
HEMSON Toronto Land Use Report

Proceedings of the Toronto Land Use Committee

SEPT 19, 1994

DEPUTATIONS

1-3 AND 5 McALPINE ST/30-38 McMURRICH ST. HOUSING PROPOSAL FINAL REPORT. At the request of Ward Councillor John Adams, Councillor Steve Ellis moved for adoption of Planning Advisory Committee (PAC) recommendations [Item D(5)] suggesting deferral pending the submission of reports from Planning, Public Works, and the Parking Authority of Toronto. Applicant solicitor Michael Gee confirmed that his client was agreeable to the PAC recommendations. The OPA/ZBA application by McAlpine Street Investments Ltd. (designer Kirshenblatt Korman Associates, Architects & Planners) is for a 147-unit townhouse and apartment development rising to 32 metres at 3.5 times density. The final Planning report recommended no specific height limit (18 metres currently permitted) 3.0 times maximum density (2.0 times currently permitted), Site Design, Built-form and Massing Objectives as the basis for redesign, as well as modified OPA/ZBA texts as the basis for the City Solicitor to draft the amending by-laws. Local resident Reginald Holloway questioned the 3.0 density and alleged 30-metre maximum height recommendation in view of Council's objectives for the area at the north end of Bay Street, citing his concerns about urban design and traffic. Janet Minor echoed the density, traffic, and parking concerns on behalf of the ABC Residents' Association. Chair Councillor Barbara Hall assured solicitor Robert Rotherman that his height and outlook concerns [Item D(7)] would be given consideration. [ITEM D]

SUBJECT: McALPINE STREET/
McMURRICH
STREET HOUSING
PROPOSAL

ACTION: REFERRED TO
PAC

REPEAL OF RESTAURANT PROHIBITION ON BLOOR STREET WEST BETWEEN ST. HELEN'S AVENUE AND DUFFERIN STREET POSTPONED. A Committee discussion about the best way to send the message that the City wants to do something about the illegal drug and prostitution activity on Bloor Street West followed deputations by Dale Ritch ("a lot of anger because the situation has not improved...band aids are no longer going to work") and an unnamed woman area resident ("we have to live with this mess") argued against a Planning recommendation to repeal a by-law aimed at discouraging the proliferation of restaurant, donut shop, and licensed establishments as bases of operation for illegal activities. Reverend Art Da Silva asked for a deferral until the January 1995 Land Use Committee meeting so that planners could meet with the Bloor-Lansdowne residents. The president of the Bloordale BIA said her organization was prepared to do whatever the community wanted and supported deferral. Consultant Jassie Khurana, who had raised the matter with Councillor Tony O'Donohue in the first place, also supported deferral. Nobody questioned the Planning report's conclusion that the solution to the social problems lay outside land use regulation and that the current prohibition is largely symbolic. Councillor Maxwell maintained that his motion to receive rather than defer the Planning report would send the appropriate message to the community (though there is no practical distinction) despite repeated probing by Chair Councillor Barbara Hall and Planning Commissioner Bob Millward's statement that referral and a directive that staff meet with the community and report would be more appropriate. [ITEM C]

SUBJECT: BLOOR STREET
WEST
RESTAURANT
PROHIBITION

ACTION: DEFERRED

EAST SIDE OF BATHURST STREET ZONING PERMISSIONS BROADENED BETWEEN EGLINTON

SUBJECT:	BATHURST STREET ZONING
ACTION:	ADOPTED

AVENUE WEST AND BURTON ROAD. After repeated appearances of the ZBA on Committee agendas this year, Ward Councillor Howard Levine was happily (and thankfully) able to move adoption of amendments adding a new "apartment building" classification for existing buildings not originally built as apartment buildings. Additional amendments included adding a 35% minimum landscaped open space requirement exclusive of hard surfaces, minimum 18-metre lot frontage, minimum 1.8-metre rear lot line landscaped strip, and minimum 65 m² d.u. floor area while reducing maximum height from 11 to 10 metres on the R1S Z1.0 zoning.

The general Zoning By-law of 1.25 parking spaces per unit standard will continue to apply. The intensification amendments are a legacy of a Village of Forest Hill Zoning By-law intended to create a transition between the City of York residences on the west side of Bathurst Street and a low density residential area to the east. Deputant Fred Campbell supported the amendments, while deputant Jack Spence and consultant Jassie Khurana asked that the 65 m² unit size requirement be a minimum rather than an average requirement for the sake of flexibility and building floor plate limitations. Councillor Levine incorporated the change in his motion after Planning staff said the original recommendation had been for "minimum" 65 m² d.u. floor area. [ITEM E]

24 NOBLE STREET INDUSTRIAL CONDO TO LIVE-WORK CONVERSION.

USE:	LIVE/WORK
TYPE:	OPA/ZBA
ACTION:	ADOPTED

By-laws for an OPA/ZBA to convert a five-storey 79-unit industrial condo building approved by Council in 1989 to artist live-work accommodation was approved on motion of Councillor Bill Boytchuk. Several condo owners (and sometimes illegal residents) including commercial artists and photographers Rick Daniel, Mike Evans, and Deborah Shulman told the Committee that the building was a more than suitable alternative to social housing live-work space. Sandra Ferguson of Toronto Artscape claimed that Cityplan policies limited live-work space to non-profit tenure for fine artists only and that the proposal would reduce affordable space for artists through gentrification of industrial space.

Applicant solicitor Michael Gee professed surprise at Toronto Artscape's late stage objections, noting that the local community reaction had been "the closest to a love-in I've experienced at a public meeting". Ward Councillor Chris Korwin-Kuczynski corroborated solicitor Gee's recollection while emphasizing the importance of legalizing live-work space for public safety reasons. Manager Michael Ufford confirmed that the City has expanded its policies "quite a bit" beyond the focus on artists only, though artists continue to have preference through as-of-right live-work policies. Applicant Shiplake Management Company representative Leo Fortney told Councillor Steve Ellis that his firm would be happy to look at similar industrial conversion projects in Toronto's East End. Councillor Ellis expressed his satisfaction at a form of tenure that would keep artists from being forced out of buildings as neighbourhoods improved and rents increased. The 1,878.4 m² site just north of Queen Street West abuts a rail corridor used mainly by rush hour GO trains, [ITEM A]

COMMUNICATIONS**SITE PLAN APPLICATIONS****EXHIBITION PLACE/GORE PARK ALTERNATIVE SITE PLAN APPLICATION PROCESS EXTENDED.**

SUBJECT:	GORE PARK/ EXHIBITION PLACE
ACTION:	FORWARDED TO COUNCIL WITHOUT RECOMMENDATION

A brief Planning report recommends a one-year extension of the trial alternative site plan review process for Exhibition Place and Gore Park. The alternative process involving a City/Metro Steering Committee and Planning and Urban Design Guidelines received Council approval for a trial period in November 1993. Councillor Rob Maxwell unsuccessfully moved receipt (and no action) on the Planning report in order to send a message to Metro Toronto regarding Metro's lack of response to alternative community use of Metro-owned Gore Park in the Bathurst-Strachan Part II planning area.

Planning Commissioner Bob Millward eventually confirmed that no proposals had come forward during the initial one-year trial period, and that Metro is not legally bound to submit the forthcoming International Trade Centre to the City, though a building permit will be sought from the City. Planning Commissioner Millward confirmed to Councillor Maxwell that with no site plan control over Exhibition Place a receipt motion would not impede Metro's action on the International Trade Centre. Councillor Howard Levine supported Councillor Maxwell, suggesting that handing over Exhibition Place to Metro was the second worst decision (after the Toronto Islands hand-over) that City Council had ever made. The matter was forwarded to Council without recommendation. [ITEM 1]

PRELIMINARY REPORTS

14 MAYNARD AVENUE ROOMING HOUSE. Further processing has been recommended for a ZBA application by Angela Hanson to add eight rooms and a dwelling unit to an existing converted dwelling (three rooms, three dwelling units). The matter would have been processed as a Committee of Adjustment variance application except that the increased number of rooms represents a change of use. The OMB was unable to hear an appeal against a previous variance application for 12 dwelling rooms and units as no prerequisite variance application to permit a rooming house had been made to the Committee of Adjustment. A local public meeting will be held shortly. [ITEM 4]

USE:	RESIDENTIAL
TYPE:	REZONING
ACTION:	ADOPTED

OTHER REPORTS

DELEGATION OF AUTHORITY TO RECONFIRM PREVIOUSLY APPROVED SOCIAL HOUSING PROGRAMS. A Planning report recommends that the Commissioner of Planning and Development receive delegated authority "to determine that a social housing proposal continues to constitute a Social Housing Program...notwithstanding a change in social housing provider and to authorize preparation of a Social Housing Agreement". At the moment a change in social housing provider "requires an amendment to Council's previous resolution and authority" to the original social housing provider. Councillor Howard Levine vigorously opposed delegation of authority, referring to deputants' concerns about social housing ownership voiced at the Planning Advisory Committee meeting on the 100 Merton St. proposal (see Item 12 below) before unsuccessfully moving to receive the report.

SUBJECT:	SOCIAL HOUSING PROGRAM AUTHORITY DELEGATION
ACTION:	ADOPTED

After several tries Councillor Barbara Hall eventually persuaded Deputy City Solicitor John Paton to state that no senior official with delegated authority can make discretionary decisions and that any replacement social housing provider could probably have the social housing agreement with the City changed by a mandamus or similar legal procedure. Councillor Kyle Rae supported Councillor Rob Maxwell's position that Council had no jurisdiction over the alleged competence (or otherwise) of social housing providers. Councillor Kay Gardner supported Councillor Howard Levine's position that Council has an interest in which social housing organizations operate in the City. The delegation recommendations carried on Councillor Rob Maxwell's motion. [ITEM 11]

BRANKSOME HALL 2 ELM AVENUE RAVINE CONTROL BY-LAW CONSENT. A consent has been recommended for a proposed lay-by in the northeast quadrant of Rosedale Valley Road and Park Road located partly on the 2 Elm Ave. site and partly in the road allowance located in the Rosedale Valley Ravine. Applicant is Pal W. Shepherd Architect Inc. on behalf of Branksome Hall. The planting plan was prepared by PMA Landscape Architects. Councillor Howard Levine successfully, though reluctantly, moved adoption notwithstanding a letter from solicitor Michael Vaughan requesting deferral on behalf of an abutter.

SUBJECT:	BRANKSOME HALL RAVINE CONTROL BY-LAW
ACTION:	ADOPTED

Councillor Levine also moved that Public Works monitor the layby and report on the traffic situation. Ward Councillor John Adams' approval request to resolve a traffic problem prompted Councillor Howard Levine to note that the issue of driving children to school is an international problem, the underlying issue apparently being parents' perception that transit is too dangerous for their children to use. [ITEM 2]

SIGN BY-LAW VARIANCE APPLICATIONS

THE FOLLOWING APPLICATIONS FOR VARIANCES FROM THE SIGN BY-LAW HAVE BEEN

SUBJECT: SIGN BY-LAW
VARIANCE
APPLICATIONS

RECOMMENDED FOR APPROVAL: 194 Bloor St. West — Sports Page Bar & grill fascia sign [ITEM 6]; 28 Rees St. — illuminated replacement ground sign for SkyDome underground parking [ITEM 7]; 341 Yonge St. — three Sam the Record Man fascia signs shaped as vinyl records [ITEM 8]; 1 Bloor St. West — illuminated fascia sign on Stollery's building [ITEM 9]; 21 Park Rd. — Metro Toronto Reference Library ground sign for Alpha Ontario Literacy and Language Training Resource Centre [ITEM 10]; 12 Queen St. East — illuminated parking lot ground sign [ITEM 13].

UNREPORTED ITEMS

SUBJECT: UNREPORTED
ITEMS

Roof Sign Study. [ITEM 19]

100 Merton Street Residential Building, Report On Development And Collateral Agreements. [ITEM 12]

59 Roxborough Drive Ravine Control By-Law Consent. [ITEM 3]

7 Langton Avenue: OMB appeal of Committee of Adjustment variance refusal, Commissioner of Planning and Development to provide evidence. [ITEM 5]

100 and 142 Rankin Crescent notice of OMB appeal. [ITEM 14]

Davenport Road from west side of Bracondale Hill Road and Lansdowne Avenue notice of OMB appeal. [ITEM 15]

116 Yorkville Avenue/10 Hazelton Avenue notice of OMB appeal. [ITEM 16]

128 Roxborough Street West OMB appeal of Committee of Adjustment decision. [ITEM 17]

53 Hampton Avenue: Letter from Ward Councillor Peter Tabuns requesting Council support for Committee of Adjustment variance refusal at OMB. [ITEM 18]

Letter from Metro Councillor Joan King to Mayor June Rowlands regarding Metro Toronto Council's role in municipal rezonings, including Metro's position on disposition of a portion of Fairbank Park, City of York. [ITEM 20]