdf

ESA_Official Plan Five Year Review_Final Recommendation Report_Amendments to the Official Plan Environmental Policies and Designation of ESAbackgroundfile-84224.pdf

ESA_How are ESA protected_2013.pdf

1. Draft Summary_BWV Avenue Community Consultation Meeting 3_Dec 4_Comments

First of all: Thanks to all City staff and the third party facilitators with Swerhun Facilitation for all their efforts along BWVA Study.

Comments:

Over the course of BWVA Study, we have discussed many areas in respect to Built Form - Key Variables, Land Use, Street Design - Transportation and Natural Heritage and Hydrogeology.

There was progress made but some crucial issues are still outstanding.

BWVA Study Policies - SASP

1. The fundamental issue regarding protecting High Park's Natural Heritage and water resources is consistency of BWVA Study Policies with the Official Plan Environmental Policies. City Council's planning decisions are required to be consistent with the PPS 2014.

The designated natural areas, ESA/ANSI, whether part of city parks or other city's public land (ravines, shorelines, etc.) are to be enjoyed by people at the same time not to be degraded or impaired as a consequence of direct or indirect impacts of adjacent development resulting in excessive or incompatible use or negative impacts on hydrogeology.

About 70% of High Park is designated as ESA/ANSI.

"Environmentally Significant Areas and activities are limited to those that are compatible with the preservation of their natural features and ecological functions, such as managed trails and viewing areas. Environmentally Significant Areas exist within a larger connected natural system and cannot be viewed in isolation. Continued protection of this larger system is important to sustain Environmentally Significant Areas in the long-term and is an essential part of protecting biodiversity within the City of Toronto and beyond."

How are Environmentally Significant Areas protected?

www.toronto.ca/planning/environment pdf

- The City is fully responsible for managing of Toronto's designated natural assets in such a way that these are preserved for a long term, including the ecological function and enhanced.
- This includes relevant and proactive planning decisions and other City's agencies (TRCA, Toronto Parks Forestry & Recreation and Toronto Water) actions when managing of Toronto's designated Natural Heritage
- The priority, in regards to designated Natural Heritage, and the City mandate here is to *"protecting, restoring and enhancing the natural features and functions"*.

To be consistent with the Council decision and Amendment 262 to the Official Plan of the City of Toronto with respect to the Environmental Policies and Designation of Environmentally Significant Areas enacted on November 3, 2015, **BWVA Study Policies must fully comply with PPS 2014 as this policy provides minimum requirements in respect to protecting Natural Heritage.**

The Official Plan Environmental Policies include several key areas in terms of protecting Natural Heritage in respect to development and adjacency. OP language is using rather broad, less technical terms but it fully conforms to PPS 2014 policies:

"The natural heritage system is important to the City, both within and beyond our boundaries, and needs to be protected for the long term. It is made up of areas where protecting, restoring and enhancing the natural features and functions should have high priority in our city-building decisions. We must be careful to assess the impacts of new development in areas near the natural heritage system."

It also follows from these policies that:

- **That Natural Heritage designated as ESA/ANSI within Toronto** is enjoying the same level of protection as designated areas **outside of the city boundaries** – ***"The natural heritage system is important to the City, both within and beyond our boundaries"***
- **The planning decisions** are actually meant to be an important tool in preserving Natural Heritage and water resources for a long term, including the ecological function:

"Land use designations are a key implementation tool for protecting the City's natural environment by directing growth away from the City's protected natural areas most of which are contained within lands designated as Parks and Open Space Areas."

2. Further examinations of natural heritage and hydrogeology related to High Park following the Avenue Study:

The City confirmed that they would be undertaking further efforts regarding the Natural Heritage and Hydrogeology but so far did not commit to anything specific and/or disclose more information.

A full scale Environmental Impacts Study consistent with OP, NHRM, TRCA EIS Guidelines is needed **or Environmental Assessment** to evaluate already existing impacts and determine mitigation strategies.

- Decision regarding further examinations should be made **prior to finalizing of BWVA Study Policies** to allow for **public feedback**.

IMPACT ASSESSMENT Sample

“The impact assessment is to provide an assessment of the magnitude and significance of the impacts and their implications for these key features and functions and the linkages between and among them. It must set out the scientific basis for this assessment. The impact assessment should identify and address impacts not only on features and functions on site, but also on natural heritage and hydrologic systems in the broader landscape.

The main steps in the Impact Assessment are outlined below:

Examples of potential environmental impacts can include, but are not limited to:

Habitat, natural heritage, corridors, human or domestic animal intrusion

Encroachment or elimination of habitat; Fragmentation or reduction in size of an element of the natural heritage system; Reduction or removal of corridors or linkages; Alteration of natural topography; Increased potential for human or domestic animal intrusion into relatively inaccessible areas;

Hydrogeology

Alteration of the quantity, quality, timing, or direction of flow, of surface or groundwater and resulting impacts on hydrology and natural heritage; Changes in the water table or soil moisture; Alteration of stream forms or shorelines;

Ecological Function

Alteration of the structure, functions, or ecological interrelationships of a natural habitat that sustain representative community associations or species populations; Reductions in the populations or reproductive capacity of significant species; Disruption or alteration of ecological relationships among significant or representative native species, or their habitat, reductions in the populations, diversity, health or reproductive capacity of species; Mortality or removal of the predominant vegetation, which provides structure to an element of the natural heritage system; Erosion or compaction of soils or deposition of sediment; Slope failure; Increased potential for the introduction of non-native species;

Cumulative impacts

Impacts of occupancy (i.e. increased disturbance and indirect impact from increased access, pets, lighting, garden escapes, etc.);

Harmful alteration, disruption or destruction of fish habitat pursuant to the Canada Fisheries Act; Disruption of communication and other life processes due to increased noise levels; and Reduction in air quality.”

- **This further examination process should be transparent and include community input.**

It seems that the Official Plan Environmental Policies, regarding adjacent and near development in the area (See attached list of developments), were not adequately taken into consideration prior to BWVA Study.

Natural Heritage Impacts Study for 51 Quebec Ave, 111 Pacific Ave and 35 High Park Ave:

*"There are two areas that do deserve comment. First, the development will increase the use of the Park as additional residents will be in the vicinity. However, the Park now receives a million visits a year (City of Toronto, 2008) and has a management plan (City of Toronto, 2002) to protect and manage its features, including a trail system and delimited sensitive zones where foot traffic is discouraged. **The Park is urban and for people and the additional local population from the redevelopment should not be an impact issue.**"*

Consequently, likely considerable degree of direct and indirect impacts have occurred in respect to High Park's Natural Heritage and Hydrogeology (direct – hydrogeology and indirect – cumulative impacts of increase use by increased number of local residents.

According to a recent studies, most park users (81%) live within one mile of the parks, and only 19 percent of park users live more than one mile from the park.

Cumulative impacts related to increase use by local residents (2,500 residents increase for only BWVA Study in the past 2 years. Use and impacts will accelerate with Quebec 51 completion (568 units - 1,348 added people in half mile radius). Disturbance by increasing number of people and pets, ad hoc trails, trampling, fragmentation of wildlife habitat, loss of habitat, direct harm, lowered capacity to breed and forage for wildlife, night disturbance, lights, noise, etc.

- In respect to Natural Heritage, we cannot evaluate the issues and make conclusions regarding impacts from BWVA Study separately from High Park Apartment Neighborhood Study because the negative effects from the adjacent and near developments are cumulative.

- Environmental Impacts Study should deal with Cumulative Environmental Impacts on Natural Heritage and Hydrogeology

"All reasonably expected cumulative impacts to natural heritage and hydrologic features and functions must be identified and described in detail. Cumulative impacts refer to the combined or incremental effects of individual actions or impacts.

*An example would be the cumulative impact on breeding birds, of increased noise, increased predation, disturbance by domestic pets and increased human intrusion due to residential development on land adjacent to a woodland. **The cumulative effect of these individual impacts may be greater than the sum of the individual impacts. Cumulative impacts may result from the combination of different types of impacts (as in the preceding example), from the incremental effects of a series of impacts over time, or from the combined effects of neighbouring developments.**"*

Sample ENVIRONMENTAL IMPACT STUDY GUIDELINES

<https://www.niagararegion.ca/living/icp/policy-plan/pdf/RPPA%205-2012%20EIS%20Guidelines.pdf>

- The piecemeal decision making does not benefit long term Natural Heritage protection and is not consistent with PPS 2014.

- It should be part of Environmental Impact Study to conclude how is density and consequently increased use by local residents affecting High Park's Natural Heritage (combined BWVA Study and High Park Apartment Neighborhood Study)

- How is increase use at this point affecting carrying capacity of Natural Heritage inherent ability to sustain over time both the integrity of its natural systems and the land uses dependent upon them?

It is critical that the agencies, responsible for planning, managing of the natural heritage and making of decisions on where development happens are acutely aware of the challenges posed by growth and intensification in terms of negative impacts on the natural heritage.

- There should be no further development in the adjacency to High Park, until the examination process is completed and mitigation/management measures are in place.

"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." PPS 2014

Mitigation of cumulative, continuous and chronic overuse is extremely difficult, likely impossible

- Determining sustainable density and sustainable park use should be part of BWVA policies

4. High Park Frontage.

There were different opinions about building heights and setbacks along the High Park.

"Concerns about commercial use near High Park. Participants raised concerns about the recommendation to "consider allowing some commercial uses on key sites framing the entrance of High Park." Participants felt that allowing commercial uses near High Park, specifically within the High Park Frontage Character Area, would facilitate increased use and additional strain on High Park."

"Some participants felt 8 and 9 storeys are too tall for the High Park Frontage. Others felt that 6 storeys should be the maximum height allowed with maximum street wall of 4 storeys. There was a suggestion to allow additional intensification in the other character areas and restrain intensification in the High Park Frontage.

- *Participants also expressed appreciation for the recommended landscaped setbacks, green fingers, and separation between buildings in the High Park Frontage.*
- *There was concern that taller buildings would require deep underground structures that would negatively impact underground water flow through High Park."*

1884 Bloor St. Daniels Condos (2011 - application submitted, 2015 - construction completed, 14 Storeys, 378 units) has given a wrong signal for High Park frontage.

This development is not consistent with the Environmental Policies or Avenues & Mid-Rise Buildings Study "other land use designations on the Avenues, including Neighbourhoods, Apartment Neighbourhoods, Parks and Open Space Areas, and Natural Areas are not intended for intensification, they should follow the public realm and streetscape improvement Performance Standards of this study."

High Park frontage is almost entirely lined with Natural Heritage just across of Bloor St. The road does not provide ecological buffer which should preclude any commercial use, while 6 storeys should be the maximum height allowed with maximum street wall of 4.

"Section 3.4 Natural Environment is amended by the addition of a new sidebar entitled Buffers inserted near policy 12 as follows:

"Buffers

*Buffers are strips of land that are contiguous to natural features and help to protect its natural features and functions from the negative impacts of adjacent development. Buffers may extend beyond lands required to set back development from natural hazards. **Lands set aside for buffers are generally kept in a vegetated state and can include existing vegetated areas and areas that can be vegetated.***

Buffer widths vary depending on the sensitivity and functions of the natural feature and the proposed development. Buffer widths may be greater than set-backs required from hazard lands. Where development is proposed adjacent to natural features, buffer widths should be established through an impact study. Guidelines will be established to assist in identifying buffer widths."

Daniels Condos is an example of how development, not consistent with the Environmental Policies, can quickly affect Natural Heritage and its ecological function across the road.

Around 900 residents, 200 dogs, commercial use along the front area (Rabba, open 24/7), neons and lights penetrating about 150 m into designated natural area at night, fragmentation of wildlife habitat due to disturbance, increased traffic and noise at night by local residents, increased non compliance by dog walkers - all of this resulting in cumulative, chronic indirect impacts affecting increasingly, prior to this development, fairly quiet and undisturbed part of High Park.

2a Official Plan Five Year Review: Amendments to the Official Plan Environmental Policies and Proposed Designation of Environmentally Significant Areas - Final Recommendation Report

<https://www.toronto.ca/legdocs/mmis/2015/pg/bgrd/backgroundfile-84146.pdf>

"Bird-Friendly

Toronto is on major migratory flyway and during the annual spring and fall migration the City experiences a significant influx of migrating birds. Most migrating bird species are unable to adapt to urban conditions and become confused by a combination of the lights and glass of buildings. They are attracted by the lights while flying at night, land and then fly into the glass

of buildings which reflect trees and sky in the daytime. Bird 'collisions' or 'strikes' have become a serious issue in Toronto and to address this, the City prepared the Bird Friendly Development Guidelines and requires bird-friendly design in all new development subject to site plan approval."

"Light Pollution

Light pollution in the form of glare, light trespass, over lighting and sky glow can reduce visibility for pedestrians and vehicles and have a negative impact on the health of humans, birds and the natural environment. Light pollution has also drastically limited our view of the stars in the night sky.

"Biodiversity

*Biodiversity refers to the rich variety of life forms and the critical roles they play within varied ecosystems. Ecological health is related to healthy biodiversity. The greater the biodiversity of a defined geographic area, the greater the ecological health and resiliency of that area. **Policies protecting and enhancing the natural heritage system are a key pillar of biodiversity conservation within Toronto.** The biodiversity found in small green spaces, street trees, green roofs, community gardens, hydro corridors, cemeteries, and backyards also all play an important role in our urban ecosystem. The City of Toronto's Biodiversity Series provides detailed information on the flora and fauna found in the City, fostering awareness and stewardship of local biodiversity."*

2. Draft Summary – BWV Avenue Community Consultation Meeting 3_Dec 4_email to Greg Byrne

Friday, January 5, 2018 5:39 PM

Hello Greg,

Hope that you had peaceful Holidays.

I would like to ask you about the outcome from interdepartmental meeting on Dec 18 regarding Natural Heritage & Hydrogeology concerns.

We are to finalize our input into LAC and the BWVA Study soon.

Nevertheless, some of us feel that **we have not achieved yet here needed results in terms of consistency with PPS'14 and OP Amendments from Nov 3, 2015 - the City Council consideration and Amendment No. 262 to the Official Plan of the City of Toronto regarding Environmental Policies.**

"While the Official Plan's environmental policies are generally consistent with the 2014 Provincial Policy Statement, the revisions to the environmental policies in the proposed amendment reflect the PPS' increased emphasis upon the protection of natural heritage, water, biodiversity, energy conservation and efficiency and climate change."

"The natural heritage system is important to the City, both within and beyond our boundaries, and needs to be protected for the long term. It is made up of areas where protecting, restoring and enhancing the natural features and functions should have high priority in our city-building

decisions. We must be careful to assess the impacts of new development in areas near the natural heritage system."

"Land use designations are a key implementation tool for protecting the City's natural environment by directing growth away from the City's protected natural areas most of which are contained within lands designated as Parks and Open Space Areas."

1. It was suggested that a full scale Environmental Impacts Study along OP, NHRM, TRCA EIS Guidelines is needed or Environmental Assessment to evaluate existing impacts and mitigation strategies.

We know that degradation and high level of disturbance is present (Desktop Investigation Study Natural Heritage - Dougan) and we also know that especially Grenadier Pond watershed has been affected by the past 10 years of development. There is less ground water and even more problems with surface water. Latest upgrade (second after 2015/16 upgrade due to more people in the area), now in progress will divert even more run off water away from Wendigo Creek consequently away from Grenadier Pond!

2. There is no doubt that the local residents contribute the most use to their local parks, therefore most impacts via excessive use. Some studies put this use at over 80% of all use.

The designated natural areas ESA/ANSI as part of city parks are here to be used by people but NOT to be DEGRADED or IMPAIRED. Natural Heritage is protected the same, whether within or outside city boundaries. **It seems that NHIS produced so far in respect to development proposals adjacent to High Park has misinterpreted Environmental Policies in this respect.**

The city is responsible even legally for managing these designated areas in such a way that these are preserved for a long term including the ecological function and actually enhanced.

Before we make our final comments we need to know, whether the City is committed to sustainable development adjacent to Natural Heritage and to transparent decision making including planning and any further Natural Heritage and Hydrogeology Assessment decisions.

We cannot in respect to the Natural Heritage view the issue of BWVA Study separate from High Park Apartment Neighbourhood because the impacts are affecting one Natural Heritage.

The piece meal decision making from the past have not benefited long term Natural Heritage protection and watershed at all.

I am looking forward to your response,

For **a concept of Carrying Capacity**, please see the attached document:

"The carrying capacity of land is understood here to mean a land's inherent ability to sustain over time both the integrity of its natural systems and the land uses dependent upon them. It implies that there is a point in any system after which the ability to regenerate is exceeded by demands on the system, and a cumulative net loss results."

High Park presently accommodates several uses that are not compatible with the areas designation and ecological function ESA/ANSI (dog off leash designated area, fishing in Grenadier Pond, Cherry Blossoms event, skating on Grenadier Pond, etc.) There is some space

for adaptive strategies here but the fact remains that likely already at this point and without Grenadier Square over 1,300 more residents, the density in the parks vicinity is already too high and use exceeding the natural area and its ecological function Carrying Capacity.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG7.2>

City Council consideration on November 3, 2015

Official Plan Five Year Review: Final Recommendation Report - Amendments to the Official Plan Environmental Policies and Designation of Environmentally Significant Areas

Approved, in part, with modifications by the Ontario Municipal Board June 2006 and further approved by the Board June 2015

SUMMARY

This report presents recommended environmental policies and the designation of 68 new and the expansion of 14 existing Environmentally Significant Areas (ESA). The proposed changes to the environmental policies are the result of extensive consultation with stakeholders including environmental groups, community associations, the general public, the development industry, City Divisions including Parks, Forestry and Recreation, Toronto Water, Public Health, Environment and Energy, the Toronto and Region Conservation Authority (TRCA) and with the Ministries of Municipal Affairs and Housing (MMAH), and Environment and Climate Change (MOECC). The proposed ESA designations are the result of detailed review of previous studies and extensive field surveys carried out between 2009 and 2012.

The recommended Official Plan amendment appended to this report as Attachment 1a contains a series of specific, strategic policy revisions to strengthen, refine and clarify existing policies, address Council direction on Climate Change and bring the Official Plan into conformity with the 2014 Provincial Policy Statement. The recommended amendments to the existing text, policies and mapping will enhance the policies related to energy, biodiversity, natural environment, environmentally significant areas, water, natural hazards, lake filling and green infrastructure and assist the City to address climate change. Attachment 2 illustrates how the Official Plan will read if the amendments proposed in Attachment are adopted.

Background:

<https://www.toronto.ca/legdocs/mmis/2015/pg/bgrd/backgroundfile-84224.pdf>

September 15, 2015

<https://www.toronto.ca/legdocs/mmis/2015/pg/bgrd/backgroundfile-84225.pdf>

Excerpts:

"While the Official Plan's environmental policies are generally consistent with the 2014 Provincial Policy Statement, the revisions to the environmental policies in the proposed amendment reflect the PPS' increased emphasis upon the protection of natural heritage, water, biodiversity, energy conservation and efficiency and climate change."

3.4 The Natural Environment to emphasize that the City's natural heritage system is significant both within and beyond Toronto and requires long term protection.

Section 3.4 Natural Environment is amended by the addition of a new sidebar entitled Buffers inserted near policy 12 as follows:

"Buffers

Buffers are strips of land that are contiguous to natural features and help to protect its natural features and functions from the negative impacts of adjacent development. Buffers may extend beyond lands required to set back development from natural hazards. Lands set aside for buffers are generally kept in a vegetated state and can include existing vegetated areas and areas that can be vegetated. Buffer widths vary depending on the sensitivity and functions of the natural feature and the proposed development. Buffer widths may be greater than set-backs required from hazard lands. Where development is proposed adjacent to natural features, buffer widths should be established through an impact study. Guidelines will be established to assist in identifying buffer widths."

Section 3.4 Natural Environment, Policy 12 d) is amended by deleting the words "or buffer areas and functions", adding a new subsection e) "buffer areas and functions" and renumbering the subsequent subsections so the policy reads as follows:

"d) riparian zones;

e) "buffer areas and functions;"

Section 3.4 Natural Environment, the sidebar entitled 'The Natural Heritage System and Inventory' is amended by replacing the last two paragraphs with the text below:

"The City has undertaken a program of further study and fieldwork to confirm and identify areas within the natural heritage system that are particularly sensitive and require additional protection to preserve their environmentally significant qualities. These areas are shown on Map 12A. Most provincially significant wetlands and areas of natural and scientific interest that have been identified by the Province are shown on Map 12B. Where development is proposed adjacent to these areas, their boundaries will be more precisely determined and any negative impacts will be identified through an impact study as referred to in Policy 12.

Further study and fieldwork will continue to update and refine the natural heritage system inventory and assist in identifying strategic directions for improving natural ecosystems, promoting biodiversity and increasing resiliency."

Policy 3.4 1 is revised to include consideration for cleaning up water courses, mitigating the unacceptable effects of light, sustaining the health of the natural ecosystem, including locations of both terrestrial and aquatic flora and fauna.

Policy 3.4.18 is revised to articulate innovative methods of stormwater management including stormwater attenuation and re-use and use of green infrastructure.

d) Chapter 4: Land Use Designations

Land use designations are a key implementation tool for protecting the City's natural environment by directing growth away from the City's protected natural areas most of which are contained within lands designated as Parks and Open Space Areas. In addition to

providing protection, the Parks and Open Space Areas policies allow for limited development which is compatible, minimizes adverse impacts on natural features and meets the Development Criteria in Parks and Open Space Areas. Policies are amended enhance protection for natural heritage features.

ii) Secondary Plans: Policies for Local Growth Opportunities

Section 5.2.1 Secondary Plans, Policy 4 is amended to encourage green infrastructure and the development of a Community Energy Plan to address energy conservation, resilience to power disruptions and renewable and alternative energy systems when undertaking a secondary plan.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG7.2>

City Council consideration on November 3, 2015

Official Plan Five Year Review: Final Recommendation Report - Amendments to the Official Plan Environmental Policies and Designation of Environmentally Significant Areas

City Council Decision

City Council on November 3 and 4, 2015, adopted the following:

Excerpt:

This report presents recommended environmental policies and the designation of 68 new and the expansion of 14 existing Environmentally Significant Areas (ESA). The proposed changes to the environmental policies are the result of extensive consultation with stakeholders including environmental groups, community associations, the general public, the development industry, City Divisions including Parks, Forestry and Recreation, Toronto Water, Public Health, Environment and Energy, the Toronto and Region Conservation Authority (TRCA) and with the Ministries of Municipal Affairs and Housing (MMAH), and Environment and Climate Change (MOECC). The proposed ESA designations are the result of detailed review of previous studies and extensive field surveys carried out between 2009 and 2012.

The recommended Official Plan amendment appended to this report as Attachment 1a contains a series of specific, strategic policy revisions to strengthen, refine and clarify existing policies, address Council direction on Climate Change and bring the Official Plan into conformity with the 2014 Provincial Policy Statement. The recommended amendments to the existing text, policies and mapping will enhance the policies related to energy, biodiversity, natural environment, environmentally significant areas, water, natural hazards, lake filling and green infrastructure and assist the City to address climate change. Attachment 2 illustrates how the Official Plan will read if the amendments proposed in Attachment 1a are adopted.

BACKGROUND

Provincial Policy Framework

The Province of Ontario has placed increased emphasis on the environment through the Growth Plan for the Greater Golden Horseshoe, the 2014 Provincial Policy Statement and the enactment of the Greenbelt Plan as follows.

Provincial Policy Statement 2014

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy and resilient communities; wise use and management of resources; and protecting public health and safety. The City of Toronto participated in the review and update of the PPS which includes new policies that address climate change, the promotion of green energy and conservation as well as policies pertaining to green infrastructure. City Council's planning decisions are required to be consistent with the PPS.

While the Official Plan's environmental policies are generally consistent with the 2014 Provincial Policy Statement, the revisions to the environmental policies in the proposed amendment reflect the PPS' increased emphasis upon the protection of natural heritage, water, biodiversity, energy conservation and efficiency and climate change.

<https://www1.toronto.ca/City%20Of%20Toronto/City%20Planning/Environment/Files/pdf/ESA/OPA%20262%20Environmental%20Policies%20and%20Designation%20of%20ESA%20Areas%20OBL%20No.%201158-2015.pdf>

Official Plan Environmental Policies

CITY OF TORONTO BY-LAW No. 1158-2015

To adopt Amendment 262 to the Official Plan of the City of Toronto with respect to the Environmental Policies and Designation of Environmentally Significant Areas.

The Council of the City of Toronto enacts:

1. The attached Amendment No. 262 to the Official Plan of the City of Toronto is hereby adopted.

Enacted and passed on November 3, 2015

Excerpt:

d) in the fourth sentence deleting the words "The natural heritage system" and replacing them with the word "It".

So that the amended paragraph reads as follows:

"Human settlement has dramatically changed the landscape of Toronto. Our remaining natural heritage features and functions require special attention. They are an evolving mosaic of natural habitats that support the variety of nature in the City and provide important ecosystem functions. The City's significant natural heritage features and functions are shown as the natural heritage system on Map 9. The natural heritage system is important to the City, both within and beyond our boundaries, and needs to be protected for the long term. It is made up of areas where protecting, restoring and enhancing the natural features and functions should have high priority in our city-building decisions. We must be careful to assess the impacts of new development in areas near the natural heritage system. The size of this adjacent impact zone will vary across the City, depending on the local characteristics of the natural heritage system and adjacent areas. The natural heritage system shown on Map 9 is an evolving natural system

that may grow beyond these boundaries. There are other areas with natural heritage value that are not shown on the map. As well, there may be other such areas in the future that will have to be identified and protected."

25. Section 3.4 Natural Environment, Policy 3.4.1 a) v) is amended by adding the words "and light" so that it reads as:

"v) mitigating the unacceptable effects of noise and light; and"

26. Section 3.4 Natural Environment, Policy 3.4.1 b) is amended by replacing the word "preserving" with "sustaining" so that it reads as follows:

"b) sustaining, restoring and enhancing the health and integrity of the natural ecosystem, supporting bio-diversity in the City and targeting ecological improvements, paying particular attention to:"

27. Section 3.4 Natural Environment, Policy 3.4.1 b) i) is amended by adding the words "locations of" and "both terrestrial and aquatic" so it reads as follows:

"i) locations of habitat for native flora and fauna, both terrestrial and aquatic;"

28. Section 3.4 Natural Environment, Policy 3.4.1 b) is amended by adding four new sub-sections and renumbering as follows:

"iii) ground and surface water contributions to natural features;"

iv) landforms, ravines, watercourses, wetlands and the shoreline and associated biophysical processes;

v) natural linkages between the natural heritage system and other green spaces;

vi) seasonal movements of migrating species;

vii) opportunities for additional habitat provided by the built environment; and

viii) the potential impacts of a changing climate on biodiversity and ecosystem health."

31. Section 3.4 Natural Environment, Policy 3.4.1 is amended by adding a new policy g) as follows:

"g) protecting, improving or restoring the quality and quantity of water and drinking water sources; and"

ETC.

California Public Resources Code

5019.5. Before any park or recreational area developmental plan is made, the department shall cause to be made **a land carrying capacity survey of the proposed park or recreational area, including in such survey such factors as soil, moisture, and natural cover.**

CASTLE ROCK STATE PARK GENERAL PLAN

California Department of Parks and Recreation <..\..\Grey Pers\Parks\Castle Rock State Park General Plan.pdf>

June, 2000 Pages 70-75

Public Resources Code Sections 5001.96 and 5019.5 state that the land carrying capacity shall be determined before any park development plan is made, and that attendance at state Park System units shall be held within the limits established by this capacity. A definition of carrying capacity by the code, however, is not provided. **The carrying capacity of land is understood here to mean a land's inherent ability to sustain over time both the integrity of its natural systems and the land uses dependent upon them.** It implies that there is a point in any system after which the ability to regenerate is exceeded by demands on the system, and a cumulative net loss results. In terms of park and recreation planning, carrying capacity may be extended in meaning to suggest that no cumulative net losses occur in any of the resource values of a unit (natural, cultural, aesthetic, or recreational) due to human use (activities or facility development). Many seemingly insignificant effects tend to be permanent and cumulative, and the legislative intent (in the Public Resources Code) is to avoid long term degradation of a resource-based park system. **The difficulty arises in establishing such a capacity and quantifying it in terms of attendance limits.** Significant resource damage can occur instantly by one individual or by many people over a long period of time. **Different types and patterns of recreational use may also contribute toward resource and social impacts.** These impacts can be reduced or avoided by taking management actions and initiating proper mitigation measures. **Capacity limits, use regulations and enforcement, education and interpretation, site investigations and monitoring, planning and proper design, and staff presence all contribute in minimizing the impacts visitors have on park values. The first step of guiding future public access or use of a park is to determine the location and significance of the unit's resource values.**

The following presents an overview of the resource sensitivities, physical constraints, and intended park use, through descriptions of the park areas in three categories of allowable use intensity.

ALLOWABLE USE INTENSITY

Allowable use intensity correlates the significance, sensitivities, and constraints of the unit's resources with an allowable degree of disturbance due to human impacts. These uses may be defined by human activities and/or development of facilities. **Allowable use intensity designations consider past, present, and future uses, and are used as planning tools in assessing the appropriateness of future proposals.** The Allowable Use Intensity

Map (Figure 2) illustrates which areas are included in each allowable use category.

Low Allowable Use Intensity - Category I

In Category I areas determined to have a low allowable use intensity, important resource values are especially vulnerable to impacts from activities and development. This category

encompasses significant geologic features in pristine and near-pristine conditions and areas with high ecological sensitivities such as rare and endangered flora, rare natural communities, threatened and endangered wildlife and aquatic life, and important habitats for these species. Category I includes those areas that are moderate to severely constrained by soil and hydric conditions, and/or geologic hazards. Any allowable uses must be subordinate to the integrity of these resource values.

Restoration or enhancement of resources shall be undertaken in situations where past or current uses have undermined them. For the most part, **no facility development shall be allowed in these areas, with the exception of appropriate trail development.** Well designed trails serve an important role in ultimate protection and appreciation of resource values. Sight-seeing, hiking, and nature study are representative of appropriate activities for this category.

Moderate Allowable Use Intensity - Category II

Moderate allowable use intensity in category II areas include those moderate to severely constrained by soil conditions such as slope and erosion conditions when exposed; hydric conditions such as seasonal flooding, 100-year floods, and/or geologic hazards such as fault zones. **Ecologically sensitive areas in this category are those with native plant communities that help define the character of the unit, and that provide habitat for native wildlife, and spot locations of sensitive flora and fauna.** Moderately sensitive cultural resources such as historic features of undetermined importance are included in this category also.

Appropriate facilities in the moderate use intensity category include such uses as trails, roads, primitive trail camps, small structures for interpretation and rest stops, and low impact rock climbing outside the natural preserve and where appropriate as determined through a climbing management plan. Provision for such uses will be designed to avoid or minimize impacts on natural and cultural resources. All other uses and activities compatible with Category I areas are appropriate here.

High Allowable Use Intensity - Category III

Lands of higher allowable use intensity in Category III are not, or are only slightly, constrained by soil conditions, hydric conditions, or geologic hazards, although seismic activity and severity are difficult to predict. **In this category are areas with less ecological sensitivities but that still contribute to the general character and appeal of the unit, such that larger scale disturbance in these areas would appreciably diminish the attractiveness and ambiance of the unit as a whole.** Cultural resource sites and features with known slight sensitivities are included, as long as no major resource modifications are undertaken. Appropriate facilities in this high use intensity category are trails, roads, buildings and other facilities designed to blend esthetically with scenic, natural, and cultural features, and to avoid large-scale disturbance and minimize impacts. Parking availability, group activities, walk-in camping, administrative and maintenance functions, and all other compatible uses identified with Category I and II

areas are appropriate in Category III.

Allowable Use Intensity Map Application

Not all areas in a category share the same characteristics or are affected in the same way by the conditions that may influence them. **Therefore, the Allowable Use Intensity Map is useful only for general planning purposes.** When site-specific proposals for land uses or facilities are to be prepared, the proposed location will be checked for resource constraints and sensitivities on various resource maps on file with the District, during the preliminary planning phases of the project. Site-specific investigations may also be necessary.

ANZA BORREGO STATE PARK

“The Plan” [..\..\Grey Pers\Parks\Anza borrego General Plan.pdf](#)

2003

Carrying Capacity

Park agencies, such as the U.S. Forest Service and the National Park Service, have long recognized that the management of visitor use requires data-based processes that respond to changing conditions. **Carrying capacity is a dynamic process that adjusts and readjusts to changing conditions.** Properly done, carrying capacity is not a static culmination of a focused, one-time, scientific research. The proper management of public use for the sake of resource protection and quality visitor experience must be dynamic, responding to changes in resource conditions and visitor demands for recreational opportunities. This process is accomplished through *ALL* of the following planning steps:

Data Collection: The foundation for establishing a carrying capacity must be a current understanding of existing conditions and uses. A system of regular data collection (such as visitor experience surveys and resource inventory) must be in place. An extensive resource inventory and assessment of visitor experience (see Appendix 5.4 “ABDSP Visitor Survey”) was done prior to preparation of this General Plan.

Park Purpose: This General Plan revisits the purpose of ABDSP (see “Declaration of Purpose” Section 3.2).

Desired Future Conditions: Through the Spirit of Place (page 1-4) and the Goals and Guidelines of this Plan Section, this General Plan identifies the desired future conditions of the Park’s natural and cultural resources and the visitors’ experience. These conditions set a “target” for evaluating future decisions regarding the optimal numbers of visitors.

Project Implementation: As visitor-use projects are conceived, a multi-disciplinary team of cultural, natural, and park planning specialists will prepare management plans that evaluates the desired future conditions set forth in this General Plan and will establish the appropriate number of visitors to an area. Visitation may be managed through facility design and/or size, seasonal openings/closings, or other operational management tools.

Monitoring the Conditions: The condition of both natural and cultural resources as well as visitor experience is regularly monitored. Should the desired future conditions noted in this

General Plan be compromised, existing improvements (and management plans) will be revised accordingly.

(Goals and Directions follow this section at length)

3. Draft Summary_BWV Community Consultation Meeting 3_Dec 4_List of developments

Past and recent developments (2005-2017) within the Grenadier Pond's catchment area

Proposed:

35 High Park 2016 - application submitted, 2017 - the proponent appealed to OMB

The proposed development would maintain the existing four rental buildings on the lands, except for four dwelling units, while proposing to demolish two blocks of existing townhouses comprised of 20 total units, to accommodate four new rental buildings with **1,031 dwelling units** at proposed **4 building heights of 39, 34, 29 and 8 stories**

This application proposes to amend the Zoning By-laws to permit

111 Pacific 2016 - application submitted, 2017 - the proponent appealed to OMB

This application proposes to amend the Zoning By-laws to permit **two blocks of 3-storey townhouse, one 33 storey building, one 29 storey building, and an 8 storey building with a new 2 storey amenity pavilion**, to be developed and added to the lands currently occupied by three residential rental buildings. **768 Units**

This application proposes to amend the Zoning By-laws to permit

Recently submitted, approved, under construction, completed

2452 Bloor St West

14 storeys, **244 units** 2017 submitted development application completed,

2265 Bloor St West 2017 submitted development application completed

8 storeys, **83 units**

2115 Bloor St West, 60 Harcourt Rd. 2017 2016 development application submitted, approved 7 storeys, **45 units**.

2114 Bloor St West 2015 development application submitted, 2017 - construction in progress

North Drive

8-storey residential apartment building containing **62units** with at grade retail Under construction.

51 Quebec Ave. (Grenadier Square) 2013 - application, 2017 under construction 2 buildings of 25 storeys, **528 units**

1990 Bloor St. West 2013 - application submitted, 2017-construction completed

North Drive

11-storey mixed use building. The new building has **104 residential units**.

200 Keele St. 2016 - application submitted. Proposed development of a 4-storey, **52-unit** residential apartment

15 rental units, **37** condominium ownership units

248 HIGH PARK AVE 2017 development application completed

79 residential apartment units.

Past Developments in the area:

1884 Bloor St. 2011 - application submitted, 2015 - construction completed

14 Storeys, **378 units**,

20 Gothic Ave. 2009 Construction completed

8 storeys, **175 units**.

338 Ellis Park Rd. 2006 Construction completed.

10 Storeys, 46 units.

(HIGHEST PRICE PER SQ.FT. OUT OF 89 CONDOS IN WEST END, TORONTO

<https://condos.ca/toronto/home-condominium-383-ellis-park-rd>)

70 High Park Ave 2005 Construction completed

169 suites built over top an historic heritage church

4. Draft Summary_BWV Community Consultation Meeting 3_Dec 4_Sample EIS Guidelines

Sample ENVIRONMENTAL IMPACT STUDY GUIDELINES

<https://www.niagararegion.ca/living/icp/policy-plan/pdf/RPPA%205-2012%20EIS%20Guidelines.pdf>

Niagara Region

ENVIRONMENTAL IMPACT STUDY
GUIDELINES

Excerpt

4.2 IMPACT ASSESSMENT

The impact assessment is to provide an assessment of the magnitude and significance of the impacts and their implications for these key features and functions and the linkages between and among them. It must set out the scientific basis for this assessment. The impact assessment should identify and address impacts not only on features and functions on site, but also on natural heritage and hydrologic systems in the broader landscape.

The main steps in the Impact Assessment are outlined below:

Examples of potential environmental impacts can include, but are not limited to:

Encroachment or elimination of habitat; Fragmentation or reduction in size of an element of the natural heritage system; Reduction or removal of corridors or linkages; Alteration of natural topography; Increased potential for human or domestic animal intrusion into relatively inaccessible areas; Alteration of the quantity, quality, timing, or direction of flow, of surface or groundwater and resulting impacts on hydrology and natural heritage; Changes in the water

table or soil moisture; Alteration of stream forms or shorelines; Alteration of the structure, functions, or ecological interrelationships of a natural habitat that sustain representative community associations or species populations; Reductions in the populations or reproductive capacity of significant species; Disruption or alteration of ecological relationships among significant or representative native species, or their habitat, reductions in the populations, diversity, health or reproductive capacity of species; Mortality or removal of the predominant vegetation, which provides structure to an element of the natural heritage system; Erosion or compaction of soils or deposition of sediment; Slope failure; Increased potential for the introduction of non-native species; Impacts of occupancy (i.e. increased disturbance and indirect impact from increased access, pets, lighting, garden escapes, etc.); Harmful alteration, disruption or destruction of fish habitat pursuant to the Canada Fisheries Act; Disruption of communication and other life processes due to increased noise levels; and Reduction in air quality.

4.2.2 INDIRECT ENVIRONMENTAL IMPACTS

All reasonably expected indirect impacts to natural heritage and hydrologic features must be identified and described in detail. Indirect impacts could include changes to drainage or water quality which will likely affect a natural heritage feature or its function(s). An example would be increased sediment transport downstream due to increased erosion or changes to drainage patterns which would alter the moisture conditions in a Significant Woodland or Wetland.

4.2.3 CUMULATIVE ENVIRONMENTAL IMPACTS

All reasonably expected cumulative impacts to natural heritage and hydrologic features and functions must be identified and described in detail. Cumulative impacts refer to the combined or incremental effects of individual actions or impacts.

An example would be the cumulative impact on breeding birds, of increased noise, increased predation (disturbance) by domestic pets and increased human intrusion due to residential development on land adjacent to a woodland. The cumulative effect of these individual impacts may be greater than the sum of the individual impacts. Cumulative impacts may result from the combination of different types of impacts (as in the preceding example), from the incremental effects of a series of impacts over time, or from the combined effects of neighbouring developments.

This means that impacts have to be assessed in the context of other existing and planned development in the area and that consideration must be given to how different types of impacts may combine and interact. The assessment should address the potential for future demand on natural heritage and hydrologic features and functions, including an analysis of effects on adjacent areas. This should include a discussion of how the proposed development fits into the surrounding area and the impacts of future development planned for the surrounding area as indicated by Official Plans and Zoning By-laws.

4.3 DESIGN CHANGES AND MITIGATION MEASURES

Where negative environmental impacts are identified, the EIS should identify means to eliminate or reduce those impacts. **First priority should be given to avoiding negative environmental impacts by making modifications to the proposed development.** If negative impacts cannot be completely avoided through design changes, then mitigation measures

should be identified which will eliminate or reduce negative environmental impacts. The recommended design changes and mitigation measures should be described in detail and illustrated on a map showing the natural heritage and hydrologic features and constraints. Where it is recommended that an additional study or plan, such as a Landscape Plan, should be required as a condition apply.

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG7.2>

City Council consideration on November 3, 2015

PG7.2	ACTION	Adopted on Consent		Ward:All
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Official Plan Five Year Review: Final Recommendation Report - Amendments to the Official Plan Environmental Policies and Designation of Environmentally Significant Areas

City Council Decision

City Council on November 3 and 4, 2015, adopted the following:

- 1. City Council amend the Official Plan substantially in accordance with the recommended Official Plan Amendment appended as Attachment 1a to the report (September 15, 2015) from the Chief Planner and Executive Director, City Planning.**
- 2. City Council authorize the City Solicitor to make such stylistic and technical changes to the recommended Official Plan Amendment as may be required.**
- 3. City Council declare by resolution to the Minister of Municipal Affairs and Housing that the Official Plan Amendment set out in Attachment 1a to the report (September 15, 2015) from the Chief Planner and Executive Director, City Planning:**
 - a. conforms with Provincial Plans or does not conflict with them;**
 - b. has regard to the matters of Provincial Interest in Section 2 of the Planning Act; and**
 - c. is consistent with policy statements issued under subsection 3(1) of the Planning Act.**

Public Notice Given

Statutory - Planning Act, RSO 1990

<https://www.toronto.ca/legdocs/mmis/2015/pg/bgrd/backgroundfile-84224.pdf>

Date: September 15, 2015
To: Planning and Growth Management
Committee
From: Chief Planner and Executive
Director, City Planning Division
Wards: All
Reference Number: P:\2015\ClusterB\PLN\PGMC\PG1
5109

This report presents recommended environmental policies and the designation of 68 new and the expansion of 14 existing Environmentally Significant Areas (ESA). The proposed changes to the environmental policies are the result of extensive consultation with stakeholders including environmental groups, community associations, the general public, the development industry, City Divisions including Parks, Forestry and Recreation, Toronto Water, Public Health, Environment and Energy, the Toronto and Region Conservation Authority (TRCA) and with the Ministries of Municipal Affairs and Housing (MMAH), and Environment and Climate Change (MOECC). The proposed ESA designations are the result of detailed review of previous studies and extensive field surveys carried out between 2009 and 2012.

The recommended Official Plan amendment appended to this report as Attachment 1a contains a series of specific, strategic policy revisions to strengthen, refine and clarify existing policies, address Council direction on Climate Change and bring the Official Plan into conformity with the 2014 Provincial Policy Statement. The recommended amendments to the existing text, policies and mapping will enhance the policies related to energy, biodiversity, natural environment, environmentally significant areas, water, natural hazards, lake filling and green infrastructure and assist the City to address climate change. Attachment 2 illustrates how the Official Plan will read if the amendments proposed in Attachment 1a are adopted.

BACKGROUND

Provincial Policy Framework

The Province of Ontario has placed increased emphasis on the environment through the Growth Plan for the Greater Golden Horseshoe, the 2014 Provincial Policy Statement and the enactment of the Greenbelt Plan as follows.

Provincial Policy Statement 2014

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy and resilient communities; wise use and management of resources; and protecting public health and safety. The City of Toronto participated in the review and update of the PPS which includes new

policies that address climate change, the promotion of green energy and conservation as well as policies pertaining to green infrastructure. City Council's planning decisions are required to be consistent with the PPS.

While the Official Plan's environmental policies are generally consistent with the 2014 Provincial Policy Statement, the revisions to the environmental policies in the proposed amendment reflect the PPS' increased emphasis upon the protection of natural heritage, water, biodiversity, energy conservation and efficiency and climate change.

Growth Plan for the Greater Golden Horseshoe (2006)

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan. The current Official Plan policies for the environment are in conformity with the Provincial Growth Plan.

Consultation Process

The recommended Official Plan amendment appended as Attachment 1a is the culmination of an extensive review of the current Official Plan policies that address the environment as part of the Five-Year Review of the Official Plan environmental policies and the proposed ESA designations. The review commenced with an initial round of public consultations in 2011, internal consultations within the City Planning Division and with other City Divisions, and consultations with our partners at the TRCA. The feedback and comments received during this initial consultation program assisted staff in refining existing policies and incorporating additional policies to address priorities identified during the consultation and review process.

An extensive public consultation process was carried out in 2014 including four public consultation forums (one in each Community Council District), five open houses (one in each of Etobicoke-York, North York, East York, Toronto and Scarborough), two roundtables (one on climate change and one on the environment), as well as meetings with the Building Industry and Land Development Association (BILD) and representatives of the Confederation of Residents and Ratepayer Associations (CORRA) and the Federation of North Toronto Residents Associations (FONTRA). Meetings were also held with representatives of MMAH and further

Proposed Amendments

A summary of proposed amendments to the Official Plan environmental policies and ESA designations, including further refinements made as a result of feedback received during and after the June 18, 2015 Open House, is provided below. The proposed changes enhance existing policies that are already working well, bring the Official Plan into conformity with the 2014 PPS

ii) Section 3.4 The Natural Environment

The draft policies of Section 3.4 incorporate Council's direction with regard to energy conservation; air quality and climate change; as well as update the policies, text and sidebars regarding hazard lands, natural heritage, provincially significant areas, ESAs and lakefilling. Revisions are made to the text of section

3.4 The Natural Environment to emphasize that the City's natural heritage system is significant both within and beyond Toronto and requires long term protection. The fourth paragraph about the urban forest is further refined by clarifying that non-native, non-invasive species may be planted when urban conditions limit the survival of native species.

New sidebars added to describe 'Watercourse and Infrastructure Management', 'Buffers', the 'Toronto Green Roof Bylaw', 'Bird-Friendly', 'Light Pollution' and 'Biodiversity' are added to provide greater clarity around Council's initiatives in these areas as well as interpretive advice. A draft proposed sidebar on 'Lands Adjacent to Provincially Significant Areas' which duplicates information provided in the Provincial Natural Heritage Reference Manual is deleted.

Policy 3.4.1 is revised to include consideration for cleaning up water courses, mitigating the unacceptable effects of light, sustaining the health of the natural ecosystem, including locations of both terrestrial and aquatic flora and fauna. New policies 3.4.1 b) vi - viii are added to ensure consideration of seasonal movements of migrating species, opportunities for habitat provided by the built environment, and potential impacts of a changing climate on ecosystem health. Policy 3.4.1 c) iii) is amended to support reductions in greenhouse gas emissions and sub policy e) is amended to give consideration to the potential impacts of climate change on natural hazards. **New policy 3.4.1 g) is added to address the objectives in the 2014 PPS regarding protecting, improving and restoring the quality of water and drinking water sources. Policy 3.4.1 h) is added to promote the use of green infrastructure.**

Policy 3.4.18 is revised to articulate innovative methods of stormwater management including stormwater attenuation and re-use and use of green infrastructure. Policy 20 is merged with policy 18 and revised to more explicitly address resiliency and alternative energy systems in accordance with Council policy.

d) Chapter 4: Land Use Designations

Land use designations are a key implementation tool for protecting the City's natural environment by directing growth away from the City's protected natural areas most of which are contained within lands designated as *Parks and Open Space Areas*. In addition to providing protection, the *Parks and Open Space Areas* policies allow for limited development which is compatible, minimizes adverse impacts on natural features and meets the Development Criteria in Parks and Open Space Areas. Policies are amended enhance protection for natural heritage features.

ii) Secondary Plans: Policies for Local Growth Opportunities

Section 5.2.1 Secondary Plans, Policy 4 is amended to encourage green infrastructure and the development of a Community Energy Plan to address energy conservation, resilience to power disruptions and renewable and alternative energy systems when undertaking a secondary plan.

<https://www.toronto.ca/legdocs/mmis/2015/pg/bgrd/backgroundfile-84225.pdf>

NOTICE OF SPECIAL PUBLIC MEETING

To be held by the Planning and Growth Management Committee

(Pursuant to Subsections 26(3)(b) of the Planning Act)

Proposed Official Plan Amendment Pertaining to Environmental Policies and Designation of new Environmentally Significant Areas

DATE: October 8, 2015

TIME: 10:00 a.m., or as soon as possible thereafter

**PLACE: Committee Room 1, 2nd Floor, City Hall, 100 Queen Street West
Toronto**

PROPOSAL – PURPOSE AND EFFECT

The City of Toronto is currently undertaking a review of the Official Plan which was adopted by Council in 2002 and came into effect in 2006. A copy of the current Official Plan can be viewed or downloaded from the City's website: www.toronto.ca/planning/official_plan/

Background Information (Committee)

(September 15, 2015) Report and Attachments 1a - 4d from the Chief Planner and Executive Director, City Planning on Official Plan Five Year Review: Final Recommendation Report - Amendments to the Official Plan Environmental Policies and Designation of Environmentally Significant Areas

(<http://www.toronto.ca/legdocs/mmis/2015/pg/bgrd/backgroundfile-84224.pdf>)

(August 28, 2015) Notice of Special Public Meeting to be Held by the Planning and Growth Management Committee (Under the Planning Act)

(<http://www.toronto.ca/legdocs/mmis/2015/pg/bgrd/backgroundfile-84225.pdf>)

Communications (Committee)

(September 3, 2015) Letter from Jane Beecroft (PG.Main.PG7.2.1)

(September 14, 2015) E-mail from Karen Buck (PG.Main.PG7.2.2)

(September 15, 2015) E-mail from John Meijer, President, Swansea Area Ratepayers Association/Swansea Area Ratepayers Group (PG.Main.PG7.2.3)

(<http://www.toronto.ca/legdocs/mmis/2015/pg/comm/communicationfile-56009.pdf>)

(October 5, 2015) Letter from Johanna Shapira, Wood Bull LLP, representing Rosedale Golf Club (PG.New.PG7.2.4)

(<http://www.toronto.ca/legdocs/mmis/2015/pg/comm/communicationfile-56516.pdf>)

(October 6, 2015) Letter from Kim Kovar, Aird & Berlis, representing IRE-YONGE Developers Inc. (PG.New.PG7.2.5)

(<http://www.toronto.ca/legdocs/mmis/2015/pg/comm/communicationfile-56606.pdf>)

(October 6, 2015) Letter from Kim Kovar, Aird & Berlis, representing 2432014 Ontario Inc. (PG.New.PG7.2.6)

(<http://www.toronto.ca/legdocs/mmis/2015/pg/comm/communicationfile-56698.pdf>)

(October 6, 2015) Letter from Aaron Platt, Davies Howe Partners LLP, representing 2267106 Ontario Inc. (PG.New.PG7.2.7)

(<http://www.toronto.ca/legdocs/mmis/2015/pg/comm/communicationfile-56709.pdf>)

(October 7, 2015) Letter from Eileen Denny, on behalf of the Confederation of Resident & Ratepayer Associations in Toronto, Executive Team (PG.New.PG7.2.8)

(<http://www.toronto.ca/legdocs/mmis/2015/pg/comm/communicationfile-56612.pdf>)

(October 7, 2015) E-mail from Leslie Gooding (PG.New.PG7.2.9)

(October 7, 2015) Letter from Cynthia MacDougall, McCarthy Tetrault LLP, representing Lifetime Pearl Street Inc. (PG.New.PG7.2.10)

(<http://www.toronto.ca/legdocs/mmis/2015/pg/comm/communicationfile-56616.pdf>)

(October 7, 2015) Letter from Michael Boyes, Vice President Sustainability & Special Projects, H&R Reit (PG.New.PG7.2.11)

(<http://www.toronto.ca/legdocs/mmis/2015/pg/comm/communicationfile-56724.pdf>)

(October 8, 2015) Letter from Eileen Denny, President, Teddington Park Residents Association Inc. (PG.New.PG7.2.12)

(<http://www.toronto.ca/legdocs/mmis/2015/pg/comm/communicationfile-56725.pdf>)

(October 8, 2015) Letter from Carlo Bonanni, Vice President, Land and Planning Development, BUILD Toronto (PG.New.PG7.2.13)

(<http://www.toronto.ca/legdocs/mmis/2015/pg/comm/communicationfile-56730.pdf>)

Communications (City Council)

(October 29, 2015) Letter from Dennis H. Wood, Wood Bull LLP, Barristers and Solicitors, Municipal, Planning and Development Law (CC.Supp.PG7.2.14)

(<http://www.toronto.ca/legdocs/mmis/2015/cc/comm/communicationfile-56997.pdf>)

2a Official Plan Five Year Review: Amendments to the Official Plan Environmental Policies and Proposed Designation of Environmentally Significant Areas - Final Recommendation Report

<https://www.toronto.ca/legdocs/mmis/2015/pg/bgrd/backgroundfile-84146.pdf>

**Official Plan Five Year Review:
Amendments to the Official Plan
Environmental Policies and Proposed
Designation of Environmentally
Significant Areas - Final
Recommendation Report Date:**

August 18, 2015

To:

Planning and Growth Management
Committee

From:

Chief Planner and Executive
Director, City Planning Division

Wards:

All

Reference Number:

P:\2015\ClusterB\PLN\PGMC\PG15
101

Provincial Policy Statement 2014

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong, healthy and resilient communities; wise use and management of resources; and protecting public health and safety. The City of Toronto participated in the review and update of the PPS which includes new policies that address climate change, the promotion of green energy and conservation as well as policies pertaining to green infrastructure. **City Council's planning decisions are required to be consistent with the PPS.**

While the Official Plan's environmental policies are generally consistent with the 2014 Provincial Policy Statement, the revisions to the environmental policies in the proposed amendment reflect the PPS' increased emphasis upon the protection of natural heritage, water, biodiversity, energy conservation and efficiency and climate change.

ii) Section 3.4 The Natural Environment

The draft policies of Section 3.4 incorporate Council's direction with regard to energy conservation; air quality and climate change; as well as update the policies, text and sidebars regarding hazard lands, natural heritage, provincially significant areas, ESAs and lakefilling.

Revisions are made to the text of section **3.4 *The Natural Environment* to emphasize that the City's natural heritage system is significant both within and beyond Toronto and requires long term protection.** The fourth paragraph about the urban forest is further refined by clarifying that non-native, non-invasive species may be planted when urban conditions limit the survival of native species.

ii) Section 3.4 The Natural Environment

The draft policies of Section 3.4 incorporate Council's direction with regard to energy conservation; air quality and climate change; as well as update the policies, text and sidebars regarding hazard lands, natural heritage, provincially significant areas, ESAs and lakefilling.

Revisions are made to the text of section **3.4 *The Natural Environment* to emphasize that the City's natural heritage system is significant both within and beyond Toronto and requires long term protection.** The fourth paragraph about the urban forest is further refined by clarifying that non-native, non-invasive species may be planted when urban conditions limit the survival of native species.

Policy 3.4 1 is revised to include consideration for cleaning up water courses, mitigating the unacceptable effects of light, sustaining the health of the natural ecosystem, including locations of both terrestrial and aquatic flora and fauna. New policies 3.4.1 b) vi - viii are added to ensure consideration of seasonal movements of migrating species, opportunities for habitat provided by the built environment, and potential impacts of a changing climate on ecosystem health. Policy 3.4.1 c) iii) is amended to support reductions in greenhouse gas emissions and sub policy e) is amended to give consideration to the potential impacts of climate change on natural hazards. New policy 3.4.1 g) is added to address the objectives in the 2014 PPS regarding protecting, improving and restoring the quality of water and drinking water sources. Policy 3.4.1 h) is added to promote the use of green infrastructure.

ii) Secondary Plans: Policies for Local Growth Opportunities

Section 5.2.1 Secondary Plans, Policy 4 is amended to encourage green infrastructure and the development of a Community Energy Plan to address energy conservation, resilience to power disruptions and renewable and alternative energy systems when undertaking a secondary plan.

AMENDMENT NO. 262 TO THE OFFICIAL PLAN OF THE CITY OF TORONTO

The following text and schedule constitute Amendment No. 262 to the Official Plan for the City of Toronto:

CHAPTER 1: Making Choices

1. 1: Making Choices, Page 1-2, second paragraph starting with, 'The vision of the Plan...A city with:' is amended by deleting the sixth bullet and adding the following new bullets as follows:

...

- **a connected system of natural features and ecological functions that support biodiversity and contribute to civic life."**

And by adding the following as a new eleventh bullet: "a ravine system that offers wilderness, respite, recreation, beauty and a link to our past."

CHAPTER 2: Shaping the City

"k) protects, enhances and restores the region's system of green spaces and natural heritage features and functions and the natural corridors that connect these features and the region's prime agricultural land."

9. Section 2.3.2 Toronto's Green Space System and Waterfront, is amended by replacing the words 'our natural ecosystem' in the first paragraph, second sentence of the non-policy text with the words **"natural ecosystems both within and beyond our boundaries."** so that it now reads as follows:

"This system is vital both to our quality of life and to the health of natural ecosystems both within and beyond our boundaries."

and by replacing the third paragraph with the following:

"The *Green Space System* provides many benefits for the City. These lands:

- form the core of the City's natural ecosystems providing habitat for flora and fauna and including most of our significant natural heritage features and functions;
- help sustain our natural environment by cleaning the air, recharging groundwater, cleaning our watercourses and limiting damage that might arise from flooding and soil erosion;
- include natural and hydrological connections that link Lake Ontario to the larger biophysical region and its ecological systems;
- provide a variety of landscapes for reflection, contemplation and appreciation of nature;
- improve human health by offering opportunities for passive and active recreation, community gardens and environmental education; and
- offer unique tourism and entertainment destinations attracting visitors from across the region and elsewhere."

11. Section 2.3.2 Toronto's Green Space System and Waterfront, Policy 6 is amended by adding the following new subsection g) as follows:

"g) maintain and enhance the natural heritage value of lands near or along the water's edge by protecting existing habitat and, where appropriate, restoring and enhancing habitat."

CHAPTER 3: Building a Successful City

"This Plan demands that both the public and private sectors commit to high quality architecture, landscape and urban design, consistent with "environmentally sustainable design and energy efficiency standards."

Section 3.3 Building New Neighbourhoods, Policy 1a), is amended by adding the words "including adequate space for planting of trees" so that the policy now reads:

"a) the pattern of streets, development blocks, open spaces and other infrastructure, including adequate space for planting of trees;"

20. Section 3.4 Natural Environment, non-policy text, Page 3-24 third paragraph is amended by:

"Human settlement has dramatically changed the landscape of Toronto. Our remaining natural heritage features and functions require special attention. They are an evolving mosaic of natural habitats that supports the variety of nature in the City and provide important ecosystem functions. The City's significant natural heritage features and functions are shown as the natural heritage system on Map 9. The natural heritage system is important to the City, both within and beyond our boundaries and needs to be protected for the long term. It is made up of areas where protecting, restoring and enhancing the natural features and functions should have high priority in our city-building decisions. We must be careful to assess the impacts of new development in areas near the natural heritage system. The size of this adjacent impact zone will vary across the City, depending on the local characteristics of the natural heritage system and adjacent areas. The natural heritage system shown on Map 9 is an evolving natural system that may grow beyond these boundaries. There are other areas with natural heritage value that are not shown on the map. As well, there may be other such areas in the future that will have to be identified and protected."

Section 3.4 Natural Environment, non-policy text, Page 3-24 fourth paragraph last sentence is amended by adding a comma followed by the words "or other non-invasive species where urban conditions may limit the survival of native species" so the amended sentence now reads as follows:

"We must not only protect the existing urban forest, but also enhance it, especially by planting native trees and trees that increase canopy coverage and diversity, or other non-invasive species where urban conditions may limit the survival of native species."

Section 3.4 Natural Environment is amended by replacing portions of the sidebar '*The TRCA: The City's Partner in Managing the Natural Environment*' so that it reads as follows:

"The TRCA: The City's Partner in Managing the Natural Environment

The Toronto and Region Conservation Authority plays an important role in managing Toronto's natural environment. The Authority:

- safeguards, manages and restores watercourses, lakes, woodlands, wetlands and natural habitat;
- protects life and property from flooding and erosion through watershed planning, monitoring and maintenance efforts and its regulation under the *Conservation Authorities Act*; and
- provides educational and recreational opportunities for the public.

Section 3.4 Natural Environment, Policy 3.4.1 a) v) is amended by adding the words "and light" so that it reads as:

"v) mitigating the unacceptable effects of noise and light; and"

Section 3.4 Natural Environment, Policy 3.4.1 b) is amended by replacing the word "preserving" with "sustaining" so that it reads as follows:

"b) sustaining, restoring and enhancing the health and integrity of the natural ecosystem, supporting bio-diversity in the City and targeting ecological improvements, paying particular attention to:"

Section 3.4 Natural Environment, Policy 3.4.1 b) i) is amended by adding the words "locations of" and "both terrestrial and aquatic" so it reads as follows:

"i) locations of habitat for native flora and fauna, both terrestrial and aquatic species;"

28. Section 3.4 Natural Environment, Policy 3.4.1 b) is amended by adding four new sub-sections and renumbering them as follows:

"iii) ground and surface water contributions to natural features;"

iv) landforms, ravines, watercourses, wetlands and the shoreline and associated biophysical processes;

v) natural linkages between the natural heritage system and other green spaces;

vi) seasonal movements of migrating species

vii) opportunities for additional habitat provided by the built environment

viii) the potential impacts of a changing climate on biodiversity and ecosystem health."

Section 3.4 Natural Environment is amended by the addition of a new sidebar entitled *Buffers* inserted near policy 12 as follows:

"Buffers

Buffers are strips of land that are contiguous to natural features and help to protect its natural features and functions from the negative impacts of adjacent development. Buffers may extend beyond lands required to set back development from natural hazards. Lands set aside for buffers are generally kept in a vegetated state and can include existing vegetated areas and areas that can be vegetated.

Buffer widths vary depending on the sensitivity and functions of the natural feature and the proposed development. Buffer widths may be greater than set-backs required from hazard lands. Where development is proposed adjacent to natural features, buffer widths should be established through an impact study. Guidelines will be established to assist in identifying buffer widths."

Where known environmentally significant areas shown on Map 12A extend onto lands above the top of bank which have underlying zoning permissions, these areas may be used to calculate permissible density in the zoning bylaw. **An impact study, as referred to in policy 12, will be required for any proposed development adjacent to these areas. Any proposed development will avoid these areas, minimize negative impacts and, when possible, restore and enhance the ecological functions attributed to these areas. Known areas exhibiting these environmentally significant characteristics are shown on Map 12A."**

43. Section 3.4 Natural Environment, the sidebar entitled "*The Natural Heritage System and Inventory*" is amended by replacing the last two paragraphs with the text below.

"The City has undertaken a program of further study and fieldwork to confirm and identify areas within the natural heritage system that are particularly sensitive and require additional protection to preserve their environmentally significant qualities.

These areas are shown on Map 12A. Most provincially significant wetlands and areas of natural and scientific interest that have been identified by the Province are shown on Map 12B. Where development is proposed adjacent to these areas, their boundaries will be more precisely determined and any negative impacts will be identified through an impact study as referred to in policy 12.

Further study and fieldwork will continue to update and refine the natural heritage system inventory and assist in identifying strategic directions for improving natural ecosystems, promoting biodiversity and increasing resiliency."

A new Map 12B "Provincially Significant Wetlands and Areas of Natural and Scientific Interest", which shows provincially significant areas that have been identified by the Province is inserted.

"Bird-Friendly

Toronto is on major migratory flyway and during the annual spring and fall migration the City experiences a significant influx of migrating birds. Most migrating bird species are unable to adapt to urban conditions and become confused by a combination of the lights and glass of buildings. They are attracted by the lights while flying at night, land and then fly into the glass of buildings which reflect trees and sky in the daytime. Bird 'collisions' or 'strikes' have become a serious issue in Toronto and to address this, the City prepared the *Bird Friendly Development Guidelines* and requires bird-friendly design in all new development subject to site plan approval."

"Light Pollution

Light pollution in the form of glare, light trespass, over lighting and sky glow can reduce visibility for pedestrians and vehicles and have a negative impact on the health of humans, birds and the natural environment. Light pollution has also drastically limited our view of the stars in the night sky. Properly designed lighting is efficient and effective, providing light exactly where it needs to be for safety and security and results in energy savings and reduced greenhouse gas emissions. Controlling light spillage can also result in darker environments for sleeping, less light at night that may attract migratory birds and less disturbance for fauna natural areas. Effective lighting improves the quality of urban life for everyone."

"Biodiversity

Biodiversity refers to the rich variety of life forms and the critical roles they play within varied ecosystems. Ecological health is related to healthy biodiversity. The greater the biodiversity of a defined geographic area, the greater the ecological health and resiliency of that area. Policies protecting and enhancing the natural heritage system are a key pillar of biodiversity conservation within Toronto. The biodiversity found in small green spaces, street trees, green roofs, community gardens, hydro corridors, cemeteries, and backyards also all play an important role in our urban ecosystem. The City of Toronto's *Biodiversity Series* provides detailed information on the flora and fauna found in the City, fostering awareness and stewardship of local biodiversity." **Pg 72**

CHAPTER 4: LAND USE DESIGNATIONS pg 52

4.3 PARKS AND OPEN SPACE AREAS

Policies

1. *Parks and Open Space Areas* are the parks and open spaces, valleys, watercourses and ravines, portions of the waterfront, golf courses and cemeteries that comprise the City's ***Green Space System***. They comprise the areas shown on Maps 13-23 shown as *Natural Areas*, *Parks* and *Other Open Space Areas*.

3. The areas shown as *Natural Areas* on Maps 13-23 will be maintained primarily in a natural state, while allowing for:

a) compatible recreational, cultural and educational uses and facilities that minimize adverse impacts on natural features and functions; and

b) conservation projects, public transit, public works and utilities for which no reasonable alternatives are available, and that are designed to have only minimal adverse impacts on natural features and functions **and that restore or enhance existing vegetation and other natural heritage features.**

6. Any development provided for in *Parks and Open Space Areas* will:

a) protect, enhance or restore trees, vegetation and other natural heritage features **and maintain or improve connectivity between natural heritage features;**

4.7 REGENERATION AREAS

Policies

2. For each *Regeneration Area* a framework for new development will be set out in a Secondary Plan. Development should not proceed prior to approval of a Secondary Plan. The Secondary Plan will guide the revitalization of the area through matters such as:

- a) urban design guidelines related to the unique character of each *Regeneration Area*;
- b) a strategy to plan for improvements to existing parks and the acquisition of new parks and open spaces;**
- c) a green infrastructure strategy including tree planting, stormwater management systems and green roofs,**
- d) a community improvement strategy to identify and implement needed improvements to streets, sidewalks, boulevards, parks and open spaces;
- e) a community services strategy to monitor the need for new community services and facilities and local institutions as new residents are introduced and to ensure they are provided when needed;
- f) a heritage strategy identifying important heritage resources, conserving them and ensuring new buildings are compatible with adjacent heritage resources;
- g) environmental policies to identify and ensure that any necessary cleanup of lands and buildings is achieved, that potential conflicts between industrial and residential, other sensitive land uses or live/work uses are mitigated, and that policies for the staging or phasing of development are considered, where necessary; and
- h) transportation policies that encourage transit, walking and cycling in preference to private automobile use and ensure the movement of people and goods as the number of businesses, employees and residents increase; and

5.2.1 SECONDARY PLANS: POLICIES FOR LOCAL GROWTH OPPORTUNITIES

Policies

4. City-building objectives for Secondary Planning areas will identify or indicate the following:

- a) overall capacity for development in the area, including anticipated population;**
- b) opportunities or constraints posed by unique environmental, economic, heritage, cultural and other features or characteristics;**
- c) affordable housing objectives;
- d) land use policies for development, redevelopment, intensification and/or infilling;
- e) urban design objectives, guidelines and parameters;
- f) necessary infrastructure investment with respect to any aspect of:
transportation services, environmental services **including green infrastructure**, community and social facilities, cultural, entertainment and tourism facilities, pedestrian systems, parks and recreation services, or other local or municipal services;
- g) opportunities for energy conservation, peak demand reduction, resilience to power disruptions, and small local integrated energy solutions that incorporate renewables, district energy, combined heat and power or energy storage, through development of a Community Energy Plan; and**
- h) where a Secondary Planning area is adjacent to an established neighbourhood or neighbourhoods, new development must respect and reinforce the existing physical character and promote the stability of the established neighbourhoods.

Written Comments Attached to Display Panels at Open House

Panel 4: Vision

"Any Concerns?"

- *The economy may be spread rather than downtown oriented*

"How would you Refine What is Proposed?"

- *A ravine system that also acts as connective tissue as well as respite space*

Panel 7: Green Space System

"How would you Refine What is Proposed?" and Re: Rouge Valley Area sidebar

- *"Ecological corridors" good! What about other river valley systems?*

Panel 11: Environmentally Significant Areas

"Any Concerns?"

- *Ensure there is a robust review of impact studies*

Panel 13: Natural Environment

"How would you Refine What is Proposed?"

- *Buffers should be vegetated using native species*

Panel 14: Natural Environment

"Any Concerns?"

- **Need to reduce lit advertising. Billboards are pollution**

"How would you Refine What is Proposed?"

- *Toronto provides migratory habitat stopover. Some birds are diurnal migrants and some migrate at night*

- *We think of children's habitat as more or equally important as that of birds*

Panels 15 and 16: Sustainable Design

"How would you Refine What is Proposed?"

- *City design as sustainable holistic concept. The City as eco-organism*
- *Regeneration areas' parks and open spaces should include some newly created 'natural areas'*
- *Trees are great but other native vegetation should be used e.g., prairie meadow*

pg.60

Written Comments Received After Open House

July 30, 2015

CFN 49276

BY MAIL & E-MAIL (kvoumvva@toronto.ca)

Ms. Kerri Voumvakis
Director, Strategic Initiatives, Policy & Analysis
City of Toronto
Metro Hall, 22nd Floor
55 John Street
Toronto, ON M5V 3C6

Dear Ms. Voumvakis:

**Re: City of Toronto 2015 Official Plan Review
Proposed Revisions to Environmental Policies**

Thank you for involving Toronto and Region Conservation Authority (TRCA) staff in the City of Toronto's official plan review process. TRCA appreciates being invited to comment on the proposed revised policies and trusts that this collaborative effort will result in the shared objectives of the City and the TRCA being met.

We understand from the April 15, 2015 City staff report that the proposed Official Plan Amendment will be brought to City Council for approval in September and will bring the Official Plan into conformity with the 2014 Provincial Policy Statement. Meanwhile, conformity requirements under the *Greenbelt Act* will be addressed through a separate Official Plan Amendment going to the Planning and Growth Management Committee also in September 2015. Further, the draft environmental policy revisions previously identified for Section 3.1.2, Built Form, will be brought forward through the report on Urban Design policy changes later under the five-year OP review. The staff report also conveys that the proposed revised policies are intended to assist the City in meeting the challenges of climate change and to strengthen existing policies on energy conservation and efficiency, biodiversity, natural heritage, natural hazards, environmentally significant areas (ESAs), provincially significant areas, lake filling, and green infrastructure.

TRCA staff commends the City on the proposed revisions to the environment policies. Overall, the current draft does an outstanding job of incorporating considerations for protecting and enhancing a natural system of protected areas augmented by opportunities for green infrastructure and stormwater management renewal in the redeveloping portions of the City's landscape. Our previous comments in our emailed correspondence of June 27, 2014 have largely been addressed through proposed revisions regarding natural heritage, natural hazards, stormwater management and green infrastructure. The addition of these elements to the OP policies and sidebars are necessary for building a resilient City undergoing redevelopment and intensification in the context of a changing climate. Two of our comments that were not addressed are reiterated at the end of this letter for your consideration (9 and 10).

There are also some new but minor comments that we offer as a public commenting body, technical service provider and resource management agency to municipalities, and as a regulatory agency affecting planning and development under the *Conservation Authorities Act*. TRCA's own policy document, the Living City Policies for Planning and Development in the Watersheds of TRCA (LCP), seeks the protection and enhancement of the Natural System, made up of natural hazards, water resources, natural features and areas, and areas of potential natural cover or buffers. These policies also seek to integrate the natural and built environments, maximizing opportunities for ecosystem services from across the entire landscape.

The comments for your consideration in refining the proposed revised policies being brought to Council in September are as follows:

1. **Rouge Valley Area (new sidebar), Section 2.3.2** - We look forward to reviewing the newly proposed policies affecting the Rouge River watershed in the next iteration of proposed revisions to the OP policies as the City undertakes its Greenbelt Plan conformity exercise. In that exercise, the revised policies should incorporate a requirement for a minimum 30-metre buffer from the stable top of bank of the Rouge Valley for all new development under the *Planning Act* (e.g., zoning amendments, subdivisions, consents, etc.) in the Rouge River watershed (both inside and outside of the Greenbelt Plan Area), as envisioned by the Rouge Park Management Plan for this important watershed.
2. **Preamble, Section 3.4** – The third last paragraph speaks to enhancing the urban forest, *"especially by planting native trees and trees that increase canopy coverage and density."* This seems to suggest that native trees do not increase canopy cover or diversity. Please consider revising the wording to state: *"especially by planting native trees and other non-invasive species (where urban conditions may limit the survival of native species) to increase canopy coverage and diversity."* We understand that the City uses Norway Maple street trees which invade and out-compete other species where the urban forest may be connected to the larger natural heritage system. An alternate hearty, but non-invasive, tree species should be substituted to enhance the urban forest and help prevent the spread of invasives to the natural heritage system.
3. **Regulating Hazards (revised sidebar), Section 3.4** – We appreciate the addition of this sidebar that explains the conservation authority role in natural hazard management and the provincial role in Special Policy Areas; however, we suggest that a corresponding policy is warranted that promotes the remediation of flood and erosion hazards in tandem with major proposals for redevelopment. A good example of this, of course, is the Lower Don, and there may be other opportunities in areas such as Jane-Wilson.
4. **Watercourse and Infrastructure Management (new sidebar), Section 3.4** – In addition to these works being consistent with federal, provincial and TRCA requirements, they should be consistent with the City's requirements, such as those in the Ravine and Natural Feature Protection By-law and the OP (see comment further to this below).
5. **Environmentally Significant Areas, Section 3.4, Policy 13** – This policy states that an impact study will be required for any proposed undertaking in those areas not already the subject of an environmental assessment (EA). In TRCA's experience, environmental studies for projects falling under an EA process are not always completed to a sufficient level of detail to determine local ecological impacts to ESAs or other natural features, (e.g. the Master Plan for Taylor Massey Creek, Don and Waterfront CSO EA). In these projects, some aspects of environmental study that would be captured under the OP's impact study requirements if the project fell under the planning process were deferred to later stages, where the avoidance of sensitive areas was no longer a viable option.

Although we understand that infrastructure projects falling under an EA process are not subject to the OP policies, the City as a proponent of its own EAs could have regard for the OP policies on environmental impact studies in ESAs and the larger natural heritage system. To strive for this consistency would be in accordance with Section 1.2.1 of the Provincial Policy Statement which requires a coordinated, integrated and comprehensive approach to infrastructure planning across other orders of government, agencies and boards. Moreover, 7.4.4.1 a) of the TRCA's LCP recommends the coordination of *Planning Act*, *Environmental Assessment Act*, and Master Plan processes to facilitate strategic infrastructure placement and design that avoids cumulative impacts and seeks opportunities for improvements to the natural system.

We would be pleased to discuss appropriate wording within the OP policies with you.

6. **Environmentally Significant Areas, Section 3.4, Natural Environment, Policy 13** – This section states that development and infrastructure should avoid these areas, and that natural features and ecological functions should be restored and enhanced where feasible. We recommend that the policy be clarified to state that compensation will be required for the loss of ecosystem services.
7. **Environmentally Significant Areas, Map 12A** – Please note on the map and in the text that ANSIs and wetlands are the only features and areas from the PPS for which provincial significance is determined by the Province. The provincial significance of valleylands and woodlands is determined by municipalities in accordance with the PPS and the Natural Heritage Reference Manual. We recommend that a note on Map 12A, and on the OP's map of the Natural Heritage System, could state, "May include provincially significant features and areas."
8. **Scarborough Environmentally Significant Areas Map** – You may wish to check the western boundary of the East Highland Creek Forest. It should extend out to Markham Road.
9. **Previous Comments on 10-metre setback Policy 3.4.8** – in our previous comments, we recommended the addition of e), as bolded below:

Development will be set back from the following locations by at least 10 metres, or more if warranted by the severity of existing or potential natural hazards:

- a) the top-of-bank of valleys, ravines and bluffs;
- b) toe-of-slope of valleys, ravines and bluffs;
- c) other locations where slope instability, erosion, flooding, or other physical conditions present a significant risk to life or property; and
- d) other locations near the shoreline which may be hazardous if developed because of flooding, erosion or dynamic beach processes.
- e) limits of significant vegetation as determined through a Natural Heritage Impact Study**

In the LCP and as reflected in current practice, TRCA typically stakes the limit of vegetation contiguous to the top of bank as the limit from which a buffer should begin. The policy for 10-metre setbacks in 3.4.8 a) to d) does not recognize that the buffer should begin from the greater of the two constraints (hazard and vegetation). Could the City incorporate some policy wording that will recognize that the buffer should begin from the greatest landward extent of hazards and vegetation? In this regard, the statement in the Buffers sidebar, "Buffers may include lands required to set back development from natural hazards" could be revised to say "Buffers may be required in addition to development setbacks from natural hazards."

10. **Previous comments on exemptions from 10-metre setback Policy 3.4.8** - Further, our previous comments included the concern that ancillary structures and replacement structures are exempt for policy 3.4.8 for a 10-metre setback from the stable top of bank. Could the City incorporate some policy wording that would create the opportunity for replacement structures and ancillary structures to be pulled back from the stable top of bank to the extent possible?

We trust these comments are clear and are of assistance. Should you have any questions or wish to discuss any of the above, please feel free to contact me or Mary-Ann Burns at extension 5763.

Yours truly,


for: Steven Heuchert, MCIP, RPP, MRTPI

Senior Manager, Development Planning and Regulation
Planning and Development
Extension 5311

cc: By email

Jane Welsh, City of Toronto
Jane Weninger, City of Toronto
Norman DeFraeye, City of Toronto
Carolyn Woodland, TRCA
Dena Lewis, TRCA
Renee-Afoom Boateng, TRCA

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Excerpt:

To be consistent with the 2014 PPS, MMAH recommends that Section 3.4, Natural Environment, Policy 14 to be further revised as follows (note the **bold text** indicates requested additions/changes and the strikethrough indicates requested deletions):

- “14. Provincially significant natural heritage features will be protected by:
- a) prohibiting development or site alteration in provincially significant wetlands, ~~significant portions of the habitat of threatened or endangered species;~~
 - b) prohibiting development or site alteration in significant portions of the habitat of threatened or endangered species and fish habitat, except in accordance with provincial and federal requirements;**
 - c) only permitting development or site alteration in the following locations if it has been demonstrated, through a study, that there will be no negative impacts on the natural features or the ecological functions for which the area is identified:
 - i) ~~lands adjacent to provincially significant wetlands or significant portions of the habitat of threatened or endangered species;~~
 - ii) ~~in or on~~ lands adjacent to fish habitat; and
 - iii) in or on lands adjacent to provincially significant areas of natural and scientific interest, woodlands, valleylands and wildlife habitat; and
 - d) avoiding new or expanding infrastructure unless there is no reasonable alternative, negative impacts are minimized and natural features and ecological functions are restored or enhanced where feasible.

~~Most~~ Provincially significant wetlands and areas of natural and scientific interest that have been identified by the Province are shown on Map 12B. Where development is proposed adjacent to these areas, their boundaries will be more

precisely determined. The Province may identify additional areas to which these policies apply."

As noted above, we also recommend deleting the word, "Most" at the beginning of the final paragraph given that the policy is now specific to just the provincially significant wetlands and areas of natural and scientific interest, to clarify that Map 12B does represent these features that have been identified by the Province to date. We recommend that the associated sidebar "The Natural Heritage System and Inventory" on page 3-27 be revised accordingly as well.

We look forward to continuing to work with City staff in proceeding with the proposed Official Plan amendment for the updated environmental policies.

Should you have any further questions, please contact Louis Bitonti, Senior Planner at 416-585-6563 or the undersigned at 416-585-6053.

Yours truly,



Sybelle von Kursell, MCIP, RPP
Acting Manager, Community Planning and Development
Municipal Services Office- Central

cc. Jane Welsh, (Acting) Project Manager, Strategic Initiatives, Policy & Analysis, City of Toronto
Paul Bain, Project Manager, Strategic Initiatives, Policy & Analysis, City of Toronto
Jackie Burkart, Ministry of Natural Resources and Forestry
Chunmei Liu, Ministry of the Environment and Climate Change, MOECC