



NY10.42.5

**LOOPSTRA NIXON LLP**

BARRISTERS AND SOLICITORS

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November 24, 2015

**By E-Mail**

City of Toronto  
City Clerk's Office  
Toronto City Hall  
100 Queen Street West, 13<sup>th</sup> Floor West  
Toronto, Ontario  
M5H 2N2

Attention: Mayor and Members of Council

Your Worship and Members of Council:

**RE: NORTH YORK COMMUNITY COUNCIL ITEM NY10.42 (NOVEMBER 10, 2015)  
CITY INITIATED OFFICIAL PLAN AMENDMENT:  
"DRAFT DUFFERIN STREET SECONDARY PLAN"  
COMMENTS ON BEHALF OF VILLA CHARITIES INC. AND ICBSAC  
SOUTHWEST QUADRANT OF DUFFERIN STREET & LAWRENCE AVENUE  
WEST**

I am the solicitor for Villa Charities Inc. and the Italian Canadian Benevolent Seniors Apartment Corporation ("ICBSAC") hereinafter collectively referred to as "Villa Charities". Villa Charities owns over 16 acres of land located in the SW Quadrant of Dufferin Street and Lawrence Avenue West.

**DESCRIPTION OF VILLA CHARITIES LANDS**

The Villa Charities ownership is currently comprised of:

- the Columbus Centre on Lawrence Avenue West (cultural centre, fitness centre, day care centre, art gallery, restaurants, various community uses);



- Villa Colombo on Playfair Avenue (long term care facility, community uses);
- Casa Del Zotto on Dufferin Street (202 seniors independent living apartments and day care);
- Caboto Terrace on Dufferin Street (260 seniors independent living apartments); and,
- various outdoor fitness, garden and passive recreation facilities.

Also within the SW Quadrant, the following ownerships and uses currently exist:

- The Toronto Catholic District School Board ("TCDSB") owns approximately 10 acres currently occupied by Regina Mundi Elementary School and Dante Alighieri Academy.
- The Daughters of St. Paul own approximately 1 acre currently occupied by a residence, an informal chapel and meeting area and a bookstore.
- The Sisters of the Good Shepherd own approximately 3 acres currently occupied by a long-term care religious residence and an informal chapel.
- The Archdiocese of Toronto / St. Charles Borromeo Church currently occupies approximately half an acre on the SW corner of Dufferin and Lawrence.

A location plan of the various landowners in the SW Quadrant is enclosed as Attachment "A".

At this time, Villa Charities is working towards the redevelopment of a portion of its lands for a joint use facility with the Toronto Catholic District School Board to house a replacement high school for the School Board and a replacement community centre for Villa Charities. Villa Charities is also considering further redevelopment opportunities for the Villa Charities campus.

Villa Charities was involved with the City through its Lawrence-Allan Revitalization Plan ("LARP"), which led to OPA #162, and also involved with the redevelopment approval process for the Duflaw development (Treviso Condominiums) on the northeast corner of Dufferin and Lawrence. We note that the planning justification for the Duflaw development included an Avenue Segment Study which took into account redevelopment potential for the Villa Charities lands and specifically concluded that my client's lands represent "*an excellent opportunity for a positive development contribution in the area of Dufferin and Lawrence, and that there are no physical or functional constraints which would preclude such appropriate redevelopment.*" This Study was finalized following an appeal of the Duflaw application by my client and the entering into of Minutes of Settlement with the developer, which recognized the development potential of the Villa Charities campus in the Avenue Segment Study.



A representative of Villa Charities (Pal Di Iulio) was also a member of the Local Advisory Committee ("LAC") formed by the City in 2013 to guide the development of the Avenue Study. The role of the LAC was to advise City Planning staff and the consulting team of issues and opportunities within the area, and to provide feedback throughout the study process. The interests of Villa Charities at both the LAC and the Public Open Houses were represented by Mr. Di Iulio.

## **OUTLINE OF CONCERNS WITH DRAFT DUFFERIN STREET SECONDARY PLAN**

The purpose of this letter is to outline the concerns of Villa Charities with the Draft Dufferin Street Secondary Plan, as presented to the Public Meeting of November 10, 2015 (copy of Notice of Public Meeting enclosed as Attachment "B").

The following policies and Map illustrations are of specific concern to Villa Charities:

1. **Section 3.7.1 Building Types:** Subsection 3.7.1.5 reads: *"Tall buildings will be limited to the northern and southern nodes identified in Map 36-10 and will act as gateways into the Secondary Plan Area"*.
2. **Section 9 Large Block Policies:** We are concerned with the lack of a Block number and associated policies for potential redevelopment of the lands on the south side of Lawrence Avenue, west of Dufferin Street.
3. **Map 36-1 Secondary Plan Area:** This Plan outlines a small portion of the lands south of Lawrence Avenue West with a dashed line noted as 'Blocks South of Lawrence', with these areas not included in the solid line outlining the 'Secondary Plan Area Boundary'.
4. **Map 36-2 Specific Block Policies Plan:** This Plan also outlines the Blocks South of Lawrence with a dashed line, and does not number them as Blocks similar to other areas in the Secondary Plan. Numbered Blocks on this Plan are the subject of policies in Section 9, being policies outlining direction to 'Large Blocks' that have the greatest potential for redevelopment. Therefore, these Blocks South of Lawrence are not considered by this Draft Secondary Plan as Large Blocks with potential for redevelopment with policies to guide the redevelopment from Section 9. My client is of the view that they should be included.
5. **Map 36-3 Structure Plan, Map 36-5 Greening Plan and Map 36-6 Public Streets Plan:** These Plans also include the 'Blocks South of Lawrence' in a dashed line not a solid line, however the Blocks South of Lawrence are illustrated and treated similar to other areas in the Plan area.



6. **Map 36-7a Pedestrian Connections and Map 36-7a Cycling Connections:** These Plans also include the 'Blocks South of Lawrence' in a dashed line not a solid line. The Blocks South of Lawrence are not shaded in grey similar to other areas on this Plan.
7. **Map 36-8 Priority Retail Areas and Map 36-9 Minimum Setback Plan:** These plans include the 'Blocks South of Lawrence' in a dashed line not a solid line. The Blocks South of Lawrence are treated with the 'Retail at Grade Encouraged but not Required' and also with the '3.0m: Typical Avenue Setbacks' similar to other lands in the Plan, however they once again do not have a Block number, which other areas in the Plan do have.
8. **Map 36-10 Building Type Areas:** This Plan once again includes the 'Blocks South of Lawrence' in a dashed line not a solid line. The Blocks South of Lawrence do not have a Block number, and, the southern portions of them have no Building Type Area shading at all. The Building Type Area shown on the northern portion of these Blocks is 'Mid-rise Areas'.
9. **Map 36-11 Maximum Density:** Once again, the 'Blocks South of Lawrence' are included in a dashed line not a solid line, and once again they do not have a Block number with any associated redevelopment policies. They have no Maximum Overall Block Density noted on them, and are shaded with the label 'No Density Assigned, Subject to Further Study'.

In general, we point out that the 'Blocks South of Lawrence' have been both included and excluded in various portions and policies in this Draft Secondary Plan, leading to inconsistent application of policy and direction. Some policies apply to all the lands in the Draft Secondary Plan, including the 'Blocks South of Lawrence', however others specifically exclude these lands, resulting in confusion as to the actual policy context for these lands.

For example, **Map 36-10** shows a Building Type for only part of the Blocks South of Lawrence, and it is shown as 'Mid-rise Areas'. However, **Map 36-11** Maximum Density leaves the Blocks South of Lawrence with no density assigned and subject to further study. This treatment of the Blocks South of Lawrence is inconsistent and inappropriate.

Further, on an overall basis, including these lands in the Draft Secondary Plan with a dashed line, not a solid line, and then addressing them with some of the policy framework, but not all, results in an incomplete and questionable treatment and consideration of redevelopment opportunity for these lands.



## REQUEST FOR REVISIONS TO THE DUFFERIN STREET SECONDARY PLAN

Given the inconsistent and incomplete consideration of these lands in the Draft Secondary Plan, we request that the Blocks South of Lawrence be fully incorporated and considered for their redevelopment potential in this Secondary Plan. This would result in the 'Blocks South of Lawrence' being outlined in a solid line, not a dashed line, and all considerations for redevelopment and development policies be extended to cover these lands in the same manner as the balance of the lands in the currently proposed Plan area. For Villa Charities, my client proposes that more of the south west quadrant (including the Villa Charities land ownership described above) be included.

With respect to built form and massing, we believe that the southwest quadrant of the Dufferin and Lawrence intersection should be considered for higher density and tall buildings, not just the two north corners as currently proposed in this draft.

Further, we request that the boundary of the solid line be expanded on the southwest corner of Lawrence and Dufferin to more closely outline what may reasonably be a potential redevelopment block in this quadrant.

We would appreciate consideration of these requests by City Council and staff, and are available to meet and discuss our concerns at any time.

## COMMENTS ON ASSOCIATED STUDIES AND PLANS

Our overall concerns about the way in which the lands south of Lawrence Avenue have been addressed in the Draft Secondary Plan extend to the manner in which they have been included, but mostly excluded, from the associated studies including but not limited to the Urban Design Guidelines, the Infrastructure Master Plan and the Transportation Master Plan.

Yours truly,

LOOPSTRA NIXON LLP

Per:

A handwritten signature in blue ink, appearing to read 'Q. Annibale'.

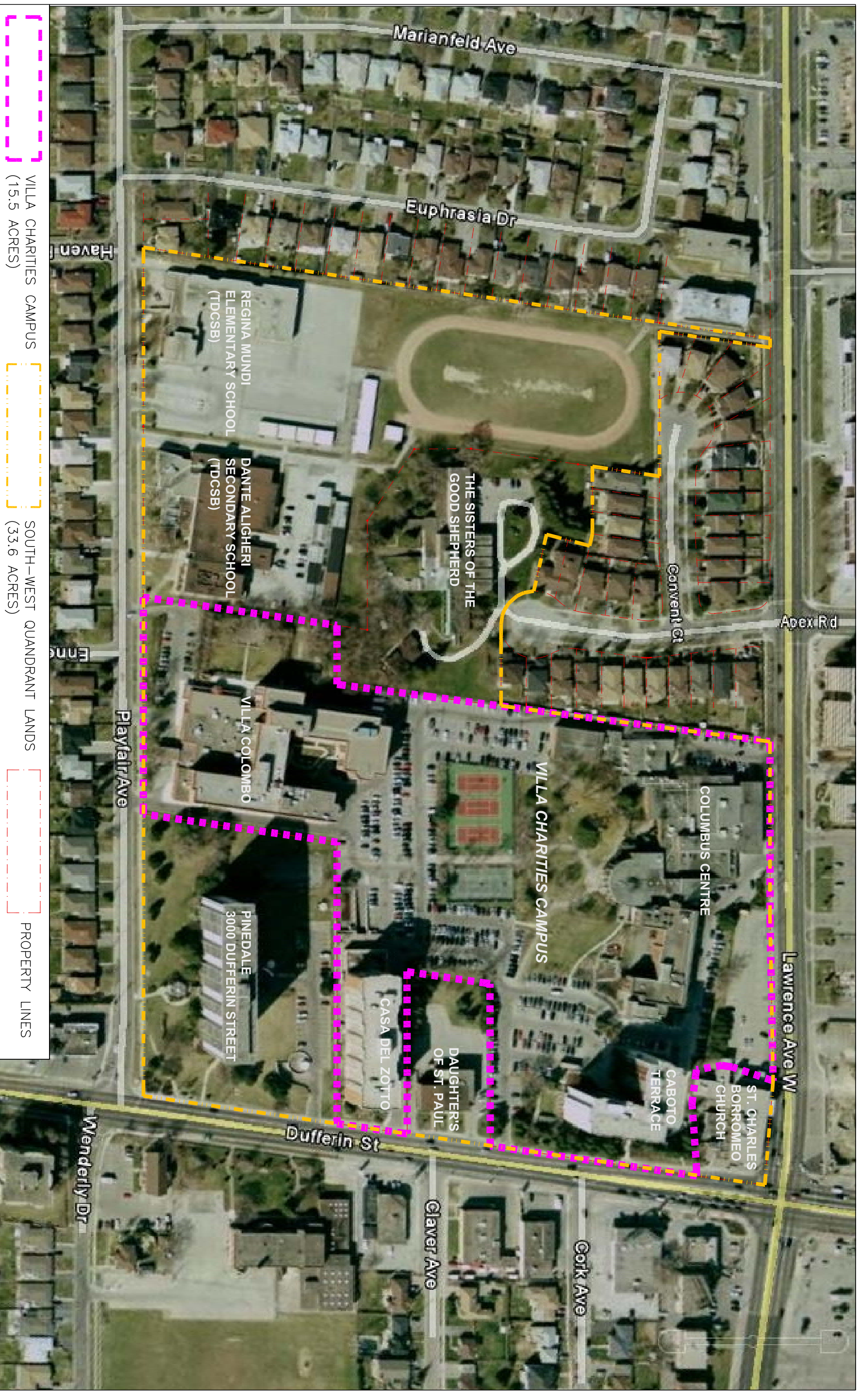
Quinto M. Annibale

QMA/rg  
Enclosures



cc Ward 15 Councillor Josh Colle  
cc Ms. Andria Sallese, Senior Planner, North York Community Planning  
cc Mr. Mark DiVito, Villa Charities Inc.  
cc Ms. Maria Gatzios, Gatzios Planning + Development Consultants  
cc Mr. Alun Lloyd, BA Group

ATTACHMENT "A"



- VILLA CHARITIES CAMPUS (15.5 ACRES)
- SOUTH-WEST QUADRANT LANDS (33.6 ACRES)
- PROPERTY LINES

LAWRENCE & DUFFERIN – SW QUADRANT LANDS

DATE :12-03-08  
PROJECT No. 2840

Toronto  
Pillon Architect Inc.  
Ontario



SCALE:1 : 2000



# ATTACHMENT "B" -



Ulli S. Watkiss  
City Clerk

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North York Civic Centre  
5100 Yonge Street  
Toronto, Ontario M2N 5V7

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## NOTICE OF PUBLIC MEETING To be held by the North York Community Council (Under the Planning Act)

**Dufferin Street Secondary Plan  
City Initiated Official Plan Amendment Application No. 15 130874 NPS 00 OZ**

**Location of Application:** Dufferin Street from Highway 401 to just south of Lawrence Avenue West  
**Applicant:** City Of Toronto  
**DATE:** Tuesday, November 10, 2015  
**TIME:** 11:30 a.m., or as soon as possible thereafter  
**PLACE:** North York Civic Centre, Council Chamber, 5100 Yonge Street

### PROPOSAL

In 2013, the City of Toronto initiated an Avenue Study to examine mixed land use and built form potential along Dufferin Street, between Highway 401 to just south of Lawrence Avenue West. The framework for redevelopment of the Dufferin Street *Avenue* will be established with new policies in the form of a Secondary Plan. The proposed Secondary Plan for Dufferin Street provides a comprehensive framework to guide future development and guides investment in infrastructure and community services and facilities required to support future growth. The City initiated Official Plan Amendment will also remove lands on the east side of Dufferin Street from the Lawrence-Allen Secondary Plan and include them within the Dufferin Street Secondary Plan area.

### BACKGROUND INFORMATION

Detailed information regarding the proposal, including background information and material and a copy of the proposed Official Plan Amendment may be obtained by contacting Andria Sallese, Senior Planner at 416-395-7166, or by e-mail at [asalles@toronto.ca](mailto:asalles@toronto.ca).

### PURPOSE OF PUBLIC MEETING

North York Community Council will receive input and review the Secondary Plan and any other material placed before it, in order to make recommendations on the Official Plan Amendment. These recommendations will then be forwarded to Toronto City Council for its consideration.

You are invited to attend the public meeting to make your views known regarding the proposal. You may also submit written comments. If you wish to address the North York Community Council in person or in writing, please contact: **City Clerk, Attention: Francine Adamo, Administrator, North York Community Council, 5100 Yonge Street, Main Floor, Toronto, ON M2N 5V7, Phone: 416-395-0480, Fax: 416-395-7337, e-mail: [nycc@toronto.ca](mailto:nycc@toronto.ca).**

To assist with scheduling, you are requested to call the City Clerk's Office by 12 noon on **November 9, 2015**, if you plan to make comments at the meeting.



**Special Assistance:** City Staff can arrange for special assistance with some advance notice. If you need special assistance, please call 416-395-0480, TTY 416-338-0889 or e-mail [nycc@toronto.ca](mailto:nycc@toronto.ca).

## FURTHER INFORMATION

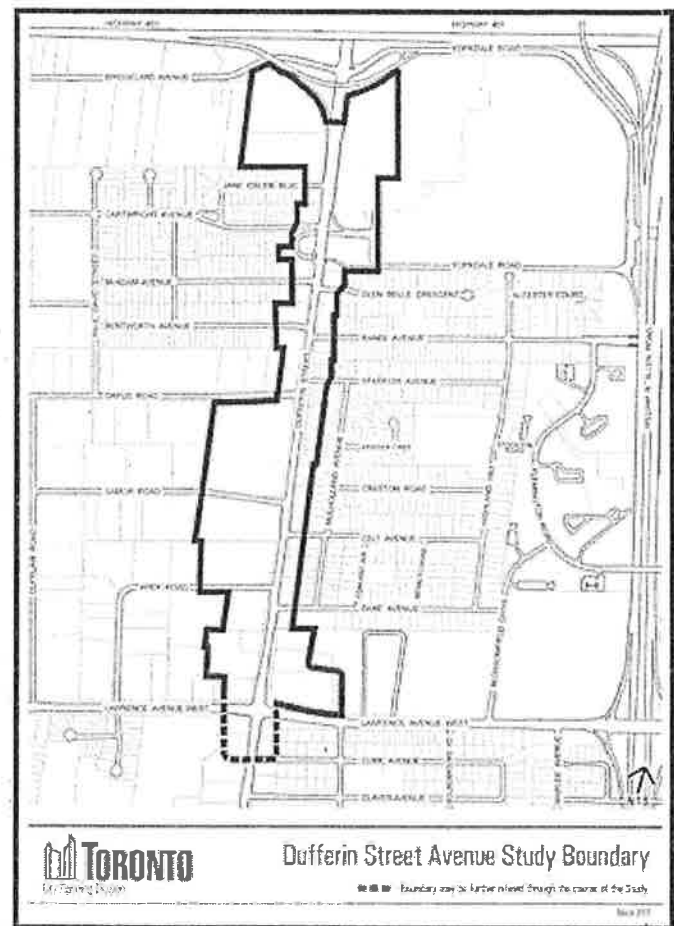
**If you wish to be notified** of the adoption or refusal of the proposed Official Plan Amendment, you must make a written request to the City Clerk, attention: Francine Adamo, Administrator, North York Community Council, at the address, fax number or e-mail set out in this notice.

**Official Plan Amendment Appeal:** If a person or public body does not make oral submissions at a public meeting or make written submissions to the City Clerk, attention: Francine Adamo, Administrator, North York Community Council, at the address, fax number or e-mail set out in this notice before the proposed Official Plan Amendment is adopted or refused, the person or public body is not entitled to appeal the decision to the Ontario Municipal Board and may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

**People writing or making presentations at the public meeting:** The *City of Toronto Act, 2006*, the *Planning Act*, and the City of Toronto Municipal Code authorize the City of Toronto to collect any personal information in your communication or presentation to City Council or its committees.

The City collects this information to enable it to make informed decisions on the relevant issue(s). If you are submitting letters, faxes, e-mails, presentations or other communications to the City, you should be aware that your name and the fact that you communicated with the City will become part of the public record and will appear on the City's website. The City will also make your communication and any personal information in it - such as your postal address, telephone number or e-mail address - available to the public, unless you expressly request the City to remove it.

The City videotapes committee and community council meetings. If you make a presentation to a committee or community council, the City will be videotaping you and City staff may make the video tapes available to the public. Direct any questions about this collection to Andria Sallese, Senior Planner, at 416-395-7166.



Compliance with Provincial laws respecting Notice may result in you receiving duplicate notices.

Dated at the City of Toronto this 16th day of OCTOBER, 2015.

Ulli S. Watkiss  
City Clerk