



**Councillor Frank Di Giorgio**

Toronto City Council  
Ward 12  
York South-Weston

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June 12, 2017.

**To: Chair and Members of Etobicoke York Community Council**

**Cc: Rosemary MacKenzie – Committee Administrator**

**Re: Draft Approval of Condominium - 2522-2542 Keele Street  
– Integrity, Transparency, Accountability and Fairness in the Planning Process**

**SUMMARY:**

I am writing to convey my discontent on behalf of my community and myself as the local councillor on the bizarre planning process followed to evaluate the development proposal at the subject site. Briefly stated, the outcome of the planning process at the subject site is unfair, unreasonable, irrational and unjust.

While there are safeguards in place under the Planning Act and The City of Toronto Act to protect against violation of due process, it appears that the safeguards are surmountable using sophisticated planning. Sophisticated planning is vulnerable to procedural defects, errors, omissions and greed. Against this general backdrop and specific circumstances, I have bumped up the final site plan approval to Community Council meeting of June 13, 2017 consistent with the referral of the original application to Community Council meeting of September 10, 2013.

Adherence to procedural rules is a matter of law and the procedural rules must be followed before the merits of the proposal can be heard. Accordingly, I am concerned that the approval of the condominium registration will nullify the attached outstanding community appeals related to the subject site and deem them redundant and reflective of the disrespect for the involvement of my community under due process.

Additionally, the development proposal at the subject site fails to satisfy two rules or tests. Essentially, the proposal fails the test of full disclosure under the Planning Act that requires clear communication that is transparent and ensures the appropriate and reliable involvement of impacted members of the public in accordance with the Official Plan. As well, the proposal fails the test of **NO** Sec.37 public benefits consistent with the original decision of the OMB issued on Aug. 27, 2013, based on what constitutes a community benefit under the Official Plan.



It is noteworthy that all Provincial Acts applicable to the planning process including the Building Code Act and the Condominium Act must work together to achieve the transparency, accountability and integrity of the planning process. In that context, I am requesting that Council scrutinize the subject application on draft approval of condominium registration and adopt my recommendations to achieve reasonable and equitable results.

**Motion**

To be introduced at EYCC – Jun 13, 2017.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Di Giorgio". The signature is fluid and cursive, with the first name "Frank" and last name "Di Giorgio" clearly distinguishable.

Frank Di Giorgio  
Councillor Ward 12  
York South-Weston