

**Bernatt Architect Ltd.**

40 Wynford Drive, Suite 312, Toronto, Ontario M3C 1J5  
Telephone (416) 449-8845 Facsimile (416) 449-0103  
[Sbernatt@bellnet.ca](mailto:Sbernatt@bellnet.ca)

September 18, 2019

City Clerk, Attention: Francine Adamo,  
Administrator, North York Community Council  
5100 Yonge Street, Main Floor  
Toronto, ON M2N 5V7  
Email: [nycc@toronto.ca](mailto:nycc@toronto.ca)

Re: North York Community Council Meeting No. 8  
Monday, September 16, 2019  
Items NY8.3 Final Report - Zoning By-law Amendment Application  
1299 Don Mills Road and  
NY8.4 Alterations to a Designated Heritage Property at 1299 Don Mills  
Road and Authority to Enter into a Heritage Easement Agreement.

I live at 14 Legato Court, Toronto.

The original rezoning application was filed by Core Development Group in 2016,  
File No. 16 270499 NNY 34 OZ.

At that time Kaitlyn Graham was the Planner in charge of this file and I  
communicated with her. Later, around April or May 2017, Sarah Ovens was the  
Planner in charge of this application and I communicated with her.

A Public Meeting for this application was held on May 30, 2017 at 32 Kern Rd.  
North York Community Church. I was present at this Public Meeting as were  
other residents from Legato Court and surrounding area.

At that time the George Gray Heritage House was to be moved close to Don Mills  
Road, thereby providing sufficient space for 3 new single family dwellings east of  
the Heritage House and fronting onto Legato Court. See my sketch AA, attached.  
Most of the attendees at that Public Meeting were in favour of the proposed  
development. I was also in support of this proposal, except for proposed offices  
in the relocated Heritage House.

The current planner for this application is Stephen Gardiner.

More than two years later (September 5 or 6, 2019) I received a letter in the  
mail informing me that there was a NOTICE OF PUBLIC MEETING, Request to  
Amend the Zoning By-law Application for 1299 Don Mills Road on September 16,  
2019.

The notice states "You are invited to attend the public meeting to make your  
views known regarding the proposal". Attached please find a recent picture of

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The posted sign. The "view looking north" is dated January 5, 2017. There is no indication that the original rezoning proposal has changed. The view of the proposal has not changed and remains as shown and dated January 5, 2017. This posted site plan is not accurate. It is different from the current site plan and does not show the proposed single family dwelling in the north-west corner of the site. Posting an inaccurate outdated sign is a serious breach of the Planning Act.

There were attendees at this meeting who were expecting to speak but were unable to do so.

In any event, what value are my views as well as the views of other attendees when we note that a "Final Report" is before Community Council, which was in fact approved.

The Revised and approved Final Report is materially different from the public meeting presentation that was last held in May 30, 2017.

The George Gray Heritage house is proposed to remain as is (not moved closer to Don Mills Road), therefore, there is now only sufficient space for two new single family dwelling units to the east of the Heritage House. A proposed third single family dwelling is proposed for the north-west corner of the site. This change is significantly different from the original application. More than 2 years had passed when we were advised of the change and that in fact this was now approved! This cavalier attitude is unacceptable.

1. Part 2 of the current site plan for a new single family dwelling does not fit well with the proposed two new dwellings to the east (Parts 3 and 4) and with the existing dwellings on Legato Court. The urban streetscape is not compatible with the existing and proposed two new dwellings.

2. Part 2, proposed new 2 storey home would have deficiencies to the existing zoning that render it incompatible with the existing dwellings and also the proposed 2 new dwellings to the east of the Heritage House.

(a) The proposed front setback is 1.16 metres, whereas the other dwellings have a minimum front yard setback of 7.5 metres. WOW. The proposed stair leading to the front door is actually proposed to be on the front property line. This variance is too great and is unacceptable.

(b) The proposed rear yard setback at 1.46 metres is also too huge a variance where rear yard setbacks are required to be a minimum of 9.5 metres.

c) The proposed driveway leading to the Heritage House is not a proper access to this proposed Heritage House which is to be privately owned.

These proposed huge variances from the existing zoning clearly indicate why the

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proposed dwelling on the north-west corner of the site does not fit well with the existing streetscape.

(d) This proposed dwelling fully restricts the view of the Heritage House. Why have a Heritage House at all if it cannot be easily viewed.

I believe that a Public Meeting in accordance with the Statuary Planning Act RSO 1990 is required in this instance so that the public views can be heard on this greatly amended rezoning application.

The Public Meeting on September 16, 2019 surprised all of us in attendance when the report title was "Final Report - Zoning by-law Amendment Application - 1299 Don Mills Road".

What kind of public meeting is this when there is a completed "Final Report"?

As a result, we request that this matter does not go before Council until a proper Public meeting is held. Only then will all of us be complying with the aforementioned Planning Act.

Deputy Mayor Denzil Minnan-Wongs suggestion of having a meeting with the concerned residents will be a waste of time if the city planners and councillors do not listen to the resident's and public's concerns and then write the Planning Report.

As a result of all of the above, we request that items NY8.3 and NY8.4 of North York Community Council meeting dated September 16, 2019 be deferred sine die before going to Council, until the appropriate Statuary - Planning Act, RSO 1990 rules are complied with.

Sincerely yours,



Stephen Bernatt, B.Arch., Dip.Arch.Tech., O.A.A.  
President, BERNATT ARCHITECT LTD.

Cc: Gregg Lintern  
Deputy Mayor Denzil Minnan-Wong  
Councillor Shelly Carroll

City Clerk's Office  
North York Civic Centre  
5100 Yonge Street  
Toronto, On  
M2N 5V7

Tel: 416 395-0480  
Fax: 416 395-7337  
E-mail: [nycc@toronto.ca](mailto:nycc@toronto.ca)  
Web: [www.toronto.ca](http://www.toronto.ca)

STEPHEN BERNATT  
14 LEGATO CRT  
TORONTO, ON M3B 1L7  
CAN

Folder #: 16 270508 NNY 34 CC

## NOTICE OF PUBLIC MEETING

To be held by the North York Community Council  
(Under the Planning Act)

Request to Amend the Zoning By-law Application No. 16 270499 NNY 34 OZ

**Location of Application:** 1299 DON MILLS ROAD  
**Applicant:** Bousfields Inc

**DATE:** Monday, September 16, 2019  
**TIME:** 10:15 a.m., or as soon as possible thereafter  
**PLACE:** North York Civic Centre, Council Chambers, 5100 Yonge Street

### PROPOSAL

The application to amend the Zoning By-law proposes to permit three additional lots to permit the construction of three new detached residential dwellings in addition to maintaining the existing George Gray heritage designated dwelling for the property at 1299 Don Mills Road.

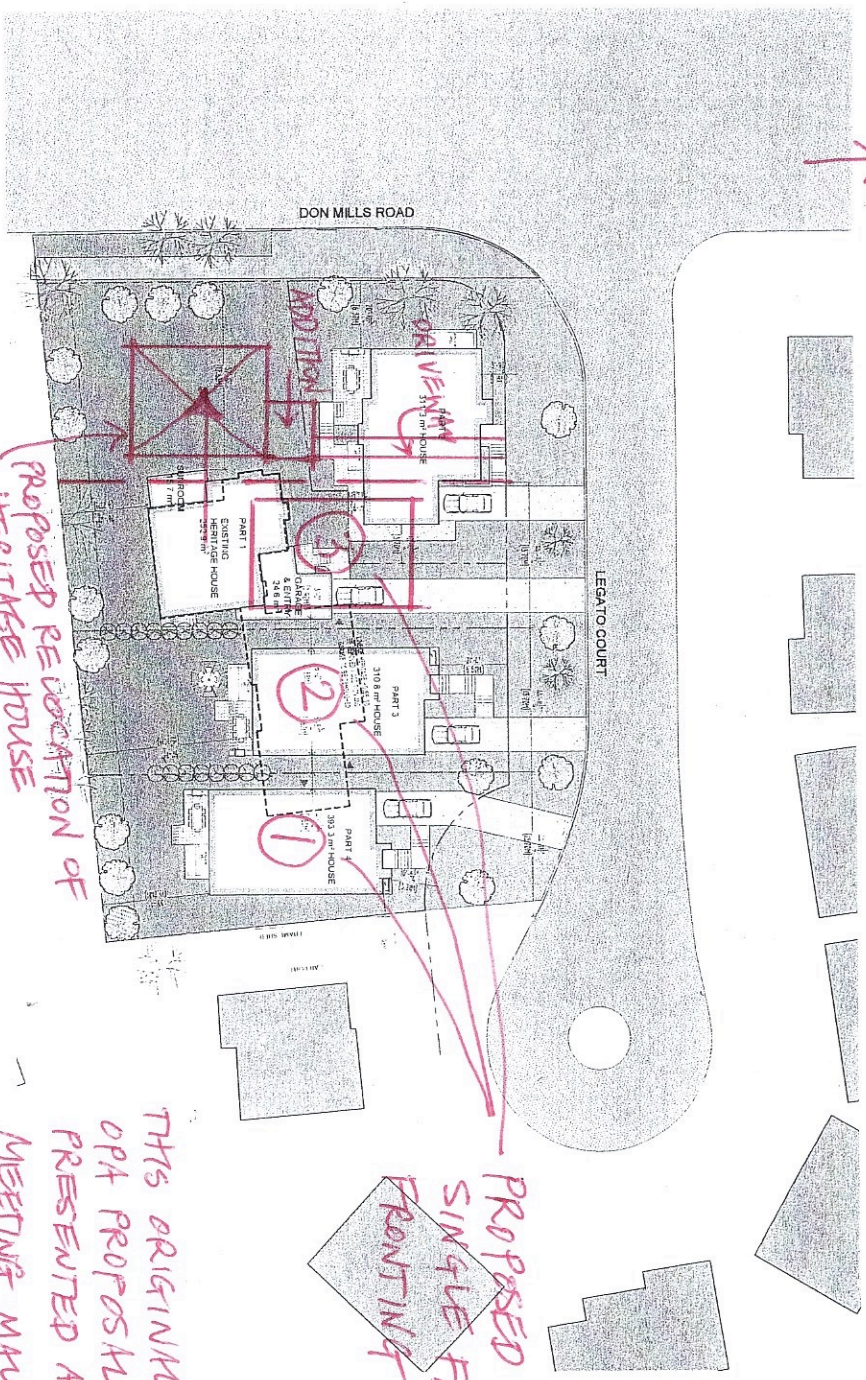
Detailed information regarding the proposal, including background information and material may be obtained by contacting Stephen Gardiner, Senior Planner, Community Planning at (416) 392-5460, or by e-mail at [Stephen.Gardiner@toronto.ca](mailto:Stephen.Gardiner@toronto.ca).

### PURPOSE OF PUBLIC MEETING

North York Community Council will receive input and review the proposal and any other material placed before it, in order to make recommendations on the application. These recommendations will then be forwarded to Toronto City Council for its consideration.

You are invited to attend the public meeting to make your views known regarding the proposal. You may also submit written comments. If you wish to address the North York Community Council in person or in writing, please contact: **City Clerk, Attention: Francine Adamo, Administrator, North York Community Council, 5100 Yonge Street, Main Floor, Toronto, ON M2N 5V7, Phone: 416-395-0480, Fax: 416-395-7337, e-mail: [nycc@toronto.ca](mailto:nycc@toronto.ca).**

To assist with scheduling, you are requested to call the City Clerk's Office by 12 noon on **September 13, 2019**, if you plan to make comments at the meeting. The Community Council may request you to file an outline of your presentation with the Clerk.



1299 DON MILLS ROAD  
SEPTEMBER 16, 2019

BOUSFIELDS INC.

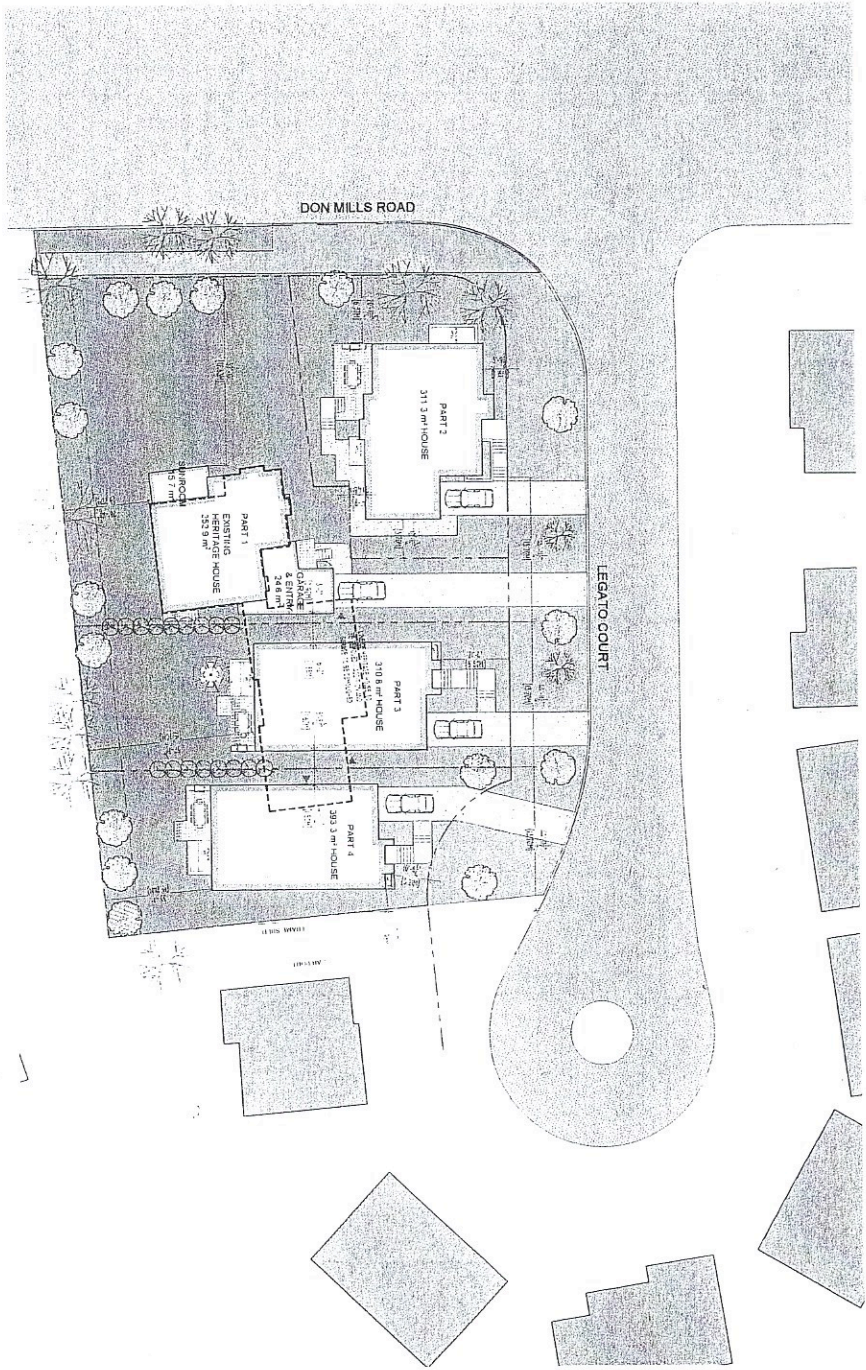
MAKOW ASSOCIATES  
ARCHITECT INC.

3 Denison Avenue, Suite 201, Toronto, Ontario Canada M5H 3N6

SKETCH BY BERNATI ARCHITECT LTD.  
SEPT. 17, 2019

SKETCH A-A


THIS ORIGINAL ZONING & OPA PROPOSAL WAS PRESENTED AT A PUBLIC MEETING MAY 30, 2017



1299 DON MILLS ROAD  
SEPTEMBER 16, 2019

  
MAKOW ASSOCIATES  
ARCHITECT INC.

3100 Sheppard Avenue, Suite 201, Toronto, Ontario, Canada M8R 3A4

 gB BOUSFIELDS INC.

PROPOSAL



# Notice

## A change has been proposed for this site.

The City has received an application to change the Zoning By-law to allow the construction of three residential buildings and the retention of the existing heritage dwelling.

### Proposal summary:

**SIZE**

0.5 Density  
2 Storeys  
9.2 metres

**USE**

4 Residential Units  
75 m<sup>2</sup> Ancillary

**PARKING**

4 Cars

**District & Ward:** North York Community Council – Ward 34  
**Site Address:** 1299 Don Mills Road  
**Applicant:** 1299 Don Mills Road Ltd.  
**Application File #:** 16 270499 NNY 34 OZ



The above image represents the applicant's proposal as submitted and may change. This rendering was illustrated using the City of Toronto's 3D Pricing Model which incorporates building envelopes and represents them as stylized "massing" blocks. The 3D Pricing Model is a tool used to estimate the value of a property based on its location and characteristics. The 3D Pricing Model is available for free at [www.toronto.ca/open](http://www.toronto.ca/open)

## For information & to tell us what you think:



**COMMUNITY PLANNER:**  
**Stephen Gardiner**  
 416-392-5460  
[stephen.gardiner@toronto.ca](mailto:stephen.gardiner@toronto.ca)



APPLICATION INFORMATION CENTRE

**ONLINE:**  
[www.toronto.ca/aic](http://www.toronto.ca/aic)  
 File #: 16 270499 NNY 34 OZ



**IN PERSON:**  
 Monday September 16, 2019  
 10:15 am  
 Community Council North York  
 PUBLIC MEETING 5100 Yonge Street, North York