

October 8, 2019

Ms. Joanna Kimont, Senior Planner
City of Toronto Planning Division
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Ms. Kimont:

**Re: Zoning Amendment Application 18 125163 STE 20 OZ
Frala Dick Holdings Inc. and Allied Properties REIT
540-544 King Street West and 1-7 Morrison Street**

In 2008, the Toronto District School Board (TDSB) established Toronto Lands Corporation (TLC) to be its real estate agency reporting back to the TDSB through its own Board of Directors. In June 2018, the TDSB expanded TLC's mandate to include all Board-wide real estate, land use planning, asset management and leasing matters. To this end, all land use planning matters and development review is now being overseen by TLC. TLC also has the authority to undertake and complete all such actions and approvals necessary to secure the interest of TDSB.

TLC has reviewed the above-noted development application resubmission dated August 14, 2019 for a new 15-storey mixed-use development, which includes 80 residential condominium units and office uses. As you are aware, the northern portion of the development site shares its east property line with Alpha Alternative Junior Public School and Oasis Alternative Secondary School (the "school site") municipally located at 20 Brant Street.

Further to the comments provided by the TDSB on April 24, 2018, May 16, 2018 and June 29, 2018, TLC has expressed concerns with this proposal regarding vehicular site access and circulation, setbacks of balconies and the amenity area, shadow impacts, student accommodation, demolition and construction and their impacts on the adjacent school. TLC is appreciative of the applicant reaching out to meet and discuss these matters on April 26, 2019 and September 10, 2019.

TLC provides the following comments with respect to the August 14, 2019 resubmission below:

1. Setbacks of Balconies and Amenity Area

TLC acknowledges that compared to the previous submission, the latest architectural drawings (July 30, 2019) illustrate increased building setbacks of 1.5 metres on the ground floor and 5.5 metres on the second to fifteenth floors from the shared property line. However, TLC is concerned with the proposed second storey outdoor amenity space, which is set back only 1.5 metres from the adjacent school site, and the proposed balconies facing the school site. The proximity of these elevated outdoor spaces to the school site present privacy concerns and may be a potential safety hazard from falling objects.

It is TLC's preference to not have any balconies and other elevated outdoor amenity spaces facing the school site.

However, TLC is open to exploring design options to address and alleviate some of these concerns, for example, rounded balcony railings to prevent resting items on the railing that may potentially fall; no gaps between the balcony wall and the balcony floor to avoid rolling objects from falling through; minimum railing heights and translucent/opaque balcony and amenity area walls to ensure privacy and prevent overlook onto the school site.

2. Vehicular Site Access and Circulation

The Urban Transportation Considerations Memorandum (August 12, 2019) indicates that the parking garage ramp access has been relocated from a laneway off Morrison Street to furthest north along the site's frontage on Brant Street. It is not clear whether the relocation simply diverts the traffic issues identified for the original Morrison Street access onto Brant Street, which is closer to the school frontage and therefore of increased concern. The Urban Transportation Considerations Memorandum does not appear to provide the number of vehicles that are anticipated to use the Brant Street access during the morning peak hour, thus the scale of the traffic impacts on the school site and community is unclear. The vehicular site access on Brant Street increases the potential for driver conflicts with students and parents walking or cycling along Brant Street towards the school, thus the safety of this access is of significant concern. TLC has requested an opportunity to meet with the developer's transportation consultant in order to better understand the transportation impacts for school site and community, and how these impacts may be addressed.

Further, TLC understands that the City has implemented a Vision Zero Road Safety Plan. TLC requests that the City review which of the measures in the Vision Zero Road Safety Plan or other safety measures may be appropriate in the vicinity of the school site to mitigate transportation impacts to ensure safe and connected students and staff travel paths to and from school.

3. Shadow Impacts

The Shadow Study (July 30, 2019) demonstrates new shadow on the school site between 11:18AM and 4:18PM during the fall equinox (September) and spring equinox (March). The Shadow Study does not demonstrate how the proposed building adequately limits shadowing of neighbouring properties, including shadow sensitive areas such as schoolyards, as per the Tall Buildings Design Guidelines 1.4.c and Official Plan policies 3.1.2.3 d), e) and f). Outdoor education is an important component of the Alpha Alternative Junior Public School, thus TLC is concerned that the proposed shadows are being cast on the yard during times it is being used by students for outdoor activities. TLC is concerned that the proposal also casts new shadows on the school's west wall for the entire day beginning at 12:18PM. This wall consists of many large windows (see Figure 1 on pg. 3) that currently receive direct sunlight, providing natural light to the classrooms. Direct natural sunlight is conducive to a positive learning environment for the students.

4. Green Wall

TLC appreciates the applicant's efforts to improve the interface with the school site through proposing a green wall on the ground floor facing the school site. However, TLC notes that the Shadow Study demonstrates that the proposed green wall will be in shadow from at least 11:18AM onward during the spring and fall equinoxes, and at least 1:18PM onwards during the summer solstice. To ensure the viability of a green wall, TLC requests the applicant to demonstrate that it can provide appropriate shade tolerant, year round vegetation. Furthermore, TLC requires assurances that the future residential owners/condominium corporation will continue to maintain the green wall. The current owner must enter into an access agreement in order to maintain in the green wall.



Figure 1 – west side of school building

5. Student Accommodation

As noted in previous letters submitted by the TDSB, projected accommodation levels at the local schools warrant the use of warning clauses on site and in agreements of purchase and sale, as a result of the cumulative impact arising from all development in the schools' attendance area. The status of local school accommodation should be conveyed to potential purchasers as well as communicated to the existing community to inform them that students from new development will not displace existing students at local schools.

Therefore, TLC requests that in the subsequent site plan agreement, the following pre-approval conditions be incorporated:

1. *The Owner shall erect and maintain signs, at points of egress and ingress of the development site, advising that:*

"The Toronto District School Board (the TDSB) makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available for all students. Students may be accommodated in schools outside this area until space in local schools becomes available.

For information regarding designated school(s), please call (416) 394-7526."

These signs shall be to TLC's specifications.

2. *The Owner shall include the following warning clauses in all offers of purchase and sale/lease/rental/tenancy agreements of residential units for a period of ten (10) years from the date of this agreement:*

"Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be available in the neighbourhood schools for all students anticipated from the development area. Students may be accommodated in school facilities outside the neighbourhood or students may later be transferred to other school facilities. For information regarding designated school(s), please call (416) 394-7526.

Purchasers agree that for the purpose of transportation to school, if bussing is provided by the Toronto District School Board in accordance with the TDSB's bussing policy, students will not be bussed from their home to the school facility, but will meet the bus at designated locations in or outside of the area."

6. Demolition and Construction

Since the north portion of the development site is abutting the school site, it is critical that all precautions must be taken during the demolition and construction to ensure that there are no risks to the health and safety of students, staff, and school community. TLC requires detailed construction management, hazard/risk assessments, and mitigation plans, which will include but not limited to:

- construction hoarding of a minimum height of 12 feet and safety netting to be erected during demolition and construction;
- construction site maintenance, including: tying down materials, daily sweeping, weekly washing of site and adjacent sidewalks/roadways;
- pre- and post-construction condition surveys of school site;
- regular air monitoring for dust and diesel emissions;
- regular noise monitoring;
- pedestrian safety and traffic control during construction;
- best efforts to carry out any work that would have a greater impact on school operations during the summer months; and,
- a communication strategy to ensure open communications regarding timing of construction and any construction issues and concerns.

To ensure the above, TLC requests that in the following be included as a condition of approval, secured as a matter of legal convenience in any Section 37 agreement as well as in the subsequent site plan agreement:

"Prior to issuance of site plan approval, the applicant shall provide to the satisfaction of the Toronto District School Board details regarding construction management, schedule and timelines, traffic management (pedestrian/vehicular/cycling), proposed sidewalk/street closures, construction equipment movement, noise/dust/air attenuation and mitigation as it relates to the school site and surrounding area."

TLC looks forward to further meetings with the applicant to discuss design elements (such as the proposed balconies, the green wall), construction management, and any temporary property/access requirements required of the school site.

Despite these provisions, TLC's comments may change as this application progresses through the planning process.

Lastly, TLC requests to be notified on all future public notices, resubmissions, appeals and other matters and request to be included on the Interested Parties List with respect to this application.

If you have any questions regarding this matter, please contact Amar Singh, Senior Land Use Planner at (416) 394-0574 or at asingh.tlc@tdsb.on.ca.

Sincerely,



Amar Singh
Senior Land Use Planner
Toronto Lands Corporation

- c: Stephanie Donaldson, TDSB Trustee, Ward 9
Daryl Sage, CEO, TLC
Bianca Bielski, Senior Manager, Land Use Planning, TLC
Anita Cook, Senior Manager, Real Estate, TLC
Yvonne Choi, Manager, Land Use Planning, TLC
Dan Castaldo, Senior Manager, Planning, TDSB