



Robin Pilkey

Chair and Trustee, Ward 7, Parkdale-High Park

CC41.8.1

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May 23, 2018

Mayor John Tory & City Council
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100 Queen Street West
Toronto, ON M5H 2N2

Secretariat: Marilyn Toft
12th Floor, West Tower, City Hall
100 Queen Street West
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**Re: City Council Meeting - Item CC41.8 Ward 22
39, 41 Roehampton Avenue & 50 Eglinton Avenue East
Zoning Amendment Application
Request for Direction Regarding Appeal to LPAT File No. PL171269
MCD (Roehampton) Ltd Partnership ("Developer")**

As Chair of the Toronto District School Board, I advise that our Board has reviewed the development application noted above, has comments and concerns and has discussed those concerns with the Developer, City staff and community. Further, the TDSB is a party to the Local Planning Appeal Tribunal ("LPAT" or "Tribunal") proceedings.

The Board requests that City Council consider and support the position of the TDSB as set out below, and include in any settlement proposal with the Developer or submission to the LPAT, the following direction to the City Solicitor:

- In the event that the Local Planning Appeal Tribunal allows the appeal in whole or in part, City Council:

direct the City Solicitor to request the Local Planning Appeal Tribunal to withhold the issuance of any Order(s) on the Zoning By-law Amendment appeal for the subject lands pending confirmation of the adequacy of public school capacity to accommodate students generated from this development from the Director of Education, Toronto District School Board

This condition mirrors the language approved by City Council in its Directions to Staff TE31.14 at its April 24, 2018 Meeting regarding another proposed development in this community at 1925-1951 Yonge Street, 17-21 Millwood Road and 22 Davisville Avenue.

BACKGROUND

The proposed development application seeks to permit a 46-storey residential building providing 617 apartment units at the above noted municipal address. As stated in our earlier correspondence of November 15, 2017 on this matter, the TDSB continues to be concerned with its ability to accommodate and address the rapid residential growth and intensification in the Yonge-Eglinton community.

As the Yonge-Eglinton community continues to grow and intensify, the cumulative impact of the more than 50 planning applications currently active within this area places additional demands on existing school board facilities that are already operating at or above their respective capacities. There is currently insufficient existing or planned capacity for local schools to provide adequate, local and reasonable accommodation of the projected increase in students.

As we advised in our correspondence dated April 26, 2018 pertaining to another development in this community (1925-1951 Yonge Street), it is the position of the Toronto District School Board that in order to address the need for adequate educational facilities a Holding Provision, or alternatively, a request to hold the final Order of the Tribunal, are necessary and appropriate planning tools that should be applied to the proposed development until adequate facilities can be secured. As such, the TDSB requests that the City Solicitor be directed to request the LPAT to withhold issuance of its Order approving the Zoning By-law Amendment until the adequacy of public school capacity to accommodate students generated from this development has been confirmed by the Director of Education for the Toronto District School Board.

The purpose of the Holding Provision or withholding a Tribunal Order granting approval to planning instruments needed for development is to ensure that the phasing of growth and the provision of educational facilities to provide for additional students generated from that growth occur in tandem. Such an approach is consistent with the approach the City has taken on various matters including the draft policies of the Midtown in Focus Proposed Yonge-Eglinton Secondary Plan. In this instance, withholding the final Order would further ensure that any settlements with other Parties do not prejudice consideration of the issues raised by the TDSB as articulated in the Issues List for this hearing.

A Prehearing Conference for the above noted LPAT matter was held on May 10, 2018. At the Prehearing, legal counsel for the Board was made aware of a proposed settlement between the City and another Party to the hearing. The proposed settlement is being presented to Toronto City Council at this meeting, hence this letter to City Council.

At its meeting on April 18, 2018, the TDSB directed that the Board take any action deemed necessary to support a comprehensive approach to school accommodation and effective school operations with respect to all development applications being considered in the Yonge-Eglinton area. This development application is located within this area.

The TDSB's request of the City is to include the above condition in the terms and conditions of any settlement proposal with the Developer, and any submission to the LPAT, pertaining to the approval of the proposed development application.

Thank you for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robin Pilkey', with a long horizontal flourish extending to the right.

Robin Pilkey
Chair, Toronto District School Board