

NY6.35.1

From: George Belza <belana@axxent.ca>
To: North York Community Council <nycc@toronto.ca>, Francine Adamo <fadamo@t...
CC: Paul Byrne <pbyrne@toronto.ca>, Ben DiRaimo <bdiraimo@toronto.ca>, Randy...
Date: 2011-04-18 12:23 am
Subject: NYCC Item NY6.35 - 83 Finch Ave W - Statutory Public Meeting
Attachments: EYCA - 83 Finch Ltr 2011.04.18.pdf

Mon 18 Apr 11

Francine,

Please ensure that the attached submission on behalf of the Edithvale-Yonge Community Association is before Community Council at the statutory public meeting on item NY6.35 (83 Finch Ave W) scheduled for 11:30 am this Thursday 21 April 2011. Also, list me as a deputant.

Kindly acknowledge receipt of this e-mail (including attachment).

Thanks,

George

a EYCA - 83 Finch Ltr 2011.04.18.pdf

c Paul Byrne
c Ben DiRaimo
c Randy Jones
c Rosanne Clement
c Councillor John Filion
c Valerie deAcutis
c Angela Werner
c William deBacker
c Anne McConnell
c Gene Simpson

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E-MAILED

Mon 18 April 2011

North York Community Council
City of Toronto
North York Civic Centre
5100 Yonge Street
TORONTO M2N 5V7

Attn: City Clerk's Office, Francine Adamo, Administrator

Members of Community Council:

**Re: NY6.35 Final Report – Rezoning and Site Plan Control Approval Applications
83 Finch Ave W – Statutory Public Meeting**

I act on behalf of the Edithvale-Yonge Community Association in connection with the above-captioned matter.

The Association objects to approval of the proposed by-law contained in the associated staff report on the following grounds:

1. The land use permissions contained in the draft by-law exceed those disclosed at the community consultation meeting held on 11 March 2009.
2. The land use permissions contained in the draft by-law exceed those disclosed in the statutory notice dated 30 March 2011.

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3. The land use permissions contained in the draft by-law exceed those disclosed in the staff reports, both the Preliminary Report dated 16 December 2008 and the Final Report dated 04 April 2011.
4. The scope of the land use permissions contained in the draft by-law exceeds that prescribed by the Official Plan (Central Finch Area Secondary Plan) for the site.
5. The scope of the land use permissions contained in the draft by-law is inappropriate for the site, given its size, location and context.
6. The draft by-law contains other permissions not supported in the staff report.
7. The draft by-law contains permissions denied to other like re-zoning application(s) within the CFASP redevelopment area, without any indication of such in the staff report, let alone adequate explanation or justification.
8. The draft by-law is syntactically (as well as substantively) deficient.
9. The parkland dedication requirement contained in the staff report is incorrectly calculated, considerably under-stating the actual parkland obligation of the project.

Despite the provisions of Chapter 5, Section 5.5 of the Official Plan, the undersigned has not been provided with the current versions of the application review materials requested on Tuesday 30 December 2008. However, review of such documentation as is contained in item NY6.35 indicates that the application materials and related documentation are so deficient as to invite the inference that *the underlying objective may simply be to enhance the value of the property (and, collaterally, other Finch fronting properties) through as broad an up zoning as attainable, without regard to precedent or potential future adverse effect on the adjacent residential area or even Official Plan conformity*, rather than to approve a viable project that demonstrably conforms to the CFASP and that will actually be built in the manner represented to the local community. In any event, the information before Council is insufficiently refined for approval of the development proposal in its present form, certainly with respect to zoning and probably with respect to site plan control as well.

In view of items 1 – 4, adoption of the staff report in its present form, at this juncture, would be arguably unlawful. It would constitute both a failure of notice and a failure to conform to the intent of the Official Plan. In view of items 5 – 9, it would also constitute an arbitrary and unjustified departure from established City practice regarding development approvals, particularly in the central Finch Avenue redevelopment area.

Accordingly, Community Council is requested to refer this matter back to staff for reconsideration, following consultation with representative(s) of the local community, with a view to subsequently bringing forward a revised staff report and draft by-law that remedy the above noted deficiencies.

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Notification of the passing or refusal of the proposed zoning by-law amendment, or any derivative thereof, is also hereby requested.

Sincerely,

G.S. Belza

c Paul Byrne, Manager
Community Planning, North District – Central
John Filion, Councillor
Ward 23
Will deBacker, President
Edithvale-Yonge Community Association