

For: Urbancorp – (150 Sudbury Street)

## **1. Qualifications**

I am a Planner with 4 years professional planning experience, currently employed as a Community Planner by the City of Toronto's City Planning Division.

My primary responsibilities are the review of planning applications and the development of comprehensive local area rezonings in Mixed Industrial-Residential Areas in an area just west of the Downtown.

In terms of application review, I am responsible for the majority of official plan amendments, zoning bylaw amendments and site plans in the Niagara Neighbourhood and in Ward 18, including all planning applications in the West Queen West Triangle Area.

In developing policies and making comprehensive area-wide amendments to the Zoning By-law, I have recently completed the Niagara Neighbourhood rezoning and have been working on and coordinating the West Queen West Triangle Area Official Plan and Zoning Review over the last 9 months.

I have been qualified as an expert witness before the OMB in land use planning matters relating to both straight-forward and complex cases.

My curriculum vitae is attached to this witness statement, demonstrating a wide range of planning experience and increasing levels of responsibility. From 2002 -2003, I reviewed site plan applications and land use amendments as a Planner for the City of Calgary and did research regarding development-related fees. In 2001-2002, I researched and developed the City of Guelph's affordable housing action plan and brownfield strategy under the direction of senior staff. In 2000, I researched energy efficiency in residential buildings. Prior to 1999, I worked as a junior hydrogeologist on brownfield remediation projects in Southern California and aquifer performance testing and water demand management for the City of Guelph.

I am a Provisional member of the Ontario Professional Planners Institute and the Canadian Institute of Planners.

## **2. Issues.**

It should be noted that, except if specifically contradicted by this witness statement, my opinions are also represented in the reports regarding this application, other applications

in the West Queen West Triangle and the development of the West Queen West Triangle Area in general as expressed in report from the City Planning Department as listed below.

My witness statement does not address any issues with respect to the appeal of the site plan application as it is my understanding that this appeal will be deferred until the OMB decision regarding the OPA and Rezoning has been dealt with.

1. Are the proposed amendments consistent with the purposes of the *Planning Act* as set forth in Section 1.1 of the Act?

Section 1.1 sets out the purpose of the Planning Act. At the time of writing of this witness statement, I am not satisfied that the proposed development is consistent with the purpose of the Planning Act.

2. Do the proposed amendments have appropriate regard to the matters of provincial interest set forth in Section 2 of the *Planning Act* and in particular, subsections (d), (f), (h), (i), (j), (k), (l), (m), (n), (o) and (p)?

Specifically Section 2 identifies matters of provincial interest that a municipality and the Ontario Municipal Board shall have regard to in carrying out their responsibilities under the Act, including in particular the subsections listed above. At the time of writing of this witness statement, I am not satisfied that the proposed development has appropriate regard to Section 2 of the Planning Act.

3. Do the proposed amendments have appropriate regard to matters of provincial interest set forth in the Provincial Policy Statement (PPS) (1997) and revised PPS (2005) pursuant to Section 3 of the *Planning Act*?

Issued under Section 3 of the *Planning Act*, the Provincial Policy Statement ("PPS") and revisions provide policy direction to a municipality and to the Ontario Municipal Board in carrying out their responsibilities. I am satisfied these policies are relevant to the proposal.

As at the date of this Witness Statement, I am not satisfied that the current proposal has adequate regard to the Provincial Policy Statement read as a whole.

4. Do the proposed amendments comply with or maintain the intent of the in-force Official Plan of the (former) Metropolitan Toronto (Metroplan)?

I will discuss the relevant provisions of the MetroPlan including the subsections of the MetroPlan listed at the end of this Witness Statement.

As at the date of this Witness Statement, I am not satisfied that the current proposal conforms to or adequately maintains the intent of the Metroplan policies.

5. Do the proposed amendments comply with or maintain the intent of the in-force policies of the Official Plan and the Garrison Common North Part II Plan of the (former) City of Toronto?

I will discuss the relevant provisions of this Official Plan including the subsections of the Official Plan listed at the end of this Witness Statement.

As at the date of this Witness Statement, I am not satisfied that the current proposal conforms to or adequately maintains the intent of the Official Plan policies.

6. Do the proposed amendments comply with or maintain the intent of the policies of the new City of Toronto Official Plan, the new Garrison Common North Secondary Plan and the Places to Grow Act?

I will discuss the Places to Grow Act (2006), the new City of Toronto Official Plan (2002) and the new Garrison Common North Secondary Plan (2002). These documents represent the most recent provincial and municipal planning policies to be considered as part of a thorough review of the proposed amendments.

The Places to Grow Act (2006) is implemented through the Planning Act (Section 10 regarding land use planning policies) and prevails over the Provincial Policy Statements where there is a conflict. It stipulates a target of 400 residents and jobs per hectare (emphasis added) for each of the urban growth centres in the City of Toronto. It considers retail use a non-employment use. It underlines the importance of developing complete communities, including community infrastructure such as affordable housing and protecting employment opportunities. It speaks to the Ontario economy as an economy in transition, with economic activity and wealth increasingly generated by service and knowledge industries. It also speaks to cultural amenities that offer the kinds of creative and recreational activities that can attract knowledge workers.

The sections of the new City of Toronto Official Plan (2002) and the new Garrison Common North Secondary Plan (2002) to which I will be referring are listed at the end of this report.

As of the date of this Witness Statement, I am not satisfied that the current proposal complies with or maintains the intent of the policies of these documents.

7. Do the proposed amendments represent good land use planning?

No. The proposed amendments do not represent good land use planning. Good land use planning is balanced, integrated with and consistent with comprehensive area-wide planning. Such development should support the provincial policy statements and legislation, as well as the implementing metropolitan and municipal official plans, including area-specific official plans.

Where there has been a 5-year review of the applicable official plans or where there have been significant changes to provincial policy and legislation and where major developments are being proposed which do not maintain the purpose and intent of the applicable provincial policy statements, legislation and implementing plans, the most recent provincial policy statements, legislation and implementing municipal official plan documents should be consulted.

Further planning policies, which were adopted by Council in 2002, 3 years prior to the application being submitted, but came into force and effect only this year, outline a vision for the area. The proposal is not consistent with the goals and objectives under this 2002 plan.

Also, the new Secondary Plan for this area, also adopted in 2002 but not in force until this year, required that additional planning policies be developed for this specific area, prior to significant redevelopment. The proposed development is, again, significantly at odds with many of the major goals and objectives of the policies that are already in place of the Secondary Plan. Efforts to complete the additional planning framework for the West Queen West Triangle Area are underway and nearly complete. The proposed development is not consistent with the additional planning framework under development, particularly in terms of height, mixture of uses, and ensuring the extension of the street network in conjunction with significant development west of Abell Street.

While there are several positive aspects to the proposed development, the proposed development should not proceed until, at a minimum, the proposal is revised to be consistent with the goals and objectives, expressed in a variety of plans for this area, requiring:

- A significant amount of non-residential uses in addition to the proposed residential uses;
- a significant reduction in height and massing;
- an increased setback from the rail corridor
- an appropriate contribution to community services and facilities in exchange for the increase in height and density;

and until a mechanism is in place which:

- secures the land and construction of the required road network; and
- secures the land for required parkland.

At the date of this Witness Statement, I am not satisfied that the proposed amendments represent good land use planning.

8. Are the proposed amendments in the public interest?

It is in the public interest to plan for significant growth in a comprehensive way, as set out in the provincial policy statements, provincial legislation and municipal official plans. The public interest is well-served when development proceeds in an organized and predictable manner, with appropriate and timely provision of necessary

infrastructure, including roads, piped infrastructure, parkland and other community services and facilities. The public interest is well-served when development results in complete communities which support economic, environmental and social well-being. In the case of reurbanization, the public interest is well-served when planned development is appropriate to the existing context and fits within a comprehensive structure and framework of redevelopment.

At the date of this Witness Statement, I am not satisfied that the proposed amendments are in the public interest.

9. Do the proposed amendments maintain the intent of the in-force Zoning By-Law?

The proposed amendments do not maintain the intent of the in-force Zoning By-law. The intent of the Zoning Bylaw is, among other things, to regulate the uses, heights and densities of buildings.

The proposed amendment results in 414 new units of residential development where none are currently permitted by the base zoning and where only 176 units are permitted by site specific zoning by-law 832-2000. It provides no industrial space at all where approximately 30,000 square metres of industrial space are permitted. It also results in an increase in height from 18 metres to 36 metres (plus 6 metre mechanical penthouse allowance) and a significant increase in the density for residential purposes (increase from approximately 1.7 times the area of the lot to approximately 3.0 times the area of the lot).

10. Are the proposed setbacks, height, density, access and servicing locations, massing, bulk, scale and building placement of the proposed development appropriate having regard to the site and to the character of the West Queen West Triangle and surrounding lands? In particular, is the proposed development appropriate with respect to the existing structures and character of Queen Street?

11. Is the proposed development appropriate from an urban design perspective?

12. Does the proposed development function appropriately and efficiently having regard to the site, the pedestrian realm, future or other proposed developments, the current character of the West Queen West Triangle and surrounding lands?

My colleague, M. Van Elsberg, and I considered the proposed setbacks, height, densities, access and servicing locations, massing, bulk, scale and building placement of the proposed development. In my opinion, they do not have appropriate regard to the site and character of the West Queen West Triangle or the existing structures and character of Queen Street West. I rely on and adopt M. Van Elsberg's opinion of the proposed development.

M. Van Elsberg addresses all of the above issues in his witness statement with the exception of density. The proposed residential density represents a significant increase above that outlined in the applicable planning policies of the Garrison Common North Part II Plan for this area. It is my opinion that, given the need for appropriate landscaped open space at grade and pedestrian connections through the site, the need to increase the proposed setback from the rail corridor and the results of the West Queen West Triangle Area Study, the density proposed by the applicant cannot be accommodated on this site in a manner which does not unreasonably affect the character of Queen Street or which presents an appropriate built form.

The increase in residential density being requested by this applicant and other landowners in the West Queen West Triangle Area will result in a significant increased demand for public services and facilities, including transit, parkland and other community services and facilities. The City has committed to addressing the increased demand for services such as public parkland and community meeting spaces based on the lower residential densities as set forth in the in-force Official Plan for the properties in the West Queen West Triangle Area. The City intends to achieve these goals both through private sector contributions under the Planning Act (S. 37 benefits and cash-in-lieu of parkland dedication) and public sector contributions (Parkland Acquisition Reserve Funds, Development Charge Credits etc.).

A smaller increase in density would be appropriate both in terms of how it translates into built form and in terms of the required private and public investments in local services and facilities.

I will address the mix of uses proposed later in this statement.

13. Does the proposed development provide the appropriate amount and configuration of landscaped open space?

The proposed development includes an adequately sized, publicly accessibly landscaped open space. The location, size and configuration of the landscaped open space is appropriate for this proposed development. The usability of the proposed landscaped space and the contribution it makes to the overall physical structure of the West Queen West Triangle will be increased provided that the proposed landscaped space proposed on the adjacent site, 48 Abell Street, is also built. Together, the two proposed spaces create a large central landscaped courtyard with adequate access to sunlight. The proposed open space design is acceptable. This application makes a good contribution to the City's proposals for the open space elements of the West Queen West Triangle Area Study, as adopted by Council in June 2006. Changes to the height and massing of the proposed buildings at 150 Sudbury, moving towards one of 2 massing models (lower based buildings and a taller element vs. mid-rise buildings) as requested by the City, will provide more appropriate access to sunlight, skyviews and massing and will better fit with the overall physical structure planned for the West Queen West Triangle Area.

M. Van Elsberg's witness statement speaks to the adequacy of the proposed landscaped open space in the shared courtyard in terms of servicing, hard surfaces and usability. I rely on and adopt the opinions expressed in his witness statement.

My witness statement does not address any issues with respect to the appeal of the site plan application as it is my understanding that this appeal will be deferred until the OMB decision regarding the OPA and Rezoning has been dealt with.

14. Does the proposed development have regard to applicable environmental planning policies?

The application does have regard to many of the general environmental planning policies. The proposal is for redevelopment of a brownfield site which will require remediation of soils on-site or removal of any contaminated soils. The location of the proposed development has regard to applicable environmental planning policies. The application is for high density development close to existing lower-order transit lines (streetcars) and within comfortable cycling distance of the Central Area.

A key component of the applicant's proposal is the registration of the proposal for Leadership in Energy and Environmental Design (LEED) certification. LEED certified buildings must achieve significant improvements in environmental design and energy efficiency. If constructed to these standards, the proposed development is more than likely to exceed the environmental standards outlined in the Part I Official Plan (Section 2.4 (c), (d), (e), (f) and (h),) and be consistent with policies 2.7, 2.12, 2.13 (c), 2.14, 2.15 (a), 2.16 (e), 2.22, 2.23, 2.27 (a) and referenced in the Garrison Common North Part II Plan. Drawings indicate that the east building will include a green roof over a small portion of the building.

15. Is it appropriate to maintain the West Queen West Triangle as a mixed use district? If so, what is the appropriate character and mix of uses within the West Queen West Triangle district? Does the proposed development provide for the appropriate mixture of uses on the site? Is the proposed mix of dwelling unit types appropriate for the proposed development?

17. Should non-residential uses be mandatory as part of the proposed development in keeping with the City of Toronto's direction of no-net-loss of non-residential uses in the West Queen West Triangle? If so, what should constitute non-residential use and what minimum non-residential gross floor area should be required? Does the proposed development provide sufficient non-residential uses?

18. Does the proposed development contribute appropriately to the mixture of uses outlined in the in-force Official Plan? If not, does the proposed development contribute to the mixture of uses as outlined in the new Official Plan (Regeneration Area)?

In my opinion it is appropriate to maintain the West Queen West Triangle as a mixed use district. The planning framework for the area, since at least 1994, has directed that the area would be one of both economic growth and residential growth. In 1994, the in-force Official Plan designation for the site was specified as Mixed Industrial-Residential Areas.

Since then, the entire site has been redesignated Regeneration Areas, a new land use category which is applied to unique areas of the City which, because of their current underutilization, have been identified as having potential for both economic and residential growth and where significant change is expected.

My colleague, P. Bain., will speak in detail about the larger policy framework and why it is appropriate to maintain the West Queen West Triangle as a mixed use district. He will also testify to the mix of densities for residential and non-residential uses in the Mixed Industrial-Residential Area and the purpose of those policies. I rely on and adopt the opinions in P. Bain's witness statement.

In determining the appropriate character and mix of uses I relied on the policies of the in-force Garrison Common North Part II Official Plan as well as data provided by our staff in Planning Research, Economic Development and Culture.

My colleagues, K. Benham and L. Martin, will provide detailed testimony with respect to the importance of maintaining employment uses across the City and at this location and how best to do so. I rely on and adopt the opinions expressed in K. Benham and L. Martin's witness statements.

It is my opinion that zoning regulation which includes a minimum non-residential density is required to maintain the employment uses in the West Queen West Triangle, if residential permissions are to be granted. At a minimum, the total space for non-residential uses should not decrease. This is referred to as the "no-net-loss of residential space" direction, adopted by Council in June 2006.

Where proposed developments require significant amendments to the in-force Official Plans, such as additional residential uses beyond the maximum outlined by the plan, they should not be approved without a minimum requirement for non-residential space.

The proposal for 150 Sudbury Street, as submitted to my office on March 29, 2006, contains only dwelling units. The proposed 100% residential buildings are not consistent with the mix of uses as outlined in the in-force Official Plan policies for this site. The proposed buildings represent full build-out of the site (3.0 times the area of the lot) according to the in-force Garrison Common North Part II Plan, but propose no non-residential uses at all rather than 33%, as specified in the Part II Plan for full build-out. The proposal does not contribute at all to the amount of non-residential uses required on this site to maintain the existing amount of non-residential space in the West Queen West Triangle as the area redevelops. A purely residential development, of this magnitude, is unacceptable.

The proposed mixture of dwelling unit types is not appropriate. The proposal consists primarily of bachelors and one bedroom units (394 units) with very few 2 bedroom units (20 units, none of which are located at grade). There are no 3 bedroom units at all. Very few of the proposed units are suitable for households of more than 2 people (4.8% of units). While it is possible that some families with children may live in the 4.8% of units that have 2 bedrooms, none of the units in either of the two buildings satisfy the policies for dwelling units suitable for families with children.

The proposed development does not include a mixture of uses. The proposed development does not include a mixture of tenures. The proposed development consists entirely of market condominium dwelling units.

Substantial non-residential uses should be mandatory as part of the proposed development. Each property owner is proposing to build 95% - 100% residential uses and a very minimal 0% -5% non-residential uses. There are no properties in the West Queen West Triangle that are unsuitable for residential development, except for 1199 Queen Street West. Other than 1199 Queen Street West, it is not appropriate to achieve a mix of uses by zoning some sites in the Triangle Area for purely or largely residential uses and some sites for purely non-residential uses. It is possible to achieve a mixture of uses, over the long-term, by requiring non-residential uses as part of each new development.

Non-residential uses, for the purposes of the West Queen West Triangle area, include:

- commercial uses
- industrial uses
- institutional uses
- artist live/work spaces which are consistent with the Zoning By-law definition (primarily work spaces, with minimal living space, which are affordable).

Reasons for including artist live/work spaces, which are affordable, but not market condominium live/work spaces are outlined in reports listed at the end of this statement, including the report regarding Artist Live/Work Studios (1992) and the "Zoning Implementation Mechanisms for the West Queen West Triangle Area" report (2006).

Though the applicant has discussed a scenario including market condominium live-work units, none are indicated on the most recently submitted drawings, dated March 29, 2006. As outlined in the attached reports "Zoning Implementation in the West Queen West Triangle" and the 1992 report regarding Artist Live/Work Studios and as specified in the Garrison Common North Part II Plan, live/work units, unless they meet the purpose and intent of the Zoning By-law definition of artist live/work studios, should not be considered non-residential uses.

The proposal does not provide any non-residential space at all. The appropriate minimum amount of non-residential space for 150 Sudbury Street is approximately 5020 square metres. This is based on the City's no-net-loss policy for the West Queen West Triangle. This figure is determined by taking the existing approximately 40,000 square metres of non-residential space in the Triangle, and dividing by the total buildable land area of the

Triangle (excluding lands required for new roads), and multiplying by the buildable land area of the site. It amounts to approximately 0.7 times the buildable area of each lot.

Prior to discussing the amount of non-residential gross floor area appropriate for this site, it should be noted that, given the current built form, and the need to reduce the height and massing and to increase the setback from the rail corridor, the overall proposed density should decrease. A further decrease in the total amount of residential density is then required to accommodate non-residential uses.

When compared with the 1.0 times the area of the lot, as specified in the in-force Garrison Common North Part II Official Plan reserved for non-residential uses at maximum build-out, the total lack of non-residential space at full build-out is unacceptable.

The Regeneration Area speaks to areas of the City where there should be a wide variety of uses generating economic activity and additional housing. The proposed purely residential development, on a lot which is over 1 hectare in size, in a Regeneration Area, is not consistent with the policies for the Regeneration and is not appropriate.

This proposal, individually and viewed in conjunction with the other proposals for development in the West Queen West Triangle Area, is not appropriate given the Regeneration Area designation of the City of Toronto's New Official Plan.

16. Should the proposed development be required to have certain uses that animate the neighbourhood at the street level?

Yes, the proposed development should be required to have certain uses that animate the neighbourhood at street level. Active uses at grade, particularly non-residential uses which increase street level activity and interaction, will increase public use of the pedestrian and bicycle paths and privately owned, publicly accessible open space.

Additionally, working from the policies which state that this is to be a mixed use area, one important question is: if not at street level, then where? Street level space is most appropriate for certain uses, including uses that are open to the public (retail, restaurants), uses that have specific loading requirements (such as workshops, galleries or performance spaces) and uses with high concentrations of employees (such as offices).

There are several opportunities to locate non-residential uses at grade throughout this site, including along Sudbury Street, fronting into the shared courtyard with 48 Abell Street, lining the internal landscaped open space, and along the future extension of Abell Street.

Residential units suitable for families with children are also recommended at grade, particularly fronting onto landscaped open spaces. The need for active, semi-public uses at street level should be balanced with the potential to provide grade-related units for families with children.

None of the at-grade space is used either for active, non-residential uses or for dwelling units suitable for families with children. This represents a lost opportunity to achieve several important policy objectives.

It is my opinion that a substantial proportion of the proposed development should be non-residential. In order to achieve this in a built form similar to that proposed and respecting the safety requirements of Canadian National Railway (CN), the proposed amount of residential gross floor area must be reduced substantially. The proposal should dedicate a significant portion of its at-grade frontage along Sudbury Street and the northern, shared courtyard, to active, non-residential uses. Ground floor units fronting onto the internal landscaped open spaces (both the shared courtyard and internal landscaped open space) should consist primarily either of units suitable for families with children or non-residential uses.

It is my opinion that non-residential space is best located at grade and in the lower floors, where the potential for residential uses may be limited by concerns relating to privacy and where through pedestrian traffic is most anticipated.

19. Is the density of the proposed development appropriate?

No. Given the constraints of the site and the overall planned physical structure of the West Queen West Triangle, it is not appropriate. The total density proposed cannot be accommodated within either of the desired built forms (lower scale buildings, appropriate landscaped open space at grade and taller portions which do not unreasonably impact the character of Queen Street West or mid-rise buildings with appropriate landscaped open space, access to sunlight and skyviews).

Further, the purely residential development on a site of this size is not appropriate for the Mixed Industrial-Residential Area or for the Regeneration Area. Healthy economic activity in sectors where innovation is based on interaction requires a critical mass of non-residential space, as outlined by my colleague K. Benham.

Both the proposed total density and the residential density are inappropriate.

20. Does the proposed height and/or density require a contribution pursuant to Section 37 of the Planning Act? If so, what are the nature and extent of appropriate facilities, services and matters to be secured through Section 37 of the Planning Act?

Yes. The proposed height and/or density requires a contribution pursuant to Section 37 of the Planning Act. The in-force and New Official Plans contain policies referring to the use of S. 37 to provide needed Community Services and Facilities to address the impacts of new development. In the West Queen West Triangle Area, based on a comprehensive area wide analysis and significant community consultation, the priorities for community benefits to address the impact of rezoning these light industrial lands to allow for significant residential uses and of the increases in residential density beyond those

contemplated in the Garrison Common North Part II Plan are listed in the reports listed at the end of this statement, particularly the July 27, 2006 report entitled: "Supplementary Report on Zoning Mechanisms to implement mixed use development in the West Queen West Triangle".

Reasons for identifying these needs as priorities have been outlined in City Planning reports to Council listed at the end of this witness statement. It is understood that it may not be possible to fund all of the benefits listed above through contributions by this and other current applications.

21. Is it appropriate to impose holding provisions on lands in the West Queen West Triangle such that the proposed development cannot proceed until the fulfillment of conditions? What are the specific conditions for the removal of the "hold"? Is the proposed development subject to these holding provisions?

Yes, it is appropriate to impose holding provisions on the lands in the West Queen West Triangle such that the proposed development cannot proceed until the fulfillment of the conditions.

The specific conditions for the removal of the hold are:

- securing the acquisition of lands by the City for public parks;
- securing the acquisition and securing the construction of the Sudbury Street and extension from its current terminus to Queen Street West.

The proposed development at 150 Sudbury Street would be subject to these provisions.

22. n/a

Yes, it is necessary to provide a Master Transportation Impact study for the entire West Queen West Triangle prior to the proposed development proceeding. It is important that City Planning and Transportation Services staff of the City of Toronto have the appropriate information to confirm that the proposed street network can accommodate the proposed development at this site, in addition to the proposed development at 1171 Queen Street and 48 Abell Street as well as the expected levels of redevelopment on all remaining sites in the West Queen West Triangle Area. This information will inform the design of the streets and associated infrastructure to accommodate the expected redevelopment of the entire area. This information has not yet been provided to the City. It is my understanding that this information will be provided shortly by the applicants in a consolidated fashion and that City staff will review this information at that time.

23. Is a road/walkway network including Sudbury and Abell Streets required prior to any of the developments proceeding in the WQW Triangle?

Yes, a road/walkway network including Sudbury Street and Abell Street is required prior to any of the three applications being heard by the Ontario Municipal Board (48 Abell Street, 1171 Queen Street West and 150 Sudbury).

In my opinion, it is sufficient to ensure that the land for the roads will be dedicated to the City or acquired by the City, that appropriate funds have been committed for the construction of the street by the City and the proposed developments, including all appropriate elements of Sudbury Street and for the interim condition for Abell Street and that appropriate designs for the road have been completed.

It is my opinion that the road/walkway network, including not only the extensions of Abell Street and Sudbury Street but also the network of publicly accessible walkways, does not have to be constructed prior to beginning construction on these three sites.

24. Is the extension of Sudbury Street required for the proposed development? Should the applicant be required to convey the lands required to extend Sudbury Street and construct the streets and provide services within the right-of-way? If so, what is the minimum width required for such conveyance?

The extension of Sudbury Street is required for good planning for this site as well as for adjacent sites within the West Queen West Triangle. Sudbury Street, as included in the Garrison Common North Part II Plan, is necessary as part of the transportation network required for the development of an integrated, accessible neighbourhood. I have consulted with transportation planning staff on this direction.

The applicant should be required to convey lands at the southern edge of the 150 Sudbury Street site for the extension of Sudbury Street as well as lands at the eastern edge of the 150 Sudbury Street site for the extension of Abell Street.

The applicant should be required to construct or to share the costs of construction of the extensions of Sudbury Street and Abell Street, including related servicing, taking into account in that cost-sharing the comparatively large land mass being requested as a conveyance for the Sudbury Street extension and the inability of the remaining site to carry the maximum total density of 3.0 times the area of the entire lot (prior to conveyances).

For Sudbury Street, the minimum width required by the City for conveyance is 21.0 metres, plus the width of any retaining wall required as part of the crash berm on the south side of the road. This minimum width would provide landscaping including street trees on both sides of the street, sidewalks on both sides of the street and either a) two lanes of traffic with parking on both sides or b) two lanes of traffic with parking on one side plus additional space for an off-road bicycle path.

However, it must be noted that the City respects Canadian National Railway (CN) and GO Transit's (GO's) request to set the two buildings back by 25 metres from the railway corridor. The difference between the required right-of-way (21 metres plus space required

for safety measures) and the required setback from the railway corridor (expected to be 25 metres) can be used as landscaped front yard setback on private property on the north side of the street or for additional landscaping within the right-of-way. Alternatively, should the applicant, CN and GO bring forward a solution acceptable to the three parties which provides for a right-of-way which is greater than 21 metres but less than 25 metres, City Planning will review the appropriateness of such a proposal.

The proposed 19 metres setback from the rail corridor is not appropriate. It does not provide appropriate crash mitigation measures and does not provide a sufficient right-of-way width to meet the planned functional requirements for Sudbury Street.

25. Is the proposed development designed to minimize the conflicts between pedestrian and vehicular movements and are appropriate measures being taken to consolidate and conceal vehicular servicing requirements? (for example, underground parking and garbage/loading vehicle access).

The proposed development, as shown on the drawings received March 29, 2006 by my office, is not designed to minimize conflicts between pedestrian and vehicular movements.

Underground parking is provided. The garbage/loading area for the two buildings is at grade but it is consolidated, although not with the garbage/loading areas of the adjacent proposed developments. There is a considerable amount of hard surfacing for extensive driveways throughout the site in addition to these service areas. I rely on and adopt the opinions in the witness statement of M. Van Elsberg in this regard. This aspect of the drawings presented on March 29, 2006 does not represent good site planning and is not consistent with City policies.

It is my understanding that the applicant will shortly be submitting revised drawings which indicate an improved site plan, including further consolidation of loading and driveways and a reduction in the amount of hard surfacing. If and when those revisions are submitted, I will review them accordingly.

26. Does the proposed development provide adequate noise and vibration abatement measures in consideration of the transportation network and the CN Rail/Go Transit line?

I have not reviewed the proposals for noise and vibration abatement. I will rely on the evidence presented by CN and GO in this regard.

27. Does the proposed development adequately address the issues raised by CN Rail/Go Transit as described in the attached Schedule 1?

I will rely on the evidence presented by CN Rail/ GO Transit in this regard.

28. Does the proposed development provide adequate and appropriate sidewalks, street access and publicly accessible space and contribute sufficiently to the open space network for the West Queen West Triangle?

Yes, in my opinion, the proposed development does provide adequate and appropriate sidewalks and street access, provided that the extension of Sudbury Street is secured and an interim condition is created to address the extension of Abell Street across the subject site. Insufficient details are provided on the landscape and site plan drawings to determine the adequacy of the proposed interim condition of Abell Street. If the extension of Sudbury Street is not secured, the proposed development does not provide appropriate street access and is not consistent with City policies regarding street-related development, public safety and access.

Based on the drawings submitted March 29, 2006, the proposed development does not contribute adequately to the open space network of the West Queen West Triangle. The proposal for the shared courtyard with 48 Abell is positive, as is the internal landscaped courtyard. However, the lack of active uses throughout the development, the extent of hard surfacing of the shared courtyard and the extensive requirements to use the open space for loading/garbage/access purposes significantly reduce the quality of the open space as proposed.

29. Does the proposed development provide for adequate parkland or parkland contribution?

The proposed development will provide cash-in-lieu of parkland at the legislated rate of 5% of the value of the land prior to issuance of the first building permit. This contribution will be pooled with the contributions of current proposals and future proposals, as well as funds from the Toronto and East York District Parkland Acquisition Reserve Fund to purchase parkland in the West Queen West Triangle Area to meet the needs of existing and future residents and workers. My colleagues, G. Short and D. Douglas, have provided witness statements providing further detail regarding local parkland deficiency, proposed park locations and mechanisms for acquiring the necessary parkland, among other things. I rely on and adopt the opinions provided in their witness statements.

30. Is it necessary to provide a Master Servicing Plan prior to the proposed development proceeding?

Yes, it is necessary to provide a Master Servicing Plan for the entire West Queen West Triangle prior to the proposed development proceeding. It is important that City Planning and Technical Services staff of the City of Toronto have the appropriate information to confirm that the proposed servicing for 150 Sudbury Street is efficient and is designed such that current public and private investments in piped infrastructure are made in a manner that will accommodate development at 1171 Queen Street West and 48 Abell Street as well as the expected levels of development planned for the rest of the West Queen West Triangle Area without unreasonable duplication. This information has not yet been provided to the City. It is my understanding that this information will be

provided shortly by the applicants in a consolidated fashion and that City staff will review this information at that time. I rely on and adopt the witness statements of D. Bleaney and L. Shintani.

31. Does the Master Servicing Plan have to be implemented prior to any development proceeding and to what degree is such implementation required prior to such development?

It is my opinion that, if the required servicing can be phased, that it would be appropriate to consider phased implementation or agreements which secure the implementation of certain phases to certain developments. Whether the Master Servicing Plan has to be implemented, and to what degree, prior to development proceeding can only be determined after the Master Servicing Plan is submitted to and reviewed by appropriate City staff.

32. What is the appropriate distribution of responsibility and costs for the various aspects of infrastructure associated with the implementation of the Master Servicing Plan, the new road/walkway network and parkland acquisition?

33. n/a

34. n/a

I rely on and adopt the opinions expressed in the witness statements of my colleagues G. Short, D. Douglas and D. Bleaney and advice of transportation planning staff.

Responsibility and costs for servicing, generally, should be borne by the developments benefiting from the services. If, however, services must be oversized to address the needs of future developments, the City should contribute an amount equivalent to the incremental increase in costs. The City would later seek reimbursement from future developments in the West Queen West Triangle.

Responsibility and costs for implementing the Master Transportation Plan should be borne by both the City and the developments. The City recognizes the importance of Sudbury Street as not only the street access for the developments at 1171 Queen (Rear Building), 48 Abell Street (West Building) and 150 Sudbury Street but also as the completion of an integrated road network through the West Queen West Triangle. It is my opinion that it would be appropriate, should this street be considered a collector street, to allocate a portion of the Development Charges levied for the developments at 1171 Queen Street West, 48 Abell Street and 150 Sudbury Street toward the cost of construction of the road.

The proposed developments at 1171 Queen Street West, 48 Abell Street and 150 Sudbury Street should convey the portions of their properties which are required for the extension of Sudbury Street. The City should acquire 1199 Queen Street West to complete the extension of Sudbury Street.

Responsibility and costs for lands and construction related to the Abell Street extension should be borne by the adjacent landowners: 48 Abell Street, 150 Sudbury Street and 2 Lisgar Street. 48 Abell Street and 150 Sudbury Street have active applications for redevelopment. 2 Lisgar does not.

48 Abell Street and 150 Sudbury Street should convey the lands required for the extension of Abell Street. It is my opinion that the Abell Street right-of-way should be an 18.5 m right-of-way lined up with the western edge of the current Abell Street right-of-way. The proposal at 48 Abell Street and the proposal at 150 Sudbury Street should convey the lands required for the proposed right-of-way based on this configuration. I note this clearly here because this is a different position than the one outlined in the City Planning Request for Directions Report regarding 150 Sudbury Street.

The Abell Street extension cannot be completed in its final form (a two lane street with one lane of parking and sidewalks and trees on both sides) at this time. In my opinion, the proposals at 48 Abell Street and 150 Sudbury should provide those elements of the road right-of-way which can reasonably be constructed prior to conveyance of the remainder of the right-of-way at the time of redevelopment of 2 Lisgar Street.

Generally, my opinion is based on the following principles:

- the land and construction costs for Abell Street, as a local street, rest primarily on the adjacent landowners;
- there will, by necessity, be an interim road condition for Abell Street prior to the redevelopment of 2 Lisgar Street;
- in the meantime, the northern portion of Abell Street must be constructed to accommodate vehicular traffic, including loading;
- in the meantime, the southern portion of Abell Street must be constructed to appropriately accommodate pedestrian and bicycle movements and occasional vehicular movements.
- the design of these interim conditions should maximize utility in the meantime while minimizing the need to rebuild significant components of the street when the full right-of-way width is acquired by the City.

It is my opinion that, on the lands to be conveyed by 150 Sudbury Street for the extension of Abell Street, the western landscaped boulevard, including street trees, and a 3.5 m sidewalk or other pathway suitable for walking, cycling and the occasional automobile should be constructed at the time of development of 150 Sudbury Street, and costs borne by 150 Sudbury Street.

The proposed pedestrian and bicycle connections, including connections adjacent to and through the publicly accessible landscaped open spaces and the interim condition of Abell Street, are fundamental to the proposed Master Transportation Network. The responsibility and costs associated with these connections should be borne by the development on the property where the connections are located.

In my opinion, it is sufficient to ensure that the land for Abell Street and Sudbury Street will be dedicated to the City or acquired by the City, that appropriate funds have been allocated for the construction of Sudbury Street both publicly and privately, including all appropriate elements of Sudbury Street and for the interim condition for Abell Street and that appropriate designs for the road have been completed.

It is my opinion that the transportation network, including not only the extensions of Abell Street and Sudbury Street but also the network of publicly accessible walkways, does not have to be completely constructed prior to development on these three sites. To date, no proposals for phasing of the transportation network have been brought forward which appropriately address the need to integrate these significant new developments with the fabric of the surrounding neighbourhood while ensuring the timely completion of the extension of Sudbury Street.

35. Are the form and content of the proposed Official Plan amendment and Zoning by-law acceptable?

Yes, the form is acceptable.

No, the content is not acceptable.

First, it permits a development which, for the many reasons outlined above, is inappropriate for this site.

Second, certain aspects of the zoning by-law are not consistent with the proposal. The rezoning will allow any mixture of uses, in the I1 and IC uses (except for those listed) in addition to residential uses, up to a density of 3.0 times the area of the lot. This would permit, but not require, certain non-residential uses.

Third, the live/work dwelling units are assigned a parking requirement of 0.5 spaces per unit. Depending on the size of the unit, this may or may not be appropriate. For instance, if the live/work unit is very large, such as a 1200 square foot loft, it should provide at least 1.0 parking spaces per unit.

The proposed definition for residential amenity space should be re-punctuated to ensure that at least one multi-purpose space, of a minimum size for larger social gatherings, contains a kitchen, a washroom and has access to adjacent landscaped open space.

The proposed amount of indoor residential amenity space (400 square metres) is less than half the amount required by the Zoning By-law. The Zoning By-law requires 2 square metres per dwelling unit. The proposal is for 414 dwelling units. This would require 828 square metres of indoor residential amenity space. As this neighbourhood is significantly lacking in available, accessible and affordable meeting spaces and significantly park deficient, I do not support this significant reduction in the amount of indoor residential amenity space required for this development.

In my opinion, the height map and the height exceptions described in the proposed zoning by-law are inappropriate. In addition to the aspects of the building envelope map, height map and density figures proposed which are taller in certain locations than I can support and not sufficiently set back from the rail corridor, there are some finer details of these aspects of the zoning by-law which are problematic.

The proposed height map indicates a height of 36 metres at the southeast corner of the lot. This is the same as the height limit at that location as proposed by the West Queen West Triangle Area Study. However, it should be noted that the heights proposed by the West Queen West Triangle Study were to include all mechanical penthouses as well as a significant stepback at approximately 32 metres.

The proposed height map and height exceptions, together, will permit a building which will in fact be 37.07 metres at the edge, then stepback to an oversized mechanical penthouse of 40% of the area of the roof (vs. the typical 30%) up to 6.0 metres tall (vs. the typical 5.0 metres), for an overall height of 41 metres.

The one aspect of the height exceptions which I do support is the provision to allow the mechanical penthouse to be up to 60 per cent of the length of the main wall of the building facing the street line boundary. Because of the design of the two buildings, the main wall of the building parallel to the street line boundary is very short. The standard maximum (20 per cent) could present significant constraints for this building design.

The proposed building envelope map and proposed height map must be revised to include accurate dimensions.

The proposed building envelope for the west building extends much beyond the proposed building footprint as shown on the proposed site plan drawings (approximately 7 metres closer). This larger footprint is perhaps inadvertently indicated here. It is at a physical location where the proposed building is already very close to the proposed west (affordable) building on the 48 Abell Street site. It will be important to ensure that the building envelope map is adjusted to indicate a minimum setback from the property line at that location which is similar to the setback shown on the proposed site plan drawings.

The proposed building envelope appears to allow significantly wider buildings than are shown in the drawings, allowing for the buildings to be built as closely as 11 metres, whereas the site plan drawings show a separating distance of 18 metres. Further, clause (7)b. allows for 2.5 m balconies to project beyond the proposed building envelopes. As scaled from the drawings, this could result in balconies which are no more than 6 metres apart. This is an estimate because the building envelope map is not appropriately dimensioned to permit accurate calculations.

Clause 3.(5) of the proposed Zoning By-law changes the definition of "height" and, implicitly changes the definition of "grade". This is unnecessary and inappropriate.

Given the desire to plan comprehensively to allow for residential development in close proximity to this site, it would be appropriate to change the I2 base zoning. It should be noted that by retaining the I2 base zoning, and by not providing any exceptions to address those matters which would override the base zoning in certain areas, certain inappropriate aspects of the I2 base zoning would continue to prevail on this site. There are several such aspects. As an example, the I2 base zoning would not require any landscaping at grade at all in conjunction with this development.

### **3. Document List**

I will, through my testimony, refer to documents listed below. Where a document is particularly lengthy, I have specifically mentioned the applicable subsections of the documents.

#### **Metroplan: The Official Plan of the Municipality of Metropolitan Toronto: The Liveable Metropolis**

As approved by the MMA, December 30 1994.

##### **Chapter 1: Introduction**

##### **Chapter 2: The Metropolitan Structure:**

###### **2.1 Reurbanization**

Policies 3, 5, 6, 7, 8, 9, 10,16

###### **2.2 Metropolitan Industrial/Employment Areas (not directly relevant to this site but sets out the importance)**

Policies 32, 33, 35, 36, 39, 40

###### **2.4 Transportation**

Policies 69, 72, 76, 87

###### **2.5 Utilities**

Policies 103

Policies 104-106 and 107-110 (for site plan review purposes)

##### **Chapter 3: Sustainable Community Development**

###### **3.1 Economic Development**

Policies 114-121,

###### **3.2 Housing**

Policies 122,123, 125, 126, 127, 129, 130, 131, 134,

###### **3.3 Regional Identity: Cultural and Recreational Resources**

Policies 136, 137, 140, 141, 144, 148, 151

###### **3.4 Community Access and Support**

Policies 157, 158, 159, 162, 165, 166

###### **3.5 Ensuring Community Health: Environmental Management**

Policies 171, 173, 178, 180, 183, 184, 186

##### **Chapter 4: Implementation**

###### **4.1 Planning Process**

Policies 191 and 192

## **Official Plan (Part I) for the former City of Toronto**

### **Chapter 1: The Structure and Quality of the City**

- 1.1 The Goal of Planning in the City
- 1.2 The Regional Context
- 1.3 Environmental Objectives
- 1.4 Physical Structure and Urban Quality, especially (a), (b), (d), (e) and (i)
- 1.8 Balanced Growth
- 1.10 Community Support Services for New Neighbourhoods
- 1.11 Transportation
- 1.12 Social Equity
- 1.13 Economic Development
- 1.14 The Planning Process

### **Chapter 2: The Environment**

- 2.4 Environmental Standards
- 2.5 Environmental Legislation
- 2.8 Air Pollution Reduction Objectives
- 2.12 Storm Water Management
- 2.13 Master Drainage (Sewer System) Plan
- 2.14 Promoting Water Conservation
- 2.15 Waste Reduction
- 2.16 Recycling and Re-use of Waste
- 2.19 Protection from Contaminated Soils
- 2.20 Soil Management Plans
- 2.21 Soil and Groundwater Clean-up Technologies
- 2.22 Energy Conservation
- 2.23 Energy Efficiency Measures
- 2.25 Undesirable Noise Levels
- 2.27 Development Adjacent to Rail Corridors
- 2.28 Sunshine and Wind Conditions
- 2.79 Land Use Compatibility
- 2.80 Environmental Objectives for New Development

### **Chapter 3: Physical Form and Amenity**

- 3.1 Maintaining and Improving the Public Realm
- 3.3 Reinforcing the Street Pattern
- 3.6 Views and Vistas
- 3.9 Public Buildings and Public Places
- 3.10 Redeveloping Large Areas of the City
- 3.11 Re-integrating Areas of the City
- 3.12 Location of Buildings with Respect to Streets and Open Spaces
- 3.13 Relationship of New Buildings to their Built Form Context
- 3.14 Building Setbacks, Heights and Densities
- 3.15 Location of Building Entrances
- 3.16 Matters to Consider in Implementing Built Form Policies
- 3.17 Privacy Standards

- 3.18 Parking and Servicing
- 3.19 Design of At-Grade Parking Facilities
- 3.20 Safety in Design (Pedestrian Environment)
- 3.21 Pedestrian Circulation
- 3.22 Pedestrian Amenity
- 3.23 Promoting Streets for Pedestrian Activity
- 3.26 Wind Speed Levels and Pedestrian Comfort
- 3.27 Sunlight on Parks and Important Pedestrian Streets
- 3.28 Weather Protection
- Chapter 4: Parks and Open Space
  - 4.1 Creating an Open Space System
  - 4.2 Corridors in Open Space System
  - 4.3 Local and District Parks
  - 4.4 Seek Public and Private Sector Co-operation
  - 4.7 Access Points to Open Space
  - 4.9 High Standard of Design; Local Participation in Park Design
  - 4.10 Siting Parks for Easy Access
  - 4.11 Variety of Parks for Year-Round Use
  - 4.12 Standards for Local and District Parks Outside of the Central Core
  - 4.18 Parks Levies
  - 4.20 Providing Parkland for Social Housing
  - 4.21 Addressing Parks Deficiency When Approving Residential Development
  - 4.22 Capital Expenditures Plan for Parks
- Chapter 5: Heritage Policies (applies only to 48 Abell)
  - 5.1 Heritage Preservation a Priority
  - 5.4 Heritage Designation
  - 5.6 Re-use of Heritage Properties
  - 5.11 Additional Commercial Density for Heritage Buildings in Industrial Area
- Chapter 6: Housing
  - 6.1 Housing Goals
  - 6.2 Housing Objective
  - 6.3 Affordable Housing Targets
  - 6.4 Balance between Low and Moderate Income Housing
  - 6.5 Area-related Housing Policies
  - 6.13 Redesignation of Non-residential Land for Residential Purposes (Housing for Families)
  - 6.14 Residential Intensification
  - 6.20 Making Housing Accessible to All (Housing for People with Special Needs)
- Chapter 7: Community Services and Facilities
  - 7.1 A General Community Services and Facilities Policy
  - 7.2 Developing Community Services and Facilities Strategic Plans Throughout the City
  - 7.3 Implementing Community Services and Facilities Strategic Plans
  - 7.5 Additional Density for Community Services and Facilities (Obtaining CS&F)
  - 7.6 Use of City Resources
  - 7.7 Community Services and Facilities that are Displaced

- 7.8 Local Community Use of Community Service Agency Spaces
- 7.9 Amenity Space in Residential Buildings
- 7.12 Schools are a Community Resource
- 7.18 Shared Use of Schools, Parks and Public Open Space
- 7.20 Planning for a Safer City
- 7.21 Planning for Older People and People with Disabilities

**Chapter 8: Transportation**

- 8.2 Development to be Encouraged at Transit-Served Locations
- 8.3 Discouraging Automobile Commuting to the Central Area
- 8.4 Reducing Overall Automobile Use
- 8.5 Movement of Goods
- 8.6 The Role of Housing Intensification
- 8.11 Local Surface Transit Priority
- 8.12 Surface Transit Improvements
- 8.17 Airport Link
- 8.20 Traffic Management
- 8.22 Undesirable Through Traffic
- 8.25 Periodic Review of Parking Standards
- 8.26 Improvements for Cyclists
- 8.27 Improvements for Pedestrians

**Chapter 9: Economic Activity**

- 9.1 Importance of a Strong Economic Base
- 9.2 Economic Competitiveness, especially (e)
- 9.3 Economic Diversity, especially (e), (f), (g), (i) and (j)
- 9.9 The Significance of Retail Activity
- 9.10 Supporting Retail Strips
- 9.11 Street Related Retail Activity
- 9.13 Density Reserved for Non-Residential in Central Core (example of limit to residential)
- 9.14 Priority Retail Streets
- 9.15 New Retail Development
- 9.16 Recognizing the Importance of Industrial Development
- 9.17 Considerations for Viable Industrial Uses
- 9.18 Discouraging Loss of City Industry
- 9.22 Improvement of Traffic and Loading Conditions (Industrial)
- 9.23 Public Transit Access (Industrial)
- 9.24 Parking and Loading (Industrial)
- 9.27 Municipal Services (Industrial)
- 9.28 Social Services, Parks and Recreation (Industrial)
- 9.29 Locations of Industrial Uses
- 9.37 Character (Mixed Industrial-Residential Areas)
- 9.38 Environmental Compatibility (Mixed Industrial-Residential Areas)
- 9.39 Zoning to Recognize Existing Pattern (Mixed Industrial-Residential Areas)
- 9.40 Uses and Maximum Densities (Mixed Industrial-Residential Areas)
- 9.41 Change in Use (Mixed Industrial-Residential Areas)

**Chapter 10: The Arts**

- 10.1 Importance of the Arts
- 10.2 Access to the Arts
- 10.3 Creativity and Excellence (The Arts)
- 10.4 Support for the Arts
- 10.5 Funding Support (Arts)
- 10.7 Arts Facilities
- 10.8 Additional Density for Arts or Cultural Facilities
- 10.10 Commitment to Public Art
- 10.11 Funding Enhancement for Public Art
- Chapter 12: Residence Areas
  - 12.1 General Character (Residence Areas)
  - 12.3 Improving and Maintaining the Quality of Residence Areas
  - 12.4 Restrictions on Non-residential Uses adjacent to Residence Areas
  - 12.5 Low Density Residence Area
  - 12.6 Medium and High Density Residence Areas
- Chapter 13: Mixed Commercial-Residential Areas
  - 13.1 Improving and Maintaining the Quality of Mixed Commercial-Residential Areas
  - 13.2 General Character (Low Density Mixed Commercial-Residential Areas)
  - 13.3 Maximum Density (Low Density Mixed Commercial-Residential Areas)
  - 13.4 Alternate Densities to Achieve Specific Objectives (Low Density Mixed Commercial-Residential Areas)
  - 13.5 Encouraging Residential Uses on Main Streets
  - 13.6 Matters to Consider for Main Streets Housing
  - 13.7 Design Guidelines for Main Streets Buildings and Streetscapes
  - 13.8 Encouraging Lanes along Main Streets
  - 13.10 General Character (Medium Density Mixed Commercial-Residential Areas)
  - 13.11 Density (Medium Density Mixed Commercial-Residential Areas)
  - 13.12 General Character (High Density Mixed Commercial-Residential Areas)
  - 13.13 Density (High Density Mixed Commercial-Residential Areas) (for 48 Abell and 1171 Queen only)
- Chapter 15: Community Improvement
  - 15.1 General Policies and Actions (Community Improvement)
  - 15.3 Measures to be Used by Council (Community Improvement)
  - 15.20 Objectives (Community Improvement for Industrial Areas)
  - 15.21 Measures to be Used by Council (Community Improvement for Industrial Areas)
- Chapter 16: Implementation
  - 16.1 Plan in Accordance with Planning Act
  - 16.2 Part I of Plan General, Part II Area or District
  - 16.3 Part II Amendments Prevail, and Part II May Vary Provisions of Part I
  - 16.4 Part II Study for Large Developments
  - 16.7 Numerical Figures, Except Density, Not Rigid
  - 16.8 Zoning By-law
  - 16.10 Density if Conveyance of Land for Highway Purposes
  - 16.14 Neighbourhood Planning Process

- 16.21 General Policies Respecting Section 37
  - 16.22 (A) Zoning Heights to Ensure Character of Areas
  - 16.30 Quinquennial Reviews
  - 16.31 Monitoring, Evaluating and Reporting
- Chapter 17: Definitions

**Garrison Common North Official Plan (Part II) for the former City of Toronto**

- Section 1
- Section 2
- Section 3, including subsections 3.5, 3.6, 3.7, 3.8, 3.9, 3.12, 3.13, 3.14

**Zoning By-law 438-86, as amended, for the former City of Toronto**

- Various sections, including Zoning Bylaw 832-2000
- Committee of Adjustment Minor Variance Notice of Decision for 150 Sudbury Street (2005)

**New Official Plan for the City of Toronto**

- Chapter 1: Making Choices
  - 1. Making Choices
  - 2. Principles for a Successful Toronto
  - 3. Implementing the Plan
  - 4. Organization of the Plan
  - 5. How to Read the Plan
- Chapter 2: Shaping the City
  - 2 Shaping the City
    - 2.1 Building a More Livable Urban Region
    - 2.2 Structuring Growth in the City: Integrating Land Use and Transportation
      - 2.2.2 Centres (not applicable but explains framework of the Plan)
      - 2.2.3 Avenues: Reurbanizing Arterial Corridors
      - 2.2.4 Employment Districts: Supporting Business and Employment Growth (not applicable but explains framework of the Plan and history of designation of the site)
    - 2.3 Stable but Not Static: Enhancing our Neighbourhoods and Green Spaces
      - 2.3.1 Healthy Neighbourhoods
      - 2.3.2 Toronto's Green Space System and Waterfront
    - 2.4 Building the City Together: A Progressive Agenda of Transportation Change
- Chapter 3: Building a Successful City
  - 3. Building a Successful City
    - 3.1 The Built Environment
      - 3.1.1 The Public Realm
      - 3.1.2 Built Form
      - 3.1.3 Built Form (Tall Buildings)
      - 3.1.4 Public Art
      - 3.1.5 Heritage Resources

- 3.2 The Human Environment
  - 3.2.1 Housing (not in force)
  - 3.2.2 Community Services and Facilities
  - 3.2.3 Parks and Open Spaces (except Policy 3 not yet in force)
- 3.3 Building New Neighbourhoods
- 3.4 The Natural Environment (except Policy 5, 11b, 21, not yet in force)
- 3.5 Toronto's Economic Health
  - 3.5.1 Supporting the Foundation of Competitiveness
  - 3.5.2 Creating a Cultural Capital
  - 3.5.3 The Future of Retailing

**Chapter 4: Land Use Designations**

- 4. Land Use Designations
  - 4.1 Neighbourhoods
  - 4.2 Apartment Neighbourhoods (except Policy 3c, not yet in force)
  - 4.3 Parks and Open Space Areas
  - 4.4 Utility Corridors (except Policies 1, 3, 5, not yet in force)
  - 4.6 Employment Areas
  - 4.7 Regeneration Areas

**Chapter 5: Implementation: Making Things Happen**

- 5.1 Managing Growth and Change: The Planning Tool Box
  - 5.1.1 Height and/or Density Incentives (section not yet in force)
  - 5.1.2 Holding By-Laws
  - 5.1.3 Site Plan Control
  - 5.1.6 Acquisition of Lands to Implement the Official Plan
  - 5.1.7 Development Charges
- 5.2 Planning and Acting Locally
  - 5.2.1 Secondary Plans: Policies for Local Growth Opportunities
  - 5.2.2 Community Improvement Plans
- 5.3 Moving Together Beyond the Plan
  - 5.3.1 The Official Plan Guides City Actions
  - 5.3.2 Implementation Plans and Strategies for City-Building
  - 5.3.3 Strategic Reinvestment
- 5.4 Monitoring and Assessment
- 5.6 Interpretation

**Garrison Common North Secondary Plan (and all maps in the Secondary Plan)**

- 1. Interpretation (1.1)
- 2. Major Objectives (2.1)
- 3. Urban Structure and Built Form (3.1 and 3.2)
- 4. Industry (4.1 and 4.2)
- 5. Local Commerce (5.1)
- 6. Parks (6.1)
- 7. Community Services 7.1, 7.2 and 7.3)
- 8. Environment (8.1)
- 9. Traffic and Parking (9.1 and 9.5)
- 10. Site and Area Specific Policies (2. "Area 2" and "Area 5")

**Reports by City Planning relating to the West Queen West Triangle**

- Preliminary Report for 48 Abell Street (October 21, 1999)
- Preliminary Report for 1171 and 1171R Queen Street West (June 14, 2005)
- Further Report for 48 Abell Street (September 1, 2005)
- Request for Zoning Review for West Queen West Triangle Area (November 9, 2005)
- Request for Directions Report for 1171 and 1171R Queen Street West (May 30, 2006)
- Preliminary Report for 150 Sudbury Street (January 23, 2006)
- Request for Directions Report for 48 Abell Street and 1199 Queen Street West (May 30, 2006)
- Request for Direction Report for Official Plan and Zoning Review of the West Queen West Triangle Area (May 30, 2006)
- Request for Directions Report for 150 Sudbury Street (June 26, 2006)
- Supplementary Report on Zoning Mechanisms to implement a mixed use area in West Queen West Triangle Area (June 27, 2006)

**Reports by Parks relating to the West Queen West Triangle**

- Confidential Report – Parkland Acquisition for West Queen West Triangle (June 30, 2006)

**Reports by the Chief Corporate Officer**

- Mechanisms for acquiring the land needed for the extension of Sudbury Street (June 23, 2006)

**Other documents**

- Witness Statement of Katherine Gravely in relation to the Official Plan and Zoning By-law Amendments for 1100 King Street West
- Report from the Planning and Development Department of the City of Toronto to Land Use Committee entitled "Allowing Artists Live/Work Studios in Industrial Areas" (March 12, 1992)

In addition, I will also be referring to and relying on documents cited by my colleagues and listed in their witness statements which I have adopted.

