

Committee of Adjustments

Regarding File Number: A0296/20TEY

Property Address: 908-916 St Clair Ave W and 166 Alberta Ave

To the committee,

My name is Adam Nayer and I own 11B Robina Avenue with my wife. The proposed development is directly to the rear of our property and we submit the following for consideration by the committee.

We are strongly in agreement with increasing density when it comes to new development or redevelopment, particularly along transit lines such as the St. Clair 512 streetcar. However, we have some concerns with the variances being requested by the developer of 908-916 St Clair Ave W and 166 Alberta Ave.

Additionally, several of our neighbours share our concerns and have chosen to add their voices to this submission. Please see details at the bottom of this letter.

1. #6 Chapter 40.10.50.10.(3), By-law 569-2013
#8 Section 9(A), Site Specific By-law 1103-2009
A 1.5m strip of land used only for soft landscaping must be provided along the part of the lot line abutting the lot in the Residential Zone.

The developer is requesting a variance such that only 0.5m of land be used. We disagree with this request.

Our concern is that the reduction in width will bring commercial and other activity possibly including vehicle traffic closes to the rear of our property. We request that the committee reject this request for a variance so as to preserve our ability to fully enjoy our property.

2. #7 Chapter 40.10.50.10.(2), By-law 569-2013
A fence must be installed along the portion of the lot which abuts a lot in the Residential Zone.

The developer is requesting a variance such that no fence is required. We disagree with this request.

Seeing as a building much taller than our property and house will be constructed we request that all by-laws which maintain privacy, to the degree reasonably possible, be maintained and enforced.

To this end, we request that the developer install an appropriate fence of the maximum height in applicable by-laws such that privacy is maintained. The fence must be maintained at all types by the condo corporation.

3. #1 Section 8(A)(ii), Site Specific By-law 1103-2009
#5 Section 5(A), Site Specific By-law 1103-2009

These sections require that a building be no less than 4.5m back from St. Clair Avenue West.

The developer is requesting a variance such that the building would only be 3.7m back from St. Clair Avenue West. We disagree with this request.

While we support increasing density in the city, we also strongly feel that infrastructure and public space must be able to support the increased density. This development will increase the number of individuals and families living in the area, and thereby increase foot traffic.

Therefore we strongly feel that the by-law specifying the distance back from the street be enforced to ensure that adequate space for increased pedestrian traffic is incorporated into the design. Once the development is built there will be no option to increase pedestrian space along St. Clair Avenue West.

4. #10 Section 10(A), Site Specific By-law 1103-2009

Only secondary windows shall be located on a sidewall of a building located less than 5.5m from a side lot line that does not abut a street.

The developer is requesting a variance such that windows (and possibly balconies) will be 2m from the lot line. We disagree with this request.

This is of significant concern for us, in particular since the depth of properties at 11A Robina, 11B Robina (where we live), and 13A Robina is significantly less than other properties on Robina. As such, the development and the proposed windows will be much closer to our house and reduce our enjoyment of our property.

We request strongly request that the committee deny this request and strictly enforce this section of the site specific by-law.

5. #11 Section 11, Site Specific By-law 1103-2009

A minimum of 99 resident parking spaces, excluding residential visitor spaces, are required to be provided.

The developer is requesting a variance such that only 58 parking spaces will be provided. We have significant concerns with this request.

For this concern we provide an example from the neighborhood. A few years ago, a development went up at 835 St Clair Avenue West. A friend of ours owns a condo in this building. They were not however able to secure a parking spot, as this building also has fewer spots than units. As such, our friend is required to and has obtained an on street parking permit.

My question for the committee is, has an assessment been done regarding the likely number of vehicles which will require parking, for which a space is not provided in the new development?

Additionally, if on street parking permits are to be issued, has an assessment

been done to determine if there is adequate space available on residential streets in the area?

Currently, between residents who require on street parking, visitors, and other workers and shoppers, it is generally extremely challenging to secure parking close by.

Additionally, on the lower portion of Robina Ave. there is no permitted parking due to TTC right of way.

As such, we request that the committee challenge this request for variance and ensure the developer includes adequate parking for all residents, visitors, and shoppers on site of the new development.

6. No information has been provided as to the impact the development will have on light / shading on my property. We assume there are by-laws which regulate and prevent negatively impacting properties in the area. As the new development is to my east we find it likely that there will be an impact to light available, and shade cast on our property.

As such, we request that the committee

- (a) Direct the developer to provide details as to the possible impact; and
- (b) Ensure all relevant by-laws are strictly enforced to minimize the impact

Thank you for reviewing our submission to the committee and taking our perspective into consideration.

Duly signed,

Adam Nayer & Stacey Greenberg
Owners 11B Robina Ave

Curt Harris & Susan Harris
Owners 11A Robina Ave

Deena Mandell
Owner 13A Robina Ave

Jason Tan Sy Luu & Trinh Quach-Luu
Owners 13B Robina Ave

Michael Naumann & Santina Ascenzi
Owners 15A Robina Ave

Igor Kuperman
Owner 15B Robina Ave

David and Ali Bierkek
Owners 17A Robina Ave

RECEIVED

By Committee of Adjustment at 3:43 pm, Nov 25, 2020

25th November 2020

Committee of Adjustment re: File Number: A0296/20TEY
Property Address: 908-916 ST CLAIR AVE W AND 166 ALBERTA AVE
Legal Description: YORK CON 3 FTB PT LOT 29 RP 66R26317 PART 1
Agent: BOUSFIELDS INC
Owner(s): 908 SCW PROPERTIES INC
Zoning: CR 2.0 (C2.; R2.0); LCR; MCR T6.0 C2.0 RS.O (Waiver)
Ward: Davenport (09)

To whom it may concern:

As homeowners living near the property, we are concerned with the number and size of the requested variances to the zoning bylaw that exceed/ fall short of permissions. Our concerns include a large deficit in the number of resident parking spaces and inadequate bicycle parking in the building, which will only exacerbate the car and bike parking problems in the area. As well as large reductions in the width of sidewalks and landscape corridors, which will detract from our neighbourhood making it less easily navigated, less walkable and less pleasant.

We note that the City spent considerable time and money 11 years ago on a planning study to establish appropriate heights and densities along St Clair in its "St Clair Avenue Study." We are asking the City to require that this building adhere to this plan.
<https://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/2009-06-04-pg26-item26.2.htm>

We list the variances and their size in the order in which they appear on the public hearing notice.

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|---|--------------------------------------|
| 1. Chapter 40.10.40.40.(1), By-law 569-2013 (1) | – exceeds by over 12% |
| 2. Chapter 40.10.40.40.(1), By-law 569-2013 (2) | – exceeds by over 12% |
| 5. Chapter 40.10.40.10.(5), By-law 569-2013 | – only 55% of min height |
| 6. Chapter 40.10.50.10.(3), By-law 569-2013 | – falls short by 66% |
| 7. Chapter 40.10.50.10.(2), By-law 569-2013 | – an absence of 100% |
| 1. Section 2(1), By-law 438-86 | – horizontal dim. falls short by 50% |
| AND occupant bicycle parking may not be in a secure room as required in the bylaw | |
| 2. Section 4(6), By-law 438-86 | – falls short by 50% |
| 3. Section 4(12), By-law 438-86 | – falls short by 71% |
| 4. Section 8(3) Part I (1), By-law 438-86 | – exceeds by 20% |
| 5. Section 8(3) Part I 3(A), By-law 438-86 | – exceeds by 35% |
| 1. Section 8(A)(ii), Site Specific By-law 1103-2009 | – falls short by 18% |
| 2. Section 4(A)(iii), Site Specific By-law 1103-2009 | – exceeds by 2% |
| 4. Section 4(E)(i), Site Specific By-law 1103-2009 | – exceeds by 50% |
| 5. Section 5(A), Site Specific By-law 1103-2009 | – exceeds by 18% |

- 8. Section 9(A), Site Specific By-law 1103-2009 – falls short by 67%
- 11. Section 11, Site Specific By-law 1103-2009 – falls short by 42%

These percentages indicate that the majority of these variances are not minor and will have a detrimental effect on the local neighbourhood, severely reducing sidewalk space, reducing public and green space, increasing the number of cars on neighbouring roads, while the building itself will provide inadequate outdoor green space and facilities for cyclists, be detrimental for local pedestrians, and will be based on inferior urban design.

We detail these points below.

Requests that expand the size of the building resulting in a reduction in public and green space

- 1. Chapter 40.10.40.40.(1), By-law 569-2013 (1) – exceeds floor space index by over 12%
- 2. Chapter 40.10.40.40.(1), By-law 569-2013 (2) - – exceeds residential floor space index by over 12%
- 4. Section 8(3) Part I (1), By-law 438-86 – gross floor area exceeds by 20%
- 5. Section 8(3) Part I 3(A), By-law 438-86 – residential gross floor area exceeds by 35%
- 2. Section 4(A)(iii), Site Specific By-law 1103-2009 - height of building exceeds by over 2%
- 4. Section 4(E)(i), Site Specific By-law 1103-2009 – the area of the rooftop mechanical room exceeds by 50%
- 5. Section 5(A), Site Specific By-law 1103-2009 – building closer to the curb line by 18%
- 6. Chapter 40.10.50.10.(3), By-law 569-2013 – strip of land for soft landscaping falls short by 66%
- 3. Section 4(12), By-law 438-86 – outdoor residential amenity space falls short by 71%

There are a total of six variances that aim to enlarge the size and area covered by the building and three, that reduce public and green space.

The developers are asking to increase the ground area covered by the building as well as the volume of the building in terms of height, depth and width by exceeding the floor space index, the residential floor space index, the gross floor area, the residential gross floor area, the height of the building, and the area of the rooftop mechanical room. As well as requesting to lower the height of the first floor by two meters.

The price to be paid is high, leading to a significant reduction of common areas and public land. For example, the outdoor residential amenity space for residents will fall short by 71%, the land for soft landscaping will be reduced by 66%, and the building would be closer to the curb line of the sidewalk by 18%. These are significant deviations from the planning guidelines. They are things that can't be changed once the plans have been drawn up and will detract from the environmental quality of the neighbourhood. There are, for example, significant causal connections between the amount of green outdoor space and residents' mental health.

Requests that detract from the transportation needs of residents and that will have a detrimental effect on local parking

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| 1. Section 2(1), By-law 438-86 | – horizontal dim. Of space for bicycles falls short by 50% AND may be in an insecure location |
| 3. Chapter 230.40.1.20.(2), By-law 569-2013 | – bike parking will not be near the pedestrian entrance as required in the bylaw, not even be on the same level! |
| 11. Section 11, Site Specific By-law 1103-2009 | – parking spaces fall short by 42% |

In the local neighbourhood there is probably no issue more contentious than parking. Given the number of new condos being built along a short stretch of St. Clair West between Christie and Oakwood the residents on a number of local streets have successfully fought back against those that have sought to provide fewer parking spaces than stated. Residents have moved to make it impossible for new condo members to acquire parking permits on the adjoining streets, where parking is already at a premium. They have also already moved to reduce the length of time cars can park on adjoining streets from all day or 3 hours to one hour. Moreover, the reduction in parking is severe with parking spaces falling short by 42%.

Environmental factors also play into the reduced space for individual bicycles in a neighbourhood that is known for its very high walkability scores and where efforts are ongoing to increase the opportunities for its residents to cycle (through the provision of Bike Share Toronto bicycles and as per TransformTO's plan to meet Toronto's GHG reduction goals). The environmental, local transportation, and health benefits of cycling are not respected in this design. The lack of secure space for bicycles to be stored is a further disincentive to cyclists.

Requests detracting in design features, safety, and the aesthetics of the neighbourhood

- | | |
|---|--|
| 2. Section 4(6), By-law 438-86 | – loading space falls short by 50% |
| 5. Chapter 40.10.40.10.(5), By-law 569-2013 | – height of the first storey falls short by 80% i.e., 2 metres |
| 7. Chapter 40.10.50.10.(2), By-law 569-2013 | – an absence of 100% (no fence) |

The reduction of the height of the first storey by 80% will negatively impact upon the appearance of the building and will not meet the standards of other new condos in the stretch from Christie to Oakwood.

The variance to reduce the loading spaces from two to one also affects urban design, but it also touches on safety with the loading space mixing retail and resident use, resulting in an increased potential for accidents and for potential lines of commercial vehicles waiting to use the loading space.

The decision not to build a fence to separate the building from the residential area it abuts appears to show a lack of appreciation of the residents on the other side who will presumably want a barrier between themselves and the condo as a necessary safety and design feature.

We write this letter as homeowners living near the property, who were shocked by the number and size of the requested variances to the zoning bylaws. We feel these variances will result in a new development that detracts from our neighbourhood. We are asking the City to uphold the bylaws and all the planning work and care that went into the "St Clair Avenue Study" which was approved by City Council in 2009 (<https://www.toronto.ca/legdocs/mmis/2009/pg/bgrd/2009-06-04-pg26-item26.2.htm>).

Sincerely,

Linda Peake, 220 Winona Drive
Lee Adamson, 218 Winona Drive
Jenny Rodopoulos, 215 Winona Drive
Danielle Fallone, 212 Winona Drive
Jay McCaslin & Shannon Boehlke, 214 Winona Drive

RECEIVED

By Committee of Adjustment at 4:07 pm, Nov 25, 2020

Committee of Adjustments

Regarding: A0296/20TEY

Property Address: 908-916 St. Clair Ave W and 166 Alberta Ave

To the Committee,

I am writing to you on behalf of the owners of semi-detached houses on Robina Avenue (11A-17B) regarding a new condo development on Alberta Ave. which will be facing my backyard as well as seven others and blocking sunlight from the east.

The reason for contacting you is that we strongly disagree with the decision of building a 6-floor condo on Alberta Ave. We are confident that besides the fact that privacy of all our houses will be violated (windows and balconies looking right at our backyards), the value of our houses will decrease substantially due to this new condo.

Our house owners are strongly against the decision of building a condo which was made without notifying us and our written consent (in addition to other letters from my neighbors you'll receive today). We believe that your actions violate City of Toronto policies.

Your attention to this matter will be much appreciated. I'd prefer to communicate via e-mail.

Sincerely,

Igor Kuperman
15-B Robina Ave.
ph. 416-652-6468