

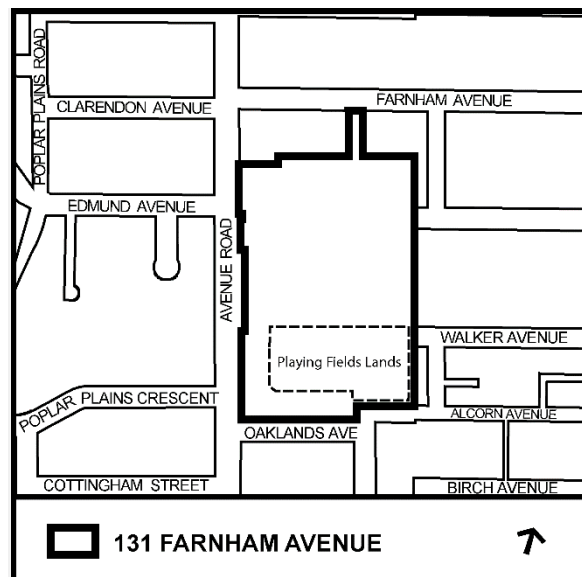
131 Farnham Avenue – Official Plan Amendment – Final Report

Date:	October 3, 2016
To:	Toronto and East York Community Council
From:	Director, Community Planning, Toronto and East York District
Wards:	Ward 22 – St. Paul's
Reference Number:	16 211819 STE 22 OZ

SUMMARY

This City-initiated amendment to the Official Plan proposes to introduce a site and area specific policy (SASP) to the Yonge-St. Clair Secondary Plan with respect to the De La Salle College playing field lands at 131 Farnham Avenue. The SASP would regulate the use of the playing field lands to only permit an open area use for the purpose of a playing field, running track, and small scale accessory recreational uses. The amendment also proposes to add a series of views to heritage buildings, landscape features and the downtown skyline and a description of those views to Map 7A and Schedule 4 of the Official Plan, respectively.

This land is also subject to applications under the Planning Act to amend the zoning by-law (File No. 14 263631 STE 22 OZ) and obtain site plan approval (File No. 14 263627 STE 22 SA) to permit 19, 4-storey townhouses facing west on Avenue Road and south on Oaklands Avenue. Both the zoning by-law amendment and site plan control applications were appealed and are before the Ontario Municipal Board (OMB). This City-initiated Official Plan Amendment is the result of the mediated settlement to that appeal adopted by City Council on July 12, 2016.



This report recommends approval of the City-initiated amendment to the Official Plan (refer to Attachment No. 1).

RECOMMENDATIONS

The City Planning Division recommends that:

1. City Council amend the Official Plan, for the lands at 131 Farnham Avenue substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 1 to report dated October 3, 2016.
2. City Council authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment as may be required.
3. Before introducing the necessary Bills to City Council for enactment, City Council require the Ontario Municipal Board to issue its order on Case No. PL150753 with respect to the Zoning By-law Amendment application at 131 Farnham Avenue and 45 Oaklands Avenue (File No. 14 263631 STE 22 OZ).

Financial Impact

The recommendations in this report have no financial impact.

DECISION HISTORY

At its meeting on December 4, 2014, the Toronto and East York Community Council requested that the Acting Manager of Heritage Preservation Services prepare a report to amend City of Toronto By-Law 10-77 to describe the cultural heritage values and attributes of the entire De La Salle College property at 131 Farnham Avenue and 45 Oaklands Avenue, to be in accordance with the Ontario Heritage Act Regulation 9/06 (O. Reg. 9/06), including additional cultural heritage values and attributes that may be associated with the property.

On December 12, 2014, Conica Glen Home Corporation submitted applications to amend the zoning by-law and to obtain site plan approval for a 4-storey 28-unit townhouse development along the southwest corner of the De La Salle College property at Avenue Road and Oaklands Avenue.

At its meeting of September 30, 2015, City Council adopted without amendment the report “Amendment of Designating By-law and Authority to Amend Existing Heritage Easement Agreement - 131 Farnham Avenue” from the Director, Urban Design, City Planning Division.

On August 14, 2015, the Zoning By-law Amendment (File No. 14 263631 STE 22 OZ) and Site Plan Control (File No. 14 263627 STE 22 SA) applications were appealed to the OMB by the applicant pursuant to Sections 34(11) and 41(12) of the Planning Act for indecision within the time prescribed by the Planning Act.

A Notice of Objection dated November 16, 2015, to the Amendment of Designation Bylaw No. 10-77 of the former City of Toronto, was submitted to Toronto and East York Community Council from the owner, The Brothers of the Christian Schools of Ontario.

At its meeting of February 3 and 4, 2016, City Council considered a Request for Directions report from the Director, Community Planning, Toronto and East York District dated December 15, 2015 for a revised 22-unit townhouse development. In considering the proposal, City Council did not follow City Planning's recommendation to support the revised proposal. City Council authorized City Legal to attend at the OMB in opposition to the proposal and retain outside consultants as required.

Following City Council's direction, the City agreed to enter into mediation and mediation dates were held at the OMB on May 24 and May 25, 2016. City staff and the other parties to the mediation reached a tentative agreement through the mediation.

At its meeting of July 12 and 13, 2016, City Council considered a report from the Interim City Solicitor dated July 12, 2016 outlining the details of the mediated settlement including: the removal of 3 townhouse units to the north and east of the gatekeeper's house, retention of the gatekeeper's house and its historic gates, and authorization for City Planning staff to commence City-initiated Official Plan Amendments to the Yonge-St. Clair Secondary Plan respecting the existing playing field and to Official Plan Policy 3.1.1, Schedule 4 to show and describe views to and from the site.

City Council's decision and City Legal's settlement report can be found at the following link: <http://app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2016.CC20.18>.

ISSUE BACKGROUND

Proposal

This City-initiated amendment to the Official Plan proposes to introduce a site and area specific policy (SASP) to the Yonge-St. Clair Secondary Plan with respect to the De La Salle College playing field lands at 131 Farnham Avenue. The SASP would regulate the use of the playing field lands to only permit an open area use for the purpose of a playing field, running track, and small scale accessory recreational uses. The amendment also proposes to add a series of views to heritage buildings, landscape features and the downtown skyline, and a description of those views on Map 7A and Schedule 4 of the Official Plan, respectively.

Site and Surrounding Area

The site is mostly rectangular in shape, is 51,879 square metres in area, and has approximately 273 metres of frontage along Avenue Road and 123 metres of frontage along Oaklands Avenue. The site is used as the main campus for De La Salle College, a private middle/secondary school for students from grades 5 to 12.

The site can be distinguished in two halves separated by the former Lake Iroquois shoreline, a steep wooded hill known as the "escarpment", that runs east west through the

site. The northern half is located on top of the escarpment and consists of open space, parking lots, athletic facilities, and multiple buildings and structures including noteworthy heritage structures. "Oaklands house", currently an administrative building, sits at the edge of the escarpment and is the former residence of Senator John Macdonald. A 2½-storey red brick school, the "1949 school", is located on the eastern edge of the site facing west towards a large open area with gardens and Avenue Road.

The southern half is located at the base of the escarpment and currently consists of a newly renovated athletic playing field surrounded by a running track and two heritage structures. The "gatekeeper's house" is located at the northeast corner of Avenue Road and Oaklands Avenue. East of it is a pair of stone and wrought iron gates, the "stone gates", that were moved to their current location in 1924. The southwest corner of the site is the location of a recent proposal to construct 19, 4-storey townhouses facing west on Avenue Road and south on Oaklands Avenue. The proposal is currently under appeal.

Surrounding uses include:

North: multi-unit residential buildings and retirement homes along Avenue Road ranging in height from 5 to 15 storeys; 2 and 3-storey detached and semi-detached dwellings in the interior neighbourhood.

South: directly across Oaklands Avenue is a 6-storey apartment building, east of which are 8, 3-storey townhouses with below-grade garages. Further east on the south side of Oaklands Avenue are 2 and 3-storey detached and semi-detached dwellings.

East: 2 and 3-storey detached and semi-detached dwellings.

West: directly across Avenue Road are 3 and 4-storey residential buildings, south of which are 3-storey semi-detached dwellings, and north of which are residential buildings of 4 to 9 storeys.

Provincial Policy Statement and Provincial Plans

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; wise use and management of resources; and protecting public health and safety. The PPS recognizes that local context and character is important. The PPS states that the Official Plan is the most important vehicle for implementing the PPS. Policies are outcome-oriented, and some policies provide flexibility in their implementation provided that provincial interests are upheld. City Council's planning decisions are required, by the *Planning Act*, 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, by the *Planning Act*, to conform, or not conflict, as the case may be, with the Growth Plan for the Greater Golden Horseshoe.

Staff reviewed the proposed application for consistency with the PPS and for conformity with the Growth Plan for the Greater Golden Horseshoe.

Official Plan

The site is designated *Neighbourhoods* along Oaklands Avenue and *Apartment Neighbourhoods* along Avenue Road as shown on Map 17 – Land Use Plan. **Section 4.1** indicates that *Neighbourhoods* are considered to be physically stable areas made up of residential uses in lower scale buildings such as detached houses, semi-detached houses, duplexes, triplexes, townhouses and walk-up apartments that are no higher than four storeys. Parks, low scale local institutions, home occupations, cultural and recreational facilities and small-scale retail, service and office uses are also provided for in *Neighbourhoods*. Low scale local institution uses include schools, places of worship, community centres, libraries, day nurseries and private home daycare, seniors and nursing homes and long-term care facilities, public transit facilities, utility and telecommunications installations, and public services and facilities provided by the local, provincial and federal governments.

Section 4.1, Policy 2 states that schools will provide open space for outdoor student activities and landscaping and will be designed and operated to limit noise, privacy and traffic impacts on neighbouring residents.

Section 4.2 indicates that *Apartment Neighbourhoods* are made up of apartment buildings and parks, local institutions, cultural and recreational facilities and small-scale retail, service and office uses that serve the needs of area residents. All land uses provided for in the *Neighbourhoods* designation are also permitted in *Apartment Neighbourhoods*.

Section 3.1.1 – "The Public Realm" includes policies to promote quality architecture, landscape and urban design, and construction that ensures that new development enhances the quality of the public realm.

Policies 9, 10 and 11 allow the City to protect and preserve key views from the public realm to prominent buildings, structures, landscapes, natural features, and the downtown skyline. Maps 7A and 7B implement Policies 9, 10 and 11 and identify a selection of important views across the City. The Plan points out that this selection of views is not exhaustive and that these maps are living documents which may be added to or modified from time-to-time. Schedule 4 of the Official Plan describes the significance of each of the views shown on Maps 7A and 7B.

Section 3.1.5 – "Heritage Conservation" provides direction on preserving heritage properties and districts. Policy 44 states that the view to a property on the Heritage

Register as described in Schedule 4 will be conserved unobstructed where the view is included on Maps 7A and 7B.

Section 5.6 – "Interpretation" provides guidance as to the understanding and interpretation of the Official Plan. Policy 1 indicates the Official Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision making. Further, **Section 1.5** – "How to Read the Plan" indicates the Official Plan is a comprehensive and cohesive whole. This application was reviewed against all policies of the Official Plan.

The Official Plan can be accessed at:

www1.toronto.ca/static_files/CityPlanning/PDF/chapters1_5_dec2010.pdf.

Official Plan Amendment 320

As part of the City's ongoing Official Plan Five Year Review, City Council adopted Official Plan Amendment No. 320 on December 10, 2015. OPA 320 strengthens and refines the Healthy Neighbourhoods, *Neighbourhoods* and *Apartment Neighbourhoods* policies to support Council's goals to protect and enhance existing neighbourhoods and to allow limited infill on underutilized apartment sites in *Apartment Neighbourhoods*.

The Minister of Municipal Affairs approved and modified OPA 320 on July 4, 2016. The Ministry received 57 appeals to OPA 320 and it has been appealed in its entirety. As a result, OPA 320 as approved and modified by the Minister is relevant but not determinative in terms of the Official Plan policy framework.

Council's decision and the staff report can be found at:

app.toronto.ca/tmmis/viewAgendaItemHistory.do?item=2015.PG8.5.

Yonge-St. Clair Secondary Plan

The site is located on the western edge of the Yonge-St. Clair Secondary Plan area which is bounded by Avenue Road on the west, Moore Park Ravine/Beltline Trail on the east, Mount Pleasant Cemetery/Kay Gardiner Beltline on the north and the CP rail line on the south.

The purpose of the Secondary Plan with respect to *Neighbourhoods* and *Apartment Neighbourhoods* is to protect, promote and enhance the existing type and quality of the neighbourhood; maintain the stability of the neighbourhood; and ensure that new development meets high urban design standards which contribute to achieving public areas which are attractive, inviting, comfortable and safe.

The Secondary Plan contains Urban Design Principles for Built Form and Public Amenity that include achieving a harmonious relationship to the built form context and providing high quality landscaped spaces. The Secondary Plan also contains policies with respect to the built form of redevelopment in *Neighbourhoods* to recognize the relevant urban structure elements, such as views afforded to and from the escarpment. The Urban Structure Plan (Map 6-1) of the Secondary Plan specifically illustrates an

important view from De La Salle College on top of the escarpment to the downtown skyline.

Map 6-1 also indicates that the site is "Open Areas", with a landscaped edge along public streets. "Open Areas" is not a land use designation in the Secondary Plan or Official Plan, and the Secondary Plan does not have a specific set of policies for "Open Areas". The Secondary Plan relies on the Official Plan to identify the land use designations that apply to the site, which are *Neighbourhood* and *Apartment Neighbourhood*.

The Yonge-St. Clair Secondary Plan is available on the City's website at:
http://www.toronto.ca/planning/official_plan/pdf_secondary/35_secondary_map_dec2010.pdf.

Zoning

Zoning By-law 438-86

Under Zoning By-law 438-86, as amended, the site is zoned R2 Z0.6 with a height limit of 10 metres and a maximum density of 0.6 times the area of the lot. The R2 zoning category allows detached houses, semi-detached houses, townhouses, apartments, parks, places of worship and home occupations.

Zoning By-law 569-2013

Under Zoning By-law 569-2013, the site is zoned R (d0.6) (x762) with a height limit of 10 metres and a maximum density of 0.6 times the area of the lot. The R zoning category allows detached houses, semi-detached houses, townhouses, apartments, parks, places of worship and home occupations.

Reasons for the City-initiated Official Plan Amendment

An Official Plan Amendment is required to add a site and area specific policy (SASP) to the Yonge-St. Clair Secondary Plan to regulate the use of the De La Salle College playing field lands, and to add a series of views to heritage buildings, landscape features and the downtown skyline, and a description of those views on Map 7A and Schedule 4 of the Official Plan, respectively.

Community Consultation

Staff held a community consultation meeting on September 8, 2016 to receive community feedback on the City-initiated Official Plan Amendment. Approximately 25 people attended the meeting.

Feedback on the Official Plan Amendment was generally positive, however, some attendees were concerned that there would be increased use of the playing field and the school's other recreational facilities.

The majority of the community consultation meeting focused on questions and concerns related to the townhouse development at the corner of Avenue Road and Oaklands Avenue, and the associated OMB settlement. Concerns included: loss of trees along Oaklands Avenue; insufficient on-site visitor parking; loss of on-street parking; and construction impacts.

COMMENTS

At its meeting on July 12 and 13, 2016, City Council adopted the recommendations in Interim City Solicitor's report and authorized City Legal to support negotiated OMB settlement related to a townhouse development on the De La Salle College property, and as a condition of the settlement, directed City Planning staff to commence City-initiated Official Plan Amendments to the Yonge-St. Clair Secondary Plan respecting the De La Salle College playing field and to Official Plan Policy 3.1.1, Schedule 4 to show and describe views to and from the site.

Site and Area Specific Policy (SASP) for De La Salle College Playing Field Lands

The proposed amendment to add a site and area specific policy (SASP) to the Yonge-St. Clair Secondary Plan for the De La Salle College playing field lands will limit the use of the playing field to only open area use for the purpose of a playing field, running track, and small scale accessory recreational uses. This use is consistent with both the *Neighbourhoods* land use policies and the Urban Structure Plan (Map 6-1) of the Yonge-St. Clair Secondary Plan, which indicates that the site is "Open Areas". The SASP will reinforce and enhance the Secondary Plan's classification of the site as "Open Areas" by adding valuable clarity to what specific open area uses shall be permitted.

Settlement Wording Revision

The report to City Council from the Interim City Solicitor dated July 12, 2016, outlines the details of the townhouse development settlement and includes draft wording to regulate the De La Salle College playing field lands as follows: "...designated Institutional and the permitted uses shall only include an open area use for the purpose of a playing field, running track, and small scale accessory recreational uses."

Over the course of reviewing the City Council adopted settlement and carrying out the City-initiated Official Plan Amendment, City Planning staff concluded that the terms "designated" and "Institutional" should be excluded from the amendment. The term "designated" implies that the land is being redesignated from *Neighbourhoods* to "Institutional" and that the term "Institutional" would be located and defined in Chapter 4 – Land Use of the City of Toronto Official Plan, which it is not. The Plan does include the land use designation *Institutional Areas*, however, these areas are typically reserved for major educational, health and governmental uses, and would not be appropriate for a lower intensity local institution such as a private school like De La Salle College. The intent of the condition of settlement to limit the use of the playing field will still be achieved through the revised wording found in the draft Official Plan Amendment attached to this report (see Attachment No. 1).

Views to and from the Public Realm

Section 3.1.1 of the Official Plan allows the City to protect and preserve key views to or from the public realm to prominent buildings, structures, landscapes, natural features, and the downtown skyline through Maps 7A (Identified Views from the Public Realm) and 7B (Identified Views from the Public Realm - Downtown and Central Waterfront), and

Schedule 4. As part of the City Council adopted settlement and City Planning's review, the following views are proposed to be added to Map 7A and Schedule 4:

- The south elevation of Oaklands house from Avenue Road;
- The south elevation of Oaklands house from Oaklands Avenue through the stone gates and across the De La Salle College playing fields;
- The north and west elevations of Oaklands house from Avenue Road;
- The west elevation of the 1949 school building from Avenue Road;
- The De La Salle College playing fields from Avenue Road just north of the gatekeeper's house;
- The downtown skyline and Lake Ontario from De La Salle College at the top of the Lake Iroquois escarpment;
- The Lake Iroquois escarpment ridge from Avenue Road just north of the gatekeeper's house; and
- The Lake Iroquois escarpment ridge from Oaklands Avenue through the stone gates and across the De La Salle College playing fields.

Schedule B of the attached draft Official Plan Amendment (see Attachment No. 1) clearly illustrates the location and direction of the proposed views. Adding the abovementioned views to Map 7A and Schedule 4 of the Official Plan, emphasizes their value and offers them the enhanced protections outlined in Section 3.1.1 of the Official Plan.

Conclusion

City Planning Staff is of the opinion that the proposed Official Plan Amendment provides a clear framework for how the De La Salle playing field lands are to be used, establishes and clarifies new views from the public realm to be protected and preserved, implements the intent of the Official Plan and Yonge-St. Clair Secondary Plan, implements the intent of the City Council adopted OMB settlement, and constitutes good planning.

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: Draft Official Plan Amendment

Attachment 1: 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 Amendment No. 357 to the Official Plan for the City of Toronto respecting the lands known municipally in the year 2016, as 131 Farnham Avenue

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. 357 to the Official Plan is hereby adopted pursuant to the *Planning Act*, as amended.

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

JOHN TORY,
Mayor

ULLI S. WATKISS,
City Clerk

(Corporate Seal)

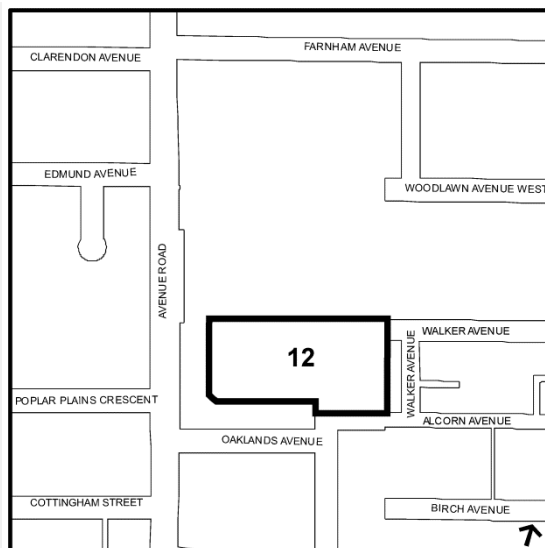
AMENDMENT NO. 357 TO THE OFFICIAL PLAN
LANDS MUNICIPALLY KNOWN IN THE YEAR 2016, AS
131 FARNHAM AVENUE

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

1. Chapter 6, Section 6, (Yonge-St. Clair Secondary Plan), is amended by adding Site and Area Specific Policy No. 12 for a portion of the lands known municipally in year 2016, as 131 Farnham Avenue as follows:

12. A portion of 131 Farnham Avenue

For the lands shown as 12 on Map 6-2 the permitted uses shall only include an open area use for the purpose of a playing field, running track, and small scale accessory recreational uses.



2. Chapter 6, Section 6 (Yonge-St. Clair Secondary Plan), Map 6-2 - Site and Area Specific Policies is amended by adding a portion of the lands known municipally in 2016 as 131 Farnham Avenue as Site and Area Specific Policy No. 12 as shown on attached Schedule "A".

3. Schedule 4 - Description of Views, is amended by adding the following:
 - a. A30. to "A. Prominent and Heritage Buildings, Structures & Landscapes":

A30. De La Salle College [H]

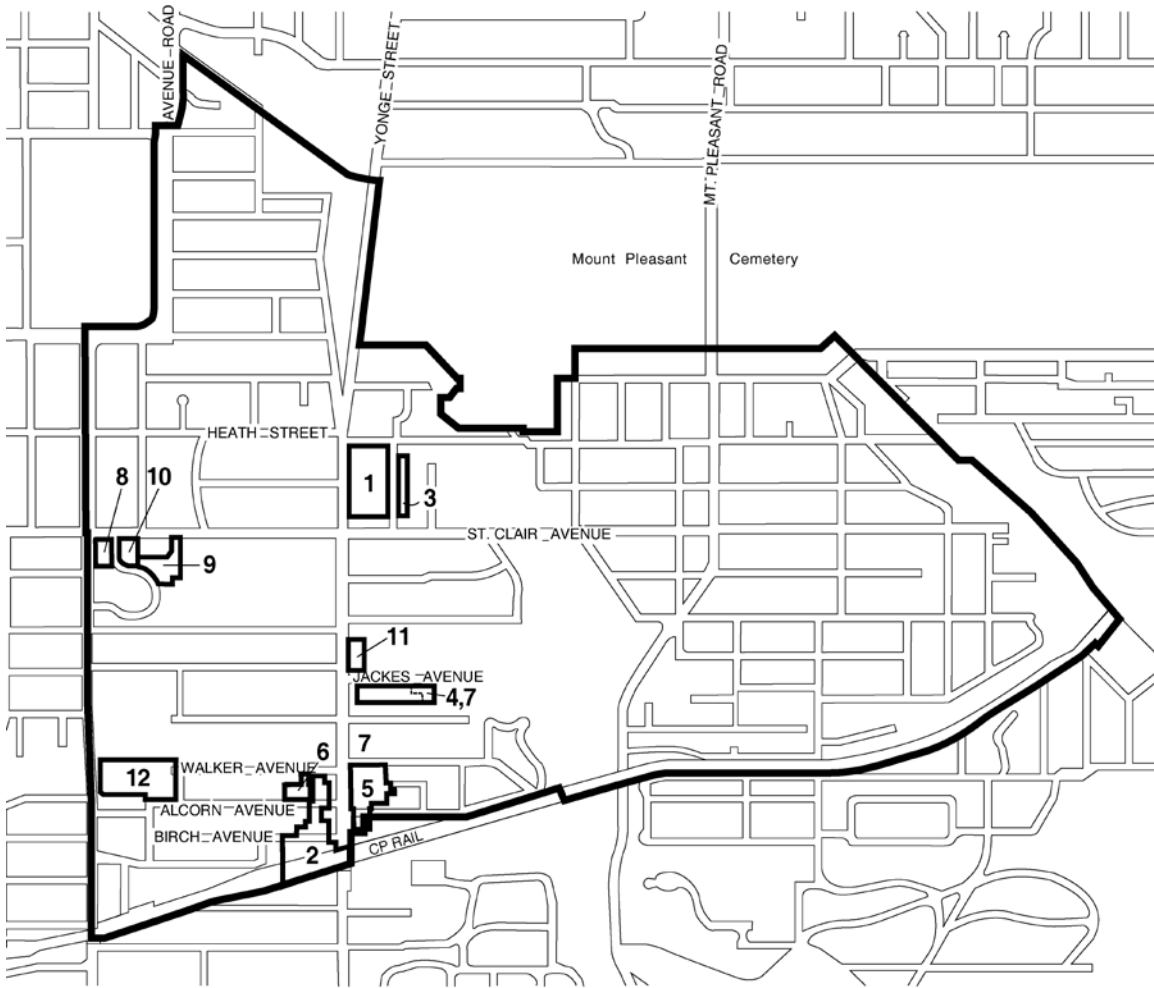
 - i. The south elevations of Oaklands house can be viewed from Avenue Road and from Oaklands Avenue through the stone gates and across the De La Salle College playing fields.
 - ii. The north and west elevations of Oaklands house can be viewed from Avenue Road.
 - iii. The west elevation of the 1949 school building can be viewed from Avenue Road.
 - iv. The De La Salle College playing fields can be viewed from Avenue Road just north of the gatekeeper's house.
 - b. B1. m. to "B. Skylines":

B1. m. De La Salle College (top of Lake Iroquois escarpment)

Buildings, including the CN Tower, which compose the Downtown/Financial District skyline, and Lake Ontario can be viewed clearly from De La Salle College at the top of the Lake Iroquois escarpment.
 - c. C10. to "C. Important Natural Features":

C10. Lake Iroquois Escarpment


The Lake Iroquois escarpment ridge can be viewed clearly from Avenue Road just north of the gatekeeper's house and from Oaklands Avenue through the stone gates and across the De La Salle College playing fields.
4. Chapter 3, Map 7A - Identified Views from the Public Realm is amended by adding De La Salle College to the map and list of views as A.30, B1. m., and C.10 as shown on Attached Schedule "B".



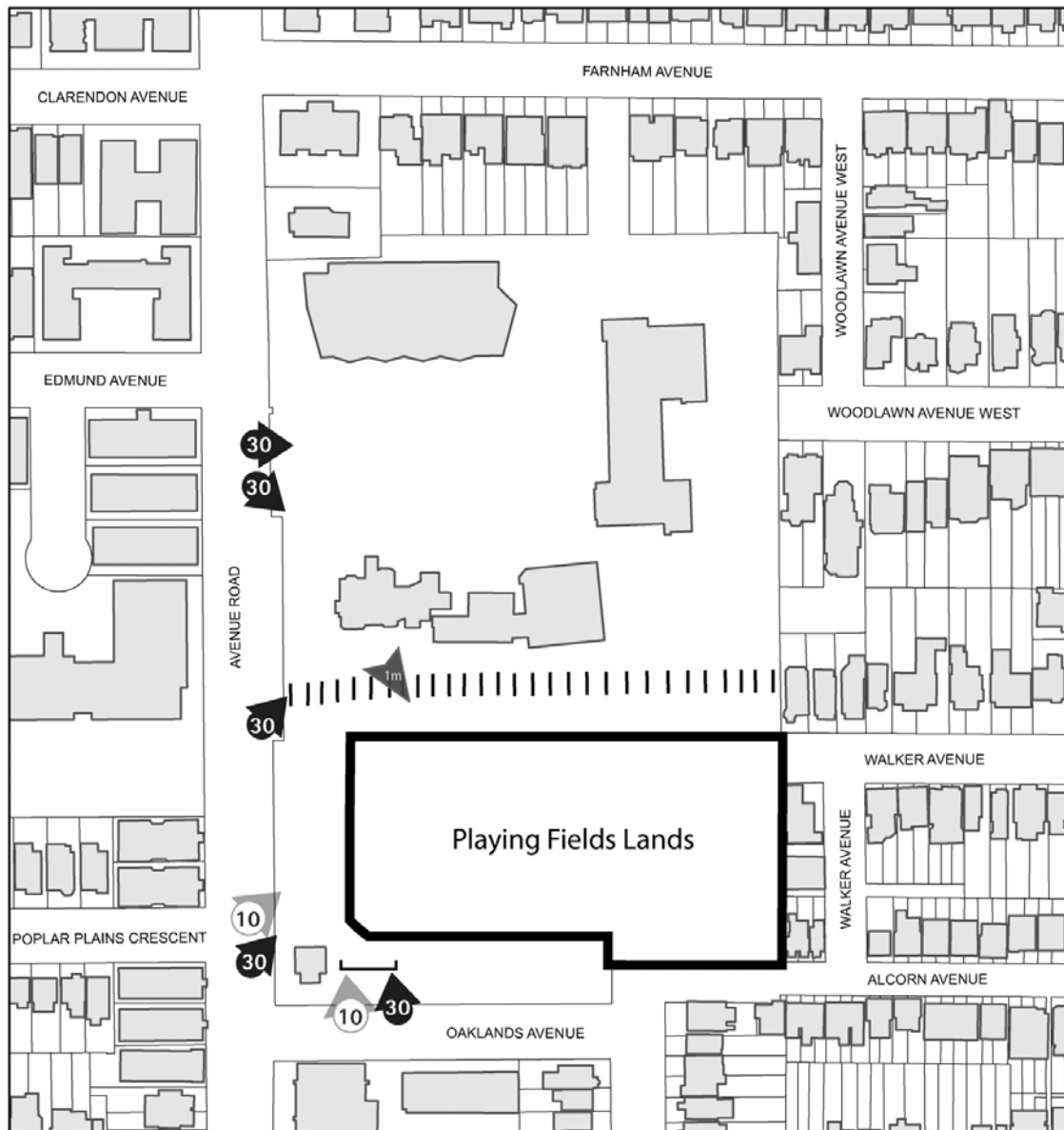
Official Plan Amendment #357 - Schedule "A"

Revisions to Yonge-St. Clair Secondary Plan Map 6-2

131 Farnham Avenue
File # 16 211819 STE 22 0Z

-  Secondary Plan Boundary
-  Site and Area Specific Policies


Not to Scale
09/21/2016



Official Plan Amendment #357 Schedule "B"

Additions to Identified Views from the Public Realm Map 7A

- | | | | |
|---|--|--|---|
|  Site and Area Specific Policy |  Gate |  B. Skylines | 
Not to Scale
09/21/2016 |
|  Escarpment |  A. Prominent and Heritage Buildings, Structures and Landscapes |  C. Important Natural Features | |