



**STAFF REPORT
INFORMATION ONLY**

**Results of Public Meeting for Don Mills Middle School
and replacement of the Civitan Arena**

Date:	December 19, 2013
To:	Government Management Committee
From:	General Manager, Parks, Forestry & Recreation
Wards:	Ward 25 - Don Valley West Ward 26 - Don Valley West, and Ward 34 - Don Valley East
Reference Number:	P:\2014\Cluster A\GM27-010614-AFS#18814

SUMMARY

The purpose of this information report is to provide supplemental information resulting from the public meeting held on December 5th to discuss the selection of a site for the new Don Mills Civitan Arena, including the Toronto District School Board's disposal of the Don Mills Middle School site.

The public meeting was attended by approximately 75 people. The questions, comments and discussions arising appeared to involve three main themes:

- Retention of the Don Mills Middle School Field as green space;
- Locating the New Civitan Arena at the Don Mills Middle School site; and
- Locating the new Civitan Arena at one of the chosen City-owned sites.

Financial Impact

The capital cost to construct the twin-pad arena is \$24.5M, funded by \$11.024 million of development charges, \$9.864 million of reserve funds, and \$3.612 million debt, is included in PF&R's 2014-2023 Recommended Capital Plan. The cost to purchase the land other than the two sites already selected is not included in the capital project cost and will vary depending on the chosen site location, and would be funded from North District Parkland reserves. The locations being considered as directed by City Council are the York Mills and Don Valley Parkway site, and the Don Mills and Eglinton Road East site, both of which are City-owned sites. The expected purchase price of the surplus

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portion of the Don Mills Middle School site exceeds the balance of the North District Parkland Reserve fund.

The Chief Financial Officer has reviewed this report and agrees with the financial impact information.

DECISION HISTORY

In 2007, Parks, Forestry and Recreation identified that the Civitan Arena would require replacement. In February 2008, North York Community Council directed that a search commence for selecting a new location for the arena.

Decision Document – NY 13.24

<http://www.toronto.ca/legdocs/mmis/2008/ny/decisions/2008-02-12-ny13-dd.pdf>

In June 2008, North York Community Council considered a report setting out the study criteria for selecting a location for the replacement arena. North York Community Council endorsed a preferred site at Highway 401 and Don Mills Road. This site was studied as part of the Arena Location Study, and was not a preferred site.

Decision Document –NY16.12

<http://www.toronto.ca/legdocs/mmis/2008/ny/decisions/2008-06-10-ny16-dd.pdf>

In September 2009, North York Community Council directed that Parks, Forestry and Recreation report on the progress and in November 2009, Parks Forestry and Recreation's report was considered.

Decision Document – NY20.24

<http://www.toronto.ca/legdocs/mmis/2008/ny/decisions/2008-11-18-ny20-dd.pdf>

At its meeting of September 30 and October 1, 2009, City Council, through a status and request for direction report for a rezoning application at 939 Lawrence Ave. E, 1090 Don Mills Road, and 49 and 75 The Donway West, directed the General Manager of Parks, Forestry and Recreation to explore the potential for providing a combined community centre and twin-pad arena within the Don Mills Centre and to report back to North York Community Council.

Decision Document – Item NY27.54

<http://www.toronto.ca/legdocs/mmis/2009/cc/decisions/2009-09-30-cc40-dd.htm>

At its meetings on February 22-23, 2010, City Council reviewed item CC46.2 entitled, "939 Lawrence Avenue East, 1090 Don Mills Road, 49 and 75 The Donway West - Ontario Municipal Board Hearing" following an Ontario Municipal Board (OMB) hearing on the development at these sites. City Council adopted the Minutes of Settlement negotiated at the OMB. In the Minutes of Settlement, the recommendations pertaining to the arena that were adopted included the following:

- The applicant will be offered the grant of an option in favour of the applicant to purchase the existing Don Mills Civitan Arena lands;

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- The City will lease the Don Mills Civitan Arena lands until October 31st, 2020, after which a new Arena must be constructed;
- Parks, Forestry and Recreation will need to acquire another site for the arena and determine the source of the balance of the estimated \$20 million capital cost for the new twin pad facility;
- All cash in lieu of parkland generated from the Don Mills Centre Phase II development be allocated to the construction of a new arena;
- The City will receive an estimated \$4.5 million cash in lieu as the development is built out; and
- The City to establish a reserve fund called the North York Arena Reserve Fund for the purpose of the construction of a new twin-pad arena within the vicinity of the Don Mills Centre to be funded by the cash in lieu of parkland generated from the Don Mills Centre, Phase II development.

Decision Document – Item CC46.2

<http://www.toronto.ca/legdocs/mmis/2010/cc/decisions/2010-02-22-cc46-dd.htm>

At its meeting of May 25th, 2010, North York Community Council reviewed item NY34.19, which provided a status update on the search for a suitable site. Parks, Forestry and Recreation staff described a short list of candidate sites with the potential to meet the site selection criteria.

Decision Document – Item NY34.19

<http://app.toronto.ca/tmmis/viewPublishedReport.do?function=getDecisionDocumentReport&meetingId=3407>

City Council on July 11, 12 and 13, 2012, adopted the following recommendations of the North York Community Council for a new Multi-Pad ice arena to replace Don Mills Civitan Arena.

1. City Council direct the General Manager, Parks Forestry and Recreation to issue a Request for Expression of Interest (REOI) or if appropriate, a Request for Proposal (RFP) to identify any potential development of a two or more pad ice facility at one of the following two sites:
 - a. York Mills Road and Don Valley Parkway; and
 - b. The south/west corner of Eglinton Avenue East, and Don Mills Road (the Science Centre site).
2. City Council direct the General Manager, Parks, Forestry and Recreation to report back to Budget Committee and Executive Committee with a funding approach, which may include public-private partnerships, for the development and operation of a two or more pad facility following the conclusion of the REOI/RFP process outlined in Part 1 above.

Decision Document – Item NY17.10

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2012.NY17.10>

At its meeting of October 15, 2013 Government Management Committee considered a report on the results of the REOI for the Design, Construction, Administration and Operational Management of a Multi-Pad Ice Arena to Replace the Don Mills Civitan Arena. The Committee deferred consideration of the report until January 6th 2014 and Results of Public Meeting for Don Mills Middle School and replacement of the Civitan Arena

requested "the General Manager, Parks, Forestry and Recreation, to schedule a public meeting to discuss the location of the Don Mills Civitan Arena with the community, including the Toronto District School Board's disposal of the Don Mills Middle School site."

Decision Document – Item GM25.13

<http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2013.GM25.13>

ISSUE BACKGROUND

The City is in the process of replacing the Don Mills Civitan Arena. This process includes selecting a new location for the arena; securing the funds through Council for the construction of the arena; changing the land use designation; and designing and constructing the new facility. Parks, Forestry and Recreation intends to open a new Civitan Arena by 2020. On July 11, 12 and 13, 2012, City Council directed that City Staff proceed through the RFP and REOI process for two potential sites: the York Mills Road and Don Valley Parkway site (York Mill and DVP site), and the site at the south/west corner of Don Mills Road and Eglinton Avenue East (Science Centre site).

While Parks, Forestry and Recreation was undertaking the REOI, Toronto District School Board declared surplus a portion of the Don Mills Middle School at 17 The Donway. (See Attachment 2) This open field portion is currently used informally by the school as a sports field. The Don Mills Middle School site was not part of the 2010 study of candidate sites.

On October 16 2013, Parks, Forestry and Recreation forwarded a report to Government Management Committee GM25.13 to report on the results of the REOI process that the City had undertaken. The report recommends that Parks, Forestry and Recreation proceed with the York Mills and DVP site.

Government Management Committee discussed that the Don Mills Middle School site could be considered as a potential site for the replacement arena. Parks, Forestry and Recreation advised that direction from City Council was to carry out on the REOI with two sites, and that there are no appropriate source of funds to acquire the surplus portion of the Don Mills Middle School. Government Management Committee deferred the report about the results of the REOI, and directed Parks, Forestry and Recreation to proceed with a public meeting to "discuss the replacement location of the Don Mills Civitan Arena, including the TDSB disposal of the Don Mills Middle School site".

Prior to the public meeting, Parks, Forestry and Recreation assessed the Don Mills Middle School site using the same criteria created for use in the 2010 Civitan arena location study. Against the same criteria used previously, the Don Mills Middle School scored lower than the two preferred sites: the York Mills and DVP site, and the Science Centre site. The advantages of the Don Mills Middle School site is its close proximity to the existing arena; the potential to share facilities and parking with the abutting school; and its accessibility. The disadvantages include: the potential impact on traffic; the need

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to amend the zoning and Official Plan designation; and that the site is not in current City ownership. The cost to acquire the Don Mills Middle School site exceeds the available funding in the North York parkland acquisition reserves.

At the Government Management Committee meeting of October 15, 2013, the Councillor for Ward 24, while discussing the motions to defer and to hold the public meeting, identified the key question needing to be addressed at the public meeting: If there is support for using the green space at the Don Mills Middle School for the replacement location for the Don Mills Civitan Arena, how and where would the City find the funds to purchase the site?

The one suggested method of financing the acquisition of the surplus portion of the Don Mills Middle School site was to have the City of Toronto sell the City-owned land at York Mills and the Don Valley Parkway. There are City Council policy concerns with this approach. Parks, Forestry and Recreation believes that revenues from the sale of York Mills and the DVP site would be inadequate to cover the acquisition costs of the surplus school site. The timing of the transactions would also be an issue, with the purchase of the portion of the Don Mills Middle School site needing to occur well in advance of the sale of the City-owned site at York Mills and DVP.

COMMENTS

Process

The public meeting was held on December 5th, 2013 in the Cafetorium at the Don Mills Middle School. A total of 5,734 meeting notices were mailed or hand delivered to households in central Don Mills. Approximately 75 people attended the meeting. Two people left comment sheets at the end of meeting, and 9 people provided written submissions. (See Attachment 1)

Participants

The agenda for the public meeting included introductory comments from Councillor Robinson, and Councillor Minnan-Wong; a formal presentation by Brenda Patterson, Deputy City Manager, Cluster A; and a question and answer period. Councillor Parker also attended the meeting. Staff from Parks, Forestry and Recreation and the School Board, including Trustee Harout Manogian, Trustee Gerri Gershon, Shirley Hoy, and Donna Jondreau from the Toronto Lands Corporation attended and answered questions at the meeting.

Outcomes

The meeting involved discussions on two related questions:

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1. "What to do with the open field on the north side of the Don Mills Middle School" and
2. "What is the best location for the replacement of the Don Mills Civitan Arena?"

Three main themes emerged as answers to the two questions noted above. One theme was to retain the Don Mills Middle School Field as green space. The TDSB should reconsider the surplus designation, and keep the space green. A second theme was to locate the new Civitan Arena at the Don Mills Middle School site, as the Don Mills Civitan Arena should stay in central Don Mills. The third theme was to locate the arena at one of the chosen City-owned sites (York Mills Rd and Don Valley Parkway; or the south/west corner of Eglinton Ave. E. and Don Mills Rd – Science Centre site).

This report summarizes the representative comments under these three themes. In addition, some people provided written comments which are appended to this report. Some of these have been reduced in length. An edited version of the presentation is also included as Attachment 3.

Theme #1: Retention of Don Mills Middle School Field as green space

- TDSB lands are the green space and parklands for most of Don Mills and this space is well used by the Community.
- Losing these lands would mean losing parkland for all types of users. Once lost, it is lost for good.
- Arenas are moving towards multiple pads – Hockey arenas in the outskirts are beautiful.
- Most arenas are not parachuted into existing residential neighbourhoods. There is not enough room on this site for an arena with more than one pad.
- Concern for students of Don Mills Middle School (DMMS) and how loss of green space or access to potential arena on site impacts them.
- Residents have gone door to door to poll the neighbourhood and the majority prefer this site to remain as green space.
- There was a concern that if this site was sold, it would be developed with high rise condominiums.
- The Don Mills community is much bigger than can be accommodated by the Don Mills Middle School site. There is a much broader community that needs to be serviced and there is a need to stop thinking so narrow-mindedly.
- There was a question about a 40-year old Restrictive Covenant on the DMMS that has expired and should be addressed.
- Where would the City obtain \$15 million needed to purchase this site?
- Some participants felt the Arena should be located somewhere else; however, there was concern for the TDSB upkeep of the school building.
- The only reason the land was declared surplus was it was thought that the City was going to buy it for the new Civitan Arena. If the City doesn't buy it, the land should be removed from the surplus list.

Theme #2: Locating the New Civitan Arena at the Don Mills Middle School site

- The Don Mills Arena should stay in Central Don Mills.
- There were discussions around the current zoning of land (single family and multi-unit) and acknowledgement that zoning can be changed.
- Some residents proposed selling the lands at Don Mills/Eglinton (Science Centre site), or York Mills/DVP to fund the purchase of the Don Mills Middle School for the Arena.
- The City should issue an RFP for all three sites for the best option.
- The current Don Mills Civitan Arena is "dying" and falling into disrepair, and there are doubts that the arena can remain in operation until 2020.
- The Don Mills Civitan group does not want the arena at the City proposed sites. Values of land at the proposed sites are worth more than the value of DMMS. (DMMS cannot be worth \$15M). They propose selling York Mills/DVP land and using the profits for DMMS.
- Don Mills Civitan currently has a great program that people all over the City want to use; however, it is difficult for Don Mills residents to access programs here. If the arena moves away, it is going to be even more difficult to access these programs at the new arena. There is a preference not to favour developers building on the land either.
- The arena at the current Civitan is the only amenity remaining for kids in the Don Mills area. All the other amenities in the area (e.g. cinema and bowling alley) have all disappeared.
- One family who use the Civitan Arena commented they were worried that the other sites would not be accessible for the citizens of Don Mills to use.
- The Don Mills community was promised that the \$4.5 million from the Cadillac-Fairview deal would be spent as close to the Don Mills Centre as possible.
- DMMS is not the only green site. There is another green site behind the school that is much bigger. Don Mills Residents Inc. (DMRI) would like cooperation from the City. It was expressed that the City had declined meeting with them. They believe that area is deficient in parkland.

Theme #3: Locating the new Civitan Arena at one of the chosen City-owned sites

- The Don Mills and Eglinton site would be accessible to all, and all forms of transportation.
- Walkability (as a locational criterion) does not make much sense – there is doubt that in cold weather kids would walk to play hockey.
- Some residents acknowledged that they understand there is no money to buy this land and that it makes more sense to build on land the city already owns.
- The Don Mills and Eglinton site is "crown land" which should afford the City flexibility to work something out with the province.
- The Metrolinx plan - "Eglinton Connects" - shows a twin pad arena located at Don Mills and Eglinton.

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- The York Mills and DVP site is not centrally located.
- The York Mills and DVP site does not take into consideration children and seniors.
- The York Mills and DVP site would only be used by hockey players, and not learn-to-skate programs.
- The York Mills and DVP site is only 0.5 km away from Fenside Arena.
- The York Mills and DVP site has infrastructure issues - the highway would need to be shored up.
- The York Mills and DVP site may have environmental contamination issues, and geo-technical concerns that may increase the cost of building an arena here.

Next Steps

Parks, Forestry and Recreation is reporting as requested by the Government Management Committee to its January 6th, 2014, meeting with supplemental information summarizing the results of the December 5th, 2013 public meeting on the selection of a site for the new Don Mills Civitan Arena. In addition, the Government Management Committee will be considering the deferred report on the "Results of the REOI for the Design, Construction, Administration and Operational Management of a Multi-Pad Ice Arena to Replace the Don Mills Civitan Arena." The City must determine the site of the new arena in order to complete all of the necessary work to open the new Arena by the 2020 deadline.

The Don Mills Middle School site has not yet been circulated under Ont. Reg. 444/98 of the Education Act. If the City does not purchase the portion of the Don Mills Middle School, the Toronto Lands Corporation and the Toronto District School Board will then decide on the next steps to be taken for the school.

CONCLUSION

This information report provides supplemental information to assist Council with consideration of the deferred report titled, "Results of the REOI for the Design, Construction, Administration and Operational Management of a Multi-Pad Ice Arena to Replace the Don Mills Civitan Arena." The staff recommendation in the report is to proceed with an RFP process to find a qualified proponent to design, build, and operate a new Civitan Arena at the York Mills and Don Valley Parkway site.

The public meeting provided City and TDSB staff with an opportunity to receive input from the community on the options for the Don Mills Middle School site and the City's process to select a site for the replacement of the Don Mills Civitan Arena. Essentially, no consensus was reached at the public meeting favouring any of the three themes. A summary of the verbal and written comments are included in this report. Parks, Forestry and Recreation evaluated the Don Mills Middle School site against the same criteria as the 2010 Location Study and determined that this site does not score as high as the two preferred sites considered in the REOI, including the York Mills and Don Valley Parkway site, which is the preferred site from the REOI exercise.

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SIGNATURE

Jim Hart,
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ATTACHMENTS

Attachment 1 – Public Submissions
Attachment 2 – Maps of Don Mills Middle School
Attachment 3 – Public Meeting Presentation