

## Proposed Development at Alvin and St. Clair

---

Report to the Neighbourhood Residents, prepared by:

Ted Mercer and John Shepherd, Heath Street East  
Brian Toews, Alvin Avenue North

It has been endorsed by:

John Legge, Ferndale Ave  
Heather Barham, Glen Elm Ave.

### Summary

*The Applicant's latest proposal consists of two three-story buildings on Alvin, immediately behind which would be two high-rise condominium towers. The taller south tower would have 39 floors and would be 49% higher than the existing Weston tower. The north tower would be reduced in height from 32 floors to 16, and would be stepped down toward Heath Street, where it would become a three-story structure. A third 14-story condominium tower would be built on Yonge. The Wally Crouter walkway, west off Yonge, would become a 40 foot-wide public green space. There would be an underground parking garage beneath the site for public, as well as for residents' use. See Drawings at the end of the Report.*

*The original proposal, in December, called for 530 residential units. This latest proposal results in a 10% reduction in site density from what was originally presented. The proposed density is now 6.6 times the lot area.*

*Our position is that the south tower building is still much too high, and the overall site density still excessive. We are prepared to support a south condominium tower that is about 26 floors in height, about the height of the Weston tower, and a site density at a maximum of 5.5 times the lot area.*

*The City Planner will be now seeking clarification from the Applicant of details of the proposal that remain uncertain. The Applicant will then submit documents to the City that will be reviewed for by-law and policy conformance. After this, the Planner will prepare his report to Community Council containing recommendations. The Planning Report will be presented at a final Working Group meeting in early 2008. Soon after, Councillor Walker will host a public meeting to discuss the project, following which the Planning Report will be presented to Community Council. Residents and the Applicant will be able to make brief presentations to Community Council.*

*Refer to Page 10 to see how you might wish to respond to the development.*

## **Neighbourhood Working Group**

You may be aware that a very large development is planned for the area between Yonge Street and Alvin Avenue north of St. Clair Avenue. City Councillor, Michael Walker, asked the City Planning Staff in consultation with the Deer Park Residents Group, to establish a Working Group of residents from the Neighbourhood to facilitate community input on the proposal. The Working Group met six times with the City Planner and the Developer, officially known as the Applicant.

The residents who have prepared this report were all members or alternates of the Working Group.

We believe that it is now time to report to the Neighbourhood. The views expressed are those of the people named above and may not always represent those of all members of the Working Group. Other members' views may be influenced by the remoteness of their residences from the site or by the fact that only their businesses are located in the neighbourhood and not their residences.

We have not attempted to address concerns that are known to fall specifically under the requirements of by-laws with which the Applicant must conform.

In our view, the Applicant's proposal as it was last presented to us and if approved by City Council, will require changes to the Official Plan for the area and to the Zoning Regulations that will be detrimental to the Neighbourhood.

Our Terms of Reference were provided to us by the City Planner assigned to the project. The role of the Planner is to report to Community Council on the merits and demerits of the application and on what changes to existing regulations would be required in order to grant approval. Six meetings were called, chaired by the Planner. Our role was to listen to the Applicant's proposals and to provide feedback and recommendations to the Planner. The Planner and the Applicant are not obliged to act on our recommendations. There were no formal minutes, only brief notes prepared by the Planner. Since these did not always reflect the views of the Working Group, after consulting the Neighbourhood representatives, we prepared and distributed supplementary notes that reflected the majority consensus of the Working Group members. We have the assurance of the Planner that the notes will form part of the project file and will be considered by him as he prepares his report to City Council.

There will be one last Working Group meeting at which the contents of the Planning Report will be presented to the Group. This meeting is not likely to occur before the first quarter of 2008 but it will be before the public meeting mentioned below.

Over the next few weeks, the Planner will review documentation from the Working Group Meetings, consult with various City resources and seek clarification from the Applicant on any details of the project that remain uncertain. The Applicant will then submit final project documents for review by the City for by-law and policy conformance. After this, the Planner will prepare his report to the Toronto and East York Community Council with recommendations. The Community Council is a committee of the City Council. After Community Council has considered the report, it will go to the full Council.

Councillor Walker will host a public meeting early in 2008 to present the Report, before it goes to Community Council for approval. Residents and representatives of the Applicant will be able to make brief presentations to Community Council.

One of the things that became most apparent at the outset was that the Applicant had the services of paid professional staff and consultants that had worked together on the project for a long time. On the other hand, many of the Working Group had not met before the first meeting and most of us had no experience with the process. We did however recognize quickly that the scale of proposed development was much too large for the site. In our view, the proposed density and building heights were and remain excessive.

We have told the City Planner that members of the Working Group wish to be present at meetings when construction issues that affect the Neighbourhood are discussed.

## **Applicant**

The Owner/Applicant, 2019916 ONTARIO LIMITED, is understood to be a subsidiary of Wittington Properties Limited. Wittington is a part of the Weston organization which also includes Loblaws.

Officially the application is to amend the former City of Toronto Official Plan and the Zoning By-law (By-law 438-86) which will be necessary if the project is to proceed.

If approvals are obtained, the Applicant could sell the project to another firm that will actually carry out the construction but we have had no indication from the Applicant that this might happen.

## **Governing Regulations, Density Coverage and Building Heights**

### **Density Coverage and Building Heights are the key issues.**

We believe that both a major reduction in the density coverage and in the heights of the high-rise towers are imperative to preserve the quality of life, and indeed the viability of the Neighbourhood. At present we do not know what the City Planner is going to propose to Council. Councillor Walker's has expressed views that are generally similar to ours.

Unless there have been revisions to the proposal of which we have not been advised, here are the issues.

#### **Density:**

It is the policy of the City to encourage densification at subway stops, including Yonge and St. Clair. We support that policy but densification must be reasonable. The policy also states that the scale of the projects that are built must enhance and protect the Neighbourhood. The proposal, in general, appears suitable for the site but we cannot agree with the great increase in density or with the building heights that are being proposed. It is indeed unfortunate that while the City encourages densification, it has neglected to define what levels are acceptable, leaving it to the Applicant to propose a definition.

The City plan for this area, (Yonge-St. Clair Secondary Plan Section (5.1 ( c )) ), specifically requires that development be well integrated with the adjacent neighbourhoods by ensuring appropriate transitions in building height and separation distances. We originally asked that the heights of two high-rise towers, which are located on Alvin Avenue, be stepped down from the height of the Weston Tower. The Applicant is proposing a 49% step up from the Weston tower on St. Clair with the south condominium and then down towards the residential buildings on Heath and Alvin.

The Planner has stated that the proposed development would exceed the permitted blended Density of approximately 2.4x the lot area. The Applicant initially asked for blended Density coverage of 7.34X, or 3.06 times the permitted 2.4X. After our strenuous objections, this was reduced by 10% to 6.6X which is still 2.75 times the permitted.

The newer proposed Yonge-St. Clair Part II Plan for the area, which has not yet come into effect, will allow for a blended Density of 3.1 times the lot area. The latest requested density of 6.6 is therefore 2.13 times that of the value the City is setting in a Plan that is not yet even in force but which we must assume signifies the City's future intentions for general the area.

We asked for, but never received, a logical explanation of how the Applicant arrived at the proposed density coverage. We therefore conclude that it is based solely on the profit motive, and without consideration for the residential nature of the surrounding Neighbourhood.

**Our position is that a Density of not greater than 5.5X is sufficient “densification”.** This is 2.3 times the By-law value of 2.4X. A study of the 15 tallest existing buildings within 400 m. of the centre of the site, including commercial buildings and residential condominiums, showed that their median site density is 4.7X. For this project, we will support an increase of 17% to that value.

#### Building Heights:

The City plan for this area, (Yonge-St. Clair Secondary Plan Section (5.1 ( c )) ), specifically requires that development be well integrated with the adjacent neighbourhoods by ensuring appropriate transitions in building height and separation distances.

The Applicant’s initial proposal was for a 14-storey condominium on Yonge Street, a 39-storey condominium at the south end of the parking lot, a 32-storey condominium at its north end, 15 individual three storey townhouses along Alvin and four along Heath above the entrance to the underground parking garage. There was an initial total of 530 dwelling units. The Alvin townhouses each had a separate main entrance onto Alvin.

The 39 storey building would be 126.8 metres high compared to 85 metres for the Weston Building at St. Clair and Alvin. **It would be 49% taller than the office tower. It would also be approximately 22% taller than the two tallest built condominiums within the 400m radius of the site on Pleasant Blvd.** The latter were built in recent times and the heights approved would have been in consideration of densification because of their proximity to the subway. Their floor plates are small and there are no houses in the area. Their Density is only 3.1X.

**For the South condominium, we are prepared to support a tower that is about 26 floors in height, the same height as the Weston tower.**

The Applicant’s latest proposal is for a 14 storey condominium on Yonge Street (no change), a 39 storey condominium at the south end of the parking lot (no change), a 16 storey condominium at its north end (reduced from 32) with enlarged lower floors that step down to a 3-storey structure towards Heath Street. Along Alvin the individual townhouses are replaced by two 3-storey condominium structures. The four Heath Street townhouses would be incorporated into the extended north building. The Density would be 6.6X.

## Other Issues

Other issues were raised during the Working Group Meetings. A few attendees believed that some of these issues would have been better left for discussion later in the design process. We do not agree because, from this point on, we will not be able to contribute our views on the evolving design. The only opportunity the residents have to make an impact is now, before the

density and height issues are settled. Afterwards, the Applicant will have no incentive to consider the residents' wishes.

#### Landscaping:

The Planner directed us to two completed projects by this Applicant and his design team: Radio City between Jarvis and Mutual Streets and 18 Yorkville Avenue. We do not like the hard, paved-over landscaping approach used at these sites. We want to see a landscape that is much greener and softer, with trees, shrubs and soft low lighting, more compatible with a residential area. Consideration should be given to the use of coniferous type trees to reduce wind and to provide some green in winter

#### Building Setbacks on Alvin:

We continue to be concerned about the limited setback that will be provided for the low rise buildings on Alvin. It appears to be the same as that of the building at the south west corner of Heath and Alvin. This will be insufficient for landscaping and mature trees. The setbacks on the east sided of Alvin are typically more than twice this.

#### Green Area and Condominium Driveway:

We refer to the 40 ft strip of land immediately south of the Shoppers Drug Mart and the Wally Crouter laneway that is now a driveway to a parking lot. The Applicant originally proposed to build yet another retail coffee shop here. We objected. He has since agreed that it will be green area/public park space. It will include a walkway extending from Yonge into the driveway, off Alvin, that will serve the condominiums. The driveway will be landscaped to complement the park space. The larger green area is an improvement that we appreciate. The Crouter laneway is to be integrated with the park as much as possible but others have rights to its use. The coffee shop is set back into the site south of the green area.

#### Shadow Effects:

The Applicant has prepared studies of shadow on the Neighbourhood at various times of the year. Alvin and Ferndale Avenues are mainly affected. In theory the small floor areas of the towers should reduce the duration of the shadow, but with the buildings so close together, they tend to produce a continuous wall-like effect in some cases. There is little to be done other than to continue to fight for lower density and height.

#### Toronto Parking Authority:

The Authority sold the existing surface parking lot to the Applicant with an agreement to repurchase from the Applicant an underground parking garage that will hold 209 cars, about the same as the present surface lot. We were not pleased to discover that the terms of the sale required the Applicant to pay the Parking Authority additional money if the Applicant were successful in obtaining a greater Density coverage than was initially applied for. This is clearly a case of a Board of the City making a deal with a developer that works against the interests of the residents. The City should forbid this practice.

**Underground Parking:**

Both public and condominium underground parking will have access from Alvin and Heath Streets. There will be approximately 400 spaces of condominium parking and 209 spaces of public parking, the same number as exists on the surface lot. Traffic exiting onto Heath Street needs to be controlled by a traffic light coordinated with the traffic lights at Heath and Yonge.

**Condominium Parking:**

Condominium parking will occupy three levels of the 5 level underground garage which will have entrances from both Alvin and Heath. Initially there was to be no free visitor parking, visitors being expected to pay for parking in the public parking lot. We objected because this would lead to visitors attempting to park on the nearby residential streets and often illegally blocking driveways, a problem some of us are already experiencing. The Applicant has agreed to provide 18 spaces for visitors to park without charge in the public parking lot during evenings and weekends.

**Parking on Alvin:**

Immediately adjacent to the Weston tower, Alvin will be widened by a metre to accommodate 5 short term drop-off, parking spots, including one for the disabled and Wheel-Trans. This should improve traffic flow somewhat. Since the project will include an off-street loading area to service the commercial buildings in the St. Clair Complex, truck parking on Alvin will be reduced.

**Traffic:**

Traffic is a major concern. There is gridlock on Alvin and Heath every working day that will be further exacerbated by this development. The position of the Applicant's traffic consultants appears to be that the present situation is already bad and the new project does not make it much worse. We are counting on the City's traffic experts to study the issue.

Two short term courier parking spaces will be provided within the expanded Weston tower access ramp. This should help to ease traffic blockages on Alvin.

It was confirmed that condo traffic would increase westbound traffic on Heath, into the Yonge-Heath intersection, during the 7:30 to 8:30 AM rush-hour period, by 69%. The Applicant will work with the City to determine whether Heath can be widened at this intersection, perhaps with the addition of a three-way traffic light and a left turn lane from Heath onto Yonge.

We have asked for a larger radius of turn for traffic turning off Heath onto Alvin south.

**Garbage Collection and Moving Vans:**

Condominium garbage and moving vans were originally planned to use the driveway that will serve the condominium entrances. We objected. The Applicant has revised the plan. Garbage trucks and moving vans will now use the extended off-street loading docks immediately north of the existing Weston office building. Internal distribution from there to the condominiums will be underground.

#### Communications:

We are concerned that the large mass and heights of the proposed buildings might disrupt cellular phone, FM radio and satellite signals that are now received satisfactorily by residents. We believe that if this were to happen, the financial responsibility for restoring the signals, or providing alternatives, must rest fully and officially with the Applicant and/or his successors. Cellular phone and FM signals could probably be helped by the introduction of secondary relay equipment. Satellite signals whose line of sight to a broadcasting satellite is interrupted will be lost and a replacement system such as cable will be needed. The Applicant does not believe that any of this would be his responsibility.

#### Temporary Public Parking:

The present surface parking garage will be closed when construction starts increasing the pressure for street parking in the Neighbourhood. At present street parking spots are always taken. We suggested two options for consideration: Parking at the TTC Davisville site with shuttle bus service from the east side of the Kay Gardiner Bridge and the underground parking garage belonging to the condominium at 80 St. Clair Ave, East which we understand may have surplus space.

#### Problems Arising during Construction:

Construction activity will disrupt the Neighbourhood for about two and one-half years. We stated at the Working Group meetings that the issues listed below must be addressed, and asked that a meeting of the Working Group be called to discuss construction issues at the appropriate time.

- Temporary replacement public parking.
- Parking for contractors' vehicles must not occur on Glen Elm, Alvin, Heath or Ferndale.
- Dump and ready mix trucks must not be queued on Glen Elm, Alvin, Heath or Ferndale.
- Dump and ready-mix trucks must enter the site directly from Yonge.
- Mud must be removed from wheels of dump trucks. Any droppings on the streets must be cleaned up immediately.
- Standards must be set and applied for dust control and for street and sidewalk cleaning, sweeping and washing.
- Specific rules about hours of construction and noise control are required, if not already part of the By-laws..
- Arrange to place diesel generators as far away from the east side of the construction site as possible.
- Provide residents with a list of daytime and after-hours telephone numbers and email addresses for those persons responsible for noise, idling, right-of-way, safety and environmental issues.
- Inspect adjacent properties to establish their condition prior to construction. Provide owners with reports.
- City must undertake to tow away immediately all vehicles parked illegally on Glen Elm, on Heath east of Yonge, and on Alvin north of St. Clair, during the construction period. Parking officers should be appointed, with dedicated responsibility.
- City must undertake to enforce the 3 minute idling bylaw.
- Assist the Montessori School to locate alternative drop-off parking.

## **Section 37**

Pursuant to Section 37 of the Planning Act, the Planner has stated that the Official Plan contains policies for new developments, pertaining to the exchange of public benefits for increased height and density in excess of the by-law. The Applicant has been made aware that the City intends to apply the Section 37 policies to this proposal. Details of a Section 37 agreement between the applicant and the City will be worked out if the project is to be recommended for approval. We have not seen the agreement but have asked to do so.

We have stated that we will not accept artwork in exchange for increased Density coverage.

For an explanation of Section 37, see "What is Section 37?" on Councillor Walker's website, <http://www.michaelwalker.ca/>

## **Ontario Municipal Board**

If the Applicant does not receive City Council permission to build what he wishes, he will likely appeal the decision to the Ontario Municipal Board. The City could decide to fight the case or it could decline to do so. Neighbourhood Residents could seek permission at the OMB to present their views. It will be important that we convince the City to appear before the OMB if the Applicant appeals Council's decision on the application.

The cost to residents for representation at the OMB would be considerable. It is estimated that residents have an estimated 80 per cent failure rate at the OMB. We understand that the OMB expects residents to be represented by witnesses, who are qualified in their fields, to refute the evidence of the paid professionals working for the Applicant. It is obvious that the Residents will not have the financial resources to match the developer, especially in this case.

The process is patently unfair to neighbourhood residents, caught up in a fight with developers, not of their making. That is the reality. It is a matter that requires action by the Province to restore some equality between the parties. It should be an election time issue.

## **Future Public Meetings**

We expect Councillor Walker to convene a public meeting sometime during the first quarter of 2008 at which the final version of the Applicant's proposal and the Planner's Report thereon will be explained to the Neighbourhood.

## How to Help

- Attend Councillor Walker's public meeting and ask questions
- Contact Councillor Walker to express your views. He may be reached at 416-392-7906 or [councillor\\_walker@toronto.ca](mailto:councillor_walker@toronto.ca).
- Write to Gary Wright, Director, Community Planning, Toronto and East York District, City Planning Division, 100 Queen Street West, Floor 18 E, Toronto, Ontario, M5H 2N2.
- Send a copy of your letter to Gary Walker to Tim Burkholder, Senior City Planner for the project. He may be reached at [TBurk@toronto.ca](mailto:TBurk@toronto.ca).
- Advise your neighbours of the issues. Please feel free to circulate this document.

## Drawings

The drawings below were submitted to the City Planner by the Applicant to illustrate his latest proposal



PLAN VIEW



PERSPECTIVE LOOKING WEST