

April 21, 2021

Planning and Housing Committee
Toronto City Hall
100 Queen Street West
Toronto ON M5H 2N2

Dear Madam Chair Ana Bailão and Members of the Planning and Housing Committee:

**Re: Item PH22.1 – Christie's Planning Study – City-Initiated Secondary Plan and Zoning By-law and Urban Design and Streetscape Guidelines - Final Report
2150 & 2194 Lake Shore Boulevard West and 15-23 Park Lawn Road**

Toronto Lands Corporation (TLC) is a subsidiary of the Toronto District School Board, acting on their behalf for all land use planning, real estate, and leasing matters. TLC has reviewed the City-initiated Christie's Secondary Plan (Official Plan Amendment No. 506), Christie's Zoning By-law, and Christie's Urban Design and Streetscape Guidelines dated April 2021. The planning instruments generally support a potential 500 pupil-place TDSB elementary school site with opportunities to share facilities with the Toronto Catholic District School Board (TCDSB). The Secondary Plan provides policies supporting approximately 8,800 square metres of elementary school space on the first three floors of Block 3, with dedicated outdoor play space on the rooftop of the block's podium spaces.

TLC staff appreciate the landowner (FCR – First Capital Realty) and City staff's general support for a potential TDSB elementary school in the draft Christie's Secondary Plan. TLC staff have been working together with FCR and City staff to support the shared vision of a complete Christie's community.

On November 30, 2020, TLC submitted comments to the City identifying concerns with the August 2020 draft Christie's Secondary Plan policy language regarding school implementation timing, outdoor play space, built form and shadow impacts, school use permissions in the draft Zoning By-law, and outdoor space language in the Urban Design and Streetscape Guidelines. On January 27, 2021, TLC and City staff from Strategic Initiatives, Policy and Analysis (SIPA) and Parks, Forestry and Recreation (PFR) Divisions met to discuss TLC's concerns outlined in the November 2020 letter, including specific discussion on the shared use of public park space. City staff acknowledged that the outdoor podium play space dedicated for school use is insufficient to support the school, and that a portion of the proposed public park space would need to be used exclusively by the school board(s) during school hours to supplement the podium outdoor play space. It was understood by all that a shared use agreement would govern the TDSB's use of the public park. The City and TDSB have over 40 shared use agreements for public spaces (land and buildings) across the City to serve students and the broader community. On February 11, 2021 date, City staff shared revised policy language that provided TLC a level of comfort that the City was a willing partner to share the use of the public park during the day in order to accommodate a school in that community.

Unfortunately, new policy language has been introduced in the April 2021 version of the Christie's Secondary Plan that is inconsistent with TLC's discussion with City staff.

Policies 8.8 is stated as follows (with relevant text **underlined and bolded** for emphasis):

*“8.8 Schools will provide their own outdoor play space by maximizing the outdoor space that is available on their site, including on the building podium or at-grade. This outdoor play space may be supplemented by schools' shared use of a portion of public parkland **at the City's sole discretion and** provided shared use agreements with the City are in effect, as specified in Policy 8.9.*

The words ‘at the City’s sole discretion and’ should be deleted from Policy 8.8.

Policy 8.8 does not provide certainty that the TDSB can secure public park space. As the owner of the public park, the City would inherently have sole discretion on how it shares the public park. However, official plan and secondary plan policies set out the intent of the City/Council and the overall vision to guide the development of the Christie’s site. The last-minute addition of the new language “at the City’s sole discretion” clearly indicates City intent – that it does not support an open, shared approach to the City park in support of a school at this location. City PFR staff have verbally confirmed a continued interest in sharing the park with the school board(s); however, the inclusion of “at the City’s sole discretion” is counter-productive to the many ongoing discussions and does not represent an indication that there is a potential positive partnership between the City and school board(s). TLC notes that the City did not include similar language about “school boards’ sole discretion” in policies 8.9 and 8.10.5 regarding community access to school space – the inclusion of such language would be counter-productive to the policy intent of sharing public facilities.

The insertion of “the City’s sole discretion” undermines the general intent of official plan policies and design guidelines. Official Plan recognizes that schools are a source of valuable community open space, and that the City will encourage and promote the shared use of parks and public open space:

“4. Council recognizes that schools are an integral community resource that serve not only as learning institutions but also as socio-cultural centres and a source of valuable community open space. The City will encourage and promote the shared use of schools, parks and public open space.” (Toronto Official Plan, Section 3.2.2.4)

The City of Toronto’s *Growing Up – Planning for Children in New Vertical Communities Urban Design Guidelines* (2020) provides direction on how to achieve high-quality design with conveniently located schools. Some of these relevant guidelines include:

1.2 Parks & Open Spaces: Access & Type

i. Provide Equitable Access

- e. Continue to explore partnerships with public landowners such as School Boards to increase public, shared access to open space, playgrounds and recreational facilities.*

1.4 Schools

- c. Continue to explore opportunities to co-locate schools, parks and child care facilities as well as other community services.*

Sufficient outdoor play space is a fundamental component of any school. Without appropriate outdoor play space, there can be no school. With policies that diminish certainty, the TDSB will have challenges receiving funding from the Ministry of Education, thereby risking the potential realization of this elementary school and the completion of the Christie’s community.

Section 3.2.2 of the Official Plan recognizes publicly funded schools and their importance to neighbourhoods:

“Locally-delivered community services also form part of the essential support to people living and working in Toronto and are the building blocks of our neighbourhoods. These community services are as important to the City’s future as “hard” services like sewer, water, roads and transit.”
(Toronto Official Plan, Section 3.2.2)

The Official Plan also encourages the inclusion of community services facilities in all significant private sector development through development incentives and public initiatives:

“7. The inclusion of community services facilities will be encouraged in all significant private sector development across the City through development incentives and public initiatives.” (Toronto Official Plan, Section 3.2.2.7)

It is critical that TLC and City staff effectively collaborate to design safe, comfortable, shared use of parks, and open spaces, not just at known sites, but in general, with increasingly urban areas and scarcity of land in the City – building on lessons learned from past and current experiences while also adapting to changing needs and requirements. It is important that policy frameworks throughout the City, including the Christie’s Secondary Plan, clearly support the sharing of uses between school boards and the City for the efficient use of land.

Gregg Lintern, Chief Planner and Executive Director, City Planning Division, recently submitted a letter to the Honourable Steven Lecce, Minister of Education, and the Honourable Steve Clark, Minister of Municipal Affairs and Housing, inquiring about the status and timing of Provincial funding commitments to construct public elementary school facilities across Toronto’s Central Waterfront. According to the letter, the inquiry was made to support the achievement of complete communities, with both legislative frameworks of the Province of Ontario and the City of Toronto encouraging planning for schools to be undertaken in a coordinated manner.

TLC believes that the sharing of public park space “at the City’s sole discretion” as indicated in Policy 8.8 of the Christie’s Secondary Plan, does not reflect a coordinated approach between TLC and City staff. TLC submits that this policy language be deleted to ensure the City’s and TLC’s shared vision of a complete, Christie’s community can be realized.

If you have any questions, please contact Bianca Bielski at BBielski.tlc@tdsb.on.ca.

Yours truly,



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