

## **Letter to Toronto East York Community Council**

RE: Palace Arms Rezoning

February 24, 2021

We are a group of 240+ neighbours living in the community south of Trinity Bellwoods and West of Stanley Park. We range in experience in the area from neighbours who have lived on Strachan for 45 years (and more) to the remaining residents of the Palace Arms.

We call on the Toronto East York Community Council to defer on Intentional Capital's Zoning By-law Amendment Application until there is proper review and study of the block, the height and density and until issues with the application are addressed, including why the city of Toronto is intending to pay a developer approximately 6-7 million dollars for 12,000 ft (31 units of affordable space).

We are losing deeply affordable rooming house units on this site. These are being replaced with bachelor units. The application touches on these concerns with a dismissive statement that the "replacement of dwelling rooms with new dwelling rooms within a new building would not result in a good living environment, as rooming houses require management with specialized experience in housing marginalized populations."

The history of this building as affordable housing warrants full replacement of all units being lost. How can the city support this application on a property which represented most of the affordable housing in our area during a housing crisis?

We have an amazing community around us. It is a diverse community of people from all walks of life. We make up the culture of this community. We are a mixed and tight-knit neighbourhood. The history of the New Town extension, one of the oldest areas of Toronto is itself scrappy and mixed use. We love that aspect of our neighbourhood - industrial, retail, residential for over 100 years. That is our history. We established a community garden, there is a pollinator path and a park named for residents who've since passed. We care about each other and our environment. We care about the quality of life and health of our community. For months we have asked for the same consideration from our councillor and city planning.

Some of our supporters have been asking for over a decade for a precinct plan for our area. Unfortunately, we find ourselves here now, asking you for your help to take a close look at this re-zoning application.

We would like to express our grave concern at this application - and the process by which we have witnessed the last 5 months following the second community meeting. We have been

side-lined, steamrolled and placated. We have been treated as adversaries instead of taxpayers and constituents.

Since the first community meeting in 2019 our community has voiced the same concerns about this application. 120 people showed up to that first meeting. It was a packed house. It was volatile and residents expressed major concerns and opposition to the application. It was not just the design; it was the details. Many of us had also written to planning and our councillor with our concerns, most of which remain today.

These concerns have not been heard, nor has there been any meaningful dialogue around this application. Instead, the second consultation with the community (and perhaps the first also) was a presentation to us. We have been consistently told by our planner that this is not her usual area. We have been ignored when we asked for a rationale months ago regarding how an application so outside of the city's own standards had not been amended in any significant way to address any community feedback. Instead, the application became more dense and more unclear. We have had to push to get some details like a shadow study, and we are still waiting for answers to questions we asked months ago, yet this has come to the community council for a vote.

We submit our [correspondence](#) to show how simple questions were ignored, how our councillor shut us down, and told us he didn't want to hear it when we raised concerns about how any of this was acceptable to him. That the community was concerned that something seemed fishy, and how planning has told other developers in the area that they can do whatever they like on this site. We have raised concerns about the precedent of this, and we are also aware and opposed to the demolition application being heard on the same day for the property north of the Palace Arms (127 Strachan). Our concerns regarding this setting a precedent are and the impacts of not having an area study have proven valid. We request a deferral on this rezoning until a proper study of the area can be done. In 2018 an Avenue Study was not recommended to Council. This is a failure of City Planning but it is also becoming a failure of our city.

We have connected the dots here and formed a wider coalition with other groups who have similar interests in opposition to applications being heard at community council on February 24th. Justice for Queen's Hotel with Parkdale People's Economy, and the ACO (Architecture Conservancy of Ontario) initiative for 127 Strachan spearheaded by Adam Wynne.

We have spoken to the Parkdale People's Economy (PPE), a network of 30 local community organizations and hundreds of community members collaborating towards decent work, shared wealth and equitable development in Parkdale. PPE is campaigning for participatory community planning through Community Benefits Agreements (CBAs), which are legal contracts that commit developers and the City to work with community to address local needs such as decent work, affordable housing, and community oversight within proposed developments. CBAs capture the over-inflated profit margins generated from development and repurpose them for community benefits and shared wealth. [The Parkdale Community Benefits Framework](#)

published in 2018 explicitly speaks to the need to respect tenant rights and secure deeply affordable housing options in the City. Currently, PPE is working with the Justice for Queens Hotel community coalition to call on Toronto and East York Community Council to oppose BSaR's rezoning application unless they replace the 27 dwelling rooms from which tenants were violently and unlawfully evicted in 2015. Their community benefits campaign is calling for new units to be provided to the impacted tenants or tenants in similar need, at a deeply affordable rate for 99 years. We do not stand alone in demanding equitable development standards as fundamental to a healthy City and are interested in the option of exploring and negotiating a Community Benefits Agreement to guarantee the full replacement of the 90 units at Palace Arms. A deferral would enable you/us to have the time to move this forward with the applicant.

We support good development. We are not NIMBY. We are YIMBY. We say yes to good development in our backyard. We expected planning and our councillor to advocate for that. Instead, it is as if we have collectively had to do the job of planning by assembling our own neighbourhood walkthroughs for reference. Luckily, we have architects in our neighbourhood who have helped mark up applicant plans and to do modeling of what the future could be for our neighbourhood. All in the middle of a pandemic. We have been shocked and disappointed with Mr. Cressy's treatment of his own constituents - it was clear from the beginning of our conversations that he has backed this development, which is so clearly a detriment to our community. We never imagined we would be told that if we asked for more time to do a proper study with a deferral that we would be told that the affordable housing was likely to come off the table because the applicant would appeal and the applicant would pull it.

There has been no dialogue. There was no consultation in the true sense of the word including the completely undemocratic community meeting. We were put through a series of meetings to check boxes, rather than any level of true consultation. We submit our correspondence to show how simple questions were ignored, how our councillor shut us down, and told us he did not want to hear it when we raised concerns about how any of this was acceptable to him that something seemed fishy, and how planning has told other developers in the area that they can do what they like. This is a failure of City planning.

We have unfortunately been treated as our neighbours (and our supporters) in Liberty Village have been treated before. This is the same steamroll approach this applicant took with 25 Liberty. There has again been no respect for the neighbourhood, our community or the tenants of the Palace Arms. This is clearly all about the bottom line for them and we are demanding better from the City of Toronto.

Today we review our concerns and the questions which have remained unanswered for months. Please also reference our website and the supporting submitted information which includes background documents, including a walkthrough and renderings put together by our own community that outline the impact this re-zoning will have on our community.

Many people have been requesting a precinct plan for our area for decades for these very reasons. We are asking you to vote to defer this rezoning at Community Council until such a time that a study of the loss of deeply affordable units, a neighbourhood/precinct plan and ideally a review by the DRP (Design Review Panel) of this application is completed.

We feel our neighbourhood deserves the opportunity to have a proper review done.

We understand that provincial regulations limit the powers of the City and what councillors and planning staff can achieve, however that fear is limiting and is no excuse to avoid doing the right thing on this proposal for our community.

***Why is our group pushing back (at a glance)?***

- We feel the current plan does not address the loss of rooming house units.
- We are concerned this includes targeting of vulnerable tenants.
- Predatory developers across the city are using the same claim Intentional Capital originally put forward to displace existing vulnerable tenants.
- Predatory housing providers are claiming the housing they provide is of better quality and therefore a smaller number of units is acceptable. This is not acceptable to our community. 22 units from 90 represents an assumption that people are going to be able to live together, or somehow be able to afford these units.
- If Intentional Capital's current application is approved as is it will have dire impacts on the affordable housing in our community for decades to come. Any legally binding decision that upholds and makes invisible displacement in our communities can not and should not be considered good planning.
- Good Planning policy should include denying Zoning By-law Amendment Applications that are made possible through unlawful and unethical actions such as removal of existing affordable housing units.
- Good Planning Policy should include criteria for community wellbeing and dignity.
- Development should not depend on economic displacement and dispossession of vulnerable people.
- The proposal does nothing to ameliorate the laneway, and instead makes it a more dangerous and unattractive space.
- The proposed 0 lot-line setback beyond the heritage building at the lane will create a "canyon" like condition with a 20' wide lane flanked by 57' high walls (3 x the width of the ROW).
- A better solution is to setback ALL the new building 2.5m from lot-line [5.5m from centre of lane].
- If mirrored at 934 King St W, this creates an 11m [36'] wide alley.
- We seek full replacement of 90 units of affordable housing being lost on this site.
- The application first proposed 28 (2018), then 15 (2020). We see currently only 22 units (2021).

The application should be deferred or rejected based on the following issues:

### **Key Issues:**

#### **Affordable Housing**

This property's history is affordable housing. 90 units. We understand city policy. What we do not understand is how our councillor can accept leaving behind almost 60 units of deeply affordable housing. We know there are major issues in our Ward with affordable housing. We live near the encampments in Trinity Bellwoods, these are neighbours experiencing homelessness. They live here in our community and deserve to have safe, and appropriately comparable housing. We seek our councillor and planning to support full replacement of all 90 units of dwelling space. This building's very history for 50 years has been as a deeply affordable rooming house. The plans currently show these new affordable units facing a laneway currently 6 metres from what will become an opposing wall on the adjacent lane. Although discussion has the units being larger bachelor style units, this is against the deeply affordable rooms that are being lost. Many do not have the resources to maintain this kind of unit. We feel there is more work to be done here. We have consulted with Parkdale People's Economy, as we are neighbours not housing experts. We live in a diverse community and we want to maintain the accessibility to housing. We understand there has been negotiation about the length/term of affordable housing, however this should apply to 90 units given the history of the Palace Arms as one of the only deeply affordable housing options left in our community. We are concerned about the issues now, as well as in the future. Where are the residents going to find housing for this cost and for how long? Where will they be sent while construction happens? We seek more time to ensure there is a better plan for the current residents of the Palace Arms, those who have already been displaced from the Palace Arms, and of course those who require access to deeply affordable units in the future. We ask that the existing number of deeply affordable new units be available to the impacted tenants or tenants in similar need at the same rate, in perpetuity,

#### **Height & Density**

The site has a currently zoned density of CR 2.5x (c2.0; r2.5). The current proposal is for a density of 9.17-9.38x, an increase of 3.67-3.75x the current allowable density(!) (Of note, the DNA3 development at King Street West and Shaw and referred to by planning as a precedent for height had a density of 6.4x the site area. We are not asking for standards to be adhered to from 1986 as both Mr. Cressy and the Applicant have suggested. We want reasonable height and density for the area using the City's own Council adopted Mid-Rise Building Performance Standards and Tall Building Design Guidelines. Using DNA3 as a reference, why is planning not adhering to their own reference for precedent? Therefore, we feel a deferral for further study is required.)

The site has a currently zoned height maximum of 18.0m. The current proposal is for a height of 49.95m, or 2.78x the current allowable height.

The mechanical “level”, as it is served by the elevators and contains a residential related occupancy in the proposed amenity space, counts as a storey. The building is in fact 15 storeys and should be correctly referred to as such. (Depending on the final configuration of the proposed “2 level” townhouses fronting on Strachan Avenue, the lower “level” may also count as a storey under the Ontario Building Code making the proposal 16 storeys.)

The drawings indicate that the floor plate for “levels 4-14”/floors 4-14 range from 1067.5m<sup>2</sup> – 846.6m<sup>2</sup>. As this building is over 11 stories in height, it should abide by the City of Toronto’s Council adopted Tall Building Design Guidelines which call for a maximum floor plate of 750.0 m<sup>2</sup>.

Good planning principles and the City of Toronto’s Council adopted Mid-Rise Building Performance Standards suggest a 45-degree angular plane above a height of 10.5m measured from 7.5m from an adjacent R-zone for new developments on main streets to minimize overlook and shadow impacts on adjacent established residential neighbourhoods. This proposal could only achieve 6-8 storeys on this site by this standard.

The drawings are purposely misleading – especially in relation to labelling and referencing “levels” vs. storeys.

Width of existing lane – the existing lane is 6.0m wide. The existing space between buildings is 5.4m. Truck turning movements off the lane require scrutiny. The full turning movement diagram for city owned garbage vehicles needs to be vetted and verified.

### **Shadow/ Environmental Concerns.**

The shadow studies provided show significant shadowing on adjacent R-zones before 10:18 a.m. and after 1:18 p.m. during the equinox and after 5:18 p.m. on Stanley Park. (Significant setbacks on the DNA3 development referenced in the report mitigated such shadows on adjacent R-zones.) This impacts quality of life, and we cannot understand why this applicant is not being asked to adhere to the same standards of the building being referenced by planning about setbacks and shadow. This is unacceptable given we are a neighbourhood in the pollinator path, and we have a brand-new pollinator garden in Stanley Park.

### **Parking**

The current proposal calls for 14 parking spaces for 191 units (0.07 spaces per unit). The traffic study states the municipal requirement as 185 spaces (0.97 spaces per unit - this does not include the efficiency units in the mix). The traffic study then recommends 74 parking spaces for this development (0.39 spaces per unit or 5.6 x the number of spaces proposed!). Why is

this acceptable to the city? We ask for an updated traffic study as this area is already gridlocked, even during COVID.

Unfortunately, so far, we have been delivered a clear message through this process that our neighbourhood is for sale. We see what is happening in other communities across Toronto. At the Foundry, Queen's Hotel, and yet during a housing crisis where neighbours are living in Trinity Bellwoods park, we are seeing the City not fighting to maintain quality of life, literal sunlight, for the community. Our previous councillor Mike Layton supported and does support full replacement of the affordable housing units. He also had dialogue with our community and was transparent about process and position. We only wish our current councillor would do the same. We still hope he will support us in asking for this deferral to ensure proper study and review can be done.

We present real analysis of this proposal in relation to existing developments, localized context, and the City Council adopted Mid-Rise Building Performance Standards and Tall Building Design Guidelines. Nothing approaching even lip service to these Standards has been considered. (The applicant's Architect indicated that this proposal was somewhere between a Mid-Rise and a Tall Building, by his own definition, and questioned whether 15 storeys was really a Tall Building. He then went further to suggest we should feel lucky it was not taller(!).)

(Assuming this is a Tall Building proposal, as it is 15 storeys, this would require a minimum set back of 12.5m from the north property line and the centreline of the lane. Assuming a 3.0m setback from the property lines at Strachan Avenue and King Street West, this would result in a "tower" floor plate of 479m<sup>2</sup>. The current proposal is for a tower floor plate in the range of 1067.5m<sup>2</sup> - 846.6m<sup>2</sup> from floors 4-14.)

Neighbouring landowners are concerned about the impacts of this development on the viability of the development of their lands in future. Their concerns are not that they will be given the same latitude, but rather they are concerned about the (negative) precedent setting nature of this development and its impact on future development in this neighbourhood that we all share.

We agree that this is a very important site:

- \* An existing heritage building occupies the site
- \* The site currently provides an important housing typology to its tenants (rooming house)
- \* The current proposal includes an important housing typology (affordable, micro-units, etc.)
- \* The site is located on an important north-south avenue rich in our City's heritage (from Fort York to the Gates of (formerly) Trinity College. This area was formerly part of a large military reserve around the Town of York, founded in 1791. In 1851, Bishop Strachan purchased the land where Trinity Bellwoods Park currently is, as the site for the original Trinity College, completed in 1852.)
- \* The proposal is for intensification on a main street on transit

All of this begs the question, why has this proposal not been vetted by the Design Review Panel?

The Panel (DRP) could provide independent, objective advice on this proposal that affects our public realm, including preservation, appropriateness of response, comfort and safety for all residents, and making the development compatible with its surroundings. Discussion regarding this proposal appears to be at an impasse (i.e. our questions regarding the proposal are not being answered by Staff, our Councillor or the Applicant).

We all want this development to be a success. Sometimes that takes time for consideration.

What is the rush?

We are concerned about the piece-meal rushed form that development of this area is taking. Given the likelihood of redevelopment of other adjoining lands it makes sense for the redevelopment of this block to be considered in its entirety. We would like to work collaboratively with the owners of the adjacent lands and the local community to plan the development better, to everyone's benefit.

We are asking for your help and support today to continue community consultation and amend this structure to adhere to the appropriately planned density and height in the area, to provide additional deeply affordable housing units that ideally do not face a brick wall, and for the Applicant to understand that community consultation means commitment to that community. We are supportive of development on this site. This version of the plan just is not it.

Thank you.

**Palace Arms Community Opposition Group  
240+ Neighbours (supporter information attached)**

**Note: Only an hour before this statement was due we received more details from Mr. Cressy's office including documents from 2018. We have had no time to review, we have had no time to distribute to the wider group and we had no time to react to them in this letter. This is yet another reason for deferral so that the community can actually have time to review the questions coming out of the report and actually have adequate time to respond.**

**Supporting Documents:**

[Community Created Area Walkthrough](#)

[Supporting Documents \(Report, Notes on Reports\)](#)



Please also see attached documents to our letter including detail courtesy of The Architect Builders Collaborative Inc.

**Media:**

2021 - City News/CP24 - Development threatens affordable housing

2021 - Toronto Star - 'Where are they going to send me?'

2021 - BlogTO - Toronto Neighbourhood Pushes Back

2021 - Novae Res Urbis Toronto - Replacing Affordable Rental

2018 - Globe & Mail - For Toronto's poor, the Palace Arms has been their castle – now, a new  
condo looms

2015 -Globe & Mail Last call at the Palace Arms: Developers covet the King West property, but  
where will its tenants go