

**30 and 66 Humbert Street - City Initiated
Official Plan and Zoning Amendment
Final Report**

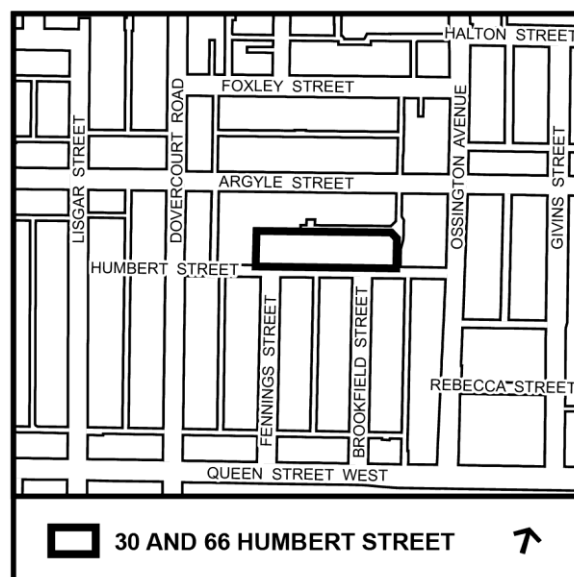
Date:	August 18, 2016
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 19 – Trinity-Spadina
Reference Number:	16 181420 STE 19 OZ

SUMMARY

On June 7, 2016, City Council directed City Planning Staff to report to the September 7th, 2016 meeting of Toronto and East York Community Council on amending the City’s Official Plan and Zoning By-law to permit additional artist studio, community and cultural facility, custom workshop, commercial school, day nursery, social enterprise office space, and performing arts studio uses within the existing Senhor Santo Cristo Catholic School building at 30 and 66 Humbert Street.

This City-initiated application proposes to allow the additional uses of non-profit art space, studio space, day nursery, children, youth and senior services and other similar uses within the existing building at 30 and 66 Humbert Street. No additions to the school building are proposed. The proposed new uses would be served by the existing parking, loading, and site servicing.

The site ceased use as a school in June 2016 but is intended to remain in the Toronto Catholic District School Board’s ownership. The proposed new uses would allow the site to continue providing local services until such time as changes to area demographics necessitate the conversion of the building back



to use as a school. The size of the new uses is proposed to be restricted to ensure the uses assist in maintaining the local serving function of the facility.

This report reviews and recommends approval of the City-initiated application to amend the Official Plan and Zoning By-law 438-86, as amended.

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 30 and 66 Humbert Street substantially in accordance with the draft Official Plan Amendment No. 353 attached as Attachment No. 4 to report (August 18, 2016) from the Director of Community Planning, Toronto and East York District;
2. City Council amend Zoning By-law 438-86 for the lands at 30 and 66 Humbert Street substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5 to report (August 18, 2016) from the Director of Community Planning, Toronto and East York District;
3. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required; and,
4. City Council request that the Toronto Catholic District School Board consult further with local residents and business owners on the future use of the building in accordance with the proposed new zone provisions at 30 and 66 Humbert Street and include the local Councillor in these discussions when necessary.

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

No development applications have previously been submitted at 30 and 66 Humbert Street.

ISSUE BACKGROUND

On June 7, 2016, City Council directed City Planning Staff to report to the September 7th, 2016 Toronto and East York Community Council on amendments to the City's Official Plan and Zoning By-law to permit additional uses within the existing Senhor Santo Cristo Catholic School building at 30 and 66 Humbert Street.

Motion to direct staff:

<http://www.toronto.ca/legdocs/mmis/2016/mm/bgrd/backgroundfile-93846.pdf>

A public primary school has existed at this site since 1978 but as of June 2016, the building is no longer used as a school. The property is intended to remain in the Toronto Catholic District School Board's ownership. The proposed new interim uses are intended to activate the space as

a new “Community Hub” until such time as changes to area demographics necessitate the conversion of the building back to a school.

Proposal

This City-initiated application proposes to allow the following additional uses: artist and/or photographer studio; children and youth recreational facility; cultural facility; custom workshop; commercial school; day nursery; non-profit art space; trade school; social enterprise office space; trade school; and performing arts studio.

The proposed additional uses are intended to be interim uses until such time as area demographics necessitate the site being converted back to a school use. As the timeframe for these interim uses is difficult to forecast, these uses are proposed to be permitted permanently on the property by a Zoning By-law amendment.

No additions to the school are proposed. The proposed new uses are intended to be served by the existing parking.

The City has been advised that several organizations have approached the Toronto Catholic District School Board to lease space within the building. These organizations include various theatre related groups, a montessori school, a training centre with affordable office space, artist workshop space, a cultural centre, and other non-profit office space.

Site and Surrounding Area

The subject site is a 5,800 square metre rectangular lot situated west of Ossington Avenue and north of Queen Street West. The existing 3-storey building was used as a primary school until 2016. The site is accessed via Foxley Lane, a public lane intersecting Humbert Street which is a one-way eastbound local street.

The surrounding uses are as follows:

North: Osler Playground (park), Low-rise residential units including detached and semi-detached dwellings.

West: Osler Playground (park) and a fenced in track and sports field associated with the former primary school. Low-rise residential units including detached, semi-detached dwellings, and a residential mid-rise building are situated further west, fronting Dovercourt Road.

South: Low-rise residential units including detached and semi-detached dwellings.

East: Low-rise residential units including detached and semi-detached dwellings and low-rise mixed-use commercial buildings fronting Ossington Avenue.

Provincial Policy Statement and Provincial Plans

Section 2 of the *Planning Act* sets out matters of provincial interest which City Council shall have regard to in carrying out its responsibilities, including: the orderly development of safe and healthy communities; the conservation of features of significant architectural, cultural and

historical interest; the adequate provision of employment opportunities; and the appropriate location of growth and development.

The Provincial Policy Statement (PPS), 2014, provides policy direction on matters of provincial interest related to land use planning and development. These policies support the goal of enhancing the quality of life for all Ontarians. Key policy objectives include: building strong healthy communities by accommodating a range and mix of uses; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. The PPS recognizes the Official Plan as the most important tool in implementing the policies and objectives of the Provincial Policy Statement at the local level. City Council's planning decisions are required to be consistent with the PPS.

The Growth Plan for the Greater Golden Horseshoe provides a framework for managing growth in the Greater Golden Horseshoe including: directions for where and how to grow; the provision of infrastructure to support growth; and protecting natural systems and cultivating a culture of conservation. City Council's planning decisions are required to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated *Neighbourhoods* and is adjacent to lands designated as *Parks and Open Spaces* as well as other lands designated *Neighbourhoods* as shown on Map 18 – Land Use Plan of the City of Toronto Official Plan (Attachment 2).

Neighbourhoods (4.1)

Section 4.1 of the Official Plan contains policies to govern development in *Neighbourhoods*. The Official Plan acknowledges the important role low-scale, local institutions, such as schools, community uses, day nurseries, and various private and public service uses play in daily life within *Neighbourhoods*.

Healthy Neighbourhoods (2.3.1)

The Healthy Neighbourhoods Section of the Official Plan (Section 2.3.1) directs that intensification of land adjacent to *Neighbourhoods* will be carefully controlled to protect *Neighbourhoods* from negative impact.

Parks and Open Spaces (4.3)

Section 4.3 of the Official Plan contains policies to govern the type of development which may be considered in *Parks and Open Spaces*.

How to Read the Plan (1.5)

The Official Plan is to be read as a comprehensive and cohesive whole. This application was reviewed against all policies of the Official Plan. The Official Plan is available here: http://www1.toronto.ca/static_files/CityPlanning/PDF/chapters1_5_dec2010.pdf

Zoning

The site is zoned 'R4' Residential by By-law No. 438-86, as amended (Attachment 3). The 'R4' zone generally permits low-rise residential uses and a range of non-residential uses such as schools, places of worship, community centres and other community facilities. The maximum permitted building height is 10.0 metres.

Reasons for Application

An Official Plan Amendment is required because some of the proposed uses, specifically the office studio uses, do not conform fully to the Official Plan policies for development within a *Neighbourhood*.

A site specific Zoning By-law amendment is required to add the following permitted uses to the R4 zone subject to this property:

- artist and/or photographer studio;
- children and youth recreational facility;
- cultural facility;
- custom workshop;
- commercial school;
- day nursery;
- non-profit art space;
- social enterprise office space;
- trade school; and,
- performing arts studio.

Amendments to the By-law are also required to exempt any of the above non-residential uses from the requirement to provide additional parking beyond what is currently situated on the site.

Community Consultation

A Community Consultation meeting was held at 30 and 66 Humbert Street on July 21, 2016. A representative from Councillor Mike Layton's office, Toronto Catholic District School Board staff, and approximately 25 area residents were in attendance. Comments made during the meeting were generally positive. The following comments were made regarding the proposal:

- Support for the proposed uses was expressed by many of the attendees.
- It was suggested that community meeting space should be retained within the building regardless of the future use.
- There was concern that certain uses, such as those that may operate in the evening, may aggravate traffic and parking issues perceived within the community.
- It was preferred that the existing building be retained as opposed to being demolished for the construction of townhouse or semi-detached dwellings.

- It was suggested that the School Board consult further with the community on the potential users of the space in an effort to address the most significant needs within the community.
- There was a desire for the School Board to remain accountable for any issues arising on site related to the new uses.
- Concerns were raised over the recent fencing-off of the green space east of the school.

Agency Circulation

This City-initiated application was circulated to the appropriate agencies and City divisions. Responses received have been used to assist in evaluating the application and to formulate appropriate By-law standards.

COMMENTS

Official Plan

Neighbourhoods Policies

The City of Toronto Official Plan (Map 18 – Land Use) designates the subject site as *Neighbourhoods*. *Neighbourhoods* are considered physically stable areas made up of residential uses in lower scale buildings and interspersed walk-up apartments that are no higher than 4-stories. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also permitted in *Neighbourhoods*.

Policy 4.1.1 of the Official Plan acknowledges the important role low-scale, local institutions, such as schools, community uses, day nurseries, and various private and public service uses play in daily life within *Neighbourhoods*. The proposed additional uses are consistent with the intent of this policy.

It is intended that the proposed additional uses are temporary and that at such time as the area school-aged population necessitates it, the site will be converted back into a primary school. While the proposed interim uses are consistent with the Official Plan objectives, the proposal, by allowing the retention and eventual re-use of this primary school, also implements the Official Plan policy objectives for this area in the long term.

As the exterior of the building is intended to remain as-is and the building itself will contain local servicing community and service uses, City Planning Staff has no concerns with regard to the proposal's impacts on the stability of the physical characteristics or the prevailing uses of the *Neighbourhood*.

Some of the proposed uses, specifically the studio spaces, performing arts studio and custom workshop, are not necessarily considered local institutions as identified in Policy 4.1.1 but may be considered in the context of Policy 4.1.3.

Policy 4.1.3 of the Official Plan allows small scale non-residential uses to be added to a property through amendment to the Zoning By-law provided such uses serve the needs of area residents, potentially reduce local automobile trips, have minimal adverse impacts on nearby residents,

have a physical form that is compatible with the neighbourhood, and are located on a Major Street noted on Map 3 of the Official Plan.

Policy 4.1.3 intends that the size of non-residential uses in *Neighbourhoods* be minimized to protect against impacts to the surrounding area. City Planning Staff propose limits on the size of certain uses within the existing building to ensure these uses function locally as opposed to regionally. The proposed new uses will not be permitted to occupy more than one floor within the building. The ground floor of the existing building contains approximately 1,600 square metres of programmable floor space while floors 2 and 3 each contain roughly 1,000 square metres of programmable floor space.

City Staff acknowledge that the site is not located on a major street as shown on Official Plan - Map 3. The general intent of this policy is to prevent the intrusion of non-residential uses into *Neighbourhoods* where the road network or other characteristics of the *Neighbourhood* may not adequately support the uses. As this is an existing non-residential site and the existing building is intended to remain, City Staff are satisfied that allowing these new uses, while not on a major street in this instance, will not create an undesirable precedent regarding the establishment of non-residential uses in *Neighbourhoods*.

Parks and Open Spaces

No development or additional uses are proposed within the area designated as *Parks*. The lands designated as open space will continue to be accessible to the public.

Current Zoning By-law Permissions

While the 'R4' zoning of the property permits a range of residential uses, several non-residential uses similar to those requested are also permitted on site. These permitted uses include "community centre", "public school", "charitable institution", and "private hospital", among many other similar uses.

The proposed uses, which include local-servicing art, studio, workshop, and community spaces are similar in nature to those uses which could occur on the property under the current zoning.

Both a 'day nursery' and a 'charitable institution' are currently permitted in the 'R4' zone but only in the instances where the building was purpose-built as these specific uses. The proposed by-law amendment would allow a day nursery and/or a charitable institution within the existing building.

All new uses are proposed to be limited to the existing building and to utilize existing servicing, parking and loading facilities.

The proposed new uses will not be permitted to occupy more than one floor within the existing building.

Provincial Policy Statement and Provincial Plans

The Provincial Policy Statement (PPS) 2014, recognizes that local context and character is important and recognizes the Official Plan as the most important vehicle for implementation of this PPS. The proposal conforms to the Official Plan's objective of building complete

communities in a format that is compatible with its surrounding context. The proposal complies with the Provincial Policy Statement.

The Growth Plan for the Greater Golden Horseshoe identifies the conversion of an existing structure as a form of intensification and further directs that intensification contribute to a diverse and compatible mix of land uses, including residential and employment uses, to support vibrant neighbourhoods. While *Neighbourhoods* are not areas where the City typically contemplates intensification, in this instance the conversion of the building is supportable within a *Neighbourhood* for the reasons discussed in this report. The proposal conforms to the Growth Plan for the Greater Golden Horseshoe.

Similar Area Planning Approvals

In 2010, City Council approved Site and Area Specific Policy 348, of the Official Plan which allows similar non-residential uses, such as art studios and community space within a former school building at 180 Shaw Street. Office uses and a small restaurant are also permitted.

Traffic Impact, Parking

The site is currently served by 11 parking spaces accessed via Humbert Street.

The proposed additional uses are anticipated to generate similar transportation impacts to the current uses permitted on the site. In this instance, it is not anticipated that the proposal will have a significant impact on the area vehicle network

As the proposal does not consider any additional hard surfacing of the site, there is limited opportunity to add any significant amount of parking. In this instance, the City considers the proposed vehicle parking to be appropriate.

In order to respond to comments from the community, City Planning staff suggests that the TCDSB explore opportunities to provide additional parking on site on existing hard surface areas adjacent to the rear laneway.

The Draft Zoning By-law Amendment (Attachment 5) requires a minimum of 11 parking spaces on the site to support the non-residential uses.

Servicing

Engineering and Construction Services Staff have advised that the existing servicing is adequate to accommodate the proposed uses.

Solid waste collection will be addressed through private pickup.

As no changes or additions are proposed to the existing building, no new loading areas are being proposed at the current time.

Summary of Proposed Official Plan Amendment

The proposed Official Plan Amendment No. 353 (Attachment 4) adds Site and Area Specific Policy No. 518 to Chapter 7 of the Official Plan and includes the following policies:

- The following additional permitted uses within the existing building 30 and 66 Humbert Street: artist and/or photographer studio; children and youth recreational facility; cultural facility; custom workshop; commercial school; day nursery; non-profit art space; social enterprise office space; trade school; and, performing arts studio.

Summary of Proposed Zoning By-law Amendment

The proposed amendments to By-law No. 438-86, as amended (Attachment 5) include the following:

- The following additional permitted uses within the existing building at 30 and 66 Humbert Street: artist and/or photographer studio; children and youth recreational facility; cultural facility; custom workshop; commercial school; day nursery; social enterprise office space; non-profit art space; trade school; and performing arts studio.
- Any individual use will not be permitted to occupy more than 1 floor of the existing building, excluding storage areas required for that use.
- A minimum total of 11 parking spaces are required for any non-residential uses.

TCDSB and Ongoing Consultation with Residents

At the Community Consultation meeting on July 21, 2016, it was suggested that the Toronto Catholic District School Board consult further with the community on the potential users of the space in an effort to address the most significant needs within the community. City Planning Staff agrees that an ongoing dialogue between the TCDSB, area residents, and, if necessary, the Ward Councillor's Office would be valuable to discuss potential users of the space with the intent that the school continues to serve community needs in a manner which limits the potential for impact, in accordance with the Zoning By-law.

City Planning Staff recommend that City Council request that the Toronto Catholic District School Board consult further with local residents and business owners on the future use of the building and include the local Councillor and City Planning staff in these discussions where necessary.

Conclusion

The applications, which propose additional non-residential uses within the existing former Senhor Santo Cristo Catholic School building within a *Neighbourhood*, comply with and advance the Official Plan objectives of contextually appropriate development and maintain adequate provision of local-serving community facilities as key components of complete communities. The intent to retain and eventually reuse this site as a primary school also implements the Official Plan policy objectives for this area in the long term.

The retention of the existing building to accommodate these new non-residential uses respects the character of the surrounding Neighbourhood, and is consistent with previous area planning decisions. The proposed size limits to the new uses allows flexibility in the re-use of the building while ensuring the uses will function locally as opposed to regionally.

City Planning Staff recommends approval of this City-initiated Official Plan and Zoning By-law Amendment application.

CONTACT

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SIGNATURE

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

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ATTACHMENTS

Attachment 1: Site Plan
Attachment 2: Official Plan Map 18 Excerpt
Attachment 3: Zoning By-law Excerpt
Attachment 4: Draft Official Plan Amendment
Attachment 5: Draft Zoning By-law Amendment (Amends By-law No. 438-86)

Attachment 1: Site Plan

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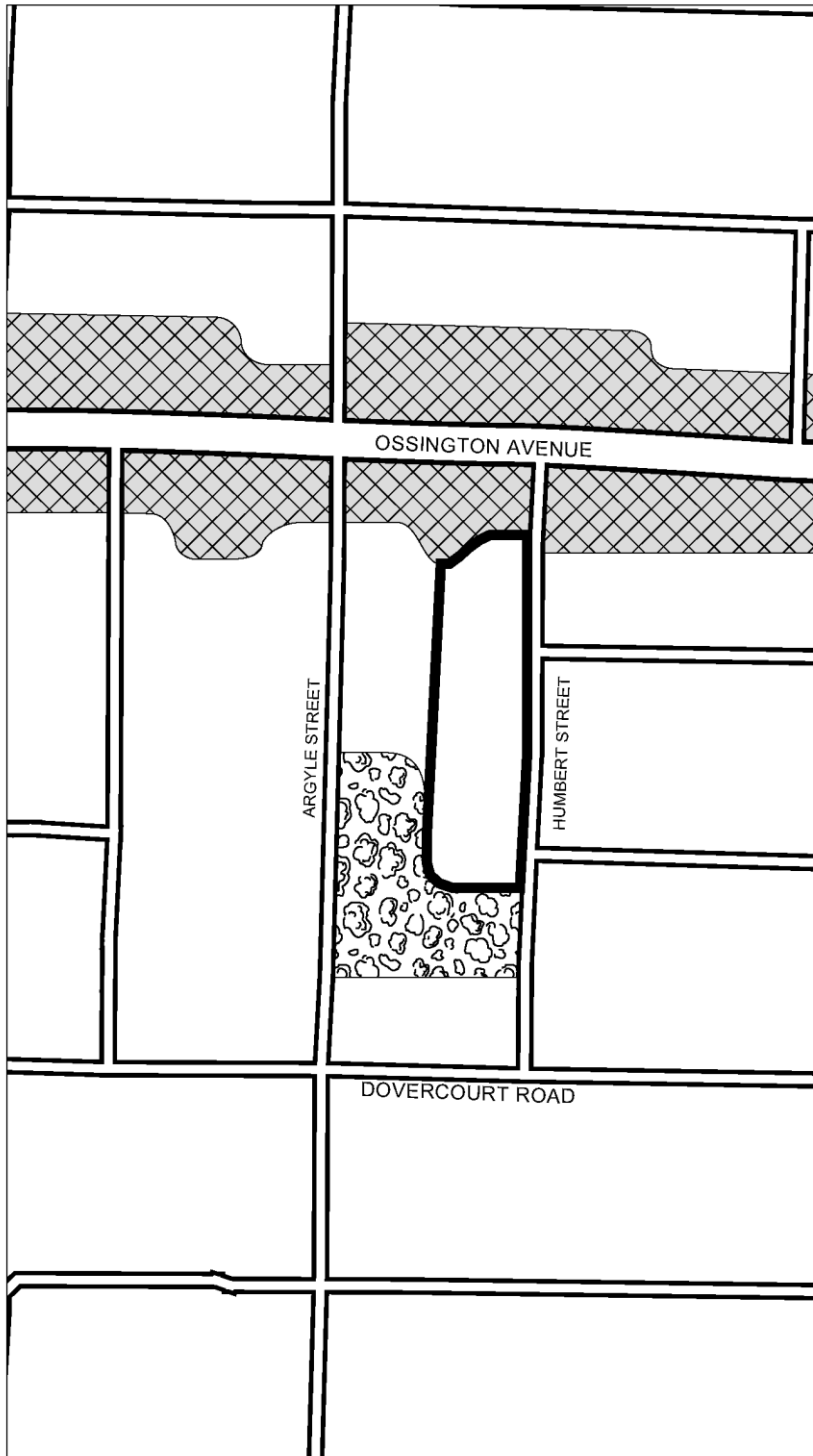
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 N 71°17'40" E 152.51
 HUMBERT STREET
 HUMBERT STREET

Site Plan
 Applicant's Submitted Drawing
 Not to Scale
 07/26/2016

30 - 66 Humbert Street
 File # 16 181420 STE 19 0Z

Attachment 2: Official Plan Map 18 Excerpt



30-66 Humbert Street

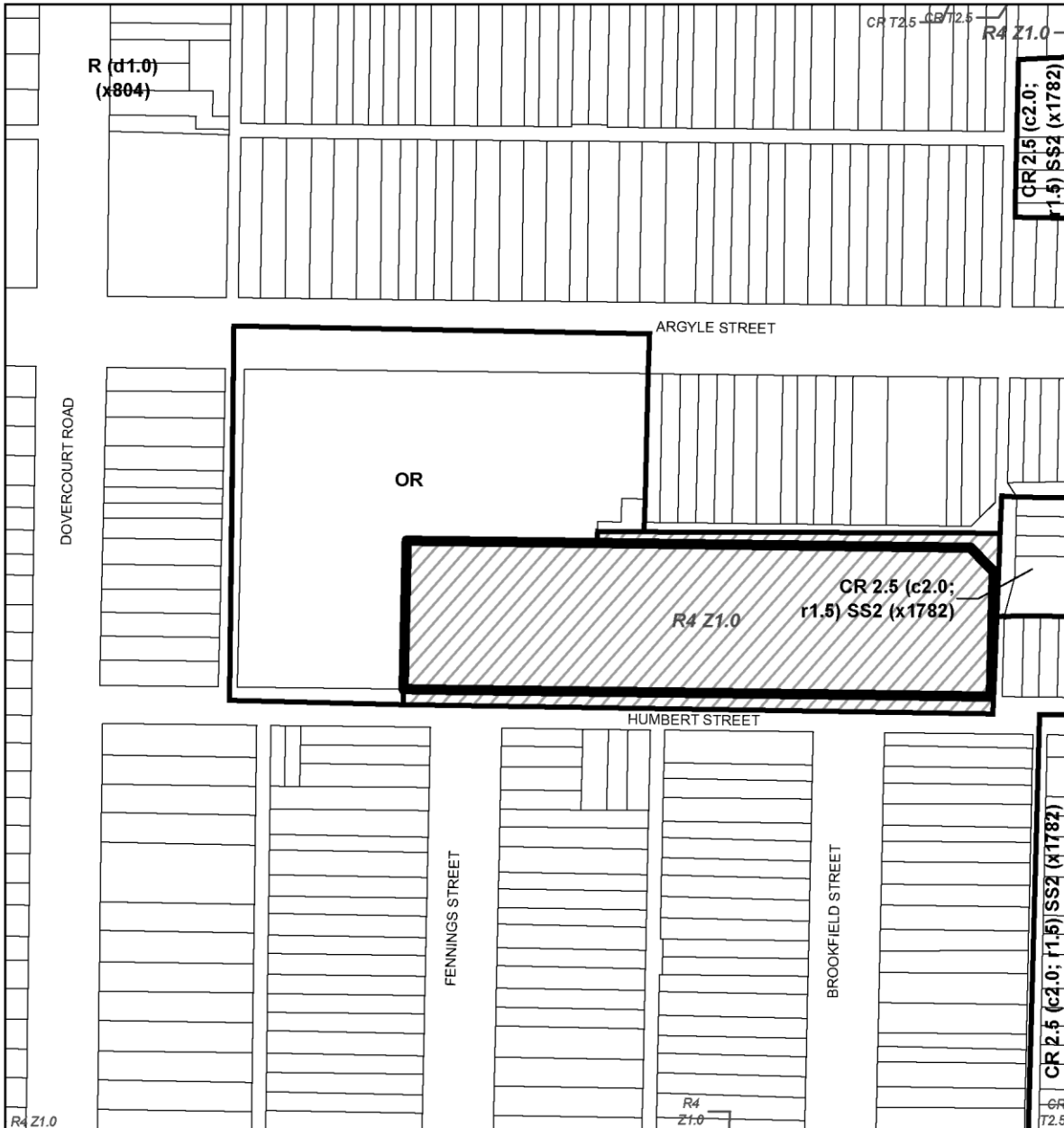
Toronto
Extract from Official Plan

File # 16 181420 STE 19 0Z

-  Site Location
-  Neighbourhoods
-  Apartment Neighbourhoods
-  Mixed Use Areas
-  Parks & Open Space Areas
-  Natural Areas
-  Parks
-  Other Open Space Areas
-  Institutional Areas
-  Regeneration Areas
-  Employment Areas
-  Utility Corridors

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Not to Scale
07/05/2016

Attachment 3: Zoning By-law Excerpt



Zoning By-Law No. 569-2013

30-66 Humbert Street

File # 16 181420 STE 19 0Z

Location of Application

R Residential

CR Commercial Residential
OR Open Space Recreation



See Former City of Toronto By-Law No. 438-86
R4 Residential District



Not to Scale
Extracted: 07/05/2016

Attachment 4: Draft Official Plan Amendment

CITY OF TORONTO

BY-LAW No. XXXX-2016

**To adopt Amendment No. 353 to the City of Toronto Official Plan,
being an amendment to the Official Plan, Chapter 7, Site and Area Specific Policies.**

Whereas authority is given to Council by Section 17 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

Whereas the 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 enacts:

1. Amendment No. 353 to the Official Plan, consisting of the attached text and map designated as Schedule "A" , is hereby adopted.

Enacted and passed this ___ day of _____, 2016.

Frances Nunziata,
Speaker

Ulli S. Watkiss
City Clerk

(Seal of the City)

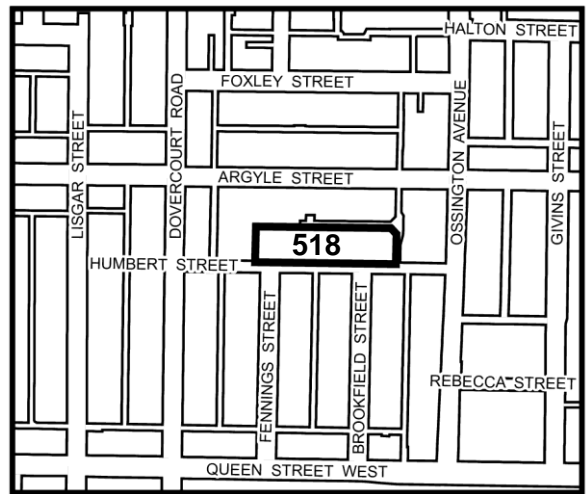
AMENDMENT NO. 353 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2016 AS
30 AND 66 HUMBERT STREET

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

1. Chapter 7, Site and Area Specific Policies, is amended by adding the following:

518. 30 and 66 Humbert Street

- a) The following non-residential uses are permitted within the building that existed on January 1, 2016:
 - a. adult and youth recreational facility;
 - b. artist and/or photographer studios;
 - c. charitable institution;
 - d. cultural facility;
 - e. custom workshop;
 - f. social enterprise office; and,
 - g. performing arts studio.



- b) An outdoor patio for commercial purposes is not permitted on site.

2. Chapter 7, Map 29, Site and Area Specific Policies, is revised to amend the boundary of Site and Area Specific Policy No. 518 as shown on the map above as Site and Area Specific Policy No. 518.

Attachment 5: Draft Zoning By-law Amendment (By-law 438-86)

CITY OF TORONTO

Bill No. ~

BY-LAW No. XXXX-2016

To amend Zoning By-law No. 438-86, as amended, with respect to the lands municipally known in the year 2016 as, 30 and 66 Humbert Street

Whereas Council of the City of Toronto has the authority to pursuant to Section 34 of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, to pass this By-law; and

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. For the purpose of this By-law, “*lot*” shall consist of the lands delineated by heavy lines on Map 1 attached to and forming part of this By-law and known in the year 2016 as 30 and 66 Humbert Street;
2. None of the provisions of Sections: 2(1) with respect to “*lot*”, 4(4), 4(6), 4(7), 4(10), 4(13), 4(14), 6(1), 6(3), 6(3) Part II 2, 3, 4, 5 and 6; 6(3) Part III 2; 6(3) Part IV 1(a), 8(3) Part IV 1, 8(3) Part IV 1; 8(3) Part IV 1 8(3) Part XI 2; of By-law No. 438-86 of the former City of Toronto, being “A By-law to regulate the use of land and the erection, use, bulk, height, spacing of and other matters relating to buildings and structures and to prohibit certain uses of lands and the erection and use of certain buildings and structures in various areas of the City of Toronto” as amended, shall apply to prevent the non-residential use of the *lot*,
 - a. The *lot* is comprised of those lands delineated by heavy lines on Map 1, attached to and forming part of this By-law;
 - b. In addition to the uses permitted by Section 6(1), the following additional uses are permitted within the building which existed on the *lot* on January 1, 2016:
 - a) artist and/or photographer studio;
 - b) *custom workshop*;
 - c) *charitable institution*;
 - d) *cultural facility*;
 - e) *custom workshop*;
 - f) *commercial school*;
 - g) *day nursery*;
 - h) social enterprise office
 - i) *performing arts studio*; and,
 - j) *trade school*.

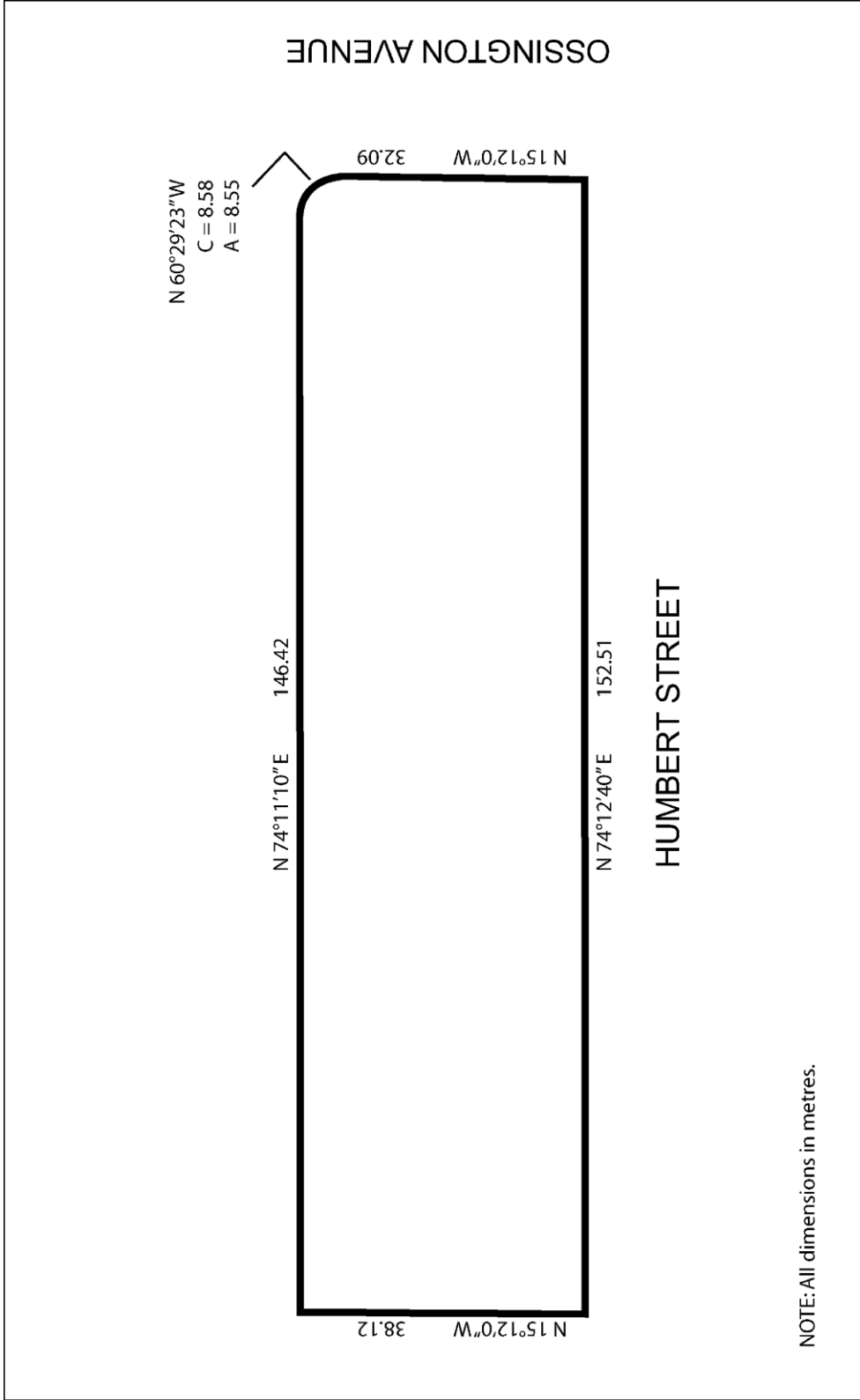
- c. Any one of these uses listed in 2. b. above will not occupy more than 1 floor within the building which existed on the *lot* on January 1, 2016.
- d. Section 6(2)12 does not apply to a *day nursery* use on the *lot*.
- e. Section 6(2)16 does not apply to a *charitable institution* use on the *lot*.
- f. An outdoor patio that is used for commercial purposes is not permitted on the *lot*.
- g. In total, a minimum of 11 *parking spaces*, shall be provided for any or all of the *non-residential uses* of the *lot*.
- h. No *loading spaces* shall be provided on the *lot*.

Enacted and passed on month ##, 20##.

Name,
Speaker

Ulli S. Watkiss,
City Clerk

(Seal of the City



30 - 66 Humbert Street

File # 16 181420 STE 19 0Z



City of Toronto By-Law 438-86
Not to Scale
07/26/2016