

NY4.24.6



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February 17, 2015

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File: 21115.0052

Francine Adamo  
*Administrator*  
North York Community Council  
5100 Yonge Street  
Main Floor  
Toronto ON M2N 5V7

Dear Ms. Adamo:

**Re: Official Plan, Zoning By-law Amendment and Site Plan Applications  
4841 - 4881 Yonge Street, 2 and 50 Sheppard Avenue East and  
2, 4 and 6 Forest Laneway  
NYCC Agenda Item No. NY4.24**

We are the solicitors for the Toronto Catholic District School Board (the "Board"), which has concerns with respect to the above-noted applications. We understand the applications are scheduled to be considered by North York Community Council at its meeting of February 18, 2014.

Our client's concerns relate primarily to the safety of students and staff at Cardinal Carter Academy for the Arts (the "School") and the Catholic Education Centre, both of which are in close proximity to the subject property. The proposed Official Plan and zoning by-law amendments would permit additional commercial space and residential units, which would add traffic to an already very busy intersection.

Approximately 350 to 400 students cross Greenfield Avenue and Doris Avenue between the Catholic Education Centre and the main campus of the School every 75 minutes on weekdays. There have been a number of safety incidents at this intersection, including at least one serious injury within the last three years. The Board is concerned that these problems will be exacerbated by adding additional traffic to this area.

Our client's staff met with the applicant's representatives in June, 2014 and earlier this month to discuss the Board's concerns. Board staff and the School's principal also met with City of Toronto Planning staff to discuss their concerns in January and February of 2015. At this point, potential mitigating measures have been identified but the concerns have not yet been addressed.

Specific mitigation measures that have arisen in various different meetings between the local trustee, the School's principal, parent representatives and/or City and Board Planning staff have included:

- installation of a pedestrian crosswalk directly in front of the School to facilitate safe crossing of Greenfield Avenue to access the proposed entrance to the mall and the food court
- increased length of the lay-by area in front of the School to safely accommodate more vehicles
- installation of wider sidewalks/boulevards to safely accommodate flows of students waiting to cross and walking to and from the School, the Catholic Education Centre and the Yonge-Sheppard Centre
- realignment of the north/south walkway crossing, curb radii, and centre median to encourage safe crossing of the intersection from the southwest to the northwest corner of Greenfield Avenue at Doris Avenue
- increased landscaped space on the south side of Greenfield Avenue approaching Doris Avenue (eg. hardscaping, benches, lighting)

As noted above, none of the above measures have been secured or committed to by the applicant. It is our client's position that it is premature to approve these applications before a safety plan and specific mitigation measures are in place. It therefore requests the Community Council defer the consideration of these applications so that these measures can be finalized and agreed upon in a binding fashion.

In addition to the above safety concerns, it should be noted that the Board's current enrolment projections suggest that the local elementary school that serves this area (St. Edward Catholic School) is approaching capacity (458) and is forecast to exceed capacity in 2016/17. Accordingly, it is important that the warning clause requested by the Board be incorporated into the site plan conditions.

Finally, if Community Council chooses to approve the proposed draft site plan conditions rather than defer them, we request that the proposed language on page 57 of the City staff report, under 'Toronto Catholic District School Board,' be amended as follows (changes in italics):

"The Owner shall consult with *planning* staff of the Toronto Catholic District School Board *and the principal of Cardinal Carter Academy for the Arts* on the Construction Mitigation Plan ... timing matters."

As set out above, it is our client's request that these applications be deferred until the discussions regarding student safety can be completed. We would appreciate receiving notice of any decision that Community Council or City Council may make in respect of this matter.

Yours truly,

MILLER THOMSON LLP

Per:



Steven J. O'Melia  
SJO/dms

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