

Elizabeth
Corazzola

02-703-2-5-2

FILE CLOSED	DATE 19	INITIAL	DATE 19	INITIAL
	DATE 19	INITIAL	DATE 19	INITIAL
	DATE 19	INITIAL	DATE 19	INITIAL

FILE
RE-OPENI

The items listed below pertaining to this file are retained and may be brought forward if required.

- 1 Exhibits
- 2 Transcript of evidence
- 3 Maps and plans
- 4 Earlier parts of this file
- 5 Community Planning file
- 6 Files Nos. _____
- 7 Other _____

Stroke out those items not applicable.

FILE NO. S 970105



PART _____ OF _____

(Metro)

01104

ONTARIO MUNICIPAL BOARD

APPLICANT MUNICIPALITY North York, City

SUBJECT Appeal by Metropolitan Toronto Housing Co.

Plan of Subdivision # 55T-97015

DATE APPLICATION RECEIVED Nov 25/97

DATE SENT TO APPOINTMENT DESK _____

* DATE OF HEARING _____

DATE APPOINTMENT FOR HEARING MAILED _____

DATE OF BOARD'S DECISION Feb 5/98 (CR)

DATE OF BOARD'S ORDER Feb 5/98

DATE FILE CLOSED Feb 9/98 BY EC

DATE FILE REOPENED _____ BY _____

*Dates of motions, adjournments and continuations are set out in a statement attached to this file.

Connect with:

G970505			
M970060			
Z970090			

INFORMATION TO BE OBTAINED REGARDING REVIEW OF FILES

PLEASE PRINT CLEARLY

DATE: 18 FEB 99

TIME: 1500

FILE(S): V90-0085 _____
V90-0538 _____
S97-0105 _____
C97-0505 _____

EXHIBIT(S): PHOTO COPIES

NAME: CONWAY DAVID GRYSKI

ADDRESS: 680 ADELAIDE W- 601

TELEPHONE NO.: (416) 214-4554

ISSUE DATE
FEB 5 1998
DECISION/ORDER No. 0260



PL970709

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

Metropolitan Toronto Housing Company Ltd. has appealed to the Ontario Municipal Board under subsection 34(11) of the Planning Act, R.S.O. 1990, c. P.13, as amended, from Council's refusal or neglect to enact a proposed amendment to Zoning By-law UDZ 96-39, as amended, to rezone the lands known municipally as 175 Cummer Avenue from R4 and RM3(5) to RM1 (Site Specific) and RM5 (Site Specific) to permit multiple-attached dwellings on the north portion of the lands and to retain the existing apartment house structure on the balance of the lands

O.M.B. File No. Z970090

Metropolitan Toronto Housing Company Ltd. has referred to the Ontario Municipal Board under subsection 41(12) of the Planning Act, R.S.O. 1990, c. P.13, as amended, determination and settlement of details of a site plan for lands known municipally as 175 Cummer Avenue in the City of North York

O.M.B. File No. M970060

Metropolitan Toronto Housing Company Ltd. has appealed to the Ontario Municipal Board under subsection 53(14) of the Planning Act, R.S.O. 1990, c. P.13, as amended, from the Committee of Adjustment's refusal or neglect to make a decision on an application numbered B59/97 for consent to convey part of the land known municipally as 175 Cummer Avenue

O.M.B. File No. C970505

Metropolitan Toronto Housing Company Ltd. has appealed to the Ontario Municipal Board under subsection 51(34) of the Planning Act, R.S.O. 1990, c. P.13, as amended, from the Municipality of Metropolitan Toronto's refusal or neglect to approve a draft plan of subdivision for lands known municipally as 175 Cummer Avenue

Metro's File No. 55T-97015

O.M.B. File No. S970105

C O U N S E L :

K. Jaffary and
D. Tang

for

Metropolitan Toronto Housing
Company Limited

C. Conrad

for

City of North York

AGENTS:

W. West	for	Silverview Homeowners Association Inc.
T. J. Sawyer	for	Concerned Citizens for Public Affairs of North York Inc.

DECISION delivered by D. R. GRANGER and ORDER OF THE BOARD

The matter before the board involves the development of lands of The Metropolitan Toronto Housing Company Limited (MTHCL) at 175 Cummer Avenue, North York. The four storey Willowdale Manor seniors' apartment presently exists on this property. The proposal requires rezoning, site plan, consent and subdivision approvals to permit the construction of 21 street townhouses fronting onto Willowdale Avenue and Cummer Avenue. The parties argued a motion to consolidate all four planning files at this hearing. The Board ordered the consolidation.

The City of North York refused the application for rezoning and took no further action on the site plan approval. The City of North York Committee of Adjustment deferred any decision on the consent application and no decision was forthcoming from Metropolitan Toronto with respect to the subdivision application. MTHCL, having waited the statutory time limits for response to the applications from the approval authorities, appealed the four applications to the Board.

The City of North York, The Silverview Homeowners Association Inc. and the Concerned Citizens for Public Affairs Inc. were parties opposing the proposal. In addition, several area residents participated in opposition.

This was a six-day hearing with forty-eight exhibits presented. Mr. J. Jacobs, Architect and Mr. L. Kentridge, Planning and Architectural Consultant gave professional planning and architectural evidence for the proponents. In addition, Ms. J Clohecy, Acting

Manager for the City of North York Planning Department, gave professional planning evidence, having been summoned to appear by the proponent. The Board also heard evidence from two senior staff members of MTHCL, Ms. Campbell and Mr. R. Dryden. Mr. P. Stagl, Planning Consultant, gave professional planning evidence for the City of North York. Mr. W. West and Mr. T. Sawyer gave evidence opposing the proposal for the Silverview Homeowners Association and the Concerned Citizens for Public Affairs respectively. Several individual area residents made presentations, all in opposition.

This proposal is the result of a process undertaken by the MTHCL to identify potential for revenue generation. MTHCL is owned by the Municipality of Metropolitan Toronto which is its sole shareholder. MTHCL provides social housing which they gear to residents income. There has been no funding for the creation of new units since 1995. Criteria for identifying potential development sites, developed by the Asset Management Committee of MTHCL, included large sites, low density, marketable area, neighbourhood enhancement and profitability. Having identified the Willowdale Manor site as having potential, MTHCL advertised a proposal call for the purchase and development of approximately 0.424 hectares of land. This land comprises most of the Willowdale Manor frontages on Willowdale and Cummer Avenues to a depth of approximately 38 metres. They described this land as surplus. The intent of this sale was to generate funds for the improvement of Willowdale Manor and other housing stock of the MTHCL. This was a first for MTHCL.

The Board finds that the proposal is not appropriate and dismisses the appeal of the refusal of the Council of the City of North York to enact proposed Zoning By-law Amendment UDZ 96-39. The Board also refuses the associated site plan, consent and subdivision approvals.

The reasoning follows.

Firstly, the Board finds there to be a lack of conformity with the Official Plan of the Municipality of Metropolitan Toronto.

Under the Housing Policies of the Metro Official Plan clause 132., MTHCL is to acquire, construct and manage social housing developments that offer a range of housing options in response to the diversity of needs within the population and to meet the changing needs of tenants. The Board finds that this proposal, to sell land for the development of 21 luxury street townhouses with a proposed market value between \$300,000. and \$350,000., does not fulfil this policy. Indeed, it appears to be contradictory to it in the absence of any other Official Plan policy regarding the disposition of MTHCL property.

Further, Clause 133. of the Metro Official Plan states: *compatible with the existing land management policy of Council, to consider the transfer to the MTHCL to develop and manage, either directly or through other non-profit housing providers, lands owned by the Metropolitan Corporation that become surplus to the needs of the Metropolitan Corporation and are suitable for housing within the context of Area Municipal official plan policies and zoning by-laws.* The Board heard no evidence of the existing land management policy related to this proposal to sell lands to private interests to develop luxury residential units and, therefore, questions its conformity with the same. Interestingly, this policy refers to MTHCL in the context of other *non-profit* housing providers.

This proposal is a very significant departure from the mandate of MTHCL to provide, directly, or through other non-profit housing providers, geared to residents income type housing throughout the Metropolitan Toronto area. There was no evidence of a comprehensively developed planning strategy, open to extensive public input and debate, addressing mandate, funding objectives and initiatives by which MTHCL could achieve its objectives through the strategic development of some properties and the declaration and sale of others as surplus as well as any Metro official plan amendments to achieve those changed objectives.

The Board is aware of a letter of February 27/97 from Mr. Randy McLean, Manager, Development Services for Metropolitan Toronto. The letter does not address clauses 132 and 133 of the Metro Official Plan specifically nor was Mr. McLean called as a witness. The Board puts little weight on Mr. McLean's letter in light of the policies themselves which are very clear.

In addition, there remains serious question whether MTHCL had the proper authority of Metro Council. **Its release of reversionary property rights clearly referred to the site, in a detailed description,** as having a length of 91.45 metres along Cummer Avenue and a depth of 37.8 metres and an area of 3,525.6 square metres. This size and shape did not correspond with the area of new development outlined on the Site Plan, Consent and Subdivision Applications as 4,758.7 meters squared, even accounting that they may not have required a reversionary rights release for the Block J portion (a small triangular property fronting onto Willowdale Avenue transferred from the City of North York directly to MTHCL) of the proposal.

Secondly, the Board finds that the development of 21 three-storey street townhouses, on 4.9 metre centres, with only a 3 metre front yard setback at this location does not meet the test of North York Official Plan Section 4.1 b) which is subject to the development criteria set out in section 4.2.1 which states: *development of new housing within stable residential neighbourhoods shall maintain appropriate land use performance standards, maintain or create compatible built form relationships, and shall be designed such that the scale, built form and massing of new development is sensitive to the physical character of the surrounding neighbourhood.*

The evidence presented confirms this to be a predominantly low density, single family area with much larger front yard setbacks than are normally required by North York. Lots immediately opposite the site have to meet a minimum 18 metre setback as set out in the zoning by-law. Newer housing being redeveloped close to this site consists of even

larger single family homes on very large lots in compliance with the existing front yard setback requirements. The existing Willowdale Manor and Cummer Lodge properties are also of a large lot nature, but not out of keeping with what one would expect of any higher density residential development site close to a low density area. It was clear from the evidence presented in Exhibits 43 and 44 that, historically, zoning for the Willowdale Manor site was always specific for the purpose of an Apartment House Dwelling for Senior Citizens.

Variations to the North York By-law 7625 Multiple-Family First Density (RM1) Zone resulting from the townhouse proposal include a reduced lot area, reduced lot coverage, reduced front yard setback, reduced side yard setback, reduced rear yard setback, increased height and a reduced distance between buildings. Having heard the evidence, the Board finds this proposal to be bigger, higher and more intensive than normally permitted by the North York Zoning By-Law and inappropriate for this location. The planner for North York showed that a review of all zone regulations, including those related to these types of proposals, should be forthcoming because of Amendment 377, approved in 1996, regarding Housing Policy.

With respect to the impact on the Willowdale Manor, evidence at the hearing showed an established pathway leading, northwesterly, from the Manor to the bus stop on Willowdale Avenue near the intersection with Cummer Avenue. The proposal would eliminate this. The only pedestrian access would be, northeasterly, from the building to Cummer Avenue. The evidence showed that most of the pedestrian traffic moved west toward Yonge Street. The Board heard much about the appearance of the Willowdale Manor building and whether or not there would be a better or worse picture when viewed from Willowdale and Cummer Avenues if they blocked the building from view. Having reviewed the evidence, and viewing the several photographs entered as exhibits, the Board finds the appearance of the Manor to be unoffensive and appropriately maintained.

The Board notes that several windows of the Manor have a clear view toward Willowdale and Cummer Avenues providing 'eyes on the street'.

The Board heard no evidence justifying the proposed RM5(11) zoning, now permitting a greater intensity of use and changed building envelope. Past rezonings of the Manor site were always site specific outlining the actual building envelope. It was shown in evidence that approximately 15,000 more square feet of floor area could be added to the Willowdale Manor building. No evidence was given justifying this increase.

With respect to the consent and subdivision proposals, and considering the Board's dismissal of the appeal of North York Council's refusal to enact the proposed by-law amendment, and more specifically in review of Sections 53(12) and 51(24) of the Planning Act, the Board finds that the proposal is not in the public interest and that the land is not suitable for the purposes for which it is to be subdivided.

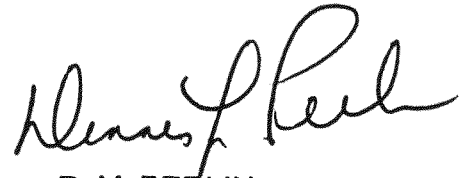
In conclusion the Board finds that the proposal is not good planning and dismisses the appeal of Metropolitan Toronto Housing Company Limited from Council's refusal or neglect to enact a proposed amendment to By-law No. 7625, as amended.

The Board dismisses the appeal for determination and settlement of details of the site plan.

The Board refuses the severance.

The Board refuses the subdivision.

The Board so orders.

A handwritten signature in cursive script, appearing to read "D. Y. Perlman".

D. Y. PERLIN
MEMBER

A handwritten signature in cursive script, appearing to read "D. R. Granger".

D. R. GRANGER
MEMBER

MAILING LIST

William West
9 Cushendale Drive
Willowdale, ON M2M 2A4

W.J. Sawyer, Executive Member
Concerned Citizens for Public
Affairs of North York, Inc.
24 Donna Court
Willowdale, ON M2M 2C8

Clerk
City of North York
5100 Yonge Street
North York, ON M2N 5V7

Solicitor
City of North York
5100 Yonge Street
North York, ON M2N 5V7

Mr. Robert Dryden
Director, Asset Management
Metropolitan Toronto Housing
Company Ltd.
20 York Mills Road
North York, ON M2P 2C2

David Tang/K. Jaffary
Gowlings Strathy & Henderson
Commerce Court West
Suite 4900
Toronto, ON ML5 1J3

Secretary-Treasurer
Committee of Adjustment
City of North York
5100 Yonge Street
North York ON
M2N 5V7

Municipality of Metropolitan
Toronto
55 John Street
Stn. 1220, 22nd Flr., Metro Hall
Toronto ON M5V 3C6

**Ontario
Municipal
Board**

655 Bay St Suite 1500
Toronto ON M5G 1E5
Tel (416) 326-6800
Fax (416) 326-5370

**Commission des
affaires municipales
de l'Ontario**

655 rue Bay Bureau 1500
Toronto ON M5G 1E5
Tél (416) 326-6800
Télééc (416) 326-5370



November 26, 1997

Municipality of Metropolitan
Toronto
55 John Street
Stn. 1220, 22nd Flr., Metro Hall
Toronto ON M5V 3C6

Re: O. M.B. Case No. PL970709
O.M.B. File No. S970105
Subdivision No. 55T-97015
Appeal by: Metropolitan Toronto Housing Company Limited
Property is located at 175 Cummer Avenue

The Board acknowledges receipt of the above referenced matter. In communicating with the Board, please quote the O.M.B. file number.

This case will be assigned the earliest available hearing date. **All parties are therefore advised that they should be prepared to proceed to a hearing at any time.**

In order to avoid loss of hearing time, hearing dates once scheduled are peremptory (**firm**) unless adjourned by the Board. Adjournments will not be granted except in the most compelling circumstances, and with consent of all parties and/or the approval of the Board.

All parties must attend at the scheduled start time of the hearing, irrespective of the number of days scheduled. Failure to attend at the opening of the hearing may preclude your being heard by the Board.

The caseworker/planner responsible for this file is Elizabeth Corazzola, Tel. 326-6796. For general information concerning the Board's policies or procedures you may also contact the Board's Information office at (416) 326-6800.

Yours truly,

Arifa I. Kanani
Administrative Clerk

cc: Gowling Strathy & Henderson
Clerk, City of North York



METRO PLANNING

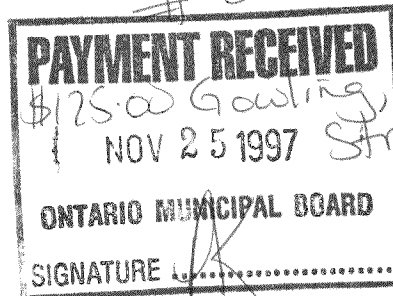
D. Gurin
Acting Commissioner

The Municipality of
Metropolitan Toronto
55 John Street
Stn. 1220, 22nd Flr., Metro Hall
Toronto, ON M5V 3C6
Fax (416) 392-3821
Telephone (416) 392-8101
dgurin@metrodesk.metrotor.on.ca

PL 970709
5970105

November 25, 1997

Ms Gillian Burton
Secretary
Ontario Municipal Board
655 Bay Street, Suite 1500
Toronto, On
M5G 1E5



RECEIVED
THE ONTARIO
MUNICIPAL BOARD

NOV 25 1997
AM PM
7 8 9 10 11 12 1 2 3 4 5 6

Dear Ms. Burton:

Re: Appeal pursuant to Section 51(34) of "The Planning Act, R.S.O. 1990" by Gowling, Strathy & Henderson, Barristers & Solicitors, on behalf of the Metropolitan Toronto Housing Company, Draft Plan of Subdivision 55T-97015

By letter dated November 25, 1997, Karl D. Jaffary, Q.C., Gowling, Strathy & Henderson, Barristers & Solicitors, on behalf of The Metropolitan Toronto Housing Company, requested appeal of the above application to the Ontario Municipal Board.

By the authority delegated to me by By-law 61-95 and 40-96, I hereby refer draft plan of subdivision 55T-97015 to the Ontario Municipal Board. Accordingly, we are forwarding the following:

1. Draft Plan of Subdivision prepared by Colin Bogue of J.D. Barnes, Ontario Land Surveyor, dated August 21, 1997.
2. Subdivision application received August 25, 1997.
3. A true copy of circulation letters dated September 9, 1997 from A. R. Gordon, Director, Development Services Division, Metro Planning to Metro Departments as well as various government agencies and utility companies.
4. A true copy of a letter dated August 22, 1997 from Kentridge Johnston Limited, Planning Consultants to the Commissioner of Planning, City of North York.
5. A true copy of an application for Plan of Subdivision submitted to the North York Planning Department dated August 22, 1997.
6. A true copy of a letter dated October 2, 1997 from D. Gurin, Acting Commissioner of

- Planning, Metropolitan Toronto to Leon Kentridge of Kentridge Johnston Limited.
7. A true copy of a letter dated October 2, 1997 from D. Gurin, Acting Commissioner of Planning, Metropolitan Toronto, to Commissioner of Planning, City of North York.
 8. A true copy of a letter dated October 9, 1997 from Richard Lloyd of the Metropolitan Toronto and Region Conservation Authority to Mr. Alan Binks of the North York Planning Department.
 9. A true copy of a memo dated October 16, 1997 from R.M. Bacquie of the Metro Transportation Department to D. Gurin of the Metro Planning Department.
 10. A true copy of a letter dated October 24, 1997 from Peter P. Kole of the Metropolitan Separate School Board to Mr. A.R. Gordon of the Metropolitan Planning Department.
 11. A true copy of a letter dated October 27, 1997 from S.S. Yao of Metro Works to Mr. D. Gurin of the Metro Planning Department.
 12. A true copy of a letter dated October 16, 1997 from Vince Cina of Consumers Gas to Bianca Bielski of the Metro Planning Department.
 13. A true copy of a letter dated November 25, 1997 from Gowling, Strathy & Henderson to Mr. David Gurin, Acting Commissioner of Planning for the Municipality of Metropolitan Toronto.

Attached is a cheque in the amount of \$125.00 to the Minister of Finance.

Please advise **Bianca Bielski** of this office of the Board's file number pertaining to this appeal.

Yours truly,



A. R. Gordon, Director
Development Services Division

BMVB
BMVB/

Attach.

cc. Novina Wong, Metro Clerk
Paula M. Dill, Commissioner of Planning, North York
Denis Kelly, North York Clerk
Karl D. Jaffary, Q.C., Gowling, Strathy & Henderson

CUMMER/WILLOWDALE TOWNHOUSES DRAFT PLAN OF SUBDIVISION
FOR BLOCK J REGISTERED PLAN 5345 AND PART OF LOT 22, CONCESSION 1, EAST OF YONGE STREET, CITY OF NORTH YORK MUNICIPALITY OF METROPOLITAN TORONTO

ADDITIONAL INFORMATION
 As required under section 51(17) of the Planning Act (R.S.O. 1990 c. P. 13):
 A) As shown on Draft Plan.
 B) As shown on Draft and Key Plan.
 C) As shown on Draft and Key Schedule.
 D) As shown on Land Use Schedule.
 E) As shown on Draft Plan.
 F) As shown on Draft Plan.
 G) As shown on Draft Plan.
 H) Municipal services to be provided.
 I) Soil is silt till.
 J) As shown on Draft Plan.
 K) Municipal services to be provided.

LAND USE SCHEDULE

Lot/Block	53.0
Townhouse Residential	T-1, T-1.1, T-1.2, O-2, O-2.1, O-2.2, O-2.3, O-2.4, O-2.5, O-2.6, O-2.7, O-2.8, O-2.9, O-2.10, O-2.11, O-2.12, O-2.13, O-2.14, O-2.15, O-2.16, O-2.17, O-2.18, O-2.19, O-2.20, O-2.21, O-2.22, O-2.23, O-2.24, O-2.25, O-2.26, O-2.27, O-2.28, O-2.29, O-2.30, O-2.31, O-2.32, O-2.33, O-2.34, O-2.35, O-2.36, O-2.37, O-2.38, O-2.39, O-2.40, O-2.41, O-2.42, O-2.43, O-2.44, O-2.45, O-2.46, O-2.47, O-2.48, O-2.49, O-2.50, O-2.51, O-2.52, O-2.53, O-2.54, O-2.55, O-2.56, O-2.57, O-2.58, O-2.59, O-2.60, O-2.61, O-2.62, O-2.63, O-2.64, O-2.65, O-2.66, O-2.67, O-2.68, O-2.69, O-2.70, O-2.71, O-2.72, O-2.73, O-2.74, O-2.75, O-2.76, O-2.77, O-2.78, O-2.79, O-2.80, O-2.81, O-2.82, O-2.83, O-2.84, O-2.85, O-2.86, O-2.87, O-2.88, O-2.89, O-2.90, O-2.91, O-2.92, O-2.93, O-2.94, O-2.95, O-2.96, O-2.97, O-2.98, O-2.99, O-2.100
Common Elements Areas	2.815, 6.82, 2.37, 1.6, 5.1, 1.9
Totals	4,774.70, 91,218.80, 100.00

SURVEYOR'S CERTIFICATE
 I hereby certify that the boundaries of the land to be subdivided as shown on this plan are true and correct in accordance with the original draft plan submission signed and dated August 20, 1997.
 Colin B. Rogus O.L.S.
 J.D. Barnes Limited
 Date August 21, 1997

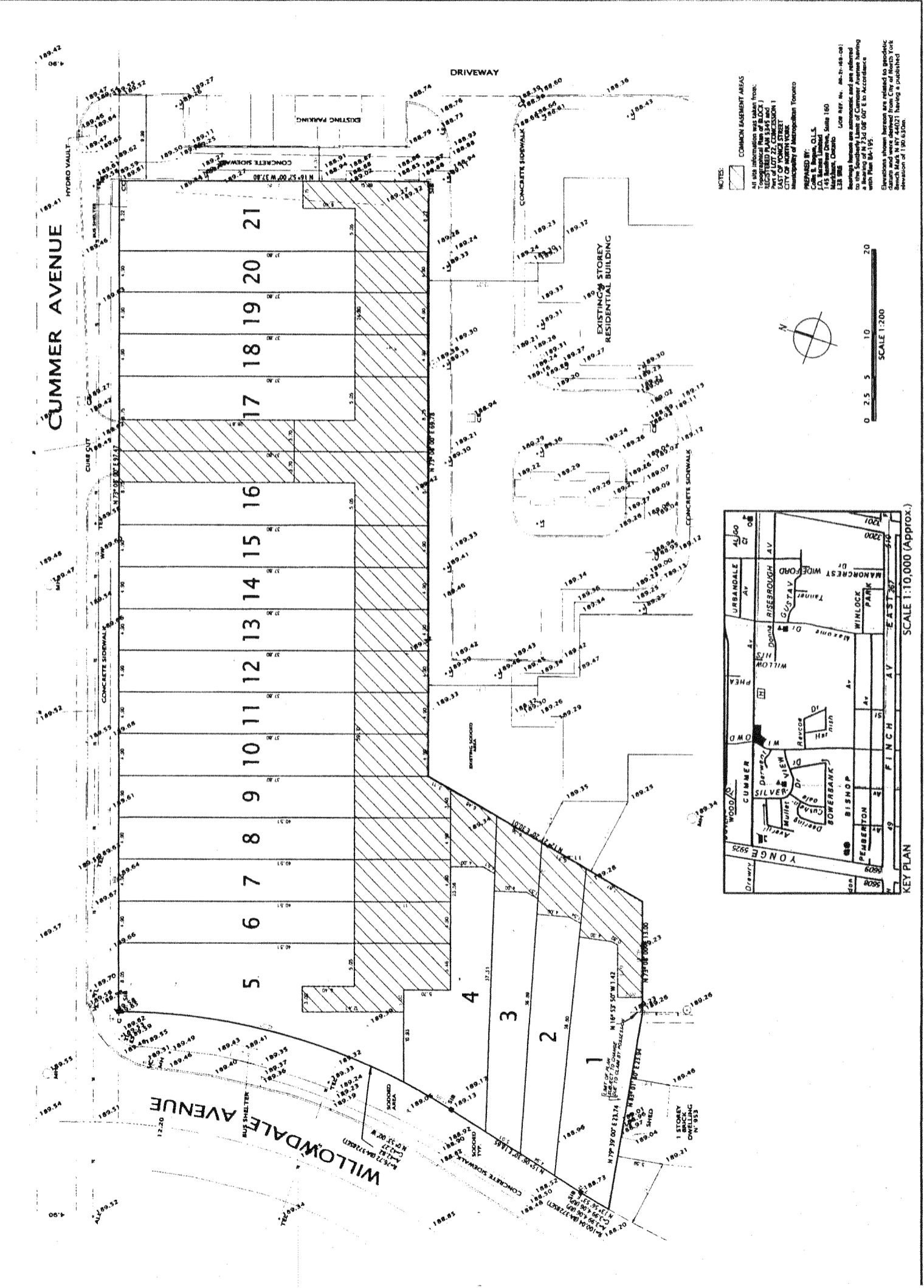
OWNER'S AUTHORIZATION
 I, the undersigned, authorize KENTRIDGE JOHNSTON LTD. to prepare and submit this Draft Plan of Subdivision for approval.
 Original Draft Plan submission signed and dated August 20, 1997.
 Robert Dryden, Director Asset Management
 Metro Toronto Housing Company Limited

KENTRIDGE JOHNSTON LTD. PLANNING CONSULTANTS
 181 CHALONER ST. TORONTO, ONT. M5T 1A7
 TEL: (416) 593-1444 FAX: (416) 593-1445

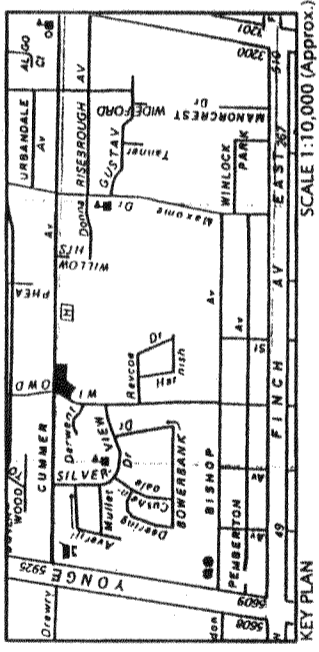
PROJECT
 CUMMER/WILLOWDALE TOWNHOUSES DRAFT PLAN OF SUBDIVISION
 NORTH YORK, ONTARIO

DRAWING
 DRAFT PLAN OF SUBDIVISION

SCALE	1:200
DATE	AUGUST 20, 1997
DRAWN	C.L.L.
CHECKED	C.L.S.
REVISED	
PLOTTED	AUGUST 20, 1997
PROJECT No. / DRAWING No.	97P25 - 01



NOTES:
 COMMON BASEMENT AREAS
 All site information was taken from:
 Topographical Plan of BLOCK J REGISTERED PLAN 5345 AND PART OF LOT 22, CONCESSION 1, EAST OF YONGE STREET, CITY OF NORTH YORK
 Municipality of Metropolitan Toronto
 PREPARED BY: C.L.L.
 J.D. Barnes Limited
 181 Chaloner Drive, Suite 160
 Toronto, Ontario
 License No. 44-20-48-081
 Readings between are accurate and are referred to the Boundary Line of Cummer Avenue having a bearing of N 10° 00' 00" E in Accordance with Plan 84-195.
 Elevations shown herein are related to geodetic datum of 1984 (NAD 83) having a published elevation of 190.630m.



KEY PLAN
 SCALE 1:10,000 (Approx.)

SUBDIVISION AND CONDOMINIUM APPLICATION

for applying for approval under Section 51 of the Planning Act

Block

1. Local Municipality North York Lot no. J Conc. No. 1 EYS Registered Plan No. 5345
 Part Numbers Part Lot 22 Name of street and number 175 Cummer Avenue

2. Complete the following and check the box next to the person or firm to whom correspondence should be addressed.

	Name	Address & Phone Number
Registered Owner	Metropolitan Toronto Housing Co. Ltd. Attn: Robert Dryden	20 York Mills Road North York, Ontario M2P 2C2 (416) 392-3723
Agent, Solicitor or Planning Consultant	Leon Kentridge	Kentridge Johnston Ltd. 185 Carlton Street Toronto, M5A 2K7 (416) 323-1444
Ontario Land Surveyor	Colin Bogue	J.D. Barnes 145 Renfrew Drive, Suite 160 Markham, L3R 9R6 (905) 477-3600

3. The Condominium Act provides that an owner or authorized agent, prior to formal application for approval of a condominium, may request in writing to have a condominium description exempted from planning approval under Sections 51 and 51.1 of The Planning Act or any provision of them.

Is a full or partial exemption being requested? Yes No

If yes, please provide reasons for such request together with 10 copies of a draft description, to facilitate consultation with local municipal officials prior to a decision being made on the request.

4. Any easements or restrictive covenants affecting the subject land? Yes No
 If yes, describe the easement or covenant and its effect.

Common easement areas are provided within the subject lands to allow for access to private garages for the individual townhouse units.

5. Resubmission of an earlier plan: Yes File No. _____ Disposition _____ No Don't Know

6. Proposed Land Use

Indicate the intended uses of land in the proposal. Please use the following definitions for residential buildings (to assist in data collection only):

- detached residential - a single family detached dwelling unit;
- semi-detached - a residential building containing 2 dwelling units, divided vertically;
- multiple attached - a residential building containing 3 or more units with individual direct access to the street;
- apartment - a building containing 3 or more dwelling units each with access to the street via a common corridor.

Applicant

RECEIVED

AUG 25 1997

METROPOLITAN TORONTO
PLANNING DEPARTMENT

Intended Use	Total Number of Units/Dwellings	Numbers of Lots or Blocks	Acres or Hectares	Parking Spaces	U.p.ha Use
detached residential					
semi-detached residential					
multiple attached residential	21 townhomes	21 lots	0.4759 ha	37	44.14
apartment residential					
seasonal residential					
commercial mobile home	Nil				
other residential*	Nil				
industrial	Nil				
park or open space	Nil				
roads					
institutional*					
other use*					
TOTAL	21 units	21 lots	0.4759 ha	37	Overall u.p.ha 44.14

*need description of these uses, if indicated

7. What are the estimated prices of the proposed units. Please specify by unit type and indicate the number of units by type affordable to 60% and 30% percentile according to the most current Ministry of Housing Information Bulletin.

The proposed units will be 3-storey, 3-bedroom townhouse units. The estimated prices of the units will fall in the range of \$275,000 to \$300,000.

8. Planning Status

From your discussion with local municipal officials, what is:

- (a) the land use designation of subject lands in an approved local Official Plan or Amendment?

RD 4

Amendment number: --

- (b) the zoning of subject lands in approved zoning by-law or zoning order? ~~RM 3(5) site specific~~ & R4

NOTE: If the proposed use of the lands conflicts with an Official Plan designation, this application will not be draft approved unless an amendment to the Official Plan has been adopted by the municipality and approved by the Minister.

9. Has an application been submitted for an amendment to the Local Official Plan? Yes No

If yes, the file number and the decision on the application. _____

Zoning By-law? Yes No

If yes, the file number and the decision on the application. UDZ-96-39; Council refused May 14/97, Applicant appealed to OMB.

10. A Minister's zoning order amendment. No Yes # Status _____

11. A minor variance. No Yes # Status _____

12. A consent. No Yes # Status UDLD-97-69

13. A site plan. No Yes # Status UDFP-96-141, appealed

14. Development Status for Condominium Applications only
Please fill in the appropriate box.

(a) site plan approval	<input type="checkbox"/> applied	<input type="checkbox"/> issued	<input type="checkbox"/> not required
(b) building permit	<input type="checkbox"/> applied	<input type="checkbox"/> issued	
(c) building	<input type="checkbox"/> under construction	<input type="checkbox"/> built	<input type="checkbox"/> if built date completed _____
(d) occupancy	<input type="checkbox"/> unoccupied	<input type="checkbox"/> occupied	if occupied is this a rental residential conversion and number of units affected Yes <input type="checkbox"/> No <input type="checkbox"/> No. of units: _____
(e) Are the present occupants intending to purchase the units as condominiums? Yes <input type="checkbox"/> No <input type="checkbox"/>			

Briefly explain how this proposal is consistent with the goals of the relevant policy statements in the Comprehensive Set of Policy Statements as abbreviated in Appendix A and submit herewith all necessary information (reports etc.), with relevant policy statement numbers highlighted.

The proposed development is consistent with Provincial Policy _____

which encourages new development in already serviced urban _____
areas, thus promoting a more efficient use of existing _____
infrastructure and land. _____

SERVICING

15. Indicate what services are proposed:

(a) Water supply:

publicly owned and operated piped water system

is the piped water supply immediately available? Yes No

who owns the existing system, if any? Site is municipally serviced.

will the extension or inauguration of a system be required? Yes No

privately owned and operated individual or communal well

lake or other water body (describe) _____

(b) Sewage treatment:

publicly owned and operated sanitary sewer system

is the sanitary sewer system immediately available? Yes No

who owns the existing system, if any? Site is municipally serviced.

will the extension of inauguration of a system be required? Yes No

privately owned and operated individual or communal septic system Yes No

other (describe) _____

(c) Storm drainage:

sewers (Site is municipally serviced).

ditches

swales

other (describe) _____

ACCESS

16. Is there direct access from the subject lands to a publicly maintained road? Yes No

If yes, is it:

(1) provincial highway

(2) municipal road maintained (2.a) all year (2.b) seasonally

(3) other public road

(4) a right-of-way

If no, what provision is there for access to the site? _____

SITE APPRAISAL AND EVALUATION

Note: Many of the items referred to in this section should also be shown on the draft plan.

17. Existing land use

Briefly describe:

(a) the existing use of the subject lands: The subject lands are presently vacant.
The lands were declared surplus pursuant to By-Law 19 of the
Metropolitan Toronto Housing Co. Ltd.

(b) if the lands are vacant or idle, describe the most recent productive use of the land: The lands
have been used as the front lawn area of Willowdale Manor, a
seniors' rental housing building.

18. Vegetation

What type of vegetation exists on the proposed site (e.g., shrubs, woodlots, orchards)? The subject lands
are grassed over, with a few ornamental trees.

19. Topography

Outline the general topography and any special characteristics that may affect development (e.g., escarpments, rock outcrops, etc.).

The subject lands are flat, with a negligible change in elevation across
the site.

20. Drainage

Describe the drainage of the site and any on-site or nearby water sources (e.g., creeks, ponds, lakes, etc.).

The site drains into the existing municipal storm water system.

There are no nearby water sources.

21. Existing buildings

Describe any buildings, historical or otherwise, and any man-made features on the site, and their proposed use (e.g., whether retained, modified, demolished, etc.).

The subject lands are presently vacant.

22. Integration into surrounding area

What consideration has been given to ensuring that the proposal will be integrated with the existing character of the surrounding area and that the amenities of the adjoining area (pleasant views, sunlight, etc.) are being preserved or enhanced?

The proposed development is an intensification of residential uses in a built-up, residential area of the City of North York.

The proposed development will have a minimal impact on adjoining lands.

23. Natural features

What consideration has been given to preserving the natural amenities of the site (e.g., strong topographical features, pleasant views, mature trees, etc.)?

N/A

24. Environmental effects

What measures have been taken to eliminate any adverse environmental effects from the development on the surrounding area (e.g., traffic, noise, odours, pollution of nearby water bodies, run-off, etc.) and to eliminate any adverse effects from the adjacent area on the proposed development (e.g., buffering, berms, setbacks, etc.)? In agricultural areas, refer to the Agricultural Code of Practice.

N/A

25. Will the plan of subdivision require a Class Environmental Assessment? No

26. List the studies included as part of application: _____

27. ADDITIONAL INFORMATION

28. Affidavit

I, Leon Kentridge of the City of Toronto

in the ~~County/District of~~ Municipality of Metropolitan Toronto

solemnly declare that all the above statements contained in the within application are true, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of "The Canada Evidence Act."

Declared before me at the CITY OF TORONTO

in the ~~Country/District of~~ MUNICIPALITY OF METROPOLITAN

this 25th day of AUGUST, 1997.



A Commissioner, etc.

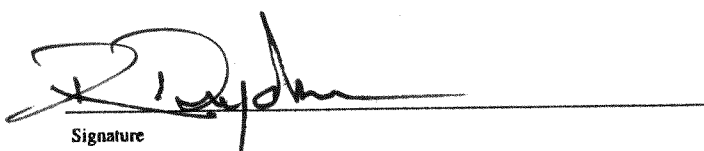
29. Owner's authorization

If an agent is used, the owner must also complete the following or a similar authorization on the face of the draft plan:

I, Robert Dryden being the registered owner of the subject lands, hereby

authorize Leon Kentridge to prepare and submit a draft plan of subdivision of approval.

(type or print name of agent)


Signature

22/08/97
day / month / year

30. Authorization of Owner for Agent to provide personal information

I, Robert Dryden am the owner of the land that is the subject of this application for approval of a plan of subdivision (or condominium description) and for the purposes of the Freedom of Information and Protection of Privacy Act I authorize Leon Kentridge, as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

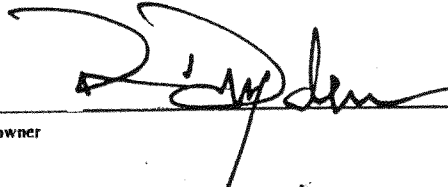
31. Consent of Owner

Consent of the Owner to the use and disclosure of personal information

I, Robert Dryden am the owner of the land that is the subject of this application for approval of a plan of subdivision (or condominium description) and for the purposes of the Freedom of Information and Privacy Act I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

August 13, 1997

Date



Signature of the owner

EVALUATION SHEET FOR SUBDIVISIONS AND CONDOMINIUMS

APPLICATION NO. 55T-97015

OWNER: Metropolitan Toronto Housing Co. Ltd.

APPLICANT: Kentudge Johnston Limited Planning Consultants

MUNICIPALITY: North York

LOCATION: 175 Cummer Avenue

EXISTING OFFICIAL PLAN DESIGNATION: Residential Density Four (R04)

EXISTING ZONING PROVISIONS: Residential - Multiple Family Dwelling RM3(B)

SITE CHARACTERISTICS:

PROPOSAL:

Uses	Units	Lots	Hectares
Single-Family			
Semi-Detached			
Row or Street Townhouses	22	22	2.2
Apartments			
Commercial			
Park/Open Space			
Institutional (specify)			
Industrial			
Other (specify)			
TOTAL:			

SITE HISTORY:

- Precertification 41DZ-96-39
- By-law
- Official Plan Amendment
- Subdivision
- Condominium
- Appeals or Referrals

ADJACENT USES:
(Sketch)

CIRCULATION:

- Local Municipality
- Agent
- Metro Roads and Traffic
- Metro Works
- Metro Parks and Property
- Toronto Transit Commission
- Bell Canada
- Ontario Hydro
- Consumers' Gas
- Metro School Board and Separate School Board
- Ministry of Municipal Affairs
- Ministry of Transportation and Communications
- Ministry of the Environment
- Ministry of Industry, Trade and Technology
- Ministry of Natural Resources
- The Metropolitan Toronto and Region Conservation Authority
- Canadian National Railway Canadian Pacific Railway
- Transportation Division (Metro Planning)
- Other (Specify) _____

COMMENT:

PLANNER: MWP

DATE: OCT 97



METRO PLANNING

D. Gurin
Deputy Commissioner

Notice of Receipt of a Planning Application

To: PLANNING & TRANSPORTATION COMMITTEE

Application: Draft Plan of Subdivision 55T-97015

Location: 175 Cummer Ave

Municipality: North York Ward: North York Centre

Owner: Metropolitan Toronto Housing Company Limited

Planner: Metro: Bianca M.V. Bielski Tel: (416) 397-0483

Project Description: To develop a 22-unit, 3-storey townhouse development on the north side of property.

Project Statistics: Site Area: 2.173 ha

<u>Proposed Development</u>	<u>Blocks/Lots</u>	<u>Ha</u>	<u>Units</u>
residential, townhouse	21	0.48	21

Metro Context: The site is adjacent to local roads with bus transit service.

Expected Process: This application is being processed under authority delegated to the Commissioner of Planning. Notice will be given to Planning and Transportation Committee upon issuance of draft approval.

A.R. Gordon, Director
Development Services

Date Received: 25-Aug-97

Date Circulated: 09-Sep-97



METRO PLANNING

D. Gurin
Deputy Commissioner

Notice of Receipt of a Planning Application

To: COUNCILLOR NORMAN GARDNER
Application: Draft Plan of Subdivision 55T-97015
Location: 175 Cummer Ave
Municipality: North York Ward: North York Centre
Owner: Metropolitan Toronto Housing Company Limited
Planner: Metro: Bianca M.V. Bielski Tel: (416) 397-0483
Project Description: To develop a 22-unit, 3-storey townhouse development on the north side of property.

Project Statistics: Site Area: 2.173 ha

<u>Proposed Development</u>	<u>Blocks/Lots</u>	<u>Ha</u>	<u>Units</u>
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A.R. Gordon, Director
Development Services

Date Received: 25-Aug-97

Date Circulated: 09-Sep-97



METRO PLANNING

D. Gurin
Deputy Commissioner

Request for Comments on a Planning Application

To: NORTH YORK FIRE DEPARTMENT (Attn: Alan F. Speed)
Comment Deadline: 17-Oct-97
Application: Draft Plan of Subdivision 55T-97015
Location: 175 Cummer Ave
Municipality: North York Ward: North York Centre
Owner: Metropolitan Toronto Housing Company Limited
Planner: Metro: Bianca M.V. Bielski Tel: (416) 397-0483
Project Description: To develop a 22-unit, 3-storey townhouse development on the north side of property.

Project Statistics: Site Area: 2.173 ha

<u>Proposed Development</u>	<u>Blocks/Lots</u>	<u>Ha</u>	<u>Units</u>
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A.R. Gordon, Director
Development Services

Date Received: 25-Aug-97

Date Circulated: 09-Sep-97



METRO PLANNING

D. Gurin
Deputy Commissioner

Request for Comments on a Planning Application

To: TTC (Attn: Mitch Stambler)

Comment Deadline: 17-Oct-97

Application: Draft Plan of Subdivision 55T-97015

Location: 175 Cummer Ave

Municipality: North York Ward: North York Centre

Owner: Metropolitan Toronto Housing Company Limited

Planner: Metro: Bianca M.V. Bielski Tel: (416) 397-0483

Project Description: To develop a 22-unit, 3-storey townhouse development on the north side of property.

Project Statistics: Site Area: 2.173 ha

<u>Proposed Development</u>	<u>Blocks/Lots</u>	<u>Ha</u>	<u>Units</u>
residential, townhouse	21	0.48	21

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A.R. Gordon, Director
Development Services

Date Received: 25-Aug-97

Date Circulated: 09-Sep-97



METRO PLANNING

D. Gurin
Deputy Commissioner

Request for Comments on a Planning Application


To: METRO TRANSPORTATION (Attn: T.W. Mulligan)
Comment Deadline: 17-Oct-97
Application: Draft Plan of Subdivision 55T-97015
Location: 175 Cummer Ave
Municipality: North York Ward: North York Centre
Owner: Metropolitan Toronto Housing Company Limited
Planner: Metro: Bianca M.V. Bielski Tel: (416) 397-0483
Project Description: To develop a 22-unit, 3-storey townhouse development on the north side of property.

Project Statistics: Site Area: 2.173 ha

<u>Proposed Development</u>	<u>Blocks/Lots</u>	<u>Ha</u>	<u>Units</u>
residential, townhouse	21	0.48	21

Metro Context: The site is adjacent to local roads with bus transit service.

Expected Process: This application is being processed under authority delegated to the Commissioner of Planning. Notice will be given to Planning and Transportation Committee upon issuance of draft approval.


A.R. Gordon, Director
Development Services

Date Received: 25-Aug-97

Date Circulated: 09-Sep-97



METRO PLANNING

D. Gurin
Deputy Commissioner

Request for Comments on a Planning Application


To: MINISTRY OF MUNICIPAL AFFAIRS (Attn: SoMei Quan)
Comment Deadline: 17-Oct-97
Application: Draft Plan of Subdivision 55T-97015
Location: 175 Cummer Ave
Municipality: North York Ward: North York Centre
Owner: Metropolitan Toronto Housing Company Limited
Planner: Metro: Bianca M.V. Bielski Tel: (416) 397-0483
Project Description: To develop a 22-unit, 3-storey townhouse development on the north side of property.

Project Statistics: Site Area: 2.173 ha

<u>Proposed Development</u>	<u>Blocks/Lots</u>	<u>Ha</u>	<u>Units</u>
residential, townhouse	21	0.48	21

Metro Context: The site is adjacent to local roads with bus transit service.

Expected Process: This application is being processed under authority delegated to the Commissioner of Planning. Notice will be given to Planning and Transportation Committee upon issuance of draft approval.


A.R. Gordon, Director
Development Services

Date Received: 25-Aug-97

Date Circulated: 09-Sep-97



METRO PLANNING

D. Gurin
Deputy Commissioner

Request for Comments on a Planning Application


To: METRO SEPARATE SCHOOL BOARD (Attn: H. Howard)
Comment Deadline: 17-Oct-97
Application: Draft Plan of Subdivision 55T-97015
Location: 175 Cummer Ave
Municipality: North York Ward: North York Centre
Owner: Metropolitan Toronto Housing Company Limited
Planner: Metro: Bianca M.V. Bielski Tel: (416) 397-0483
Project Description: To develop a 22-unit, 3-storey townhouse development on the north side of property.

Project Statistics: Site Area: 2.173 ha

<u>Proposed Development</u>	<u>Blocks/Lots</u>	<u>Ha</u>	<u>Units</u>
residential, townhouse	21	0.48	21

Metro Context: The site is adjacent to local roads with bus transit service.

Expected Process: This application is being processed under authority delegated to the Commissioner of Planning. Notice will be given to Planning and Transportation Committee upon issuance of draft approval.


A.R. Gordon, Director
Development Services

Date Received: 25-Aug-97

Date Circulated: 09-Sep-97



METRO PLANNING

D. Gurin
Deputy Commissioner

Request for Comments on a Planning Application

To: NORTH YORK BOARD OF EDUCATION (Attn: Veronica Lacey)
Comment Deadline: 17-Oct-97
Application: Draft Plan of Subdivision 55T-97015
Location: 175 Cummer Ave
Municipality: North York Ward: North York Centre
Owner: Metropolitan Toronto Housing Company Limited
Planner: Metro: Bianca M.V. Bielski Tel: (416) 397-0483
Project Description: To develop a 22-unit, 3-storey townhouse development on the north side of property.

Project Statistics: Site Area: 2.173 ha

<u>Proposed Development</u>	<u>Blocks/Lots</u>	<u>Ha</u>	<u>Units</u>
residential, townhouse	21	0.48	21

Metro Context: The site is adjacent to local roads with bus transit service.

Expected Process: This application is being processed under authority delegated to the Commissioner of Planning. Notice will be given to Planning and Transportation Committee upon issuance of draft approval.

A.R. Gordon, Director
Development Services

Date Received: 25-Aug-97

Date Circulated: 09-Sep-97



METRO PLANNING

D. Gurin
Deputy Commissioner

Request for Comments on a Planning Application


To: METRO WORKS (Attn: W.G. Crowther)
Comment Deadline: 17-Oct-97
Application: Draft Plan of Subdivision 55T-97015
Location: 175 Cummer Ave
Municipality: North York Ward: North York Centre
Owner: Metropolitan Toronto Housing Company Limited
Planner: Metro: Bianca M.V. Bielski Tel: (416) 397-0483
Project Description: To develop a 22-unit, 3-storey townhouse development on the north side of property.

Project Statistics: Site Area: 2.173 ha

<u>Proposed Development</u>	<u>Blocks/Lots</u>	<u>Ha</u>	<u>Units</u>
residential, townhouse	21	0.48	21

Metro Context: The site is adjacent to local roads with bus transit service.

Expected Process: This application is being processed under authority delegated to the Commissioner of Planning. Notice will be given to Planning and Transportation Committee upon issuance of draft approval.


A.R. Gordon, Director
Development Services

Date Received: 25-Aug-97

Date Circulated: 09-Sep-97



METRO PLANNING

D. Gurin
Deputy Commissioner

Request for Comments on a Planning Application

To: CONSUMERS GAS COMPANY (Attn: F. Pallotta)
Comment Deadline: 17-Oct-97
Application: Draft Plan of Subdivision 55T-97015
Location: 175 Cummer Ave
Municipality: North York Ward: North York Centre
Owner: Metropolitan Toronto Housing Company Limited
Planner: Metro: Bianca M.V. Bielski Tel: (416) 397-0483
Project Description: To develop a 22-unit, 3-storey townhouse development on the north side of property.

Project Statistics: Site Area: 2.173 ha

<u>Proposed Development</u>	<u>Blocks/Lots</u>	<u>Ha</u>	<u>Units</u>
residential, townhouse	21	0.48	21

Metro Context: The site is adjacent to local roads with bus transit service.

Expected Process: This application is being processed under authority delegated to the Commissioner of Planning. Notice will be given to Planning and Transportation Committee upon issuance of draft approval.

A.R. Gordon, Director
Development Services

Date Received: 25-Aug-97

Date Circulated: 09-Sep-97



METRO PLANNING

D. Gurin
Deputy Commissioner

Request for Comments on a Planning Application

To: BELL CANADA (Attn: Janet Bonczuk)
Comment Deadline: 17-Oct-97
Application: Draft Plan of Subdivision 55T-97015
Location: 175 Cummer Ave
Municipality: North York Ward: North York Centre
Owner: Metropolitan Toronto Housing Company Limited
Planner: Metro: Bianca M.V. Bielski Tel: (416) 397-0483
Project Description: To develop a 22-unit, 3-storey townhouse development on the north side of property.

Project Statistics: Site Area: 2.173 ha

<u>Proposed Development</u>	<u>Blocks/Lots</u>	<u>Ha</u>	<u>Units</u>
residential, townhouse	21	0.48	21

Metro Context: The site is adjacent to local roads with bus transit service.

Expected Process: This application is being processed under authority delegated to the Commissioner of Planning. Notice will be given to Planning and Transportation Committee upon issuance of draft approval.

A.R. Gordon, Director
Development Services

Date Received: 25-Aug-97

Date Circulated: 09-Sep-97

KENTRIDGE JOHNSTON LIMITED
PLANNING CONSULTANTS

Paula Dill, Commissioner of Planning
City of North York
City Hall, 5100 Yonge Street
North York, Ontario
M2N 5V7

185 CARLTON STREET
TORONTO, ONTARIO

CANADA M5A 2K7

TEL: 416.323.9440

FAX: 416.323.0388

RECEIVED

AUG 22 1997

PLANNING DEPT.

S-1234

AB

August 22, 1997

Dear Ms. Dill,

RE: Plan of Subdivision Application for 175 Cummer Avenue, City of North York

We are agents for the Metropolitan Toronto Housing Company Ltd. which owns lands known municipally in the City of North York as 175 Cummer Avenue (the "subject lands"). Please accept this letter and the attached documentation as our application for Plan of Subdivision approval for the subject lands.

The subject lands are located at the southeast corner of Willowdale Avenue and Cummer Avenue and have a site area of approximately 4,800 square metres. The subject lands are currently vacant, and have been used as the front lawn area of the Willowdale Manor seniors' rental housing building at 175 Cummer Avenue. The lands are owned by the Metropolitan Toronto Housing Company Limited, which declared these lands surplus lands in 1996. An application for severance of the subject lands from the landholdings of Willowdale Manor has been filed, and the interest in the lands will ultimately be transferred to Edelcan Construction Company, which will build the proposed development.

The Plan of Subdivision application is for a 21 unit, 3-storey freehold townhouse development on the subject lands. Seventeen of the proposed units front onto Cummer Avenue, with the remaining four units fronting onto Willowdale Avenue. Parking garages are provided to the rear of each of the units. Access to the parking areas will be from Cummer Avenue, with internal common easement areas providing access to individual parking garages. The subject lands are already fully serviced.

The proposed development represents an intensification of residential uses on vacant land located in an already built-up area of North York. The areas to the north, west and east of the subject lands can be characterized as predominantly low-density residential areas. Willowdale Manor, which is operated by the Metropolitan Toronto Housing Company Limited, is located to the south of the subject lands.

The proposed development requires a rezoning from the existing "R4" and "RM 3(5)" residential zoning to a residential zoning of "RM1" for the proposed townhouse units and "RM5" for the existing Willowdale Manor. The development also requires site plan control approval, as well as approval for consent to sever the lands from the Willowdale Manor landholding. These applications have already been filed with the respective approval authorities.

Attached to this letter, please find the following:

1. 2 copies of our subdivision application;
2. 20 copies of our draft plan of subdivision;
3. a digital file of our subdivision plan on the enclosed diskette;
4. Application fee in the amount of \$1500.



Please do not hesitate to call, should you require additional information.

Yours very truly,

KENTRIDGE JOHNSTON LIMITED



Leon Kentridge, MRAIC, MCIP

Encl.

c.c. David Gurin, Commissioner of Planning for Municipality of Metropolitan Toronto
Sam Crignano, Edelcan Construction Company
Lisette Zuniga, Metropolitan Toronto Housing Company Ltd.





PLANNING DEPARTMENT
APPLICATION FOR
PLAN OF SUBDIVISION
(TO BE SUBMITTED IN DUPLICATE)

RECEIVED

AUG 22 1997

PLANNING DEPT.

TO: THE MAYOR AND COUNCIL
CITY OF NORTH YORK
5100 YONGE STREET
NORTH YORK, ONT. M2N 5V7

(RCS# UDSB)

Personal information contained on this form is collected under the authority of the Planning Act and will be used in the processing of this application. Questions regarding this collection should be directed to the Director of Planning Services Division, Planning Department, 5100 Yonge Street, North York, Ontario, M2N 5V7, Telephone: 395-7100, FAX: 395-7155, Internet: www.city.north-york.on.ca.

I/We hereby submit an application for Municipal approval for a Plan of Subdivision.

Plan of Subdivision Fees: \$1,250.00 plus a Transportation and Legal surcharge of 20%.
(10% Transportation surcharge not levied on applications for single family or semi detached dwellings)

TO BE COMPLETED BY THE APPLICANT OR AGENT DATE: August 13, 1997

- FAX: 416-392-3037
1. APPLICANT NAME: Metropolitan Toronto Housing Company Ltd. Attn: Robert Dryden
TEL NO.: (416) 392-6135
- ADDRESS: 20 York Mills Road, North York POSTAL CODE: M2P 2C2
2. AGENT OR SOLICITOR: Leon Kentridge TEL NO.: (416) 323-1444
FAX: 416-323-0388
ADDRESS: 185 Carlton Street, Toronto POSTAL CODE: M5A 2K7
3. REGISTERED OWNER: Metropolitan Toronto Housing Company Ltd.
ADDRESS: 20 York Mills Road, North York POSTAL CODE: M2P 2C2
4. SUBJECT PROPERTY:
ADDRESS: 175 Cummer Avenue WARD: 11
- LEGAL DESCRIPTION: Block J, Registered Plan 5345 and Part of Lot 22,
Concession 1 East of Yonge Street City of North York
5. APPLICANT'S INTEREST IN LAND: Owner (i.e., owner, tenant, prospective owner, etc.)
6. PRESENT ZONE CATEGORY: RM 3(5) site specific and R4
7. PRESENT OFFICIAL PLAN DESIGNATION: RD4
8. PRESENT USE: Lands are presently vacant.

Incomplete applications will not be circulated to City Departments or external agencies. Complete applications, as prescribed in the Schedule to Ontario Regulation 43/95 made under the Planning Act, must be submitted to the Metropolitan Toronto Planning Department. When the City of North York Planning Department has received the Metropolitan Toronto application and the requirements of this application, we will begin the circulation of the Plan of Subdivision.

NOTE: If the proposed draft Plan of Subdivision does not conform with the Official Plan and comply with all zoning regulations, a separate amendment application is required for these purposes.

Application



METRO PLANNING

D. Gurin
Acting Commissioner

The Municipality of
Metropolitan Toronto
55 John Street
Stn. 1220, 22nd Fl., Metro Hall
Toronto, ON M5V 3C6
Fax (416) 392-3821
Telephone (416) 392-8101
dgurin@metrodesk.metrotor.on.ca

Refer to:
Bianca M.V. Bielski
397-0483

October 2, 1997

Leon Kentridge
Kentridge Johnston Ltd.
185 Carlton Street
Toronto, ON
M5A 2K7


Dear Mr. Kentridge:

Re: Metro File No.	Draft Plan of Subdivision 55T-97015
Owner:	Metropolitan Toronto Housing Co. Ltd.
Location:	175 Cummer Avenue
Municipality:	North York
Surveyor:	L.D. Barnes Attn: Colin Bogue

This acknowledges receipt of the application form, a cheque totalling \$2,238.00 and 25 copies of the above plan of subdivision. The planner assigned is **Bianca M.V. Bielski (397-0483)**.

The application have been given file number **55T-97015**. Please refer to this file number on all future correspondence with this Department.

Sincerely,


for D. Gurin
Acting Commissioner of Planning

/BMVB

c:  Robert Dryden, Metropolitan Toronto Housing Co. Ltd.



METRO PLANNING

D. Gurin
Acting Commissioner

The Municipality of
Metropolitan Toronto
55 John Street
Stn. 1220, 22nd Flr., Metro Hall
Toronto, ON M5V 3C6
Fax (416) 392-3821
Telephone (416) 392-8101
dgurin@metrodesk.metrotor.on.ca

Refer to:
Bianca M.V. Bielski
397-0483

October 2, 1997

Ms. Paula Dill
Commissioner of Planning
City of North York
5100 Yonge Street
North York, On
M2V 5V7

Dear Ms. Dill:

Re: Metro File No.	Draft Plan of Subdivision 55T-97015
Owner:	Metropolitan Toronto Housing Co. Ltd.
Location:	175 Cummer Avenue
Municipality:	North York
Surveyor:	L.D. Barnes Attn: Colin Bogue


The attached plan of subdivision, as described above, has been submitted to this Department for consideration. The planner assigned is **Bianca M.V. Bielski (397-0483)**.

If Council has any suggestions, information or conditions, please set them forth in a letter or report. Please mark any recommended physical changes in coloured pencil on these authorized copies of the draft plan, retaining one for your record and forwarding others to the Metropolitan Toronto Planning Department.

Sincerely,


D. Gurin
Acting Commissioner of Planning

/BMVB

c/  Denis Kelly, North York Clerk



the metropolitan toronto and region conservation authority
5 shoreham drive, downsview, ontario. m3n 1s4 (416) 661-6600 FAX 661-6898

October 9, 1997

Mr. Alan Binks
Planning Department
City of North York
5100 Yonge Street
North York, Ontario
M2N 5V7

Dear Mr. Binks:

**RE: Application Number UDSB-1234
175 Cummer Avenue
Part of Lot 22, Concession 1, EHS
Block J, Plan 5345
City of North York
(Metropolitan Toronto Housing Company Ltd.)**

This will acknowledge receipt of a draft plan of subdivision prepared by Kentridge Johnston Ltd., Project No. 97P25-01 and dated August 20, 1997. We offer the following comments.

Authority staff have reviewed the proposal and, since it does not appear to affect the program or policy interests of the Authority, we have no objections to the application as submitted.

We trust this is satisfactory. Please forward a copy of the conditions of draft approval as adopted by Council to the undersigned.

Yours truly,

Richard Lloyd
Plans Analyst
Plan Review Section
Extension 281

GC/vk

cc: Kentridge Johnston Limited
City of North York - Committee of Adjustment - Re: UDLD 97-59

OCT 10 1997
COMMUNICATIONS SECTION

Working Together for Tomorrow's Greenspace



METROTRANSPORTATION

55 John Street
Stn. 1170, 17th Flr., Metro Hall
Toronto, ON M5V 3C6
Fax: (416) 392-4426
Telephone: (416) 392-8305

D. P. Floyd
Commissioner

RECEIVED

OCT 20 1997

**METROPOLITAN TORONTO
PLANNING DEPARTMENT**

METRO MEMO

October 16, 1997

**To: D. Gurin, Deputy Commissioner
Metropolitan Planning Department**

Attention: Bianca M.V. Bielski

**Copy to: L. Rach
D.C. Kaufman
T.W. Mulligan
B. Zvaniga
B.J. Walewski**

**From: R.M. Bacquie, P. Eng.
Manager, Program and Development Engineering**

**Re: North York Draft Plan Of Subdivision 55T-97015
175 Cummer Avenue
Metropolitan Toronto Housing Company Limited**

We have no objections to the development of a 22 unit townhouse development.

MAO/jc
244635/TN897
175cumme.sub

**Reply to: Marko Oinonen
397-0590**

RECEIVED

OCT 29 1997

METROPOLITAN TORONTO
PLANNING DEPARTMENT

October 24, 1997

Mr. A. R. Gordon, Director
Development Services
Metro Planning
55 John Street
Stn. 1220, 22nd Floor, Metro Hall
Toronto, Ontario
M5V 3C6

Dear Mr. Gordon:

***Re: Draft Plan of Subdivision 55T-97015
North York File: UDZ-96-39 & UDSB-1234
(Metropolitan Toronto Housing Company Limited)
175 Cummer Avenue, City of North York***

Further to your request for comments regarding the above-noted Draft Plan of Subdivision, please be advised that the Metropolitan Separate School Board submitted its comments to the City of North York earlier this year. A copy of this correspondence, dated March 1, 1997, is attached for your information. The Board's position regarding this matter remains unchanged.

Please contact the Planning and Facilities Department at 222-8282, extension 2278 should you have any questions.

Sincerely yours.



Peter P. Kole
Senior Coordinator of Planning

LT/mf



METROWORKS

M. G. Thorne, P. Eng.
Commissioner

The Municipality of
Metropolitan Toronto
55 John Street
Stn. 1180, 18th Flr., Metro Hall
Toronto, ON M5V 3C6
Fax (416) 392-4594
Telephone (416) 392-8389

Refer to:
Mr. S.S. Yao, P.Eng.

October 27, 1997

File No. 1584.03-4

RECEIVED

OCT 29 1997

**METROPOLITAN TORONTO
PLANNING DEPARTMENT**

Mr. D. Gurin
Deputy Commissioner
Metro Planning
Station 1220

Attention: Ms. Bianca Bielski


**DRAFT PLAN OF SUBDIVISION 55T-97015
(RELATED ZONING AMENDMENT APPLICATION UDZ-96-39)
METROPOLITAN TORONTO HOUSING COMPANY LIMITED
175 CUMMER AVENUE
CITY OF NORTH YORK**

We refer to your notification sheet dated September 9, 1997 requesting our comments on this proposed development located at 175 Cummer Avenue and described as a 22 unit, 3-storey townhouse development on a 0.48 hectare site.

Water supply from the Metropolitan Toronto system for this area is provided from our No. 5 pressure district, and will be adequate.

Sanitary flow from the subject site will drain to the Metropolitan Toronto Newtonbrook Sanitary Trunk Sewer for treatment at the Main Sewage Treatment Plant. Existing capacity of these facilities will be adequate to accommodate the flow generated by the subject development.

Consistent with Metro's Official Plan policies 177, 178 and 179, the applicant should be requested to investigate any opportunity to reduce the volume and rate of stormwater runoff and to improve the quality of stormwater discharges.


S.S. Yao, P. Eng.
Senior Engineer, Approvals Branch
Management and Technical Services

GLC/jvs

9705033_NY

Record

March 11, 1997

Ms. Paula M. Dill
Commissioner of Planning
City of North York
5100 Yonge Street
North York, Ontario
M2N 5V7

Attention: Malini Rawal

Dear Ms. Dill:

**Re: *Zoning Amendment Application
Metropolitan Toronto Housing
Company Ltd.
175 Cummer Avenue
UDZ-96-39***

Further to your request for comments regarding the above-noted amendment application, please be advised that although the Metropolitan Separate School Board does not object to the above-noted matter, it would like to express its concern regarding the lack of permanent facilities and overcrowding at St. Paschal Baylon Catholic School, Brebeuf and St. Joseph Morrow Park Catholic Secondary Schools.

If further information is required with respect to this application, please call the Planning Department at 222-8282, extension 2278.

Sincerely yours,



Peter P. Kole
Senior Coordinator of Planning

LG/mf

c.c. Mr. Robert Dryden
Metropolitan Toronto Housing Company Ltd.
20 York Mills Road
North York, Ontario
M2P 2C2



Consumers Gas

RECEIVED

OCT 16 1997

METROPOLITAN TORONTO
PLANNING DEPARTMENT

500 Consumers Road
North York, Ontario M2J 1P8

Mailing Address:
PO BOX 650
SCARBOROUGH ON M1K 5E3

October 9, 1997

BFB

Metropolitan Toronto
Metro Planning
Attention: Bianca Bielski
55 John Street
Stn. 1220, 22nd Flr., Metro Hall
Toronto Ontario

Dear Bianca Bielski:

Re: 175 Cummer Avenue.

We have indicated on the attached print our existing and/or proposed underground plant ,

We have no objection to the above proposal, provided our standard clearances of 0.3m minimum vertically and 0.6m minimum horizontally are maintained.

We trust this information is satisfactory for your records.

Yours truly,

For: Vince Cina
Supervisor - Drafting
Metro Planning and Technical Services

GOWLINGS

Commerce Court West
Suite 4900
Toronto, Ontario
Canada, M5L 1J3
Telephone (416) 862-7525
Facsimile (416) 862-7661

Karl D. Jaffary, Q.C.
Direct (416) 862-3546
Secretary (416) 862-5421
jaffaryK@gowlings.com
File T809435

November 25, 1997

DELIVERED

Mr. David Gurin, Acting Commissioner of Planning
Municipality of Metropolitan Toronto
55 John Street, 22nd Floor, Station 1220
Toronto, Ontario
M5V 3C6

Attention: Ms. Bianca Bielski

Dear Mr. Gurin:

RE: Request for Referral of Draft Plan of Subdivision [Plan 55T-97015] Pursuant to Section 51(34) of the *Planning Act*

Kentridge Johnston Limited, as agent for the Metropolitan Toronto Housing Company Limited, filed an application for approval of a Plan of Subdivision over certain lands known municipally as 175 Cummer Avenue in the City of North York (the "subject lands"). At the same time they filed the required application with the City of North York.

The proposed development comprises a 21 unit freehold townhouse development on the northern portion of the subject lands, which are to be severed from the main lot. The to-be-severed portion of the subject lands are currently vacant, and are used as the front lawn of the Willowdale Manor seniors' rental housing building at 175 Cummer Avenue. An application for severance of the subject lands from the landholdings of Willowdale Manor has been filed, and as it was not dealt with favourably by the Committee of Adjustment in North York it has been appealed to the Ontario Municipal Board. The severed lands are proposed to ultimately be transferred to a builder of the proposed development.

The proposed development requires a rezoning and is also subject to site plan control. The rezoning and site plan applications were made in December of 1996. Those applications were refused by North York City Council on May 14, 1997 and have been appealed to the Ontario Municipal Board. A Board hearing has been scheduled to commence December 1, 1997. In order to have all matters relating to the development before the Board, and to avoid duplication of hearings, we request referral of the draft Plan pursuant to Section 51(34).

Appeal

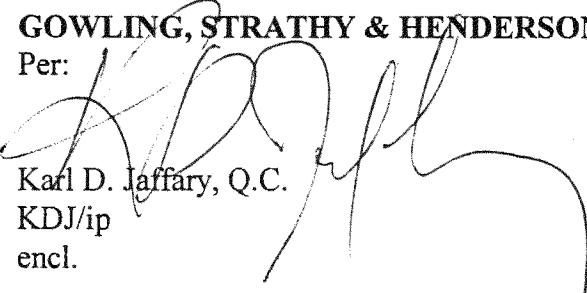
In view of the timing of this matter, we would very much appreciate it if you could send your record to the Board by courier.

We enclose our firm cheque payable to the Municipality of Metropolitan Toronto in the sum of \$500, in payment of your fee. We also enclose a cheque in the sum of \$125 payable to the Minister of Finance as the fee payable to the Ontario Municipal Board. Would you please advise the writer immediately if there is anything further required.

Yours very truly,

GOWLING, STRATHY & HENDERSON

Per:



Karl D. Jaffary, Q.C.

KDJ/ip

encl.

cc: Paula Dill, Commissioner of Planning for City of North York
Sam Crignano, Edelcan Construction Company
Robert Dryden, Metropolitan Toronto Housing Company Limited

BK-RE Doc #: 152002-1
November 24, 1997

MAPS

FOR

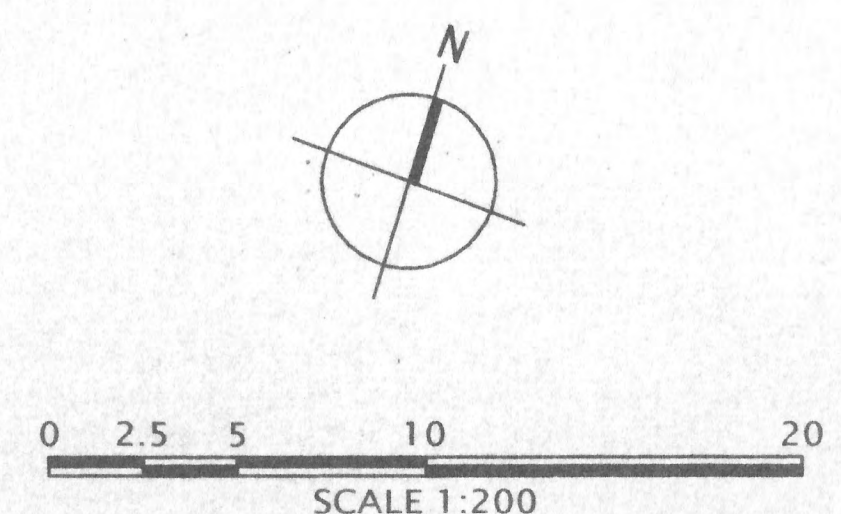
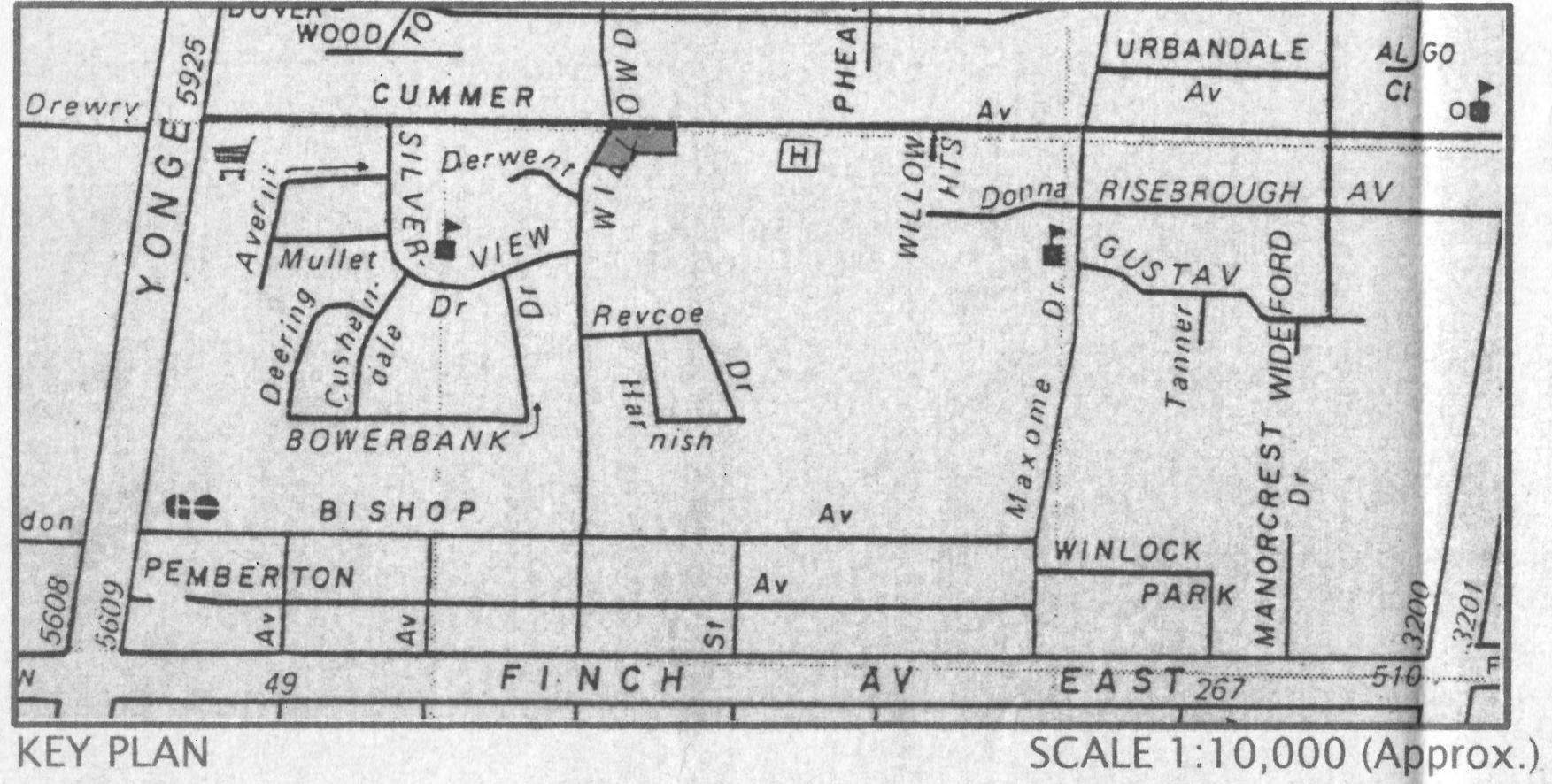
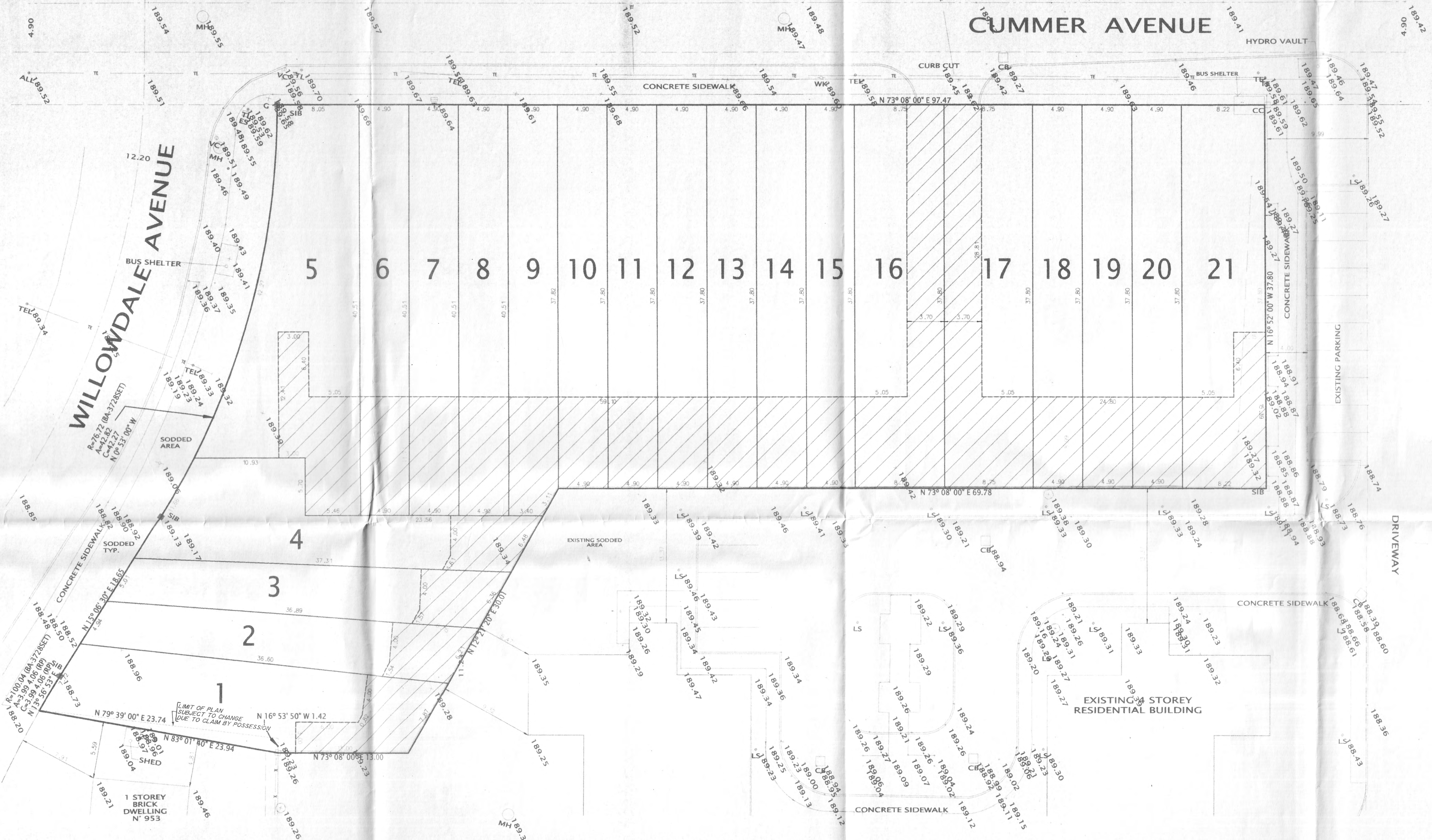
S970105

DECISION

655 Bay Street
Suite 1500
Toronto, Ontario
M5G 1E5

Ontario
Municipal
Board
Commission
des affaires
municipales
de l'Ontario





NOTES:

COMMON EASEMENT AREAS

All site information was taken from:
Topographical Plan of BLOCK J
REGISTERED PLAN 5345 and
Part of LOT 22, CONCESSION 1
EAST OF YONGE STREET
CITY OF NORTH YORK
Municipality of Metropolitan Toronto

PREPARED BY:
Colin B. Bogue, O.L.S.
J.D. Barnes Limited
145 Renfrew Drive, Suite 160
Markham, Ontario
L3R 9R6 (JDB REF. No. 88-21-169-08)

Bearings hereon are astronomic and are referred to the Southerly Limit of Cummer Avenue having a Bearing of N 73d 08' 00" E in Accordance with Plan BA-195.

Elevations shown hereon are related to geodetic datum and were derived from City of North York Bench Mark N NY 44021 having a published elevation of 190.630m.

CUMMER/WILLOWDALE TOWNHOUSES DRAFT PLAN OF SUBDIVISION
FOR BLOCK J REGISTERED PLAN 5345 AND PART OF LOT 22, CONCESSION 1, EAST OF YONGE STREET, CITY OF NORTH YORK MUNICIPALITY OF METROPOLITAN TORONTO

ADDITIONAL INFORMATION

As required under section 51(17) of the Planning Act (R.S.O. 1990 C. P. 13)

A) As shown on Draft Plan.
B) As shown on Draft and Key Plan.
C) As shown on Key Plan.
D) As shown in Land Use Schedule.
E) As shown on Draft Plan.
F) As shown on Draft Plan.
G) As shown on Draft and Key Plan.
H) Municipal services to be provided.
I) Soil is silt till.
J) As shown on Draft Plan.
K) Municipal services to be provided.

LAND USE SCHEDULE

Lot/Block	Sq.m.	Sq.ft.	% of Area
Townhouse Residential 1-21	2,123.02	22,852.74	44.61
Common Easement Areas	2,635.68	28,371.16	55.39
Totals	4,758.70	51,223.90	100.00

SURVEYOR'S CERTIFICATE

I hereby certify that the boundaries of the land to be subdivided as shown on this plan and their relationship to the adjacent lands are accurately and correctly shown in accordance with Registered Plan 5345. Original Draft Plan submission signed and dated August 20, 1997.

Colin B. Bogue August 21/97 Date
Colin B. Bogue O.L.S.
J.D. Barnes Limited

OWNER'S AUTHORIZATION

I authorize KENTRIDGE JOHNSTON LTD. to prepare and submit this Draft Plan of Subdivision for approval. Original Draft Plan submission signed and dated August 20, 1997.

Robert Dryden August 21/97 Date
Robert Dryden, Director Asset Management
Metro Toronto Housing Company Limited

KENTRIDGE JOHNSTON LTD. PLANNING CONSULTANTS

185 CARLTON ST. TORONTO, ONTARIO M5A 2K7
TEL:(416)323-1444 FAX:(416)323-0388

PROJECT
CUMMER/WILLOWDALE TOWNHOUSES DRAFT PLAN OF SUBDIVISION
NORTH YORK, ONTARIO

DRAWING
DRAFT PLAN OF SUBDIVISION

SCALE	1:200
DATE	AUGUST 20, 1997
DRAWN	G.L.L.
CHECKED	L.R.K.
REVISED	
PLOTTED	AUGUST 20, 1997
PROJECT No. / DRAWING No.	97P25 - 01