



MINUTES
DEVELOPMENT SERVICES PUBLIC MEETING

MARCH 8, 2011 - 7:00 p.m.

Canada Room

Meeting No. 4

All Members of Council

Development Services

Chair: Regional Councillor Jim Jones
Vice-Chair: Councillor Don Hamilton

Attendance

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| Mayor Frank Scarpitti (arrived 9:40) | Jim Baird, Commissioner of Development Services |
| Deputy Mayor Jack Heath | Catherine Conrad, Town Solicitor |
| Councillor Valerie Burke | Sabrina Bardone, Planner II |
| Councillor Howard Shore | Linda Irvine, Manager, Parks and Open Space Planning |
| Councillor Don Hamilton | Biju Karumanchery, Senior Development Manager |
| Councillor Alan Ho (left 9:00) | Richard Kendall, Development Manager, Central District |
| Councillor Logan Kanapathi | Gary Sellars, Senior Planner |
| Councillor Alex Chiu | Kitty Bavington, Council/Committee Coordinator |

Regrets

Regional Councillor Jim Jones
Regional Councillor Gord Landon
Regional Councillor Joe Li
Councillor Carolina Moretti
Councillor Colin Campbell

The Development Services Public Meeting convened at 7:05 PM in the Council Chamber with Regional Councillor Jim Jones in the Chair. Quorum was lost at 9:00 PM

DISCLOSURE OF PECUNIARY INTEREST - None Declared

- 1. CASTAN AVENUE (AURELIO FILICE)
PROPOSED DRAFT PLAN OF SUBDIVISION
AND IMPLEMENTING SECONDARY PLAN
AND ZONING BY-LAW AMENDMENTS TO
FACILITATE RESIDENTIAL DEVELOPMENT
(6 SINGLES & 15 TOWNHOUSES) SOUTH OF CASTAN AVENUE
EAST OF HARRY COOK DRIVE, WITHIN SOUTH UNIONVILLE
(SU 10 128366, OP 10 128364 & ZA 10 128365)
(10.7, 10.4 & 10.5)
[Report](#) [Attachment](#)**

The Committee Clerk advised that 88 notices were mailed on February 16, 2011, and a Public Meeting sign was posted on February 16, 2011. Ten written submissions were received regarding this proposal.

Biju Karumanchery, Senior Development Manager, advised the subject of the Public Meeting this date was to consider an application by Castan Avenue (Aurelio Filice) for proposed Draft Plan of Subdivision, implementing Secondary Plan and Zoning By-law amendments to facilitate a residential development south of Castan Avenue, east of Harry Cook Drive (SU 10 128366, OP 10 128364 & ZA 10 1286365). Mr. Filice, applicant, was in attendance.

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

The Committee discussed parkland issues. Staff explained the existing and future green space segments of the Master Land Use Plan, and identified the locations and status of designated and surplus school sites. Staff also described the components of active and proposed parks such as play equipment, gazebos, and water play.

Chris Sauer, President of South Unionville Community Association, referred to the Open Space Master Plan and discussed the associated recreational amenities that have been lost as a result of changes to the Plan, such as the surplus school site and the open space on the south side of Cabota Trail. The community is requesting amenities in a central location, in a timely manner. Mr. Sauer suggested that the theoretical parklands shown in the Master Plan are not owned by the Town and are subject to being converted to residential uses. He discussed options to acquire the subject lands or the land south of Helen Avenue to address the deficit of community parkland. Staff advised that they are working with developers on acquiring parklands.

Tom Han questioned the calculations used to determine the required and existing parkland, and the inclusion of the stormwater pond. Mr. Han suggested the wider community be notified for this proposal, instead of the standard notice to residents only within 120 metres.

Staff clarified that the areas around the stormwater pond and the lands above the storm trap within the westerly parkette are not included in the parkland calculations; however, the lands are available and will be developed as usable park space.

Glenn Baron discussed cash-in-lieu payments. Mr. Baron suggested that the land owners had not objected to the land on the south side of Helen Avenue being designated as parkland.

Amanda Godfroy expressed concern that the proposed development will increase the population and the number of children in an area that is already short of parkland. Ms. Godfroy noted that the plan of subdivision indicates an alleyway exiting in front of the school which creates a potential hazard.

Staff agreed to review the street plan and the road extension to complete South Unionville Drive.

Deputy Mayor Jack Heath assumed the Chair to allow Councillor Don Hamilton, as Ward Councillor, to make a statement acknowledging the concerns of the community, and a motion.

Moved by: Councillor Don Hamilton
Seconded by Councillor Alan Ho

- 1) That the Development Services Commission report dated February 1, 2011, entitled "Preliminary Report, Castan Avenue (Aurelio Filice), Proposed Draft Plan of Subdivision and implementing Secondary Plan and Zoning By-law amendments to facilitate a residential development (6 singles & 15 townhouses) south of Castan Avenue, east of Harry Cook Drive," be received; and,
- 2) That the Record of the Public Meeting held on March 8, 2011 with respect to the proposed Draft Plan of Subdivision and implementing Secondary Plan and Zoning By-law amendments, be received; and,
- 3) That the applications by Castan Avenue (Aurelio Filice) for a proposed Draft Plan of Subdivision (SU 10 128366) and implementing Secondary Plan and Zoning By-law amendments (OP 10 128364 & ZA 10 1286365), be referred back to staff for a report and a recommendation; and,
- 4) **That a Working Group be formed to address the parkland issue, consisting of residents, the South Unionville Community Association, Town staff, and Ward Councillor Don Hamilton; and**
- 5) **That the proposal be deferred until early June 2011, to allow the parkland issue to be resolved; and further,**
- 6) That staff be authorized and directed to do all things necessary to give effect to this resolution.

CARRIED

**2. 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](#)

The Chair advised that if Quorum is lost during this Public Meeting, comments will continue to be heard and recorded on this date, and a continuance of the statutory Public Meeting will be held at a future date. A sign-in sheet was circulated to request notice of the Public Meeting.

The Committee Clerk advised that 101 notices were mailed on February 16, 2011, and a Public Meeting sign was posted on February 1, 2011. A notice was also sent from the Ward Councillor's office. Thirty-six written submissions were received regarding this proposal, and two submissions were received during the Public Meeting.

Gary Sellars, Senior Planner, advised the subject of the Public Meeting this date was to consider 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).

Staff gave a presentation regarding the proposal, the location, surrounding uses and outstanding issues. A concern has been raised by the residents that the use will be as a health and fitness facility rather than a place of worship. In this regard, staff advised that the applicant is registered as a charitable religious organization by the Canada Revenue Agency (CRA), and uses will be in accordance with registration, for Taoist religious purposes. The original proposal was to renovate the existing dwelling and the revised proposal will demolish the existing building and construct a new 3272 ft², two-storey building.

The following issues were discussed by the Committee:

- Parking requirements for places of worship are generally high in relation to other uses and are higher than a health and fitness facility. This proposal includes 30 parking spots which meets the by-law requirement. The Committee requested that staff report back on parking regulations.
- Maximum capacity of the building under the Fire Code has not yet been determined
- The size of the elevated terrace was questioned with respect to activities that may occur outside.
- Traffic issues will be reviewed further
- The building design needs to fit in with the local character.
- By-law infractions had occurred on the property involved renovations without approvals and permits.
- Questions regarding the proposed use for a place of worship or Tai Chi classes.

Moved by: Councillor Alex Chiu

Seconded by: Councillor Logan Kanapathi

- 1) 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,
- 2) That the Record of the Public Meeting held on March 8, 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.

CARRIED

A Quorum was lost at 9:00 p.m., and the Development Services Committee Public Meeting adjourned. The meeting continued as a Community Public Information Meeting with Councillor Valerie Burke as Chair.

Adam Brown, solicitor for the applicant spoke on behalf of, and in consultation with, the applicant's team of representatives. Mr. Brown displayed an area map and discussed the context of uses in the area, suggesting the environmentally sustainable building would be modest in size, massing and height, with generous setbacks, and would be appropriate for the streetscape. No cooking facilities are included, and sufficient parking is provided on-site to avoid on-street parking, but the number of spots can be revised as necessary. The terrace will be used for normal activities and will not be used for Tai Chi or other practices. It is intended that between 15 and 20 people will be practicing at any time, and there are no peak religious or after hours events such as are experienced in other places of worship. Buffering landscape enhancements will be provided.

Mr. Brown stated that a charitable health institute does not exist under the CRA criteria and accessory uses will only involve the teaching functions of the religion. The Committee questioned the funding of the organization, and was advised that it is funded by memberships to the Society, similar to other religious institutions. Tai Chi classes at this location form part of the physical and spiritual teachings of the religion, and cannot be taken by members of the public who wish to pay just for the classes. Mr. Brown referred to the definition and history of the Taoist religion: to cultivate the body and mind.

Louis Koutsaris, local developer and area resident, spoke in opposition. He stated that he is a recent member of the Toronto Tai Chi Society, and it is his understanding that he can attend classes at any Tai Chi outlet. Mr. Koutsaris discussed the rigorous standards for developments in the area to ensure they are of a quality and character that is acceptable to the neighbourhood. He expressed concerns for the reduction of the side yard area to accommodate the parking area, the impact on the view from his property which is to the west of the subject property, the exclusion of the terrace in the required parking calculations, and the higher grade level that may be required for storm water management purposes.

Kwan Tsui spoke in opposition, citing concerns for parking, potential odours from incense-burning and potential noise from chanting that may occur outdoors, and requested assurances that the neighbourhood won't be adversely impacted. He provided a copy of his presentation and photos of another Fung Loy Kok location that has a display of flag streamers.

Ralph Levine spoke in opposition to the potential impacts to the neighbourhood. Mr. Levine discussed environmental issues, the prospective business nature of the proposal, and the tax-exempt status. He noted that most of the people that would use the facility live farther than one kilometer away, resulting in increased traffic and emissions. He considered the terrace to be inappropriately large and noted the difficulty for traffic turning at the intersection.

Laurie Finer spoke in opposition to the proposal, stating that the parking area will be in close proximity to her back yard and she is concerned about the impacts from noise, pollution, and cars idling.

Dino Dimonte spoke in opposition to the proposal, stating that traffic problems already exist on Laureleaf Drive and numerous accidents have occurred at the intersection. Mr. Dimonte suggested the use will be business related more than religious, and that the property values in the area will be adversely affected.

Cham Sheung Wong, whose residence is south of Steeles Avenue, in Toronto, stated opposition to the proposal. Ms. Wong participates in Tai Chi classes and has found that they can be very large, which may result in traffic problems at this location.

Evelin Ellison, representing the Ward One Thornhill Residents Association, spoke in opposition to the proposal and the precedent that it may set for other similar uses to be established. Ms. Ellison spoke of her experience living close to other places of worship, suggesting they can expand to be quite large, creating traffic and parking problems. Ms. Ellison displayed a photograph illustrating the potential height of a one storey building.

Brian Finer spoke in opposition to the proposal, stating that the area is a stable residential area. He discussed the parking report that indicates a typical Tai Chi class operates as a business, often located in a strip mall, and noted that accessory uses are included. Mr. Finer advised that CRA documents for the Fung Loy Kok Institute indicate that no income is derived from memberships.

Toinette Bezant, representing the Bayview Glen Residents Association, spoke in opposition to the proposal with respect to the restriction that Tai Chi classes are only available to those who are Taoist, and questioned the religious and accessory and ancillary uses. Ms. Bezant discussed regulatory issues and CRA documentation that suggests the Taoist Society is a separate entity, and also that the Dickson Hill facility, owned by the same organization, is a non-religious organization open to the public. Ms. Bezant requested that the Fung Loy Kok Institute be required to resubmit their application identifying both entities and their purposes. A package of documentation was provided that includes Ms. Bezant's presentation, Official Plan excerpts, OMB decisions, and photographs of the subject property and overflow parking on Poinsetta Drive.

William Mongrel stated a question regarding membership and was advised by Mr. Brown that he would be eligible to join this religion and receive instruction.

Mr. Brown responded to comments and advised that no incense-burning, chanting, or similar activities will take place on the terrace, and that the incidents of flag displays at another location would have been for a particular celebration, but will not be used at this location.

The Committee and staff continued discussions regarding inclusiveness, privacy, building design with respect to calculation of lot coverage, overflow parking, traffic issues, and the nature of the operations for the proposed place of worship. Mr. Brown advised that that at 378 Steeles Avenue, members will be paying to join the society, not to just take classes. He could not comment on how other locations operate. Mr. Brown disputed the interpretation and relevance of the CRA status.

Staff confirmed to the Committee that if denied, the applicant could appeal Council's decision to the Ontario Municipal Board, and if approved, the use continues with the property if it is sold.

The Committee thanked the members of the public for their comments, and advised that a further meeting will be held.

ADJOURNMENT

The Community Public Information Meeting adjourned at 11:08 PM.

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| Alternate formats for this document are available upon request. |
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