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A subsidiary corporation of the TDSB



March 15th, 2019

Chair and Members of the Toronto and East York Community Council
City Hall, 2nd Floor
100 Queen Street West
Toronto, ON M5H 2N2

Ellen Devlin, Secretariat
City Hall, 2nd Floor
100 Queen Street West
Toronto, ON M5H 2N2

Chair and Members of Committee:

Re: ITEM TE4.19
Toronto and East York Community Council – March 19th, 2019
265 Balliol Street - Zoning Amendment Application 17 223999 STE 22 OZ

The Toronto Lands Corporation (TLC), a wholly owned subsidiary of the Toronto District School Board (TDSB), incorporated in 2008, now manages and has been appointed by the TDSB to be responsible for all real estate, land use planning, leasing and partnership matters. To this end, all land use planning matters and development review will now be overseen by TLC. TLC also has the authority to undertake and complete all such actions and approvals necessary to secure the interest of the TDSB.

In regards to the above, TLC does not support the approval of the proposed zoning by-law amendment application at this time. TLC's position is that the provision of accommodation for students in local public schools is a critical element of building and sustaining complete communities throughout the City. As such, the approval of this application is premature until appropriate local public school accommodation can be provided.

The TDSB provided its initial comments during the planning approval process in a letter to City Planning dated October 16, 2017 and is attached for your reference.

The proposed development is within TDSB Ward 8 and is within the Davisville Jr. PS catchment area. Davisville Jr. PS was overcapacity at 538 pupil places and will be rebuilt to a capacity of 731 pupil places; however, due to the additional density proposed within the area since the approval of the new school project, the new school is projected to be over utilized shortly after opening.

Further, all elementary schools within the midtown area are experiencing accommodation pressure. By 2021, based upon the current available data, there will be at least a shortfall of more than 500 students that cannot be accommodated by public local schools. This does not take into consideration any future development applications in the area that have yet to be formally submitted. Without adequate local school capacity, students generated by new development will not be accommodated by local schools and will need to be bussed, often on lengthy commutes, to other TDSB schools far outside the local community.

TLC does not support a proposed development that will add additional elementary students to a catchment area that is significantly and currently overcapacity. The cumulative impact of over 50 developments within the

broader area will result in an unsustainable accommodation pressure that cannot be addressed within existing local TDSB schools.

Furthermore, it is the position of the TLC that the approval of this development at this time does not adequately meet the Provincial objective of the provision of accommodation in local public schools.

For example, s. 3.2.8.1 of the Province's Growth Plan for the Greater Golden Horseshoe (**Growth Plan**) requires that land use planning and investment in public service facilities (defined to include schools) to be coordinated and s. 1.2.1 requires that planning achieve complete communities that are designed to support people's needs for daily living throughout their entire lifetime. The guiding principles of the Growth Plan reference the importance of investing in public service facilities such as schools to keep pace with future growth. Otherwise, should development outpace the provision of these community facilities, the objectives of achieving a complete community are not being met.

The proposed development is also not consistent with s. 1.6.1 of the Provincial Policy Statement, 2014 (**PPS**) which requires that planning for public service facilities (i.e. schools) shall be coordinated and integrated with land use planning so that they are available to meet current and projected need. The Province has clearly carved out a path for development to occur in tandem with planning for schools, just as one would consider the provision of adequate servicing.

Section 2 of the *Planning Act* requires decision makers to have regard for the adequate provision and distribution of educational facilities. The Province is clearly intending accommodation issues to be part of the land use planning process.

In July 2018, City Council, in consideration of the Midtown in Focus Final Report, passed a number of resolutions regarding the provision of educational facilities, including the following:

26. City Council direct City staff to work together with the Toronto District School Board, as appropriate, in the context of Local Planning Appeal Tribunal hearings for development applications in the Yonge-Eglinton Secondary Plan area and the Toronto District School Board's ongoing accommodation review in order to secure appropriate conditions of approval regarding the provision of educational facilities on a site by site basis.

Therefore, TLC seeks the support of the City in the Local Planning Approval Tribunal (**LPAT**) approval process to ensure that the phasing of residential development coincides with the adequate provision and distribution of educational facilities, by adopting the following clauses to be added to recommendation 4, that in event that the LPAT allows the appeal in whole or in part in respect of the development application for 265 Balliol Street:

*City Council **DIRECT** the City Solicitor to support the request of the Toronto District School Board (TDSB) that the LPAT withhold the issuance of any Order(s) on the Zoning By-law Amendment appeal for the subject lands pending confirmation from the TDSB that satisfactory arrangements regarding the provision and distribution of educational facilities may be made between the developer/applicant and the TDSB;*

*City Council **DIRECT** the City Solicitor to ensure that any settlement documentation in respect of the appeals now before the LPAT is consistent with the foregoing resolution, and will enable the City of Toronto to support the TDSB at an LPAT hearing of the appeals if the applicant challenges the appropriateness of withholding the LPAT order;*

Thank you again for your ongoing support of the TDSB and TLC. If you have specific questions regarding this correspondence, please contact Bianca Bielski (Senior Manager, Land Use Planning) at (416) 393-0582 or bbielski.tlc@tdsb.on.ca.

Yours truly,

A handwritten signature in black ink, appearing to read "Daryl Sage". The signature is stylized with a large, looping initial "D" and a trailing flourish.

Daryl Sage
Chief Executive Officer

Cc. John Malloy, Director of Education, TDSB
Robin Pilkey, Chair, TDSB
Shelley Laskin, Trustee, Ward 8, TDSB
Josh Matlow, City Councillor, Ward 12
Gregg Lintern, Chief City Planner
Bianca MV Bielski, Senior Manager, Land Use Planning, TLC

October 16, 2017

Mr. David Driedger, Planner
City of Toronto Planning Division
Toronto City Hall
100 Queen Street West
Toronto, ON M5H 2N2

Dear Mr. Driedger:

**Re: Zoning Amendment Application 17 223999 STE 22 OZ
Artimico Holdings G P Incorporated
265 Balliol Street**

The Toronto District School Board 'the Board' does not support the approval of this application for development at this time.

This application located in a community that is experiencing residential intensification and population growth that is presenting a challenge to accommodate future students. At the present time, based on the data available, the Board has determined that there is insufficient space at the local schools to accommodate the students anticipated from the proposed development. As such, the Board cannot support the approval of this application until or unless it can be demonstrated that the future students attributed to this development can be accommodated.

This community is the subject of the City's Midtown in Focus Study. This study will provide population growth targets which will ultimately frame the long-term urban structure and growth strategy for the broader community. Once this portion of the study is completed and these figures are shared with the Board, Board staff will have the data it requires to inform an accommodation study to determine how students will be accommodated over the long-term. Based on the information from City staff we anticipate that this can be completed by the end of 2017.

Given that adequate and reasonable local accommodation is not currently available for students, nor can it be fully and accurately forecasted at this time, it is our opinion that the intent of the City's Official Plan and Yonge-Eglinton Secondary Plan are not being met. Specifically, Section 3.2.2 of the City's Official Plan emphasizes the need for coordinated planning efforts to maintain and improve existing CS&F, and promote new ones in areas experiencing growth. It also acknowledges that schools are an integral community resource. Section 2.18 of the Yonge-Eglinton Secondary Plan requires that community service facilities will be delivered in a timely manner in order to provide the social infrastructure required to support additional growth in the Yonge-Eglinton Secondary Plan area.

As such, the Board requests the following as conditions of approval:

That the applicant/developer enter into an agreement to erect and maintain signs, at points of egress and ingress of the development site, advising that;

"The Toronto District School Board makes every effort to accommodate students at local schools. However, due to residential growth, sufficient accommodation may not be available for all students. Students may be accommodated in schools outside this area until space in local schools becomes available.

For information regarding designated school(s), please call (416) 394-7526."

These signs shall be to the Board's specifications and erected at the same time or soon after the City of Toronto signage regarding the notice of application.

That the applicant/developer agree in the Servicing and/or Development agreement and any Section 37 agreement registered on title,, to include the following warning clauses in all offers of purchase and sale of residential units (prior to registration of the plan and for a period of ten years following registration) and in any lease agreements of 12 months or more, and if appropriate, the Condominium Declaration, that;

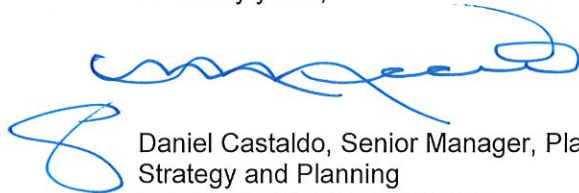
"Despite the best efforts of the Toronto District School Board, sufficient accommodation may not be locally available for all students anticipated from the development area and that students may be accommodated in facilities outside the area, and further, that students may later be transferred.

Purchasers agree for the purpose of transportation to school, if bussing is provided by the Toronto District School Board in accordance with the Board's policy, that students will not be bussed home to school, but will meet the bus at designated locations in or outside of the area."

The Board further requests to be notified on all further public notices, appeals and other matters with respect to this application.

Despite these provisions, the Board reserves the right to change this status at any time without further notice. If you have any questions regarding this matter, I can be reached at (416) 338-4471.

Sincerely yours,



Daniel Castaldo, Senior Manager, Planning
Strategy and Planning
Toronto District School Board

- c. Shelley Laskin, Trustee, Ward 11
Andrew Gowdy, System Planning Officer
Joyce Kwong, Educational Planning Officer
Ian Allison, Superintendent
Shona Farrelly, Principal, Davisville Jr PS
Ian Wilson, Principal, Hodgson Sr PS
William Mack, Principal, North Toronto CI
Carlene Jackson, Associate Director, Operations and Service Excellence
Erica Pallotta, Land Use Project Manager, Strategy and Planning
Dawne Jubb, Senior Legal Counsel, Municipal Land Use Planning