

74 Willowbank Blvd
Toronto M5N 1G6
January 30, 2008

North York Community Council
By email

Re: Gymnastics at 1066 Avenue Road

Dear City Clerk and Councillors,

We ask you to vote against the application to amend the Official Plan for 1066 Avenue Road, our near neighbour. We have already discussed this matter with Councillor Stintz, before the gymnastics of the Planning Department were revealed.

We marvel at the gymnastics City staff have gone through to rationalize amendment of the OP for the sake of seniors and some idea of urban intensification. We support intensification - the City has a plan for such - elsewhere. The development of 5-7 townhouses or a 4 storey apartment would considerably intensify the property, and remain within the Plan. We see no reason to break the OP vision of stability and compatibility even with infill developments, or to set bad precedent for the neighbourhood – even though we may soon be candidates to live in the building.

First we address the Planning Department's gymnastics in rationalizing how this proposal complies with the OP, under its infill development policy 4.1.9. This policy's direction is for *compatibility* with neighbouring properties. Three major flaws show up in the Staff rationalizations:

- The proposed building has a height on Avenue Road on 20m. There are no eaves or peak, just flat roof. Avenue Road seems to be the reference road for evaluating the height of the building, and many other aspects of the project, so the building is 20m in height. At the West end it will be more like 22m due to the grade differences on Willowbank. Since the OP limits the area to 9m, clearly this application is not even close to the Plan.
- Staff calculate the height of the building as 14m by some rule relating to the height of the eaves and the peak. Such may be appropriate for houses with unused attics, eaves above the occupied space and real peaks in their rooves. But the proposed building is used right to the top of the peak, and has a predominantly flat roof. This 14m designation is a stretch of common logic. In fact it conflicts with staff's other definition of height, in the draft bylaw, wherein height is the distance between grade and the highest point on the roof. Clearly the 14m rationalization should be ignored.
- The proposed building is compared to the former Church as some sort of reference. That Church building, built before the neighbourhood, or the OP, seems to have little relevance now, except for staff to suggest the community was accustomed to a building of such size. The proposed building is considerably more massive and 4m higher. The Church came to a true peak, not a slope up to a flat roof. The Church's small flat roof portion was far below the peak, at the 3 storey height. Finally the proposed design has no playground space as the Church did. So the idea that we neighbours across the street are accustomed to the proposed size is a gross

misrepresentation. Without valid equal comparison to the pre-existing building, we should only compare this application to the rules prevailing now, not those of 1929.

Secondly, we address the Planning Department's lack of foresight. By seeking any possible way to rationalize this project as acceptable, it has foretold of what is the community's worst fear. The next developer who assembles a couple of large lots on Avenue Road (and the OMB will let them do it) will scream inequality, if not allowed to put up 7 storey residential. So we can expect the Planning Department to use its demonstrated gymnastic ability to rationalize such new proposal on the basis of 1066 Avenue Road precedent. Thus begins conversion of Avenue Road to a tunnel of 7 storey buildings, substantially changing the neighbourhood that the OP was designed to protect!

Development of seniors focussed accommodation in North Toronto is good. However allowing massive overbuilding relative to the OP is inappropriate and bad precedent. It IMPACTS the stability of our neighbourhood, a fundamental value reflected in the Plan which we don't think the seniors lever should trump.

We believe there are ways to serve seniors within the constraints of the Official Plan, though this developer may not be inclined to consider them. The developer's inclinations are not the City's concern. **So we ask you to reject the application** in order not to make a mockery of the Official Plan. You could:

- encourage the developer to find properties where the density he seeks is within the Official Plan, or
- encourage him to revise his plan for 1066 Avenue Road to accommodate maybe 30-40 seniors within the OP, and work with him to develop similar small scale seniors homes on surplus City property.

His interest in seniors is to be encouraged, but not at the expense of bad precedent.

We recognize that you cannot direct developers what to do with their money. But through your actions on this application, and possibly with surplus City property, you can put out the message to developers about your concern for seniors. If you don't figure out how to sell surplus property for seniors housing, your action to turn down this application will at least alert developers to the fact that the OP has meaning.

If you vote against our wishes and approve this application, we understand that you care more for extra tax revenue than neighbourhoods. Also we suggest you decide whether to:

- propose a raise for the Planners, as reward for their stunning gymnastics,
- or
- propose closing of the Planning Department, since clearly you don't care to have a Plan with any meaning, and are wasting taxpayer's funds in pretending that the Official Plan protects neighbourhoods, anywhere.

Sincerely,

John and Rosalie Cowan