SUMMARY

The zoning by-law amendment application proposes to rezone the properties at 901 Lawrence Avenue West, 3050 & 3010 Dufferin Street, and 40 Playfair Avenue to permit the replacement of both the Columbus Centre and Dante Alighieri Secondary School, with a single joint-use 4-storey building. A related application for draft plan of subdivision approval proposes a new public road from Lawrence Avenue West to serve the proposed building and delineate the development site for the joint-use building.

The applicant has appealed the proposed Zoning By-law Amendment application to the Ontario Municipal Board (OMB), citing Council's lack of decision on the application within the time frame specified in the Planning Act.

Two Site Plan Control Approval applications relating to the Villa Charities Inc. (VCI) site were submitted to the City Planning Division on November 1, 2016 (File Nos. 16 245637 NNY 15 SA & 16 245643 NNY 15 SA). The first application is for a new joint-use building to

Staff report for action – Request for Direction - 901 Lawrence Avenue West, 3010 & 3050 Dufferin Street and 40 Playfair Avenue
accommodate both a community centre and a public secondary school (Toronto District Catholic School Board), to be located in the northwest corner of the Villa Charity Inc. campus. The second application relates to a reconfiguration of the existing internal driveways, parking areas and pedestrian routes on the Villa Charities Inc. campus.

The applicant's solicitor has indicated that appeals on the application for Draft Plan of Subdivision and the two applications for Site Plan Control Approval are forthcoming.

The purpose of this report is to seek Council's direction with respect to the position of the City at the Ontario Municipal Board. A hearing date has not yet been scheduled.

**RECOMMENDATIONS**

The City Planning Division recommends that:

1. City Council authorize the City Solicitor together with City Planning staff and other City staff as appropriate to attend the Ontario Municipal Board in opposition to the Zoning By-law Amendment application No. 17 102913 NNY 15 OZ for the lands at 901 Lawrence Avenue West, 3050 & 3010 Dufferin Street and 40 Playfair Avenue for the reasons discussed in this report.

2. City Council authorize City staff to continue discussions with the applicant to resolve the outstanding matters outlined in this report, and issues arising during the review of the application.

3. In the event the applicant appeals the related Draft Plan of Subdivision and Site Plan Control applications, City Council authorize the City Solicitor together with City Planning staff and other city staff as appropriate to attend the Ontario Municipal Board in opposition to the applications.

**Financial Impact**

There are no financial implications resulting from the adoption of this report.

**DECISION HISTORY**

The Zoning By-law Amendment application was submitted on January 12, 2017 seeking permission to amend the Zoning By-law to facilitate the redevelopment of a portion of the site to permit a joint use building comprising a private community centre and a Toronto District Catholic School Board (TDCSB) Secondary School. An application for Draft Plan of Subdivision was also received by the City on January 12, 2017. A Preliminary Report was prepared for the May 2, 2017 agenda of the North York Community Council for both the application for Zoning By-law Amendment and Draft Plan of Subdivision. Due to lack of quorum the North York Community Council did not make a decision on this item. It was intended that the item be considered at the next Staff report for action – Request for Direction - 901 Lawrence Avenue West, 3010 & 3050 Dufferin Street and 40 Playfair Avenue
regular meeting of the North York Community Council on June 13, 2017. The Preliminary Report is available at:


At its meeting of April 28, 2017, City Council adopted Item No. MM28.55 directing the Senior Manager, Heritage Preservation Services to research and evaluate the property at 901 Lawrence Avenue West for potential inclusion on the City's Heritage Register and to report back to the Toronto Preservation Board and the North York Community Council with the conclusions of the evaluation. The Council decision can be found here:


**ISSUE BACKGROUND**

**Proposal**

The applicant proposes to amend the Zoning By-law to facilitate the redevelopment of a portion of the site to permit a joint use building comprising a private community centre and a Toronto District Catholic School Board (TDCSB) Secondary School. The Zoning By-law Amendment is required to ensure that a public school is permitted on the site upon which the joint use building is proposed. The Zoning By-law Amendment is also required to adjust certain performance standards to accommodate the joint use building's proposed built form and to adjust the parking supply requirements across the entire VCI Campus to accommodate the addition of the new joint use building into the Campus.

A Draft Plan of Subdivision is proposed to establish an 18.5 metre wide public road into the site southerly from Lawrence Avenue West while creating a new parcel of land (Block 1) for the proposed joint use building to the west of the proposed road. The 18.5 metre wide road would terminate in a (temporary) cul-de-sac approximately 150 metres south of Lawrence Avenue West (see Attachment 1).

Two parcels of land fronting Dufferin Street, occupied by existing buildings identified as 3010 Dufferin Street and 3050 Dufferin Street, have been included in the lands subject to a Zoning By-law Amendment application, but do not form part of the Draft Plan of Subdivision application. The distinction between the land configuration of the Draft Plan of Subdivision and Zoning By-law Amendment application is illustrated in Attachment 1.

The proposed joint use building proposed on Block 1 (see Attachment 1) is intended to replace VCI's existing Columbus Centre Community Centre located on this particular portion of VCI's Campus, and will also contain a replacement location for Dante Alighieri Academy Catholic Secondary School, a Toronto Catholic District School Board secondary school currently located on the north side of Playfair Avenue to the southwest of this proposed new location. It is intended that Regina Mundi Catholic Elementary School be relocated to the Dante Alighieri Secondary School building when Dante Alighieri Secondary School has moved into the completed joint-use building.
The proposed new building (See Attachment 2) is situated in generally the same location as the current 3-storey community centre. The proposed joint-use building would be 4-storeys (20.7 metres) high, with a total of 25,780m² of gross floor area, resulting in a floor space index of 1.84 times the proposed lot area. The proposed height of the ground floor is 6.9 metres. It is intended that the Columbus Centre occupy 7,399.27m² and the Dante Alighieri Academy occupy 13,059.22m² of the building. A further 5,321.51m² would be space shared by the two uses.

The applicant is proposing a building setback from Lawrence Avenue West of 6.0 metres and a setback of 7.5 metres from the western lot line. A setback dimension of 32.0 metres would be provided from the proposed southern lot line and a 2.4 metre setback would be provided from the east lot line from the future public road. A total of 2,610 square metres of soft landscaping would be proposed on site, including that provided by an interior courtyard.

Vehicular access to the site would be from the proposed new 'Street A' and a private driveway across the south end of the site would provide access to the loading and servicing area in the southwest portion of the proposed building. Two loading spaces are proposed in this location.

No parking for the joint-use building would be provided on Block 1. Instead parking is proposed on adjacent lands owned by VCI and located immediately south of the site and identified as part of Block 2 on the Composite Site Plan (Attachment 4). Specifically, the parking area labelled as Parking Lot 'E' is intended to serve the joint-use building. Parking Lot 'E' contains 117 parking spaces and controls would be utilized on the site to ensure that these spaces are reserved for the secondary school during school hours only. Parking Lot 'E' would then be available to everyone on the campus during non-school hours. It is expected that parking arrangements will be secured between the various VCI parcels through easements to be registered on title prior to the registration of the plan of subdivision.

A total of 33 bicycle parking spaces are proposed along the eastern face of the proposed building south of the school entrance. The proposed bicycle parking spaces would serve both the Columbus Centre and the school use.

The applicant submitted applications for Site Plan Control Approval in November 2016 which are under review. One Site Plan Control application is for the proposed building on Block 1 and the second Site Plan Control application is for the reconfiguration of the existing internal driveways, parking layout and pedestrian routes within Block 2 (See Attachment 4).

**Site and Surrounding Area**

The site is located on the west side of Dufferin Street and the south side of Lawrence Avenue West. The site has a frontage of 184.89 metres on Lawrence Avenue West, a frontage of 118.18 metres on Playfair Avenue and frontages of 113.58 metres (3010 Dufferin Street) and 38.71 metres (3050 Dufferin Street) on Dufferin Street. The total
land area included in the VCI campus is 6.2 hectares and subject to the application for Zoning By-law Amendment. The site area subject to the Draft Plan of Subdivision application is 4.755 hectares and does not include the two residential parcels at 3010 Dufferin Street (Casa Del Zotto) and 3015 Dufferin Street (Caboto Terrace).

The Villa Charities Inc. campus contains the following buildings:

<table>
<thead>
<tr>
<th>Building</th>
<th>Use</th>
<th>GFA/# Units/Beds</th>
<th>Height</th>
</tr>
</thead>
<tbody>
<tr>
<td>Columbus Centre (901 Lawrence Avenue West)</td>
<td>Cultural Centre, Fitness Centre and various community uses</td>
<td>16,722m²</td>
<td>1-3 storeys</td>
</tr>
<tr>
<td>Casa Del Zotto (3010 Dufferin Street)</td>
<td>Senior's Independent Living Apartments</td>
<td>202 Rental units, 15,793m²</td>
<td>10 Storeys</td>
</tr>
<tr>
<td>Caboto Terrace (3015 Dufferin Street)</td>
<td>Senior's Independent Living Apartments and Day Care</td>
<td>259 Rental units, 15,108m²</td>
<td>14 Storeys</td>
</tr>
<tr>
<td>Villa Columbo Home for the Aged (40 Playfair Avenue)</td>
<td>Long Term Care Centre, Banquet Facilities and Community Uses</td>
<td>391 Beds, 22,294m²</td>
<td>5 Storeys</td>
</tr>
</tbody>
</table>

In addition to existing buildings, the property features large paved parking areas, various access lanes, walkways and associated landscaping throughout.

There are currently 604 parking spaces on the campus. It is intended that this parking supply would serve the proposed building as well as the remainder of the campus uses. Additionally, these spaces provide parking for St. Charles Church located on the southwest corner of Lawrence Avenue and Dufferin Street. In total, 555 parking spaces of the 604 spaces are surface parking spaces. An existing underground parking garage located below the Casa Del Zotto building (3010 Dufferin Street) contains 49 parking spaces. These spaces are currently dedicated to this building and will continue to be exclusively for the residents and visitors of that building.

Land uses surrounding the subject site are as follows:

North: St. Charles Church (811 Lawrence Avenue West) is located to the northeast of the site and Lawrence Avenue West is beyond. A variety of commercial uses in 1-2 storey buildings are located across Lawrence Avenue West;

South: Playfair Avenue and detached dwellings beyond;

East: Pauline Book Store & residence (3020 & 3022 Dufferin Street), Pinedale Apartments (3000 Dufferin Street) located southeast of the site and Dufferin Street beyond to the east; and
West: Detached dwellings on Good Shepherd Court, Sisters of the Good Shepherd (convent and long-term care) at 25 Good Shepherd Court, Regina Mundi Catholic Elementary School (70 Playfair Avenue) and Dante Alighieri Academy Catholic Secondary School (60 Playfair Avenue) and associated outdoor sports field located on the north side of Playfair Avenue to the southwest.

See Attachment 5 for the site context.

**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. The PPS sets the policy foundation for regulating the development and use of land. The key objectives include: building strong communities; wise use and management of resources; and, protecting public health and safety. 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 by the Planning Act, to conform, or not conflict, with the Growth Plan for the Greater Golden Horseshoe.

**Official Plan**

The Official Plan identifies areas that are well-served by public transit and the existing road network and which have a number of properties with redevelopment potential that can best accommodate growth. These areas are shown on Map 2, Urban Structure and are identified by four categories including the *Avenues* identification. The *Avenues* are important corridors along major streets where reurbanization is anticipated and encouraged to create new housing and job opportunities while improving the pedestrian environment, the appearance of the street, shopping opportunities and transit service for community residents. Both the Dufferin Street and Lawrence Avenue West frontages of the site are identified as *Avenues* on Map 2 of the Official Plan.

Chapter 2 of the Official Plan includes policies to develop the City's transportation network. Dufferin Street is identified as a major street on Map 3 of the Official Plan with a planned right-of-way width of 27 metres. Dufferin Street is also identified as a Transit Priority Segment in Map 5 of the Official Plan. Lawrence Avenue West is also identified as a major street on Map 3 with a planned right-of-way of 30 metres.

The Official Plan designates the northern portion of the site as *Mixed Use Areas*, one of four land use designations intended to accommodate growth (See Attachment 6). The *Mixed Use Areas* designation encourages a broad range of commercial, residential, institutional and open space uses to accommodate increase in population and jobs along transit lines.

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Development in *Mixed Use Areas* prior to an Avenue Study has the potential to set a precedent for the form and scale of reurbanization along the *Avenue*. For this reason, proponents of such proposals are required to address the larger context and examine the implications for the segment of the *Avenue* in which the proposed development is located. Section 2.2.3, Policy 3(b) sets out the criteria that must be examined in such an Avenue Segment Review.

The Official Plan establishes criteria for development in *Mixed Use Areas* including a requirement for buildings to be located and massed to provide a transition between areas of different development intensity, and providing setbacks from, and stepping down of, building heights towards existing lower scale development. The Plan also contains requirements to locate and mass new buildings to frame the edges of streets and parks with good proportion and maintain sunlight and comfortable wind conditions for pedestrians on adjacent streets, parks and open space.

Map 17, Land Use of the Official Plan designates the southern portion of the site as *Apartment Neighbourhoods*. Areas so designated are made up of apartment buildings, 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 within the *Neighbourhoods* designation are also permitted in *Apartment Neighbourhoods*, however this designation is distinguished from low-rise *Neighbourhoods* because a greater scale of building is permitted and different scale-related criteria are needed to guide development. *Apartment Neighbourhood* Areas are considered stable areas of the City where significant growth is generally not anticipated. There may be opportunities for additional apartments on underutilized sites.

Section 3.1.1 Public Realm of the Official Plan describes the importance of public spaces in achieving great communities. City streets are described as significant open spaces which connect people and places and support the development of sustainable, economically-vibrant and complete communities. In particular, Policies 16 and 17 highlight design objectives and the tenure of new streets. Policy 18 emphasizes the importance of the design of new city blocks and development blocks.

The Built Form policies in Section 3.1.2 of the Official Plan relate to ensuring that new development in the city can fit harmoniously within the existing area. This includes providing appropriate transition to the existing surrounding area to ensure that the new development will fit within the existing and/or planned context. Development should be massed with good proportions to fit within the existing and planned context and to ensure sunlight and sky-view from adjacent streets. Transition in scale may be achieved with many ‘geometric relationships and design methods in different combinations’ including angular planes, stepping of heights, location and orientation of the buildings and the use of setbacks and stepbacks of building mass.

The Official Plan contains policies for building new neighbourhoods in Section 3.3. The Plan requires the provision of a comprehensive planning framework reflecting the Plan's city-wide goals as well as the local context to ensure that new infrastructure, streets,
parks and local services to support new development and connect it with the surrounding fabric of the City is provided.

The Official Plan contains a policy that encourages the inclusion of public art in all significant private sector developments across the City. The Percent for Public Art program recommends that a minimum of one percent of the gross construction cost of each significant development be contributed to public art. The governing principle for the Percent for Public Art Program is that art is a public benefit to be enjoyed and experienced by residents and visitors throughout the City.

The Plan provides for the use of Section 37 of the Planning Act to secure the provision of community benefits in return for an increase in height and/or density of a development. The City may require the owner to enter into an agreement to secure these matters.

**Dufferin Street Secondary Plan**

At its meeting of December 9 and 10, 2015 City Council adopted the Dufferin Street Secondary Plan. A small portion of the subject site is within the Secondary Plan area (see Attachment 7). City Council directed staff to use the Dufferin Street Secondary Plan in the evaluation of all current and new development proposals falling within its boundaries. City Council also adopted the Dufferin Street Urban Design Guidelines and endorsed the Transportation Master Plan and Infrastructure and Stormwater Master Plan. Council directed staff to use these documents in the review of current and new development proposals.

The Secondary Plan establishes a comprehensive planning framework for development and intensification. The Secondary Plan also lays out a network of roads, parks and bicycle routes throughout the area. It indicates priorities for Section 37 benefits. City Council's direction, the Secondary Plan, the Urban Design Guidelines, the Transportation Master Plan and the Infrastructure and Stormwater Master Plan can be found on the City's website at:


The Dufferin Street Secondary Plan identifies the portion of the subject site that is within its boundaries as a development block. This development block does not correspond with the portion of the campus that is proposed for development through these applications. The Dufferin Street Secondary Plan is currently under appeal to the Ontario Municipal Board.

**Zoning**

Zoning By-law 7625 of the Former City of North York

The subject zoning falls into three zoning categories under Zoning By-law 7562 of the former City of North York (See Attachment 8a).

A large parcel containing the Columbus Centre and Caboto Terrace is zoned "RM6(51)", Multiple-Family Dwellings Sixth Density Zone, which permits a variety of residential uses and a limited number of institutional uses (hospital, nursing home, religious

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institution, and a sanitarium) and "R5", One-Family Detached Dwelling Fifth Density Zone, which permits detached dwellings and accessory uses to those dwellings.

The site on which Villa Colombo sits is zoned "RM4", Multiple-Family Dwellings Fourth Density Zone, which permits a variety of residential uses including several institutional uses (hospital, nursing home and sanitorium).

**Zoning By-law 569-2013 of the City of Toronto**

The subject zoning falls into two zoning categories under Zoning By-law 569-2013 of the City of Toronto (See Attachment 8b). Generally, 811 Lawrence Avenue West, where the parking lot used by St. Charles Church is located, is zoned RD (f15.0;a550) (x5). Permitted uses in the Residential Detached (RD) zone include detached dwellings and parks. Uses permitted with conditions include community centres, day nurseries, group homes, home occupations, private home daycare, secondary suites, and senior's community houses.

The remainder of the site subject to the Zoning By-law Amendment application, including the Columbus Centre at 901 Lawrence Avenue West, Casa Del Zotto and Caboto Terrace at 3010 and 3050 Dufferin Street respectively and Villa Colombo at 40 Playfair Avenue, are zoned "RA", a Residential Apartment zone which permits ambulance depots, apartment buildings, fire halls, parks, police stations and retail stores among other uses. A Floor Space Index of 1.5 times the lot area is permitted.

**Site Plan Control**

The development of the proposed building and the reconfiguration of the internal driveways, parking areas and pedestrian walkways will be subject to Site Plan Control Approval. Applications in this regard have been filed (File Nos. 16 245637 NNY 15 SA & 16 245643 NNY 15 SA) and are currently under review.

**Tree Preservation**

City of Toronto By-laws provide for the protection of trees situated on both private and City property. The applicant has submitted an Arborist Report and will be required to undertake appropriate retention and protection measures as determined through the review of the development applications.

**Reasons for the Application**

The Zoning By-law Amendment is required to ensure that a public school is permitted on the site upon which the joint use building is proposed. The Zoning By-law Amendment is also required to adjust certain performance standards to accommodate the joint use building's proposed built form and to adjust the parking supply requirements across the entire VCI Campus to accommodate the addition of the new joint use building into the Campus.

A Draft Plan of Subdivision is required to establish an 18.5 metre wide public road into the site southerly from Lawrence Avenue West while creating a new parcel of land (Block 1) for the proposed joint use building to the west of the proposed road. The 18.5 metre wide road will be constructed to public standards on the south side of Lawrence Avenue West and within the right-of-way of Dufferin Street and Playfair Avenue.
Community Consultation
A Community Consultation meeting was held for this application on Thursday, May 11, 2017. It is estimated that 400 people were in attendance. Concerns raised spanned a wide range of issues including the loss of a valuable cultural space for the Italian community specifically and the general community at large, the loss of specific facilities such as a swimming pool and walking track within the existing private community centre, and a perceived lack of outreach to the various communities who use the facility throughout the process to date. Neighbours are also concerned about potential infiltration of traffic into their neighbourhood when the public road network is improved, particularly with the potential for additional build-out of the Villa Charity lands in the long term.

Agency Circulation
The application was circulated to all appropriate agencies and City divisions. Responses from the circulation of the application have been provided to the applicant, and would have to be addressed in addition to the issues outlined in this report.

COMMENTS
This project is an important cultural/community/educational resource for this neighbourhood and the City. The City of Toronto Planning Division is in the early stages of processing the application for Zoning By-law Amendment. The Preliminary Report prepared for the North York Community Council Meeting of May 2, 2017 identified a number of potential issues associated with the application for Zoning By-law Amendment. Additional matters were raised at the May 11, 2017 Community Consultation Meeting by those in attendance.

On May 17, 2017 the applicant appealed the Zoning By-law Amendment application to the Ontario Municipal Board, citing City Council's lack of decision on the application within the time frame specified in the Planning Act. Given that the evaluation of the application is underway and several issues have been identified but not resolved, it is recommended the City Solicitor together with City Planning staff and other City staff as appropriate be authorized to attend the Ontario Municipal Board in opposition to the application.

On a preliminary basis, the following issues have been identified, among others:

- A determination of adherence to the Official Plan and Dufferin Street Secondary Plan policies;
- The adequacy of the submitted Master Plan in terms of land parcel inclusion and ultimate road layout;
c) The appropriateness of creating a building lot that has no dedicated parking for the proposed use on the same parcel on which it is situated;

d) An assessment of the building transition to the neighbourhood to the west;

e) A review of the parking supply, reorganization and allocation over the larger campus area;

f) A review of vehicular site access and circulation, and configuration of the drop-off/pick-up area;

g) The potential traffic and parking impacts on site and in the neighbourhood;

h) A review of the phasing and parking availability during construction;

i) An assessment of proposed pedestrian connections through the site;

j) An assessment of the stormwater management and servicing of the proposed development;

k) The adequacy of landscaped open space and playing fields for the proposed Secondary School;

l) The streetscape treatment along Lawrence Avenue West and the proposed public street.

m) The coordination of activities for multiple user groups in a single building while maintaining the safety of students and other users;

n) Need for additional public outreach by the applicant;

o) The incorporation of public art into the project; and

p) The requirement to meet Tier 1 of the Toronto Green Standard.

This report recommends that staff oppose the applicant's appeal of the application at the OMB and that staff be authorized to continue discussions with the applicant to resolve outstanding issues set out in this report, and issues arising through the review of the applications.

It is City Planning Staff's understanding that the Draft Plan of Subdivision and Site Plan Control Approval applications will be appealed to the Ontario Municipal Board. In the event that these applications are also appealed to the OMB, it is recommended that the City Solicitor together with City Planning staff and other City staff as appropriate be authorized to attend the Ontario Municipal Board in opposition to the applications.

CONTACT
Cathie Ferguson, Senior Planner
Tel. No.  (416) 395-7117
Fax No.  (416) 395-7155
E-mail:  Cathie.Ferguson@toronto.ca

SIGNATURE

Joe Nanos, Director
Community Planning, North York District
ATTACHMENTS
Attachment 1:  Draft Plan of Subdivision
Attachment 2:  Site Plan for Proposed Joint Use Building
Attachment 3a:  North Elevation (Lawrence Avenue West)
Attachment 3b:  South Elevation
Attachment 3c:  East Elevation
Attachment 3d:  West Elevation
Attachment 4:  Composite Site Plan
Attachment 5:  Context Plan
Attachment 6:  Official Plan
Attachment 7:  Extract from the Dufferin Street Secondary Plan
Attachment 8a:  Zoning By-law 7625 of the Former City of North York
Attachment 8b:  Zoning By-law 569-2013 of the City of Toronto
Attachment 9:  Potential Ultimate Build-Out Plan
Attachment 1: Draft Plan of Subdivision
Attachment 2: Site Plan for Proposed Joint Use Building
Attachment 3a: North Elevation
Attachment 3d: West Elevation
Attachment 5: Context Plan
Attachment 8a: Zoning By-law 7625 of the Former City of North York
Attachment 8b: Zoning By-law 569-2013 of the City of Toronto

Zoning By-Law No. 569-2013

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File # 17 102913 NNY 15 OZ
File # 17 102917 NNY 15 SB

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Attachment 9: Potential Build-Out Plan