

DATE: January 13, 2018

CASE NO(S): PL160942

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Coal Harbour Properties Limited
Subject: Request to amend the Harbourfront Part II Official Plan - Failure of City of Toronto to adopt the requested amendment

Existing Designation: Harbourfront
Proposed Designated: Site Specific (To be determined)
Purpose: To permit the development of a 29-storey mixed-use building in place of the existing 3-storey link building at 370 Queens Quay West and additions to the two existing 21-storey residential towers.

Property Address/Description: 350, 370 and 390 Queens Quay West
Municipality: City of Toronto
Approval Authority File No.: 16 116138 STE 20 OZ
OMB Case No.: PL160942
OMB File No.: PL160942
OMB Case Name: Coal Harbour Properties Limited v. Toronto (City)

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant: Coal Harbour Properties Limited
Subject: Application to amend Harbourfront Zoning By-law No. 289-93 - Refusal or neglect of City of Toronto to make a decision

Existing Zoning: CR
Proposed Zoning: Site Specific (To be determined)
Purpose: To permit the development of a 29-storey mixed-use building in place of the existing 3-storey link building at 370 Queens Quay West and additions to the two existing 21-storey residential towers.

Property Address/Description: 350, 370 and 390 Queens Quay West
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OMB File No.: PL160943

PARTICIPANT STATEMENT OF LAURA COOPER

My name is Laura Cooper and I am a Waterfront resident at York Quay. I am also past co-Chair, and currently on the Planning Committee, of York Quay Neighbourhood Association (YQNA). YQNA represents all residents, property and business owners in the area bounded by Spadina Avenue, Lakeshore Boulevard, Yonge Street and the waterfront to the south.

ISSUES TO BE ADDRESSED

- 11. Does the proposed development adequately maintain views to and from Toronto Bay and the Inner Harbour?
- 13. Is the proposed height of the tower at 370 Queens Quay West appropriate for the context?
- 16. Is the proposed tower separation distance between the new tower at 370 Queens Quay West and the existing tower at 390 Queens Quay West appropriate?
- 17. Is the proposed addition to the existing buildings at 350 Queens Quay West appropriate?
- 18. If approved, would the proposed built form set a desirable precedent for the future development of the western waterfront?
- 19. Does the development respond appropriately to the City-owned Peter Street Basin?
- 21. Is the proposed public realm appropriate?
- 23. Has the proposed development sufficiently addressed the parkland dedication requirement?
- 26. Does the proposed development represent an overdevelopment of the subject site?
- 27. In light of the foregoing issues, do the proposed development and amendments represent good planning, and is approval in the public interest?
- 29. Are Section 37 benefits warranted for the proposed development? And if so, what are the appropriate Section 37 benefits to be secured in the zoning bylaw amendment?

DOCUMENTS TO BE REFERENCED

- Council Decision CC35.10 dated December 5, 2017;
- Council Decision TE22.13 dated March 9, 2017 and accompanying staff report;
- Supporting documents filed by the appellants, as far as they are available through the City website, together with revised drawings dated December 15, 2017.
- Items in the public domain such as newspapers.

COMMENTS

Issue 11. The Waterfront is firstly a tourist area. It brings in an estimated 20 million tourists a year. This industry supports small business along the waterfront, water activities such as sailing, kayaking, professional photographers, musicians, etc. in addition to residents. Last year, Redpath Waterfront Festival organizers say they cleared half a million visitors on the first day, smashing previous three-day records (Toronto Star July 7, 2017) .

There are two questions that the many tourists I speak to ask: "Where is the CN Tower?" and "Where is the Skydome (known now as Rogers Centre)?"

"Rogers Centre is one of the most dynamic and versatile entertainment centres in the world.On March 17, 2002 Rogers Centre set a venue attendance record when it hosted 68,237 for a baseball game" (from planetware.com).

There are only two places on the Waterfront where the Rogers Centre can be seen in its entirety--from H2O Park East and H2O Park West. I understand that tourist boats slow down here so that people can take pictures. (Picture 1 shows the current sight-line from H2O West). You can see that with the proposed addition, Rogers Centre will no longer be seen from this site. That will leave only one place on the waterfront where this pride of Toronto can be seen.

Picture 2 shows how even the Applicant uses a picture of the Rogers Centre taken from H2O west in advertising its business. That is how important things such as iconic buildings are to the industries and commercial enterprises--and ultimately to the way of life of all. Picture 3 shows how even the existing building can impact on the view from the harbour.

The current popularity of Queens Quay and environs for residential uses in the Central Waterfront, though understandable, could, if it continues, destroy the tourist industry. How many people come to look at a row of high rises? Would Paris block views of the Eiffel Tower? or New York the Statue of Liberty? Difficult, yet wise decisions must be made to protect Toronto's Waterfront its second largest tourist attraction.

Issue 13. The existing buildings are 21 storeys tall. The revised proposal at 21 storeys would be compatible, but the width will block views from the waterfront.

Issue 16. Tower separation is important to preserve sunlight, sky views and privacy for both new and existing residents. This is why the City has adopted a tower separation distance guideline of 25 m. In a densely populated area like the waterfront, privacy is a very vital part of living comfortably. The proposal is for a gap of only 12 m on the west side of the lower portion of the new tower building. The podium ends are much closer to the existing buildings at 6 m on both the west and the east.

Issue 17. The proposed northern addition to the existing slab tower at 350 would worsen an already bad built form. The City has policies against this kind of intensification, because a long slab casts wide shadows and generates uncomfortable pedestrian wind conditions. These negative impacts get worse when the slabs get longer.

Issue 18. The nearby buildings at 250, 260 and 270 Queens Quay West are of a similar built form to those at 350, 370 and 390, with slabs oriented north-south separated by lower rise parking structures and commercial uses at grade. Further east, there is a commercial parking garage at 200 Queens Quay West, located behind the Water Club condominium complex at 201 and 218 Queens Quay West. This garage is ripe for redevelopment. Any approval of the subject applications may well set a precedent for intensification applications. Fortunately, the recent reform of the powers of this tribunal may help to prevent the decisions of Council in such matters from being over-turned.

Issue 19. For the original application, the submitted wind study by Rowan Williams Davies & Irwin noted that the proposed tower would intercept the prevailing wind directions and re-direct the wind downwards onto a) the on-site outdoor amenity area on Level 6; and b) the area to the north of the building. It is silent on the matter of impacts on the Peter Street Basin below.

I know that the existing buildings already re-direct wind onto this area at times, so this is a concern.

The proposed building at 370 Queens Quay West turns its back on the Basin, apart from possibly the lowest commercial floors of the podium. Only a secondary entrance is planned for the residential portion of the development.

Issue 21. Safety is a very important part of the public realm. We are concerned about future residents and visitors accessing the building from a fenced yard away from eyes on the street. Picture 4 shows the existing situation with a secondary entrance to the commercial units from the visitor parking area.

If the north side of the new building is open to the street as shown in the rendering, then there will be a serious issue with cycle traffic. This pathway along the south side of Lakeshore Boulevard is intended to be a high-speed bike commuter route, in contrast to the slower pace of cycling on the trail on the south side of Queens Quay West. Land has recently been expropriated by the City from sites closer to Lower Simcoe Street to provide for this bike path beside the new Gardiner Expressway off-ramp. Cyclists will not be expecting to encounter residents spilling out of a residential building entrance.

How will taxis and delivery people find this address? I cannot think of another building along this part of Queens Quay West which has its front door facing the nearby Gardiner Expressway and the busy Lakeshore Boulevard. Residents of, and visitors to, the existing buildings at 350 and 390 Queens Quay West can enter from the public walkway around the Peter Street Basin. The new building, if approved, should also have its front door facing Queens Quay.

The site is well-served by public transit, with two frequent, high-quality streetcar routes on Queens Quay West and Spadina Avenue. Stops are conveniently located nearby at Rees Street, Spadina Avenue and even on the loop to the west of the building. Riders need to be able to reach these stops from the building front.

Issue 23. The existing site includes a rectangular area at the north-west corner that protrudes into the abutting City land at 318 Queens Quay West. It is used for garbage storage, which is not a suitable use for land beside a future park. The applicants should deal with garbage in a covered area within a building elsewhere on the site and dedicate this piece to the City for an extension to the park.

While it may appear that there is an abundance of parkland in the Central Waterfront, in fact City studies have shown that the Downtown is badly deficient in parkland given the rapid growth the area has experienced. As well, as noted under Issue 11, this is a tourist area and the existing parks are very busy during the warmer months of the year. They are also largely passive parks and my hope is that the 318 Queens Quay West site will become something more, with interesting activities and facilities.

Further, for the benefit of the future residents of the development, if it is approved, a nice park next door will be important because as noted under Issue 21, the on-site outdoor amenity area may not be very enjoyable.

Issue 26. Planning staff are the experts, and they stated in their report (page 24) that the original proposal represented overdevelopment of the site. We agree with this position, as the number of units proposed remains almost the same.

Issue 27. Toronto City Council represents the public interest. It has consistently on several occasions voted to refuse these applications, based on the comprehensive planning analysis provided by staff. YQNA is totally in agreement with this refusal.

Issue 29. In the event that the applications are approved, then we concur with Council's position that Section 37 benefits are indeed warranted by this increase in height and density. We would like to see funds contributed to the development of the nearby park, over and above any land dedication and normal park levies.

CONCLUSION

While I am speaking as a local resident with 17 years of experience living on the iconic Toronto waterfront, my views are supported by the members of YQNA, a group with considerable planning expertise among its ranks. We act to take care of the needs and lives of our businesses and residents, present and future, who cannot speak for themselves.

The Toronto Waterfront is changing. Billions of dollars are being spent by our three levels of government to transform this area. As Waterfront Toronto says:

“our mandate is to transform our city's waterfront by creating extraordinary new places to live, work, learn and play.”

To do this we must make hard decisions. Not everyone can have what they want. We, the OMB, the City, the developers, the businesses and organizations, and residents, all must look and plan for the future. We should not live in the past.

We ask again, that you deny this application. It is not in the public interest and it is not good planning.

Respectfully submitted,

Laura Cooper

PICTURE 1



View of Rogers Centre and CN Tower from HTO Park West

PICTURE 2

350 & 390 Queens Quay W. Toronto



Close

Applicantsø Advertising Featuring the View from the Harbour

PICTURE 3



Commercial Shot of Toronto Skyline with existing building in front of Rogers Centre

PICTURE 4



Rear of 370 Queens Quay West facing west, with public sidewalk and bike trail (under snow)