

20 Brunel Court (Block 31 – Railway Lands West) and 95 Fort York Boulevard – City-initiated Official Plan Amendment – Final Report

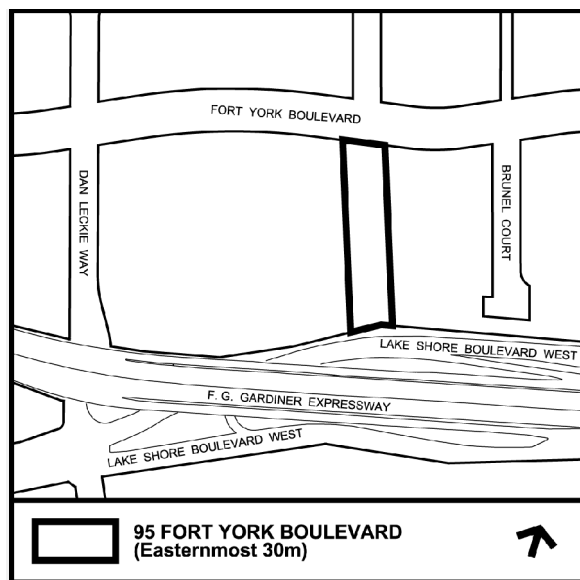
Date:	May 22, 2013
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 20 – Trinity-Spadina
Reference Number:	12-286060 STE 20 OZ

SUMMARY

This city-initiated Official Plan Amendment application proposes to add the easternmost 30 metres of the lands at 95 Fort York Boulevard to Official Plan Site and Area Specific Policy #265 so they are exempt from Official Plan Policy 4.3.8, which prohibits the disposal of City-owned land in areas designated as *Parks and Open Spaces*.

The property known as 95 Fort York Boulevard is Canoe Landing Park in the Railway Lands West. Immediately to the east of the park is Block 31 (20 Brunel Court) which will be developed with two schools, a City-owned community centre, a daycare and affordable housing, as outlined in the Railway Lands West Secondary Plan. As part of the development plan for the site, the below-grade parking garage and the buildings will protrude into a portion of 95 Fort York Boulevard, all of which is designated *Parks and Open Space*.

As stipulated in the legal agreements which apply to the site, the City will be entering into a long term lease (99 years) with both the Toronto District School Board, and the Toronto Catholic District School Board for the property. A lease of this length is



considered a disposal of city land.

This report reviews and recommends approval of the City-initiated application to amend the Official Plan.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan to add the easternmost 30 metres of 95 Fort York Boulevard, also known as Canoe Landing Park, to the list of properties in Site and Area Specific Policy No. 265, as shown in Attachment 2 to the report dated May 22, 2013 from the Director, Community Planning, Toronto and East York District.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment as may be required.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

City Council, at its meeting on November 27, 2012, directed staff to initiate this application. That direction can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.EX24.155>

A Preliminary Report for the proposed development on Block 31 was adopted by the Toronto and East York Community Council on September 15, 2009. While the proposal with respect to the scale and layout of the site has changed since the adoption of this report, the background and policy context for the development of this block is relevant and comprehensive. The report can be found here:

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2009.TE27.119>

ISSUE BACKGROUND

Proposal

The land known as 20 Brunel Court (Block 31 in the Railway Lands West) is owned by the City, and will be developed with two schools, a City-owned community centre, a daycare and affordable housing, as governed by the Railway Lands West Secondary Plan and the Zoning By-law. As part of the plan for the site, the below-grade parking garage, and parts of the proposed buildings will protrude into the portion of the adjacent site at 95 Fort York Boulevard (Canoe Landing Park) which is designated *Parks and Open Space*. To permit the development it is anticipated the City will enter into a long term lease with both the Toronto District School Board, and the Toronto Catholic District School Board

to allow their use of the easterly strip of Canoe Landing Park. This is considered a disposal of City parkland.

This City-initiated Official Plan Amendment application proposes to add the easternmost 30 metres of the property at 95 Fort York Boulevard (Canoe Landing Park) to Site and Area Specific Policy #265 so they are exempt from Official Plan Policy 4.3.8, which prohibits the disposal of City-owned land in areas designated as *Parks and Open Spaces*.

Site and Surrounding Area

The easternmost 30 metres of 95 Fort York Boulevard which is the subject of this report is approximately 3,900 square metres and is currently vacant.

North: To the north of the site are mixed-use blocks that have been developed by Concord Adex. The blocks are generally massed to include podium buildings (3-9 storeys in height) with towers above (16-47 storeys in height). Beyond the development blocks to the north is the railway corridor.

West: To the west of the 30 metres is Canoe Landing Park. It is 8 acres and includes playing fields and play areas that will be used by the schools as well as the public. To the west of the park are two more development sites which will be developed with high-rise mixed-use buildings.

South: To the south of the site is the Gardiner Expressway.

East: To the east of the site is Block 31 (20 Brunel Court) which is City-owned and will be developed with two schools, and community centre, a daycare and affordable housing.

Official Plan

Block 31 (20 Brunel Court) and Canoe Landing Park (95 Fort York Boulevard) fall within the Railway Land West Secondary Plan area and they are designated *Mixed Use* and *Parks and Open Spaces* respectively. Map 19-4 shows Block 31 as the general location for the community centre and schools.

Zoning

Zoning By-law 1994-0805, as amended, permits a mixed use building with a maximum height of 45 metres and a maximum residential gross floor area of 31,398 square metres at 20 Brunel Court. An additional 2,775 square metres of non-residential density is permitted although this does not include the schools, or community centre which are designated as exceptions to the overall density limit in the By-law. Canoe Landing Park is zoned "G".

Site Plan Control

An application for site plan approval has not been submitted.

Reasons for Application

Once the city enters into a long term lease with the school boards it will have disposed of lands which are designated *Parks and Open Space Areas* in the Official Plan. Section 4.3.8 of the Official Plan states, "no City owned lands in *Parks and Open Space Areas* will be sold or disposed of." This application proposes to exempt the subject lands from this policy.

Community Consultation

Given that this application is a technical amendment to the Official Plan, as the lands will continue to be designated *Parks and Open Space Areas*, there was no requirement for a Community Consultation meeting.

COMMENTS

Land Use

The Railway Lands West Secondary Plan has, since 1994, anticipated that the easternmost 30 metres of the park, along with Block 31, would be used for schools, a public community centre, a daycare and affordable housing and that part of the development would therefore be located within lands designated as *Parks and Open Space*. Map 19-4 in the Railway Lands West Secondary Plan shows the area designated as *Parks and Open Space*, and it also shows the area where the schools and community centre will be located. What is clear on this map is that these 2 areas overlap on the west side of the Block. See Attachment 1 for Map 19-4.

Zoning By-law 1994-0805 also allows for the schools and community centre to be developed in the park, as Section 10(8) specifically allows both elementary schools and a *municipal community centre* to be located within a "G" zone, subject to a number of conditions, including that these uses are only located within the 30 metre area of the park which is the subject of this report.

In the Official Plan, Policy 4.3.8 states that, "The sale of publicly owned lands in *Parks and Open Space Areas* is discouraged and no City owned lands in *Parks and Open Spaces Areas* will be sold or disposed of." The purpose of this application is to add this property to the list of properties in Site and Area Specific Policy #265 so that Policy 4.3.8 does not apply.

By adding this site to the list of properties in Site and Area Specific Policy #265, it does not change the designation of the subject lands, it simply allows the City to enter into lease agreements with the school boards. Therefore, staff recommend approval of this technical Official Plan Amendment.

CONTACT

Sarah Phipps, Senior Planner
Tel. No. (416) 392-7622
Fax No. (416) 392-1330
E-mail: sphipps1@toronto.ca

SIGNATURE

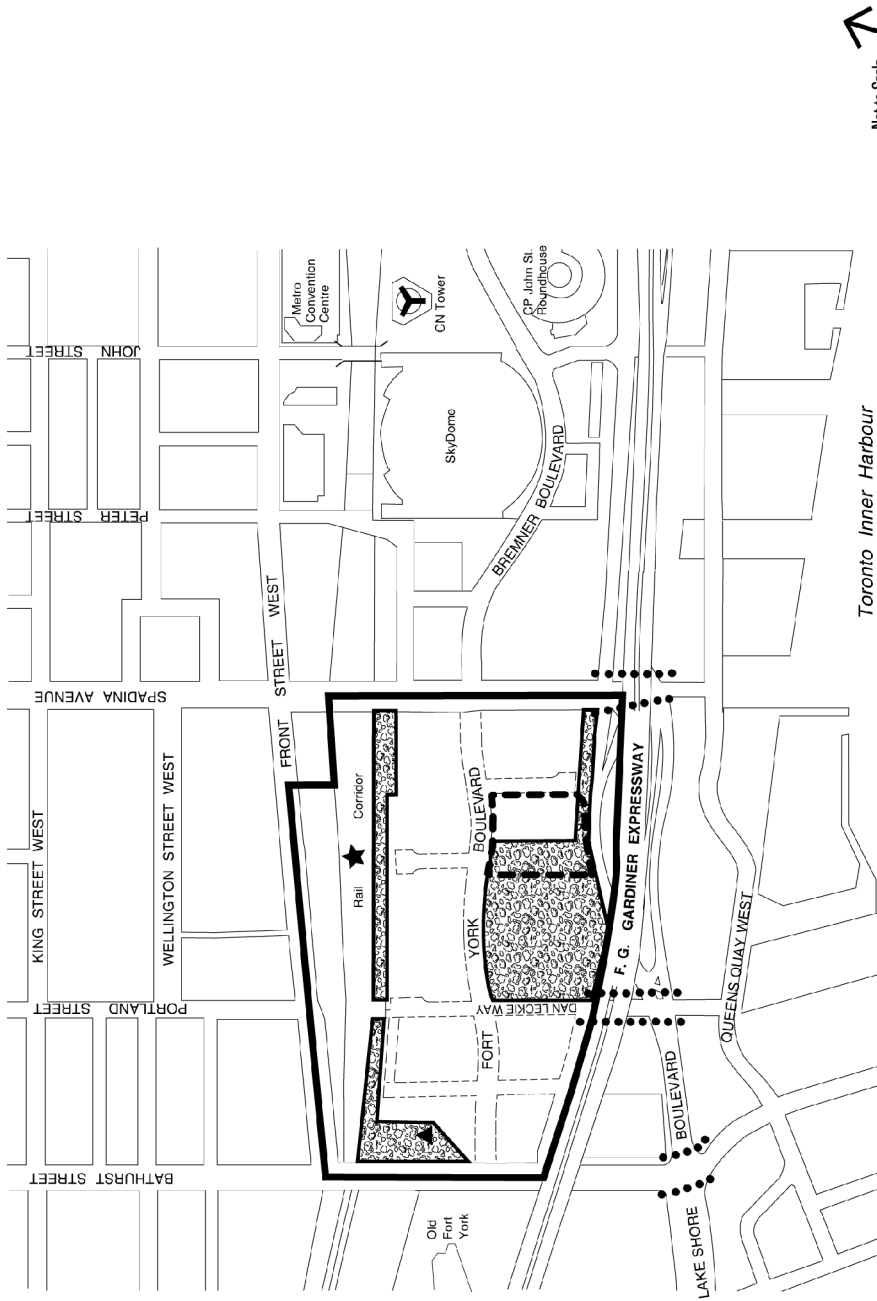
Gregg Lintern, MCIP, RPP
Director, Community Planning
Toronto and East York District

(p:\2013\Cluster B\pin\te33392712037.doc) - es

ATTACHMENTS

Attachment 1: Map 19-4 of the Railway Lands West Secondary Plan
Attachment 2: Draft Official Plan Amendment

Attachment 1: Map 19-4 of the Railway Lands West Secondary Plan



Not to Scale

Railway Lands West Secondary Plan MAP 19-4 Parks and Open Space Plan



- Secondary Plan Boundary
- ▨ Lands to be Leased or Conveyed to the City for Parks Purposes
- - - General Location for Community Centre and Schools
- ★ Pedestrian Rail Corridor Bridge to be provided between Spadina and DanLeckie way
- Improved At-Grade Pedestrian Routes
- ▲ Proposed Garrison Creek Interpretive Area

October 2009

Attachment 2: Draft Official Plan Amendment

Authority: Toronto and East York Community Council Item ~ as adopted by City of Toronto Council on ~, 20~

Enacted by Council: ~, 20~

CITY OF TORONTO

Bill No. ~

BY-LAW No. ~-20~

**To adopt an amendment to the Official Plan
for the City of Toronto
respecting a portion of the lands known municipally in the year 2013 as
95 Fort York Boulevard**

WHEREAS authority is given to Council under the *Planning Act*, R.S.O. 1990, c.P. 13, as amended, to pass this By-law;

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the *Planning Act*;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. The attached Amendment No. 225 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

ENACTED AND PASSED this ~ day of ~, A.D. 20~.

ROB FORD,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

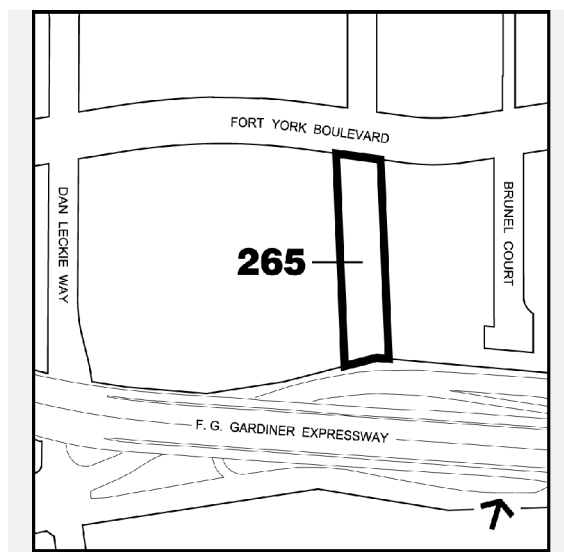
AMENDMENT NO. 225 TO THE OFFICIAL PLAN

**LANDS MUNICIPALLY KNOWN IN THE YEAR 2013 AS
THE EASTERNMOST 30 METRES OF 95 FORT YORK BOULEVARD**

The Official Plan of the City of Toronto is amended as follows:

1. Chapter 7, Site and Area Specific Policies, is amended bay adding the following text and map respecting the lands known in 2013 as 95 Fort York Boulevard:

Certain lands at 95 Fort York Boulevard, more specifically, the easternmost 30 metres of the property, in the Railway Lands West:



2. Map 29, Site and Area Specific Policies, is revised by adding a portion of the lands located at 95 Fort York Boulevard, as shown on the map above.