

John Filion

Toronto City Councillor – Ward 23, Willowdale

Date: January 10, 2012

To: North York Community Council
City Clerk's Office-Secretariat

From: Councillor John Filion

Subject: Planning Direction – 51 Drewry Avenue & 8 – 28 Inez Court

SUMMARY:

It has been a practice of the City of Toronto not to sell land which forms part of a development application unless the application is approved by Council. In April 2008, an Official Plan Amendment and rezoning application was filed for 51 Drewry Ave and 8, 20 - 28 Inez Court. On November 10, 2011 an revised application was filed for 51 Drewry Ave and 8 - 28 Inez Court. The subject lands include a City owned cul-de-sac.

On November 11, 2011 the current developer for the site, Yolanda Flanders Developments Inc. and 2242148 Ontario Inc. (Conservatory Group) appealed the application to the Ontario Municipal Board, thereby removing it from Council's jurisdiction. In 2008 North York Community Council considered a preliminary report for the proposed development. Recommendation 4 adopted by Community Council is as follows:

4. City staff explore the option of exchanging the City owned cul-de-sac versus the outright sale of the cul-de-sac to the applicant and report back on this matter in the Final Report.

In view of the decision to appeal the application to the Ontario Municipal Board including City owned lands without the City's permission and in light of the fact that this action removes from Council the opportunity to approve, modify or refuse the application as it deems appropriate, it is therefore recommended

RECOMMENDATIONS:

1. That North York Community Council direct city planning staff to advise the applicant to remove City owned lands from its application.
2. That planning staff not continue to process the application containing City owned lands currently before the Ontario Municipal Board.
3. That City legal staff advise the Ontario Municipal Board that the appeal before it with regards to 51 Drewry Ave. and 8 – 28 Inez Court includes lands owned by the City which the applicant does not have permission to include in its application and request that the appeal be dismissed on this basis.



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