

NY5.6.1

North York Community Council

From: George Belza <belana@axxent.ca>
Sent: March 18, 2019 2:36 PM
To: North York Community Council
Cc: Francine Adamo; John Filion; Catherine LeBlanc-Miller; William deBacker (Edithvale); Vince Lamonica (Edithvale); Kim Hansen (Edithvale); Anne McConnell (Edithvale)
Subject: North York Community Council Agenda Tue 19 Mar 19 - Agenda Item NY4.2
Attachments: CFASP - 240-242 Finch W NY4.2 Comm 2019.03.18.pdf

Mon 18 Mar 19

City Clerk Secretariat:

Kindly ensure that the attached letter is before North York Community Council when Agenda Item NY4.2 is considered.

Thanks,

George Belza

a CFASP - 240-242 Finch W NY4.2 Comm 2019.03.18.pdf

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E-MAILED

18 March 2019

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

Attention: Ms Francine Adamo, Office of the City Clerk

**Re: North York Community Council Agenda Item NY4.2 (Tue 19 Mar 19)
City Staff Propose Zoning that Does Not Conform with the CFASP**

I write on behalf of the Edithvale-Yonge Community Association (EYCA) to advise that the planning staff report (Preliminary Report - Zoning By-law Amendment Application - 240 and 242 Finch Avenue West) dated 01 Mar 19, to be considered by North York Community Council on Tue 19 Mar 19, undermines the Central Finch Area Secondary Plan (CFASP) by stating (on page 5) that "The subject site will also be brought into Zoning By-law No. 569-2013." instead of remaining subject to Zoning By-law 7625. This despite planning staff having previously acknowledged that City of Toronto Zoning By-law 569-2013 does not apply to property within the CFASP redevelopment area.

City Council excluded all sites in the CFASP redevelopment area from By-law 569-2013 because the provisions of that by-law are fundamentally incompatible with the provisions of the CFASP, particularly with respect to density. The calculation of density specified in the Secondary Plan is consistent with that specified in By-law 7625 but NOT that allowed by By-law 569-2013. In particular, By-law 569-2013 allows certain spaces to be excluded from the calculation of density that the CFASP and By-law 7625 require be included in that calculation. By not counting those spaces, By-law 569-2013 under-states density and consequently the size of buildings (which consequently can in reality be appreciably larger than apparent).

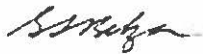
Unless the site-specific zoning amendment contemplated by City staff includes a definition of density (prescribes a density calculation) that over-rides the density calculation provisions of By-law 569-2013 so as to instead impose those specified in the CFASP (as well as in By-law 7625) that site-specific zoning amendment will *ipso facto* not conform with the Secondary Plan, and consequently the Toronto

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Official Plan, contrary to the requirement of s 24 of the *Planning Act*.

If Council wishes to allow larger buildings fronting onto Finch Avenue, then the proper way to do this is transparently, by general amendment of the Secondary Plan, not by allowing its policies to be surreptitiously undermined by staff who evidently consider themselves free to subvert Council's direction. Accordingly, on behalf of residents within neighbourhoods adjacent to the CFASP redevelopment area, including but not necessarily limited to those represented by the EYCA, Council is hereby requested to ensure that all developments governed by the CFASP continue to be subject to site-specific amendments of By-law 7625 that conform with the CFASP rather than site-specific amendments of By-law 569-2013 that violate that Secondary Plan.

Sincerely,



George Belza

c Catherine LeBlanc-Miller
Councillor John Filion
Edithvale-Yonge Community Association