



MINUTES
DEVELOPMENT SERVICES PUBLIC MEETING

MAY 10, 2011 - 7:00 p.m.

Council Chamber

Meeting No. 5

All Members of Council

Development Services

Chair: Regional Councillor Jim Jones

Vice-Chair: Councillor Don Hamilton

Attendance

Mayor Frank Scarpitti
Deputy Mayor Jack Heath
Regional Councillor Jim Jones
Regional Councillor Gord Landon
Regional Councillor Joe Li
Councillor Valerie Burke
Councillor Howard Shore
Councillor Don Hamilton
Councillor Carolina Moretti
Councillor Alan Ho
Councillor Logan Kanapathi

Rino Mostacci, Director of Planning and Urban Design
Ron Blake, Manager, West District
Biju Karumanchery, Senior Development Manager
Dave Miller, Senior Project Coordinator
Stacia Muradali, Planner II
Gary Sellars, Senior Planner
Kitty Bavington, Council/Committee Coordinator

Regrets

Councillor Colin Campbell
Councillor Alex Chiu

The Development Services Public Meeting convened at 7:05 PM in the Council Chamber with Regional Councillor Jim Jones in the Chair.

DISCLOSURE OF PECUNIARY INTEREST – None declared

- 1. 378 STEELES AVENUE EAST
APPLICATIONS BY FUNG LOY KOK INSTITUTE
FOR ZONING BY-LAW AMENDMENT AND
SITE PLAN APPROVAL TO PERMIT A
PLACE OF WORSHIP AT 378 STEELES AVENUE EAST
(ZA.08-125376 & SC.08-125397) (10.5, 10.6)**

[Report](#)

This is a continuance of the statutory Public Meeting held on March 8, 2011 for an application submitted by Fung Loy Kok Institute of Taoism for a Zoning By-law Amendment and Site Plan Approval to permit a place of worship, 378 Steeles Avenue, west of Laureleaf Road (ZA 08 125376 and SC 08 125397).

The Committee Clerk advised that 101 notices were mailed on April 20, 2011, and a Public Meeting sign was posted on February 1, 2011. One hundred written submissions were received regarding this proposal, plus additional submissions were made at this Public Meeting.

The Committee expressed concern for the lack of identification information in the correspondence that impacts the context of the written submissions; although it does not hinder the purpose of this Public Meeting which is to hear public comments. Staff advised that the information was deleted under the Freedom of Information process. Copies of complete correspondence will be provided to the Committee.

Staff gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues. It was clarified that any By-law Enforcement incidents at a different location operated by the same organization are not connected to this planning application. A traffic study has been submitted and is being reviewed by staff.

Adam Brown, solicitor for the applicant, made a presentation to the Committee. He advised that the neighbours of the Dickson Hill location operated by the same applicants, have no complaints and the neighbourhood association has provided a letter of support; and that the Bylaw Enforcement investigation has concluded that there is no basis for a complaint. Mr. Brown provided a letter from the Canada Revenue Agency (CRA) confirming that Fung Loy Kok Institute of Taoism is registered as a Charitable Organization. In response to concerns regarding the future use of the property, the applicant will provide an undertaking to convey the property to the Town if the client ceases its use of the site, and revert the property back to a single family home, at the applicant's expense.

The applicant's Architect made a presentation of the proposed building details, displaying samples of similar building designs that include parking on the ground level below the structure. A site plan and drawings were displayed, illustrating the proposed development, landscaping, sustainability features, parking, and surrounding properties. A six-foot high fence will surround the property. Porous, permeable pavers will be used in the parking area and the excess parking area at the rear of the property will consist of a hardy grass material. The terrace design has been revised to include a privacy screen of landscaping and the useable area has been reduced. Revised elevations were displayed and videos describing the practice of Tai Chi were played.

Ernestine and Chris Farano with the Fung Loy Kok Institute of Taoism spoke of the healthy practices of Taoist Society.

Bill Mordrow spoke in opposition to the proposal. He questioned the tax status of a Place of Worship, the potential high volume use of the property, and whether 30 parking spaces are sufficient. An incident was noted in which two receipts had been issued by Fung Loy Kok for one membership payment.

Laurie Finer backs onto subject property and spoke in opposition, objecting to the change from residential use and the impacts from noise, the adjacent parking lot, parking on the street and the incompatible architectural design.

Toinett Bezant, representing the Bayview Glen Residents Association, spoke in opposition. Ms Bezant displayed several documents and questioned the organizational structure and practices as described in the parking study, Canada Revenue Agency documents, and the March 8, 2011 staff report. Although the Parking Study states a Place of Worship would not have an impact on the neighbourhood, the analysis does not include the unusually high number of Places of Worship in the area that already create overflow parking problems.

Ms. Bezant read a letter on behalf of Kwan Tsui, discussing the Tai Chi aspect of the organization, and objecting due to the noise, pollution, and parking issues.

The Committee had several questions regarding the documents, the organization, and the proposed uses. Staff clarified that the application is for a place of worship and the issue is the merit of the application. There are frequently multiple and associated incidental uses with multiple owners under one application. If a subordinate use exceeds the principle use, it would be in non-conformity and the Town would bring it back into compliance. Staff confirmed that the registered owner and applicant is Fung Loy Kok.

Dr. Robert Bennett spoke in opposition, wanting to protect the integrity of the single family community, and to not set a precedent for similar uses throughout the town.

Brian Finer, Bratty & Partners, spoke in opposition, based on noise, environmental and light pollution for the backyards of the surrounding houses, and compatibility issues with the neighbourhood. Mr. Finer suggested the use would be more appropriate in an industrial or commercial area.

Sylvia Jacobs spoke in opposition, with a concern that the traffic and parking impacts would be dangerous for a handicapped family member.

Evelin Ellison spoke in objection, citing the parking problems that are already caused by the existing Places of Worship.

Joyce Zhang spoke in opposition and displayed pictures of the subject property taken from her back yard to illustrate the loss of privacy caused by the proposed parking spaces and terrace.

Ara Missachi: a letter was read on behalf of Mr. Missachi, in opposition. A diagram of the subject property including parking spaces, and a photo of the existing dwelling, were displayed. Concerns include the proximity of the parking spaces to Mr. Missachi's yard, and a loss of privacy from the terrace overlooking their property.

Melissa Koutsaris spoke in opposition with respect to overflow parking on the street. A petition was presented with a map indicating the locations of the objectors on the petition.

Louis Koutsaris of Mark V. Development Inc. and owner of the residential development to the west, spoke in opposition and expressed concern for the impacts on his four properties that abut the subject property with respect to the reduced side yard setback. He suggested the floor area of the terrace should be added to the calculations for the parking requirement. He also suggested the higher grading of the subject property and lack of storm water management review is a concern. Mr. Koutsaris was also concerned about potential ancillary uses.

Ralph Lavine spoke in objection, suggesting the applicants did not follow proper procedures in beginning the renovations before obtaining a permit. His concerns included the increased pollution, traffic and parking on the street.

The Committee thanked the speakers and stated that several issues will need to be addressed. A motion to deny the application was withdrawn, and the Committee agreed to refer this matter to staff for a report, anticipated in June.

Moved by: Councillor Valerie Burke

Seconded by: Deputy Mayor Jack Heath

- 1) That correspondence regarding Fung Loy Kok Institute of Taoism, 378 Steeles Avenue be received;
- 2) That the Development Services Commission report dated March 8, 2011, entitled, "Preliminary Report – Update, Fung Loy Kok Institute of Taoism, 378 Steeles Avenue, West of Laureleaf Road, Applications for a Zoning By-law Amendment and Site Plan Approval to permit a place of worship, File No.: ZA 08 125376 and SC 08 125397", be received; and,
- 3) That the Record of the Public Meetings held on March 8, 2011 and May 10, 2011, with respect to the application by Fung Loy Kok Institute of Taoism for an amendment to Zoning By-law 1767, as amended, be received; and further,
- 4) That staff be directed to further review and evaluate the proposal and report back to the Development Services Committee.

CARRIED

**2. BRUTTO CONSULTING
SECONDARY PLAN AND
ZONING BY-LAW AMENDMENT APPLICATIONS
TO FACILITATE SEVERANCES AT
39 CAROLWOOD CRESCENT AND 65 & 69 CHATELAINE DRIVE
(OP 10 123245, ZA 10 123246 & ZA 10 130075)
(10.4, 10.5)
[Report](#) [Attachment](#)**

The subject of the Public Meeting this date was to consider an application submitted by Brutto Consulting to amend the Rouge North Secondary Plan (OPA 81) and Zoning By-law amendments to facilitate severances at 39 Carolwood Crescent and 65 and 69 Chatelaine Drive (OP 10 123245, ZA 10 123246 & ZA 10 130075).

The Committee Clerk advised that 87 notices were mailed on April 20, 2011, and a Public Meeting sign was posted on April 20, 2011. Two hundred and eleven written submissions were received regarding this proposal. Copies of complete correspondence will be provided to the Committee.

Staff gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues.

Claudio Brutto, representing the applicants, gave a presentation outlining the proposal, and displayed diagrams and photographs demonstrating the compatibility of the proposal with the community. He spoke of the transition of the neighbourhood and the need for progress. The applicant is willing to submit a site plan control application, and Mr. Brutto suggested that the proposed million dollar homes on 100 foot lots will not denigrate the neighbourhood.

Emmanuel Pavlokos, representing the applicant, stated that the proposal is for a residential use in a residential area, not a commercial or traffic-generating business use.

Karen Wilson read a letter of objection submitted by Bob White, president of the Rouge River Estates Association. Mr. White stated that the neighbourhood consists of one-acre plus properties, and the residents oppose the proposal to avoid a precedent for other lots to be subdivided.

Ibrahim Labib spoke in objection, stating that the character of the neighbourhood is unique, and other properties could be similarly subdivided

Gayle Brown spoke in opposition, wanting to protect the unique character of the neighbourhood.

Scott Burns, representing the owners of 65 Chatelaine Drive, gave a powerpoint presentation, displaying photographs of the area and dwellings to illustrate the neighbourhood character. The Rouge Secondary Plan recognizes the uniqueness of the area by specifying a minimum lot area and Mr. Burns suggested that provincial intensification policies do not apply to Rouge River Estates.

Stephen Emmanuel spoke in opposition, based on the uniqueness of Rouge River Estates not only the physical character, but the community spirit as well.

James Jagtoo, adjacent property owner on Carolwood Crescent, objected to the application, due to the impacts on the privacy and having someone else's house visible from his backyard. He referred to the correspondence he submitted with an Ontario Municipal Board decision attached, denying the applicant's previous proposal for this property.

Mohammed Rahman, representing a group of residents, spoke in opposition and discussed the character of the large lots in Rouge River Estates. He stated that the area of the lot is important, not just the frontage. The concern is that smaller and smaller lots could potentially be created. Privacy issues are also a concern.

Ernest Imbrogno spoke in opposition, with respect to devaluation of the neighbourhood.

Jeff Norton, representing a family from the area, spoke in opposition, stating that the proposal would impact the natural habitat of deer and salmon along the Rouge River.

Anastasia Tanunagara spoke in objection to the proposal, as she has recently purchased her house, to the rear of the subject property, with the understanding that the vacant land behind her would have a maximum of two dwellings.

John Vasilev spoke in opposition, stating that the decision should support the majority of the statements that have been made, to deny the application.

Mario Colangelo spoke in support, stating that as a Real Estate Broker he considers the proposal to just be creating two additional beautiful homes in the neighbourhood.

Mike Bigioni, Bigioni LLP, spoke in support, summarizing that the proposal is for luxury homes on luxury lots and will not be a detriment to the neighbourhood. The character of the neighbourhood will be protected by the site plan process, and a precedent would not be set as only the lots on Chatelaine are serviced, so there are only three lots on Chatelaine that could realistically be divided. As well, he noted that the OMB decision cited the need for an Official Plan Amendment, which is included in the current application. Mr. Biglioni suggested that the neighbourhood has changed in the 15 years since the last application - 407 Highway, Provincial policy statements, the 29-unit development to the south, and a proposed transit parking lot to the north have more impact to the area than this proposal does.

The Committee expressed appreciation to those in attendance for their comments, and thanked the applicant for his cooperation in this process. Staff was requested to review the letter from the Ministry of Transport regarding the parking lot with respect to scheduling; and identify the location of other developable lots on Chatelaine Drive.

Moved by: Mayor Frank Scarpitti

Seconded by: Councillor Logan Kanapathi

- 1) That correspondence regarding applications by submitted by Brutto Consulting to amend the Rouge North Secondary Plan (OPA 81) and Zoning By-law amendments for 39 Carolwood Crescent and 65 and 69 Chatelaine Drive be received; and,
- 2) That the Development Services report dated February 22, 2011, titled "PRELIMINARY REPORT, Brutto Consulting, Secondary Plan and Zoning By-law amendment applications to facilitate severances at 39 Carolwood Crescent and 65 and 69 Chatelaine Drive, File Nos: OP 10 123245, ZA 10 123246 & ZA 10 130075", be received; and,
- 3) That the Record of the Public Meeting held on May 10, 2011, with respect to the proposed amendments to the Rouge North Secondary Plan (OPA 81) and Zoning By-laws 304-87 and 90-81, as amended, be received; and further,
- 4) That the applications submitted by Brutto Consulting to amend the Rouge North Secondary Plan (OPA 81) and Zoning By-laws 304-87 and 90-81, as amended, be referred back to staff for a report and recommendation.

CARRIED

ADJOURNMENT

The Development Services Public Meeting adjourned at 11:30 PM.

Alternate formats for this document are available upon request.
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