

**THE CITY OF TORONTO**

**Clerk's Department**

**Minutes of the Meeting of the North York Community Council**

**Tuesday, July 18, 2000.**

The North York Community Council met on Tuesday, July 18, 2000, in the Council Chamber, North York Civic Centre, commencing at 10:00 a.m.

Attendance

Members were present for some or all of the time periods indicated.

	<b>10:00 a.m. to 12:30 p.m.</b>	<b>2:00 p.m. to 6:45 p.m.</b>
Councillor Feldman, Chair	x	x
Councillor Augimeri	x	x
Councillor Berger	x	x
Councillor Chong		
Councillor Filion	x	x
Councillor Flint	x	x
Councillor Gardner	x	x
Councillor King	x	x
Councillor Li Preti	x	x
Councillor Mammoliti		
Councillor Minnan-Wong	x	x
Councillor Moscoe	x	x
Councillor Shiner	x	x
Councillor Valenti	x	x

Declarations of Interest

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Councillor	Minute #	Reason for Declaration
Councillor Feldman	9.30	In that a member of his extended family is one of the proponents of the subject development.
Councillor Li Preti	9.32	Only insofar as it pertains to the lands on the east side of the Allen Road and west of Wilson Heights Boulevard in that he owns property in the vicinity of such lands.
Councillor Augimeri	9.35	In that a member of her family owns a condominium adjacent to the applicant's property.

On motion by Councillor Flint, North York Centre South, the North York Community Council, in accordance with subsection 11(8) of the Council Procedural By-law, waived the requirement of the 6:00 p.m. recess, in order to complete consideration of the remaining items on the agenda, which was carried, more than two-thirds of members present having voted in the affirmative.

Confirmation of Minutes:

On motion by Councillor Moscoe, North York Spadina, the minutes of the meeting of the North York Community Council held on June 21, 2000, were confirmed.

**9.1 Request for Exemption to the Sign By-Law – Proposed Signage for The Canadian College of Naturopathic Medicine – 1255 Sheppard Avenue East – North York Centre South.**

The North York Community Council had before it a report (June 19, 2000) from the Director and Deputy Chief Building Official, reporting on a request from Mr. Peter Cheatley on behalf of the Canadian College of Naturopathic Medicine for a variance from the Sign By-law to permit a 32 ft<sup>2</sup> ground sign and three 12 ft<sup>2</sup> wall signs in the section of the property zoned (R3) in addition to the signage permitted in the Sign by-law, and recommending that the request for a minor variance from the Sign By-law be approved with the condition that there will be no third party advertising.

The North York Community Council recommended to City Council, the adoption of the

foregoing report.

**(Report No. 9 – Clause No. 1)**

**9.2 Request for Exemption to the Sign By-Law – Proposed Illuminated Double-Sided Ground Sign – 1460 Victoria Park Avenue – Don Parkway.**

The North York Community Council had before it a report (June 19, 2000) from the Director and Deputy Chief Building Official, reporting on a request from Ms. Grace Chan for a variance from the Sign By-law to permit the erection of a 192 ft<sup>2</sup> illuminated double-sided, third party advertising ground sign on an undeveloped lot, and recommending that the request for a minor variance from the Sign By-law be approved.

The North York Community Council also had before it the following clauses:

- Clause 28(b), Report No. 6 of the North York Community Council, titled “Proposed Illuminated Double-Sided Ground Sign – Third Party Advertising – Undeveloped Lot – 1460 Victoria Park Avenue – Don Parkway”, which was received for information by City Council at its meeting held on May 9, 10 and 11, 2000;
- Clause 34(c), Report No. 5 of the North York Community Council, titled “Proposed Illuminated Double-Sided Ground Sign – Third Party Advertising – Undeveloped Lot – 1460 Victoria Park Avenue – Don Parkway”, which was received for information by City Council at its meeting held on April 11, 12 and 13, 2000; and

On motion by Councillor Minnan-Wong, Don Parkway, the North York Community Council recommended to City Council, that the foregoing report (June 19, 2000) from the Director and Deputy Chief Building Official, not be adopted and that the request for a minor variance from the Sign By-law be refused.

**(Report No. 9 – Clause No. 2)**

**9.3 Request for Exemption to the Sign By-Law – Proposed Height Increase – for Pylon Sign for Rowland Ford Lincoln – 1765 Eglinton Avenue East – Don Parkway.**

The North York Community Council had before it a report (June 19, 2000) from the Director and Deputy Chief Building Official, reporting on a request from Mr. Ryan Gaul of Steel Art Signs for a variance from the Sign By-law to permit the erection of a 30'-8" tall pylon sign

whereas Section 7.2.2 allows a maximum height of 25'-0", and recommending that the request for a minor variance from the Sign By-law be approved.

The North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 9 – Clause No. 3)**

**9.4 Request for Exemption to the Sign By-Law – Variance for Ground Sign – 825 Caledonia Street – North York Spadina.**

The North York Community Council had before it a report (July 6, 2000) from the Director and Deputy Chief Building Official, reporting on a request for a variance from the sign by-law by Ms. Svetlana Levant, to permit the erection of an illuminated ground sign with a sign area of 278 square feet, and with a height of 30 feet, and recommending that the request for a minor variance from the sign by-law be approved.

The North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 9 – Clause No. 4)**

**9.5 Ontario Municipal Board Hearing – Committee of Adjustment Application Nos. BOO24/OONY, A155/OONY & A156/OONY – Tamara Wolfowicz - 18 Robson Place — North York Centre.**

The North York Community Council had before it the following Resolution by Councillor Filion, North York Centre:

“WHEREAS an application was made to the Committee of Adjustment by Tamara Wolfowicz to divide a parcel of residential lands into two parts for conveyance purposes;

WHEREAS variances to the by-law were requested for Lot Frontage and Width of approximately 11m (32’) and a Dwelling Length of approximately 20.2m (66’);

WHEREAS a previous Committee of Adjustment application for consent to divide the lands into two parts to create two separate residential building lots was refused by the Committee on January 15<sup>th</sup> 1987;

WHEREAS the aforementioned Committee of Adjustment decision was appealed by the applicant to the Ontario Municipal Board. The Board dismissed the appeal on June 5<sup>th</sup>, 1987;

WHEREAS the staff report on this application reads as follows: “The applications before the Committee represent a request to create two lots, which are somewhat sub-standard in terms of size when comparing them to the general lot frontage of properties in the area. We also feel that there is nothing significantly peculiar about the subject lands which would support the proposed development as the only viable alternative.”

THEREFORE BE IT RESOLVED THAT City planning and legal staff appear at the Ontario Municipal Board in support of the Committee of Adjustment decision.”

The North York Community Council recommended to City Council, the adoption of the foregoing Resolution.

**(Report No. 9 – Clause No. 5)**

**9.6 Request for Repair of the Boulevard Adjacent to Ten Properties in the Vicinity of 121 Playfair Avenue – Motion (July 6, 2000) submitted by Councillor Moscoe, North York Spadina.**

(ITEM WITHDRAWN)

**9.7 Inclusion of Properties to the Road Boulevard Maintenance Program.**

The North York Community Council had before it the following Resolution (July 6, 2000) by Councillor Moscoe, North York Spadina:

“WHEREAS the vast majority of businesses and home owners take pride in their properties and maintain their lawns to an acceptable community standard; and

WHEREAS while the boulevards adjacent to private property are owned by the City, most residents customarily accept the responsibility for cutting and maintaining city property as they do their own lawns; and

WHEREAS in every neighbourhood there are “orphaned” properties that seem unconnected to neighbouring private property; and

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WHEREAS these “orphaned” properties have a tendency to spoil the appearance of a neighbourhood and set the lowest possible standard; and

WHEREAS the City of North York, in recognition of the importance of maintaining high standards, in the 1980’s established a road boulevard maintenance program which consisted of a list of such properties to which members of Council could add specific properties which the city forces would maintain the common interest; and

WHEREAS along the road to Megacity, with changes in administrative personnel, the city seems to have lost its collective memory; and

WHEREAS nobody has ever rescinded the Road Boulevard Maintenance Program.

THEREFORE BE IT RESOLVED that the following properties be added to the Road Boulevard Maintenance Program and staff be instructed to maintain these properties to an acceptable community standard.

1. Boulevards adjacent to the Allen Road in and around the Glencairn Subway Station including:  
the west side of the east leg of Hillmount Avenue  
the east side of the west leg of Hillmount Avenue  
the west side of the west leg of Glen Park Avenue  
the east side of the west leg of Glen Park Avenue;
2. City Property of the west side of the west leg of Hillmount Avenue across from the William Allen Road;
3. Boulevard on the west side of Dufferin Street north from Glencairn to Glengrove;
4. City boulevard adjacent to 61 Claver Avenue;
5. Vacant parcel across from 1 Katherine Road;
6. City boulevard adjacent to Honiton and Sandale”

The North York Community Council also had before it, a listing of City of Toronto, Transportation Services, District 3, grass cutting locations, identified by Wards; and a listing of Toronto Parks and Recreation, North District, Traffic Island/Parkette locations.

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The North York Community Council recommended to City Council, the adoption of the foregoing Resolution, subject to amending the operative paragraph by adding the following:

- “(7) Boulevard on the north and west side of Paul David; a dead-end street running north from Cartwright Avenue;” and
- “(8) Boulevard – Centre Median on Broadoaks Drive, west from Keele Street to Derrydown Road”.

**(Report No. 9 – Clause No. 6)**

**9.8 Neighbourhood Traffic Management Plan – Chalkfarm Drive – North York Humber.**

The North York Community Council had before it a report (June 29, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the impact of the temporary Traffic Management Plan which was installed on Chalkfarm Drive, and recommending that:

- (1) the pinch points on Chalkfarm Drive, west and east of Neames Crescent be removed;
- (2) the two median dividers on Chalkfarm Drive, approaching the curve to the south and west of Marlinton Crescent be removed;
- (3) the temporary driveable median between 180 Chalkfarm Drive and the westerly limit of Marlinton Crescent be replaced with a mountable impressed asphalt median; and
- (4) a speed hump be installed on Chalkfarm Drive, north of Marlinton Crescent.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended to City Council that:

- (1) the report (June 29, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, be adopted;
- (2) the funds for the traffic calming measures outlined therein, be funded by any funds available as a result of cancelled road projects within District 3; and
- (3) the Director of Transportation Services, District 3, Works and Emergency

Services, be directed to submit a report to the September 19, 2000 meeting of the North York Community Council, outlining how this will be accomplished within the year 2000.

**(Report No. 9 – Clause No. 7)**

**9.9 Turn Prohibition Installation and Neighbourhood Traffic Management Plan – St. Germain Avenue, Avenue Road to Elm Road – North York Centre South.**

The North York Community Council had before it a report (June 29, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of a northbound right turn prohibition to St. Germain Avenue from the first driveway east of Avenue Road on the south side of St. Germain Avenue and to install a Neighbourhood Traffic Management Plan (speed humps) on St. Germain Avenue, between Avenue Road and Elm Road, and recommending that:

- (1) Schedule XV of By-law 31001, of the former City of North York, be amended to install a No Right Turn prohibition at all times from the first driveway access on the south side of St. Germain Avenue, east of Avenue Road;
- (2) By-law No. 31878, of the former City of North York, be amended to install a 40 km/h speed zone on St. Germain Avenue, from Avenue Road to a point 160 metres easterly thereof; and
- (3) Districts 1 and 3 Traffic Operations staff be directed to determine the most suitable location(s) for the installation of the speed hump(s).

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended to City Council that:

- (1) the report (June 29, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, be adopted;
- (2) the funds for the traffic calming measures outlined therein, be funded by any funds available as a result of cancelled road projects within District 3; and
- (3) the Director of Transportation Services, District 3, Works and Emergency Services, be directed to submit a report to the September 19, 2000 meeting of the North York Community Council, outlining how this will be accomplished



within the year 2000.

**(Report No. 9 – Clause No. 8)**

**9.10 Traffic Management Plan – Glen Park Avenue – North York Spadina.**

The North York Community Council had before it a report (June 26, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the implementation of a Traffic Management Plan on Glen Park Avenue, between Dufferin Street and Caledonia Road, and recommending that:

- (1) five speed humps be installed on Glen Park Avenue;
- (2) by-law No. 31878, of the former City of North York, be amended to designate Glen Park Avenue, from Dufferin Street to Caledonia Road, as a 40 km/h speed zone; and
- (3) staff of the Transportation Services Division report back to Council at the completion of the six month trial period.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended to City Council that:

- (1) the report (June 26, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, be adopted;
- (2) the funds for the traffic calming measures outlined therein, be funded by any funds available as a result of cancelled road projects within District 3; and
- (3) the Director of Transportation Services, District 3, Works and Emergency Services, be directed to submit a report to the September 19, 2000 meeting of the North York Community Council, outlining how this will be accomplished within the year 2000.

**(Report No. 9 – Clause No. 9)**

**9.11 School Bus Loading Zone – Margaret Avenue at the Blessed Kateri Tekakwitha Elementary and Secondary School – Seneca Heights.**

The North York Community Council had before it a report (June 27, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on extending the School Bus Loading Zone on Margaret Avenue, in the vicinity of Blessed Kateri Tekakwitha Elementary and Secondary School, and recommending that:

- (1) by-law no. 32759, of the former City of North York, be amended by deleting the School Bus Loading Zone on the west side of Margaret Avenue, from a point 73 metres north of the northerly limit of Salinger Court to a point 25 metres northerly thereof; and
- (2) by-law no. 32759, of the former City of North York, be amended by adding a School Bus Loading Zone on the west side of Margaret Avenue, from a point 73 metres north of the northerly limit of Salinger Court to a point 63 metres north/east thereof.

The North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 9 – Clause No. 10)**

**9.12 Parking Prohibitions – Martin Ross Avenue – North York Spadina.**

The North York Community Council had before it a report (June 12, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on extending the existing parking regulations on the north side of Martin Ross Avenue, and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the “No Parking Anytime” regulations on the north side of Martin Ross Avenue, from a point 70 metres west of the westerly limit of Alness Street to a point 70 metres east of the easterly limit of Alness Street; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the north side of Martin Ross Avenue, from a point 145 metres west of the westerly limit of Alness Street to a point 70 metres east of the easterly limit of Alness Street.

The North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 9 – Clause No. 11)**

**9.13 Traffic Management Plan – Dresden Road – North York Spadina.**

The North York Community Council had before it a report (June 29, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on implementing a Traffic Management Plan on Dresden Road, and recommending that:

- (1) two speed humps be installed on Dresden Road;
- (2) By-law No. 31878, of the former City of North York, be amended to designate Dresden Road from the easterly limit of Wilson Heights Boulevard to the westerly limit of Faywood Boulevard as a 40 km/h speed zone; and
- (3) Staff of the Transportation Services Division report back to Council at the completion of the six month trial period.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended to City Council that:

- (1) the following report (June 29, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, be adopted;
- (2) the funds for the traffic calming measures outlined therein, be funded by any funds available as a result of cancelled road projects within District 3; and
- (3) the Director of Transportation Services, District 3, Works and Emergency Services, be directed to submit a report to the September 19, 2000 meeting of the North York Community Council, outlining how this will be accomplished within the year 2000.

**(Report No. 9 – Clause No. 12)**

**9.14 Neighbourhood Traffic Management Plan – St. Lucie Drive – North York Humber.**

The North York Community Council had before it a report (June 29, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of permanent traffic calming measures, raised driveable median, on St. Lucie Drive in the vicinity of 155 to 177 St. Lucie Drive, and recommending that the traffic management plan described in the report (June 29, 2000) from the Director, Transportation Services, District 3, Works and

Emergency Services, be approved for permanent construction.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended to City Council that:

- (1) the following report (June 29, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, be adopted;
- (2) the funds for the traffic calming measures outlined therein, be funded by any funds available as a result of cancelled road projects within District 3; and
- (3) the Director of Transportation Services, District 3, Works and Emergency Services, be directed to submit a report to the September 19, 2000 meeting of the North York Community Council, outlining how this will be accomplished within the year 2000.

**(Report No. 9 – Clause No. 13)**

**9.15 On-Street Parking Prohibitions – Banting Avenue – North York Spadina.**

The North York Community Council had before it a report (June 29, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on implementing parking prohibitions on Banting Avenue, and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking Anytime prohibitions on the east side of the roadway, from Sheppard Avenue West to Findlay Boulevard; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by adding No Parking, 6:30 a.m. to 5:30 p.m., Monday to Friday, from Sheppard Avenue West to Reiner Road.

The North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 9 – Clause No. 14)**

**9.16 Parking Prohibitions – Kennard Avenue and Shaftsbury Street – North York Spadina.**

The North York Community Council had before it a report (July 4, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on prohibiting parking from 8:00 a.m. to 4:00 p.m., Monday to Friday on both sides of Kennard Avenue from Shaftsbury Street to Wilmington Avenue and on Shaftsbury Street from Clifton Avenue to Pannahill Road, and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 8:00 a.m. to 4:00 p.m., Monday to Friday on both sides of Kennard Avenue from the easterly limit of Shaftsbury Street to the westerly limit of Wilmington Avenue; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 8:00 a.m. to 4:00 p.m., Monday to Friday on both sides of Shaftsbury Street from the northerly limit of Clifton Avenue to the southerly limit of Pannahill Road;

The North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 9 – Clause No. 15)**

**9.17 Installation of a Split Pedestrian Crossover – Sentinel Road – Black Creek.**

The North York Community Council had before it a report (July 5, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on installing a split pedestrian crossover (PXO) on Sentinel Road, north of Fountainhead Road, and recommending that Schedule A of By-law No. 30518, of the former City of North York, be amended to include a split pedestrian crossover on Sentinel Road, immediately north of Fountainhead Road.

The North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 9 – Clause No. 16)**

Councillor Flint, Vice-Chair, assumed the Chair.

**9.18 Driveway Entrance Policy for Residential Properties – Supplementary Report - All Wards.**

The North York Community Council had before it the following:

- Clause 28 (o), Report No. 6 of the North York Community Council, titled “Report Request respecting Curb Cut Policy (former City of North York)”, which was received for information by City Council at its meeting held on May 9, 10, and 11, 2000.
- joint report (June 5, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services and the Director, Community Planning, North District, Urban Development Services, reporting on revised policies for residential driveway entrances in the former City of North York that clarify and consolidate existing curb cut policies, and recommending that the guidelines outlined in the report respecting driveway entrances for residential properties in the former City of North York, be adopted.
- joint report (July 4, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services and the Director, Community Planning, Urban Development Services, recommending an additional category to the proposed policy for residential driveway entrances for lot widths between 15.2m (50 ft.) and 18.3m (60 ft.) and appropriate revisions to reflect this change.

A. Councillor Feldman, North York Spadina, moved that:

- (1) the joint report (June 5, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, and the Director, Community Planning, North District, Urban Development Services, be adopted, subject to amending Recommendation (1) E (iv) by adding the words, “with the exception of cul-de-sacs and outside curbs”, so that such recommendation shall now read as follows:

“(iv) All driveway entrances, with the exception of cul-de-sacs and outside curbs, shall be constructed at a 90 degree angle to the street line with a minimum side yard set-back of 1.0 metre. Where there are obstructions such as trees, or utility structures, the applicant must make arrangements to relocate and/or revise

the location of the driveway entrance at the applicant's cost";

- (2) the supplementary joint report (July 4, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services and the Director, Community Planning, North District, Urban Development Services; be adopted, and
- (3) the following Resolution by Councillor Feldman, North York Spadina, be adopted:

"WHEREAS under the General Provisions for All Zones, Surfacing of Driveways, Parking Areas, and Loading Areas for the section Surfacing of Driveways, Parking Areas and Loading Areas in All Zones except Industrial and Commercial Zones, "All driveways, parking areas and loading areas in all zones except Industrial and Commercial zones shall be graded and gravelled or surfaced with concrete asphalt, crushed stone or other hard surface and dustless material"; and

WHEREAS all driveways, parking areas and loading areas in all zones except Industrial and Commercial zones shall be surfaced and maintained with asphalt, concrete or interlocking stone;

THEREFORE BE IT RESOLVED THAT the Driveway Entrance Policy for Residential Properties, District 3, Supplementary report include a recommendation that "All driveways in Residential Areas shall be surfaced and maintained with asphalt, concrete or interlocking stone".

Upon the question of the adoption of Motion A, moved by Councillor Feldman, North York Spadina, it was carried.

Councillor Feldman, Chair, resumed the Chair.

**(Report No. 9 – Clause No. 17)**

**9.19 Municipal Servicing for Zoning Amendment Applications – UDOZ-95-13 (Northtown Site – Eminent Construction Inc.) – UDOZ-95-14 (28 Empress Avenue) – North York Centre.**

The North York Community Council had before it a report (July 5, 2000) from the Director,



Engineering Services, Works and Emergency Services, requesting Council's authorization to allocate the necessary monies from the City's Yonge Centre Development Charges Fund toward funding the construction of sidewalks on Church Avenue and Doris Avenue for the Northtown development site (UDOZ-95-13) and sidewalks on Empress Avenue and Kingsdale Avenue for the Conservatory Group development site (UDOZ-95-14), and recommending that:

- (1) Council authorize a \$50,000.00 expenditure from the Yonge Centre Development Charges Fund for the Commissioner of Works and Emergency Services to tender and construct a 2.0m wide concrete sidewalk on the north boulevard of Church Avenue from Doris Avenue to the west limit of the development site and a 1.5m wide sidewalk on the west boulevard of Doris Avenue from Church Avenue to 90m north for the Northtown development site (UDOZ-95-13) and a 2.0m wide concrete sidewalk on Empress Avenue and Kingsdale Avenue fronting the Conservatory Group development site (UDOZ-95-14), estimated to cost \$50,000.00; and
- (2) The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 9 – Clause No. 18)**

**9.20 Designation of No. 519 Glengrove Avenue (Thomas and Catherine Snider House) – Under Part IV of the Ontario Heritage Act (R.S.O. 1990) – North York Spadina.**

The North York Community Council had before it a report (June 16, 2000) from the Commissioner, Economic Development, Culture and Tourism, recommending that:

- (1) City Council, approve the designation of the property located at No. 519 Glengrove Avenue, Toronto (Thomas and Catherine Snider House) under Part IV of the *Ontario Heritage Act* (R.S.O. 1999);
- (2) both the Long and Short Statements of Reasons for Designation constitute the Reasons for Designation and will be included in the designating by-law; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 9 – Clause No. 19)**

**9.21 C.W. Jefferys Commemorative Project – North York Centre South.**

The North York Community Council had before it a report (June 29, 2000) from the Commissioner, Economic Development, Culture and Tourism, reporting on obtaining Council's approval for the siting of the C.W. Jefferys commemorative project of the North York Historical Society in York Mills Park, and recommending that:

- (1) York Mills Park be approved as the site for the C.W. Jefferys commemorative project of the North York Historical Society; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 9 – Clause No. 20)**

**9.22 Procedure for Eliminating Duplicate Street Names – All Wards.**

The North York Community Council had before it a communication (May 17, 2000) from the City Clerk, advising that the Works Committee at its meeting held on May 17, 2000, referred the communication dated April 3, 2000 from the City Clerk and report dated May 8, 2000, from the Commissioner of Works and Emergency Services, and related communications respecting the procedure for eliminating duplicate street names, to the Community Councils for consideration.

- A. Councillor Gardner, North York Centre, moved that it be recommended to the Works Committee, that the report (May 8, 2000) from the Commissioner, Works and Emergency Services, respecting the procedure for eliminating duplicate street names be received and that no action be taken at this time.
- B. Councillor Moscoe, North York Spadina, moved in amendment to Councillor

Gardner's motion, that it also be recommended to the Works Committee, that an identifier system for emergency services be developed, in those cases where there are duplicate street names.

A recorded vote on Motion B., moved by Councillor Moscoe, North York Spadina, and Motion A., moved by Councillor Gardner, North York Centre, was as follows:

FOR: Councillors Valenti, Li Preti, Moscoe, Berger, Feldman, Flint, Fillion, Minnan-Wong, King

AGAINST: Nil

ABSENT: Councillors Mammoliti, Augimeri, Gardner, Chong, Shiner

Carried.

**(Report No. 9 – Clause No. 42(a))**

**9.23 Harmonization of the Property Standards By-Law.**

The North York Community Council had before it a communication (June 15, 2000) from the City Clerk, Planning and Transportation Committee, forwarding the draft harmonized Property Standards by-law attached to the report (May 30, 2000) from the Commissioner, Urban Development Services, to all Community Councils for their review and comment back to the Planning and Transportation Committee.

A. Councillor Moscoe, North York Spadina, moved that it be recommended to the Planning and Transportation Committee:

- (1) that Recommendation (4) of the report (May 30, 2000) from the Commissioner, Urban Development Services, adopted by the Planning and Transportation Committee, at its meeting held on June 12, 1999, be amended by adding thereto the following words:

“and the Legal Division be directed to also prepare draft legislation for consideration by the Province”;

- (2) that the City seek within the special legislation, the right to do elevator repairs and/or replacement and charge back the costs to the building

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owners in a like manner to taxes; and

- (3) the Commissioner, Urban Development Services, submit a report to the Planning and Transportation Committee on the feasibility of upgrading parking garages to 75 Lux.
- B. Councillor Li Preti, Black Creek, moved that the Commissioner, Urban Development Services be requested to submit a report to the North York Community Council on the appropriateness of the appeal fee and on increasing efficiency by reducing the appeal time.
- C. Councillor Flint, North York Centre South, moved that the Chief Building Official and the City Solicitor be requested to submit a report to the North York Community Council that clearly outlines whose responsibility it is to enforce property standards on residential properties where occupied homes under construction and/or renovations have not been signed off.

Upon the question of the adoption of Motion A., moved by Councillor Moscoe, North York Spadina, it was carried.

Upon the question of the adoption of Motion B., moved by Councillor Li Preti, Black Creek, it was carried.

Upon the question of the adoption of Motion C., moved by Councillor Flint, North York Centre South, it was carried.

**(Report No. 9 – Clause No. 42(b))**

**9.24 Preliminary Report – Application to Amend the North York Zoning By-Law - UDZ-00-10 – Cheatley Consultant Services for MCF Reproductive and Health Services — 261 Finch Avenue West – North York Centre.**

The North York Community Council had before it a report (June 26, 2000) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and to seek Community Council's directions on further processing of the application and on the community consultation process, and recommending that:

- (1) Staff be directed to schedule a community consultation meeting together with the Ward

Councillors;

- (2) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) Notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

The North York Community Council approved the foregoing report.

**(Report No. 9 – Clause 42 (c))**

**9.25 Preliminary Report – Application to Amend the Official Plan and Zoning By-Law and Application for Draft Plan of Subdivision – UDOZ-00-14 and UDSB-1249 – Brown Dryer Karol for Pleasantville Gardens Inc. – 19 Brian Drive – Seneca Heights.**

The North York Community Council had before it a report (July 4, 2000) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and to seek Community Council's direction on further processing of the application and on the community consultation process; and recommending that:

- (1) Staff be directed to schedule a community consultation meeting together with the Ward Councillor(s);
- (2) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) Notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

A. Councillor King, Seneca Heights, moved that the report (July 4, 2000) from the Director, Community Planning, North District, Urban Development Services, be approved, subject to Recommendation No. (1) being amended to read as follows:

- “(1) Staff be directed to schedule a community consultation meeting together with the Ward Councillors, such meeting to be held sometime in September 2000, to allow the applicant and the community an opportunity to work with staff and the Ward Councillors in order to resolve the outstanding

issues.”

- B. Councillor Shiner, Seneca Heights, moved that a further recommendation be added to read as follows:

“(4) That the Statutory Public Meeting under the Planning Act be scheduled for the North York Community Council meeting to be held on September 19, 2000.”

Upon the question of the adoption of Motion A., moved by Councillor King, Seneca Heights and Motion B., moved by Councillor Shiner, Seneca Heights, it was carried.

**(Report No. 9 – Clause No. 42(d))**

**9.26 Report – Request on Behalf of Bialik Hebrew Day School to Release Agreements From Title of Lots 79, 80, 81, 82, 83, 158, 159 and 160, and Part of Lots 84, Registered Plan No. 1766 (Municipally Known as 2760 Bathurst Street) – LA22-00-REL – North York Spadina.**

The North York Community Council had before it a report (June 20, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on the request by Bialik Hebrew Day School to release agreements from title; and recommending that the development agreements registered as Instrument No.’s 465616 and 492548 be released subsequent to:

- (1) the Owner demonstrating, to the satisfaction of the City Solicitor and the Director of Community Planning, North District, zoning compliance of existing and proposed uses and development on all lands owned or operated by the Bialik Hebrew Day School in the block bounded by Bathurst Street and Viewmount, Glenmount and Hillmount Avenues;
- (2) approval of a site plan for application UDSP-00-022, and execution of a site plan agreement related to the site plan approval if required, to the satisfaction of the Director, Community Planning, North District; and
- (3) the City Solicitor’s satisfaction that all obligations have been met, as appropriate.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended to City Council, the adoption of the foregoing report, subject to

amending Recommendation No. (2) to read as follows:

- “(2) approval of a site plan for application UDSP-00-022, and execution of a site plan agreement related to the site plan approval, to the satisfaction of the Director, Community Planning, North District, such site plan approval to include streetscape and landscape provisions on Viewmount Avenue, Bathurst Street and Hillmount Avenue and a traffic management plan.”

**(Report No. 9 – Clause No. 21)**

**9.27 Final Report – Application for Part Lot Control Exemption — Lots 20 to 74 both inclusive – Blocks 75 to 83 both inclusive, Plan 66M-2346 - UD54-00-02REL – Tiffany Park Homes Limited – Don Parkway.**

The North York Community Council had before it a report (June 23, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on a request for exemption from part lot control in order that 132 semi-detached dwelling units and 47 townhouse units may be conveyed into separate ownership; and recommending that:

- (1) this application be approved;
- (2) the City Solicitor be authorized to introduce the necessary Bills in Council to give effect to recommendation 1; and
- (3) the appropriate City Officials be authorized and directed to register the By-law on title.

The North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 9 – Clause No. 22)**

**9.28 Alteration By-Law – Sheppard Avenue West.**

Pursuant to Clause No. 14 of Works Committee Report No. 12, as adopted by Council on June 7, 8 and 9, 2000, notice of the public hearing held by the North York Community Council on July 18, 2000, with respect to the draft by-law to authorize the alteration of Sheppard Avenue West, approximately 50 metres east of Yeomans Road by the installation of a pedestrian refuge island, was published in the Toronto Sun on June 27, July 3, 10 and 17, 2000.

The North York Community Council had before it a draft by-law from the City Solicitor, to authorize the alteration of Sheppard Avenue West, approximately 50 metres east of Yeomans Road by the installation of a pedestrian refuge island.

No one appeared at the public hearing on July 18, 2000, to address the North York Community Council.

On motion by Councillor Li Preti, Black Creek, the North York Community Council recommended to City Council, that as the requirements of the Municipal Act have been fulfilled and no evidence has been presented to the North York Community Council to persuade it that the proposed by-law should not be enacted, that the following by-law to authorize the alteration of Sheppard Avenue West, approximately 50 metres east of Yeomans Road by the installation of a pedestrian refuge island, be enacted by Council.

**(Report No. 9 – Clause No. 23)**

**9.29 Final Report – Official Plan Amendment Application – UDOP-99-44 – Police Credit Union – 4679-4687 Yonge Street and 20 Avondale Avenue – North York Centre.**

The North York Community Council had before it the following:

- report (July 5, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on an Official Plan Amendment application by Police Credit Union for permission to redesignate the block bounded by Yonge Street, Avondale Avenue, Glendora Avenue and Bales Avenue from an FSI of 1.5 to an FSI of 4.5, and recommending that:
  - (1) The Ontario Municipal Board be requested to approve an Official Plan Amendment to OPA 447, Map D.1.4. to increase the FSI of the lands bounded by Yonge Street, Avondale Avenue, Glendora Avenue and Bales Avenue from FSI 1.5 to FSI 3.5;
  - (2) The Ontario Municipal Board be requested to approve an Official Plan Amendment to OPA 447, Figure 4.3.1, Long Range Development Levels to increase the “Downtown” Residential Gross Floor Area from 1,455,900 m<sup>2</sup> to 1,461,319 m<sup>2</sup> and to increase the “Downtown” Non-Residential Gross Floor Area from 1,562,600 m<sup>2</sup> to 1,568,019 m<sup>2</sup>;
  - (3) That the Ontario Municipal Board be advised that it is premature to increase



the density on this Block to FSI 4.5 in the absence of an overall review of the south Downtown area bounded by Sheppard Avenue East and Yonge Street which identifies any additional residual density within the development node which may be available and which presents a full planning rationale for the distribution of any such density within the south Downtown area; and

- (4) That the City Solicitor be instructed to present these proposed amendments to OPA 447 at the Ontario Municipal Board Hearing on this appeal and private OPA request.

- Resolution by Councillor Gardner, North York Centre, as follows:

“WHEREAS the Final Report on the application for the Police Credit Union site does not support increasing the density beyond 3.5 FSI until a further review of the south Downtown node is undertaken that determines any residual density which could be reassigned in the area; and

WHEREAS the Final Report on the application for the Erez site did not support an increase in density above 3.5 FSI until a review of the effects of increasing densities for the lands in the area south-east of Yonge Street and Sheppard is undertaken;

THEREFORE BE IT RESOLVED THAT:

Staff undertake a review of the lands in the area south-east of Sheppard Avenue East and Yonge Street that rely on the road network identified in the Environmental Study Report for the south Downtown, and that funds in the amount of \$8000.00 to retain an outside consultant and that these funds be allocated through the Yonge Centre Development Charges Funds or alternatively through a request to the Policy and Finance Committee; and

That staff report back to North York Community Council on September 19, 2000 on the status of this review and a recommended approach of how to deal with any residual density in the area.”

- communication (July 18, 2000) from Mr. Jeffrey L. Davies, Solicitor, Davies-Howe Partners, on behalf of the South Downtown Property Owners Group and 576807 Ontario Inc., advising that the subject proposal is premature and should await the completion of the planning study of the Yonge-Sheppard Node.

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A staff presentation was made by Tom Keefe, Manager, Community Planning, North District, Urban Development Services.

Mr. Ivan Fleischman, Solicitor, appeared in connection with the foregoing matter, on behalf of the Police Credit Union Limited and he commented on the application and the request for a density of 4.5 on the subject lands. He further advised that he had reviewed the Resolution submitted by Councillor Gardner, North York Centre, and requested that the last paragraph be amended to read as follows: "That staff report back to the North York Community Council on September 19, 2000, on the status of this review and a recommended resolution of how to deal with the residual density on this site and in the area."

A. Councillor Gardner, North York Centre, moved that the North York Community Council recommend to City Council:

- (1) the adoption of the report (July 5, 2000) from the Director, Community Planning, North District, Urban Development Services; and
- (2) the adoption of the Resolution by Councillor Gardner, North York Centre.

B. Councillor Moscoe, North York Spadina, moved in amendment to Councillor Gardner's motion, that the second last Operative Paragraph of the Resolution submitted by Councillor Gardner, be amended by deleting the words, "and that the funds in the amount of \$8000.00 to retain an outside consultant and that these funds be allocated through the Yonge Centre Development Charges Funds or alternatively through a request to the Policy and Finance Committee" and adding thereto the words, "and the Study be undertaken by the City, at the expense of the applicant."

So that it now reads as follows:

"Staff undertake a review of the lands in the area south-east of Sheppard Avenue East and Yonge Street that rely on the road network identified in the Environmental Study Report for the south Downtown, and the Study be undertaken by the City at the expense of the applicant."

C. Councillor Gardner, North York Centre, moved that the last Operative Paragraph of the Resolution be amended by deleting the words, "recommended approach" and adding thereto the word, "resolution", and adding the words "for this site and" after the word, "density".

So that it now reads as follows:

“That staff report back to North York Community Council on September 19, 2000 on the status of this review and a resolution of how to deal with any residual density for this site and in the area.”

A recorded vote on Motion B., moved by Councillor Moscoe, North York Spadina, in amendment to Councillor Gardner’s motion, was as follows:

FOR: Councillors Valenti, Li Preti, Moscoe, Augimeri, Berger, Filion

AGAINST: Councillors Feldman, Flint, Gardner, Shiner, King

ABSENT: Councillors Mammoliti, Chong, Minnan-Wong

Carried.

A recorded vote on Motion A., and Motion C., moved by Councillor Gardner, North York Centre, as amended by Motion B., moved by Councillor Moscoe, North York Spadina, was as follows:

FOR: Councillors Valenti, Li Preti, Moscoe, Augimeri, Berger, Feldman, Flint, Gardner, Shiner, King

AGAINST: Councillor Filion

ABSENT: Councillors Mammoliti, Chong, Minnan-Wong

Carried.

Councillor Flint, Vice-Chair, assumed the Chair.

**9.30 Final Report – Application to Amend the Zoning By-Law – UDZ-00-04 (UDOP-99-05) – Robert G. Doumani on Behalf of Kenneth-Sheppard Limited – 120 and 166 Sheppard Avenue East, 150 and 163 Maplehurst Avenue and 160 Greenfield Avenue – North York Centre.**

The North York Community Council had before it a report (July 5, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on Zoning By-law Amendment application to increase the maximum permissible residential gross floor area and

building heights at 120 and 166 Sheppard Avenue East, 150 and 163 Maplehurst Avenue and 160 Greenfield Avenue to permit 385 dwelling units, contained in three condominium apartment buildings, and recommending that:

- (1) Council refuse Zoning By-law Amendment Application No. UDZ-00-04;
- (2) Council request the City Solicitor and any other appropriate staff to oppose the applicants' Ontario Municipal Board appeal of this matter; and
- (3) Council reaffirm its decision to refuse Application No. UDOP-99-05 and appeals against OPA 447, and further, that it refuse any request to change the boundary of the Downtown to include the properties at 166 Sheppard Avenue East and 163 Maplehurst Avenue.

The North York Community Council also had before it the following communications:

- (June 29, 2000) from Mr. Robert G. Doumani, Aird & Berlis, Barristers & Solicitors, on behalf of the applicant, forwarding a revised proposed Official Plan Amendment to replace the version previously submitted with their application;
- (May 19, 2000) from the Manager, Development Services, District 3, Works and Emergency Services, requesting the applicant to resubmit a revised proposal which addresses the outstanding issues brought forward by the Works and Emergency Services Department;
- (May 17, 2000) from the Manager, Service Planning, Toronto Transit Commission, providing comments with regard to the application;
- (July 13, 2000) from Senior Coordinator of Planning, Toronto Catholic District School Board, commenting on the application and stating that St. Gabriel Catholic School and Brebeuf College and Loretto Abbey Catholic Secondary School are over subscribed; that students residing in the subject development could not be accommodated in permanent or temporary facilities at these schools; that capital improvements would be required to accommodate elementary and secondary students emanating from this development but that the Ministry of Education and Training funding model does not provide for capital improvements at the elementary level;
- (July 17, 2000) from Mr. Robert G. Doumani, Aird & Berlis, Barristers & Solicitors, identifying several continuing concerns in respect of the staff report and the continued processing of these applications; outlining numerous inaccuracies in the planning staff

report and recommending that the North York Community Council not adopt the recommendations of staff, but rather direct staff to prepare a framework report which includes a framework of recommendations and conditions for a further report to Community Council; and

- (July 17, 2000) from the Supervisor, Land Acquisitions and Development Applications, Economic Development, Culture and Tourism, providing comments with regard to the application and outlining their requirements.

A staff presentation was made by Ms. Anne Milchberg, Senior Planner, Community Planning, North District, Urban Development Services. During her presentation, Ms. Milchberg indicated that there was an error on Page 8, in the last paragraph before the subsection on "Intensification" within her report and that it should have stated that the applicant, Kenneth-Sheppard Limited recently submitted a letter dated June 29, 2000, enclosing a revised proposed Official Plan Amendment which amongst other matters, now included provision for the entering into of an agreement for the replacement of rental units, initial rents and tenant relocation strategy prior to the demolition of any existing rental buildings on the lands. These provisions paralleled their proposed zoning by-law amendment with the exception that the proposed permitted heights and densities were more generally expressed and did not distinguish between base and bonused density or height. Ms. Milchberg noted that if the applicants chose not to build under the proposed zoning by-law, the proposed Official Plan Amendment would still permit a number of other development options.

Ms. Milchberg further clarified that in her report she advised that the Ontario Municipal Board Hearing would be 5 days but in fact the hearing will be four weeks.

The following persons appeared before the North York Community Council in connection with the foregoing matter:

- Mr. Shoel Silver, Vice-President, Kenneth-Sheppard Limited, applicant, who commented on the background history relating to these lands and on the merits of the application. During his submission he indicated that the principals of Kenneth-Sheppard Limited have had longstanding ownership and business interests in the North York area for over 50 years, which interests include the subject lands. He further indicated that the Kenneth-Sheppard lands were originally developed and built by the principals in the early 1950's, and were again guided through their initial intensification stages in the early 1980's by the same principals.

He further advised that the applicant has attempted to provide redevelopment details in order to address the inadequacies and conflicts of the proposed OPA 447 policies. He stated that of the nine issues identified by staff as the basis for refusal, not one addresses any of the original OPA 447 concerns, and further commented on the inaccuracies contained in the staff report.

Mr. Silver concluded by requesting that the North York Community Council not adopt the recommendations of staff, but rather direct staff to prepare a further report which includes a framework of recommendations and conditions for further consideration by the Community Council.

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- Mr. P. Stagl, Planning Consultant, on behalf of the applicant, who commented on the appeal process with respect to this application which started with the appeal to Official Plan Amendment 447.
  - Mr. Barry McMonagle, President, Bayview Willowdale Homeowners Association, who spoke in opposition to the application. The primary objections of the Bayview Willowdale Homeowners Association were with respect to the incompatibility of the proposed development to the existing development in the area; increased traffic; and the flow of traffic through the stable residential neighbourhood, to access the development;
  - Mrs. Doreen L. Stanton, who spoke in opposition to the proposed development and expressed concerns with respect to the increase in vehicular traffic which would be generated. She further expressed concerns regarding the lack of on-site visitor parking within the proposed development, which in her opinion, will cause an increase of on-street parking in the surrounding neighbourhood. Increased demand on services, such as parkland was also of concern to her.
  - Ms. Christine Givens, on behalf of the Kenneth-Sheppard Tenants Association, expressing opposition to the proposed development, and advising that 183 individuals will be forced from the rental accommodations, and will be unable to find alternative housing at a comparable rental rate.
- A. Councillor Gardner, North York Centre, moved that the North York Community Council recommend to City Council, the adoption of the foregoing report.

A recorded vote on Motion A., moved by Councillor Gardner, North York Centre, was as follows:

FOR: Councillors Valenti, Li Preti, Moscoe, Augimeri, Berger, Flint, Gardner, Fillion, Minnan-Wong

AGAINST: Nil

ABSENT: Councillors Mammoliti, Feldman, Chong, Shiner, King

Carried.

(Councillor Feldman declared an interest in the foregoing item in that a member of his extended

family is one of the proponents of the subject development.)

**(Report No. 9 – Clause No. 25)**

Councillor Feldman, resumed the Chair.

**9.31 Final Report – Referral of Applications for Zoning By-Law Amendment and Site Plan UDZ-96-30 And UDSP-96-116 – Harry Snoek (Appeal by Sonata Developments Inc.) – 15, 17 and 19 Finch Avenue West and 7, 9 and 11 Lorraine Drive – North York Centre - And –**

**Receipt of Official Plan Amendment, Zoning By-Law Amendment and Site Plan Applications – Sonata Developments Inc. – UDOP-00-07, UDZ-00-13 and UDSP-00-70 – 15, 17 and 19 Finch Avenue West and 7, 9, 11, 31, 33, and 35 Lorraine Avenue – North York Centre.**

The North York Community Council had before it a report (June 30, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on an appeal of zoning by-law amendment application UDZ-96-30 and site plan application UDSP-96-116 filed by Murray Chusid, solicitor for the applicant Sonata Developments Inc.; Official Plan Amendment, Zoning By-law Amendment and Site Plan applications UDOP-00-07, UDZ-00-13, UDSP-00-70, and recommending that:

- (1) revised Zoning Application UDZ 96-30 and revised Site Plan Application UDSP 96-116 be refused on the basis that they represent a significant change from the applications originally approved in principle in 1998;
- (2) the City Solicitor be directed to object to the revised UDZ 96-30 at the Ontario Municipal Board hearing;
- (3) the City Solicitor be directed to seek adjournment of the Ontario Municipal Board hearing with respect to UDOP 00-07, UDZ 00-13, and UDSP 00-70 on the basis that these applications are incomplete and premature; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council also had before it the following:



- communication (July 18, 2000) from Mr. Ghasem Ghods, Sonata Developments Inc., forwarding the settlement conditions which were the result of a meeting held on July 17, 2000 with the Director, Community Planning, North District, Urban Development Services.
- a copy of a Resolution submitted by Councillor Gardner, North York Centre, requesting that staff be directed to appear and advise the Ontario Municipal Board on the conformity of this final revised application submitted by Ghods Builders with the Official Plan at the July 31<sup>st</sup> pre-hearing; that staff be directed to give Notice of a Statutory Public Meeting at the September 19, 2000 meeting of Community Council; and that the report from the Director, Community Planning, North District, dated June 30, 2000, concerning the appeals and previous applications files by Sonata Developments, be adopted;
- a copy of a Resolution submitted by Councillor Filion, North York Centre, requesting that the recommendations contained in the report from the Director, Community Planning, North District, dated June 30, 2000, concerning the appeals and applications filed by Sonata Developments Inc., be adopted; that Council express its preference that the applicant proceed with the July 1998 approved development; and that, if the applicant does not proceed with the July 1998 approved development, the applicant modify the current planning applications so that the development proposal is in conformity with the Official Plan (OPA 447), particularly as it relates to density transfers and incentives, and that staff proceed with their evaluation of the development proposal, with community consultation, in the normal course.

A staff presentation was made by Mr. Dennis Glasgow, Senior Planner, Community Planning, North District, Urban Development Services.

The following persons appeared before the North York Community Council in connection with the foregoing matter:

- Mr. Murray H. Chusid, Blaney, McMurtry, on behalf of the applicant, who commented on the "Settlement Conditions" which resulted from the meeting with the Director, Community Planning, North District, on July 17, 2000. Based on the discussions at that meeting, the applicant was prepared to conform to the requirements of Official Plan Amendment 447 and was prepared to consent to an adjournment of the Ontario Municipal Board hearing scheduled on September 5, 2000 to a rescheduled hearing date as soon as possible following the October 5, 2000 City Council meeting, so as to enable staff to report back to the North York Community Council at its scheduled September meeting and to enable the scheduling

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of a community public meeting prior to that date.

- Mr. George Belza, on behalf of the Edithvale Yonge Association, who indicated that he was generally supportive of the resolution submitted by Councillor Gardner but only if the staff recommendations in the report dated June 30, 2000 were adopted. However, he also shared the concerns expressed by Councillor Filion. He was also concerned about the short time period between this meeting and any subsequent meetings in terms of obtaining community input.

Mr. Belza concluded by indicating that, since he had only seen copies of the final version of the resolution submitted by Councillor Gardner and the applicant's settlement conditions letter just prior to this scheduled meeting, he wished to reserve the Edithvale Yonge Community Association's position for the Ontario Municipal Board.

- A. Councillor Gardner, North York Centre, moved that the North York Community Council recommend the following to City Council:

- (1) the adoption of the report (June 30, 200) from the Director, Community Planning, North District, Urban Development Services; and
- (2) the adoption of the following Resolution by Councillor Gardner, North York Centre:

“WHEREAS Sonata Developments Inc. has recently filed a letter indicating that it is, in the terms of such letter, prepared to revise its application to conform with the Official Plan and limit its requests for density transfers and incentives to not more than 33%; and

WHEREAS Sonata Developments Inc. has indicated in its letter that on those terms it is prepared to consent to an adjournment of the Hearing scheduled on September 5, 2000, to the first date available after October 5, 2000; and

WHEREAS there is a pre-hearing scheduled for July 31, 2000 to consider these applications;

THEREFORE BE IT RESOLVED THAT staff be directed to appear and advise the Ontario Municipal Board on the conformity of this final revised application submitted by Ghods Builders with the Official Plan at the July

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31<sup>st</sup> pre-hearing;

BE IT FURTHER RESOLVED THAT staff be directed to give Notice of a Statutory Public Meeting at the September 19, 2000 meeting of Community Council; and

BE IT FURTHER RESOLVED THAT the report from the Director, Community Planning, North District, Urban Development Services, dated June 30, 2000, concerning the appeals and previous applications filed by Sonata Developments Inc., be adopted.”

A recorded vote on Motion A., moved by Councillor Gardner, North York Centre, was as follows:

FOR: Councillors Valenti, Li Preti, Moscoe, Berger, Feldman, Gardner, Filion, Minnan-Wong, King

AGAINST: Nil

ABSENT: Councillors Mammoliti, Augimeri, Flint, Chong, Shiner

Carried.

**(Report No. 9 – Clause No. 26)**

**9.32 Further Report – Proposed Modifications to the Downsview Area Secondary Plan (OPA 464) and Proposed Amendments to the OMB Order on the Downsview Area Secondary Plan (Opa 464) – Parc Downsview Park Inc. Lands – Sports And Entertainment Designation Deferral – West of Allen Road/South of Sheppard Avenue West and City-Owned Lands – East of Allen Road/South of Sheppard Avenue West – UDOP-464 – North York Spadina.**

The North York Community Council had before it a report (June 30, 2000) from the Director, Community Planning, North District, Urban Development Services, forwarding recommendations regarding modifications to the Downsview Area Secondary Plan (OPA 464) for the south-west corner of Allen and Sheppard, and to make amendments to the Ontario Municipal Board Order on OPA 464 for the south-east corner of the Allen-Sheppard; that the City Solicitor be authorized to bring forward at the OMB, City Council's position on these matters, and recommending that:

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- (1) The City Solicitor seek approval of the modifications to the Downsview Area Secondary Plan (OPA 464), substantially in accordance with Schedules “A” and Attachment “3” attached to this report for the south-west corner of Allen Road and Sheppard Avenue West.
- (2) The City Solicitor seek amendments to the Ontario Municipal Board Order on the Downsview Area Secondary Plan (OPA 464), substantially in accordance with Schedule “A” and Attachment “3” attached to this report for the south-east corner of Allen Road and Sheppard Avenue West.
- (3) That the Development Framework for the south-west corner of Allen Road and Sheppard Avenue West, attached as Schedule “B” to this report, be used for the purpose of providing a context in the evaluation of future zoning by-law amendments and site plan applications and that it be consolidated into the Allen/Sheppard Urban Design and Development Framework Study.

A staff presentation was made by Mr. Paul Byrne, Senior Planner, Community Planning, North District, Urban Development Services.

Mr. Stewart Richardson, appeared before the North York Community Council, expressing his concerns with regard to the increase in traffic and the impact on existing services as a result of the increased density. He further requested the City to consider the development of a park prior to any development taking place.

A. Councillor Moscoe, North York Spadina, moved that the North York Community Council recommend the following to City Council:

- (1) the adoption of the report (June 30, 2000) from the Director, Community Planning, North District, Urban Development Services; and
- (2) the adoption of the following conditions which shall apply to both residential and non-residential properties:
  - (a) All public roads shall be constructed to include a minimum of three 4” ducts for fibre optic cabling, such ducts shall be in accordance with the specifications of the Executive Lead Telecommunications Sub-committee and the Commissioner of Urban Development Services and the Commissioner of Works and Emergency Services and shall accrue to the ownership of the

City; and

- (b) Each building shall be serviced by ductwork from the municipal duct system to the specifications of the Executive Lead Telecommunications Sub-committee and the Commissioner of Urban Development Services and the Commissioner of Works and Emergency Services and all duct work on public property shall accrue to the ownership of the City.

A recorded vote on Motion A., moved by Councillor Moscoe, North York Spadina, was as follows:

FOR: Councillors Valenti, Moscoe, Feldman, Flint, Minnan-Wong, King

AGAINST: Nil

ABSENT: Councillors Mammoliti, Augimeri, Berger, Gardner, Chong, Filion, Shiner

ABSTAINED: Councillor Li Preti

Carried.

(Councillor Li Preti, Black Creek, declared his interest in the foregoing matter, only insofar as it pertains to the lands on the east side of the Allen Road and west of Wilson Heights Boulevard, in that he owns property in the vicinity of such lands.)

**(Report No. 9 – Clause No. 27)**

**9.33 Final Report – Official Plan Amendment Application UDOP-99-38 – 584952 Ontario Limited – 1100 Sheppard Avenue West – North York Spadina.**

The North York Community Council had before it a report (June 30, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on the appeal by an applicant of an application to amend the Official Plan for the property known as 1100 Sheppard Avenue West to permit a mixed commercial residential project with a FSI of 4.5; that the City Solicitor be authorized to bring forward City Council's position on these matters at the OMB hearing which is not yet scheduled, and recommending that the City Solicitor seek approval of the Official Plan Amendment for 1100 Sheppard Avenue West at the Ontario Municipal Board in relation to the appeal, substantially in accordance with draft Official Plan

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Amendment described in Schedule “A” attached to the report.

The North York Community Council also had before it a communication (July 17, 2000) from the Director, Business Development & Retention, Economic Development, Culture and Tourism, indicating that this Official Plan Amendment application proposing redesignation of industrial lands is contrary to the principle that industrial areas should generally be preserved for employment purposes; that large industrial properties such as this one are becoming increasingly rare and this 10.5 acre site should not be redesignated in isolation, oblivious to the industrial integrity of this area; that presently there are no residential uses west of Allen Road and north of Sheppard Avenue; that approval of this application would represent the first development in this employment area to be redesignated for non-industrial purposes; that there is great concern that this may compromise the stability of the existing employment area as well as establish a dangerous precedent for further redesignations and in view of the foregoing, the Economic Development Office could not support this application.

A staff presentation was made by Mr. Paul Byrne, Senior Planner, Community Planning, North District, Urban Development Services.

A. Councillor Moscoe, North York Spadina, moved that the North York Community Council recommend the following to City Council:

- (1) the adoption of the report (June 30, 2000) from the Director, Community Planning, North District, Urban Development Services; and
- (2) the adoption of the following Resolution by Councillor Moscoe, North York Spadina:

“WHEREAS the Final Report on the application for the Idomo site recommends that the City Solicitor be authorized to bring forward Council’s position at the Ontario Municipal Board on the application for a mixed commercial residential project;

THEREFORE BE IT RESOLVED THAT the Final Report on Application UDOP-99-38 be adopted with the addition of the following:

1. All public roads shall be constructed to include a minimum of three 4” ducts for fibre optic cabling, such ducts shall be in accordance with the specifications of the Executive Lead Telecommunication Sub-committee and the Commissioner of Urban Development Services and the Commissioner of Works

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and Emergency Services and shall accrue to the ownership of the City.

2. Each building shall be serviced by ductwork from the municipal duct system to the specifications of the Executive Lead Telecommunications Sub-committee and the Commissioner of Urban Development Services and Commissioner of Works and Emergency Services and all duct work on public property shall accrue to the ownership of the City.

and that staff be authorized to report back to the North York Community Council at its meeting of September 19, 2000, on a Settlement on the appeal to the Ontario Municipal Board of this application with respect to:

- (1) an increase in density up to 13.5 percent of the total gross floor area in exchange for community benefits such as underground pedestrian link to the Downsview Subway Station and in consideration of such increase take into account as an example a formula similar to:

“an increase in the overall density of the site of .02 FSI for each of the first five buildings, .03 FSI for each of the next five and .04 for any remaining buildings connected to the Downsview subway station by way of an underground pedestrian link”

- (2) to the location of the new east-west road;
- (3) in exchange for the owner providing a centrally located public park on the site in excess of the requirements of Section 41 of the Planning Act, the City will agree to the owner maintaining the ownership of the sub-surface interests under the park for the purpose of private underground parking facilities to service developments on the site, subject to approval of the Commissioner of Economic Development, Culture and Tourism and the execution of agreement satisfactory to the City.”

A recorded vote on Motion A., moved by Councillor Moscoe, North York Spadina, was as follows:

FOR: Councillors Valenti, Li Preti, Moscoe, Feldman, Flint, Minnan-Wong, King

AGAINST: Nil

ABSENT: Councillors Mammoliti, Augimeri, Berger, Gardner, Chong, Filion, Shiner

Carried.

**(Report No. 9 – Clause No. 28)**

**9.34 Final Report – Application to Amend the North York Zoning By-Law No. UDZ-99-32 – Terence Van Elslander – 76 – 80 Finch Avenue East – North York Centre.**

As directed by the North York Community Council, at its meeting held on February 15, 2000, appropriate notice of the statutory public meeting was given in accordance with the Municipal Act and the regulations thereunder.

The North York Community Council had before it a report (June 26, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on a rezoning application to permit a three storey mixed commercial-residential building containing professional medical offices, accessory dispensing pharmacy and five rental apartment units at 76 – 80 Finch Avenue East; and submitting recommendations with respect thereto.

The North York Community Council also had before it a communication (June 29, 2000) from Mr. Silvio Lee, expressing his concerns and opposition with respect to the proposed development.

A staff presentation was made by Ms. Anne Milchberg, Senior Planner, Community Planning, North District, Urban Development Services.

The following persons appeared before the North York Community Council in connection with the foregoing matter:

- Mr. Terence Van Elslander, the applicant, who commented on the merits and architectural aspects of the proposed development, which, in his opinion, is in keeping with the character of the surrounding neighbourhood. He concluded by indicating that he was in agreement with the recommendations and conditions contained in the staff report.
- Mr. Adolfo Emmer, who spoke on behalf of the property owners of 62 and 64 Finch Avenue East. During his submission he indicated that they were generally in support of the proposed development but had some concerns. He believed that there was an opportunity at this point to look at the possibility of redeveloping the whole block. He



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was also of the opinion that the City should, at this time, secure an easement for a future laneway in order to allow access to the adjacent properties.

- A. Councillor Gardner, North York Centre, moved that the North York Community Council, after considering the depositions and based on the findings of fact, conclusions and recommendations contained in the report (June 26, 2000) from the Director, Community Planning, North District, Urban Development Services, and for the reasons that the proposal is an appropriate use of lands, recommend to City Council that the application submitted by Terence Van Elslander, regarding an application to Amend the North York Zoning By-law (UDZ-99-32), be approved, subject to the conditions outlined in the referenced report.

A recorded vote on Motion A., moved by Councillor Gardner, North York Centre, was as follows:

FOR: Councillors Valenti, Li Preti, Moscoe, Feldman, Flint, Gardner, Minnan-Wong, Shiner, King

AGAINST: Nil

ABSENT: Councillors Mammoliti, Augimeri, Berger, Chong, Filion

Carried.

**(Report No. 9 – Clause No. 29)**

**9.35 Final Report – Official Plan and Zoning By-Law Amendment UDOZ-99-27 – R & G Management Inc. – 1465 Lawrence Avenue West – North York Humber.**

As directed by the North York Community Council, at its meeting held on January 18, 2000, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (July 4, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on an application for an Official Plan Amendment and Zoning By-law amendment for the development of a 5 storey, 60 unit rental apartment building on a lot with an existing 20 storey apartment building, and submitting recommendations with respect thereto.

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The North York Community Council also had before it the following communications:

- (July 1, 2000) from Mr. Antonio Rui Pereira and Maria de Lourdes Pereira, expressing their concerns with the proposed development; and
- (June 29, 2000) from Mr. Bernardo Di Lorenzo, expressing his concerns respecting the proposed development.

A staff presentation was made by Ms. Lynn Poole, Planner, Community Planning, North District, Urban Development Services.

The following persons appeared before the North York Community Council in connection with the foregoing matter:

- Mr. Adam Brown, Brown Dryer Karol, Barristers and Solicitors, on behalf of the applicant, who requested a deferral of the matter in order to allow both Ward Councillors to be in attendance.

Mr. Brown further indicated that if the North York Community Council was not agreeable to granting a deferral, he would request that the application be approved subject to the conditions outlined in the staff report. In his opinion, all standards and requirements for infill development have been met and stated that the proposal conforms to the intent of the Official Plan and provides an opportunity to create 60 affordable rental properties.

Mr. Brown concluded by stating that the existing services and community facilities needed to support the proposed development, presently exist. In addition, he advised that there is a 21 metre separation between the two buildings which exceeds the CMHC guidelines for a separation space of 15 metres and the general City guidelines of 11 metres, thereby insuring light, view and privacy between the two buildings;

- Mr. William Thorn, who spoke in opposition to the application on behalf of himself and a number of owners and renters of the condominium building at 1455 Lawrence Avenue West. Their primary objections were with respect to the adverse impact of the proposal on the property values of the condominium units; lack of privacy; loss of sunlight; overshadowing and the precedent-setting nature of the application. He concluded by requesting that the application be refused.
- Ms. Barbara Sust, who expressed her opposition to the proposed development, indicating that the traffic congestion in the immediate area will increase significantly.

She also expressed concern with respect to the negative impact of the proposed development on surrounding properties; loss of sunlight; lack of children's play area for future owners of these units and the impact on existing services;

- Mr. Mario Gentile, who expressed his opposition to the application and requested that a traffic impact study and ground soil testing be undertaken prior to any further consideration of the proposed development. He also indicated that he would not have any objection to the deferral request by the applicant's Solicitor and he requested that he be notified of any further community meetings.
  - Mr. Louie Cossidente, who spoke in his opposition to the application. His primary objections were with respect to the proximity of the proposed apartment building to the two existing buildings on the site; and the increased density and traffic that would be generated by the proposed development.
- A. Councillor Valenti, North York Humber, moved that it be recommended to Council that:
- (1) the application be refused; and
  - (2) in the event the matter is appealed to the Ontario Municipal Board, the City Solicitor be instructed to defend Council's position at the Ontario Municipal Board and be instructed to hire external planning consultants.
- B. Councillor Minnan-Wong, Don Parkway, moved that the North York Community Council defer consideration of the foregoing report to its next meeting scheduled for September 19, 2000, for the continuation of the Statutory Public meeting to be held at 3:00 p.m.
- C. Councillor Shiner, Seneca Heights, moved in amendment to Councillor Minnan-Wong's motion that the continuation of the Statutory Public Meeting be held at 6:00 p.m.

A recorded vote on Motion C., moved by Councillor Shiner, Seneca Heights, to amend the motion by Councillor Minnan-Wong, to continue the Statutory Public Meeting at 6:00 p.m., was as follows:

FOR: Councillors Li Preti, Feldman, Gardner, Minnan-Wong, Shiner

AGAINST: Councillors Valenti, Moscoe, Flint

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ABSENT: Councillors Mammoliti, Augimeri, Berger, Chong, Filion, King

Carried.

A recorded vote on Motion B., moved by Councillor Minnan-Wong, Don Parkway, as amended by Motion C., moved by Councillor Shiner, Seneca Heights, was as follows:

FOR: Councillors Li Preti, Feldman, Gardner, Minnan-Wong, Shiner

AGAINST: Councillors Valenti, Moscoe, Flint

ABSENT: Councillors Mammoliti, Augimeri, Berger, Chong, Filion, King

Carried.

Having regard for the foregoing decision of the North York Community Council, Motion A., moved by Councillor Valenti, North York Humber, was not put to a vote.

(Councillor Augimeri, Black Creek, declared her interest in the foregoing matter in that a member of her family owns a condominium adjacent to the applicant's property.)

**(Report No. 9 – Clause No. 42(e))**

Councillor Flint, Vice-Chair, assumed the Chair.

**9.36 Traffic Management Plan: Collinson Boulevard – North York Spadina.**

The North York Community Council had before it a report (July 6, 2000) from the Director, Transportation Services, Works and Emergency Services, reporting on a Traffic Management Plan on Collinson Boulevard and recommending that:

- (1) Speed bumps be installed on Collinson Boulevard between Wilson Avenue and Clanton Park Road;
- (2) By-Law No. 31878, of the former City of North York, be amended to designate Collinson Boulevard from the southerly limit of Clanton Park Road to the northerly limit of Wilson Avenue as a 40 km/h speed zone; and

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- (3) Staff of the Transportation Services Division report back to Council at the completion of the six month trial period.
  
- A. Councillor Moscoe, North York Spadina, moved that the North York Community Council recommend to City Council that:
  - (1) the report (July 6, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, be adopted;
  - (2) the funds for the traffic calming measures outlined therein, be funded by any funds available as a result of cancelled road projects within District 3; and
  - (3) the Director of Transportation Services, District 3, Works and Emergency Services, be directed to report to the September 19, 2000 meeting of the North York Community Council, outlining how this will be accomplished within the year 2000.
  
- B. Councillor Feldman, North York Spadina, moved that the Director, Transportation Services, District 3, Works and Emergency Services, be requested to:
  - (i) prepare a map illustrating the location of the proposed speed humps with a view to not placing any speed humps in front of residents who did not vote in favour of such traffic calming measures; and
  - (ii) meet with the Ward Councillors and the property owners who would be residing adjacent to the proposed speed humps, upon completion of the map referred to in (I) above.

Upon the question of the adoption of Motion A., moved by Councillor Moscoe, it was carried.

Upon the question of the adoption of Motion B., moved by Councillor Feldman, it was carried.

Councillor Feldman resumed the Chair.

**(Report No. 9 – Clause No. 30)**

**9.37 Final Report – Application for Part Lot Control Exemption – Laredo Construction Inc. – 665 Trethewey Drive, Lots 153 to 162, 176 to 194, 208 to 217, 231 to 240 and 254 to 267 All Inclusive – Plan 66M-2340 UD54-00-03REL – North York Humber.**

The North York Community Council had before it a report (July 7, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on a request for exemption from part lot control in order that 63 semi-detached dwelling units may be conveyed into separate ownership and recommending that:

- (1) this application be approved;
- (2) the City Solicitor be authorized to introduce the necessary Bills in Council to give effect to recommendation 1; and
- (3) the appropriate City Officials be authorized and directed to register the By-law on title.

The North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 9 – Clause No. 41)**

**9.38 Requested Information Pertaining to the Proposed Residential Solid Waste Collection By-Law – All Wards.**

The North York Community Council had before it a report (July 11, 2000) from the General Manager, Solid Waste Management Services, Works and Emergency Services, providing North York Community Council with information requested as a result of the proposed Residential Solid Waste Collection By-law; and recommending that the report be received for information.

A. Councillor Shiner, Seneca Heights, moved that:

- (1) the foregoing report (July 11, 2000) from the General Manager, Solid Waste Management Services, Works and Emergency Services, be noted;
- (2) the General Manager, Solid Waste Management Services, Works and Emergency Services, be requested to report and investigate on new vehicles and alternative methods that could be used in order to facilitate curbside collection in all townhouse developments and single family homes, including those on laneways and non-standard roadways; which report was requested by the North York Community Council at its meeting held on May 23, 2000; and

- (3) the requested report referred to above, be forwarded and dealt with by City Council at the same time as the Proposed Residential Solid Waste Collection By-law which is scheduled to be considered by City Council at its meeting to be held on August 1, 2 and 3, 2000.

Upon the question of the adoption of Motion A., moved by Councillor Shiner, it was carried.

**(Report No. 9 – Clause No. 42(f))**

**9.39 Automated “Flower Pot” Waste Collection System – All Wards.**

The North York Community Council had before it a report (July 12, 2000) from the General Manager, Solid Waste Management Services, Works and Emergency Services, seeking Council authority to conduct a pilot study in the Wilson Street and Dufferin Avenue area to test the effectiveness of removing the large 300 gallon automated “flower pot” waste collection containers from City boulevards and replacing them with 95 gallon roll out carts and recommending that:

- (1) a pilot study be conducted in the Wilson Street and Dufferin Avenue area to test the effectiveness of removing the large 300 gallon automated “flower pot” waste containers from the City boulevard and replacing them with 95 gallon roll out carts;
- (2) property owners in the pilot area be advised that they will be responsible for keeping their carts clean, for rolling them out on collection day and then rolling them back out of public view and away from the curb soon after collection and to place all of their waste materials into the carts and not on the ground; and
- (3) property owners in the pilot area be advised that failure to comply with the above requirements may result in the City terminating their municipal waste collection.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council referred the following recommendation to the Works Committee:

- (1) that the foregoing report (July 12, 2000) from the General Manager, Solid Waste Management Services, Works and Emergency Services, be adopted.

**(Report No. 9 – Clause No. 42(g))**

**9.40 Community Festival Event – Annual Homecoming Festival - St. Fidelis Parish – 33 Connie Street – September 10, 2000 - North York Humber.**

The North York Community Council had before it a communication (July 11, 2000) from Reverend Mosè Gasparini, Paster, St. Fidelis Parish, requesting endorsement of the event for liquor licensing purposes, to be held on September 10, 2000, at St. Fidelis Parish, 33 Connie Street, from 2:00 p.m. to 1:00 a.m.

The North York Community Council recommended to City Council, that for liquor licensing purposes, City Council declare the Annual Homecoming Festival of St. Fidelis Parish, to be held on Sunday, September 10, 2000 at 33 Connie Street, to be an event of municipal and/or community significance; that it has no objection to the event taking place and that the Alcohol and Gaming Commission of Ontario be so advised.

**(Report No. 9 – Clause No. 32)**

**9.41 Tree Preservation Report – 395 St. Germain Avenue – North York Centre South.**

The North York Community Council had before it a communication (July 11, 2000) from Ms. HESSIE RIMON, P.Eng., MCIP, RPP, President, PMG, Planning Consultants, requesting permission for Mr. Murray Chusid, Solicitor, on behalf of the property owner, to address North York Community Council regarding a tree preservation report with respect to 395 St. Germain Avenue.

The North York Community Council also had before it the following:

- memorandum (July 12, 2000) from the Supervisor, Urban Forestry, Planning and Protection, Parks and Recreation, Economic Development, Culture and Tourism, providing comments on the two City owned Sugar Maple trees located adjacent to 395 St. Germain Avenue and the Arborist Report received on July 11, 2000; and indicating that any significant reduction in the minimum protection areas of these trees will have a negative effect on their continued survival;
- Extract from the Minutes of the Committee of Adjustment meeting held on May 18, 2000, and a copy of the report to the Chairman and Members of the City of Adjustment, City of Toronto – North District, from the Manager, Committee of Adjustment and Secretary-Treasurer, regarding the land severance and variance applications respecting 395 St. Germain Avenue.



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Mr. Murray Chusid, Blaney, McMurtry, appeared before the North York Community Council, in connection with the foregoing matter, on behalf of the property owners of 395 St. Germain Avenue and he indicated that the property owners are willing to provide the letter of credit requested by the Supervisor, Urban Forestry, Planning and Protection in order to ensure that the protective measures are adhered to. He also requested that the North York Community Council authorize the Supervisor, Urban Forestry to accept the letter of credit that is required and to have the tree preservation agreement entered into so that the Building Division can be informed of such and a building permit issued.

- A. Councillor Berger, North York Centre South, moved that it be recommended to City Council that:
- (1) the site plan for the proposed developments indicating a reduction in the minimum required tree protection zone on both trees, for the installation of the new driveways, be approved; and
  - (2) the applicant be required to provide the City with a letter of credit in the amount of \$18,000.00, to be retained by the City for a three-year term, the term of which shall commence on the first day of construction on the subject property.
- B. Councillor Flint, North York Centre South, moved that the applicant be requested to consider moving the driveway closer to the property line; and if possible, allowing construction vehicles to service this property from one single access point only.
- C. Councillor King, Seneca Heights, moved in amendment to Councillor Berger's motion that the letter of credit to be retained by the City be for a five-year term.

Upon the question of the adoption of Motion C., moved by Councillor King, Seneca Heights, it was carried.

Upon the question of the adoption of Motion A., moved by Councillor Berger, North York Centre South, as amended by Motion C., moved by Councillor King, Seneca Heights, it was carried.

Upon the question of the adoption of Motion B., moved by Councillor Flint, North York Centre South, it was carried.

**(Report No. 9 – Clause No. 33)**

**9.42 Naming of Private Lane at 111 Barber Greene Road – Don Parkway.**

The North York Community Council had before it a report (July 13, 2000) from the City Surveyor, Works and Emergency Services, respecting the Naming of Private Lane at 111 Barber Greene Road and recommending that:

- (1) North York Community Council authorize the use of one of the names in this report for the proposed private lane at the residential development at 111 Barber Greene Road; and
  - (2) 1324937 Ontario Limited, operating as Dunbury Homes, be required to pay the costs estimated to be in the amount of \$300, for the fabrication and installation of street name signs; and
  - (3) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.
- A. Councillor Minnan-Wong, Don Parkway, moved that the North York Community Council recommend to City Council, the adoption of the foregoing report (July 13, 2000) from the City Surveyor, Works and Emergency Services; and that the private lane at 111 Barber Greene Road be named Cora Urbel Way.

A recorded vote on Motion A., moved by Councillor Minnan-Wong, Don Parkway, was as follows:

FOR: Councillors Valenti, Li Preti, Moscoe, Berger, Feldman, Flint, Filion, Minnan-Wong

AGAINST: Nil

ABSENT: Councillors Mammoliti, Augimeri, Gardner, Chong, Shiner, King

Carried.

**(Report No. 9 – Clause No. 34)**

**9.43 Traffic Management Plan – Glen Park Avenue, Marlee Avenue to Glencairn Avenue – North York Spadina.**

The North York Community Council had before it a report (July 17, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services respecting Traffic Management Plan – Glen Park Avenue, Marlee Avenue to Glencairn Avenue – North York Spadina, and recommending that:

- (1) speed humps be installed on Glen Park Avenue, between Marlee Avenue and Glencairn Avenue; and
- (2) staff of the Transportation Services Division report back to Council at the completion of the six month trial period.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended to City Council that:

- (1) the report (July 17, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, be adopted;
- (2) the funds for the traffic calming measures outlined therein, be funded by any funds available as a result of cancelled road projects within District 3; and
- (3) the Director of Transportation Services, District 3, Works and Emergency Services, be directed to submit a report to the September 19, 2000 meeting of the North York Community Council, outlining how this will be accomplished within the year 2000.

**(Report No. 9 – Clause No. 35)**

**9.44 Appeal of Committee of Adjustment Decision – 206 Ellerslie Avenue – Hazelton Construction – North York Centre.**

The North York Community Council had before it the following Resolution by Councillor Filion, North York Centre:

“WHEREAS North York Community Council approved a by-law which prohibits below-grade garages on lots with a frontage under 45 feet that have been created by severance; and

WHEREAS an application was made to the Committee of Adjustment by Hazelton Construction Inc. to create two below-grade garages at 206 Ellerslie Avenue; and

WHEREAS on July 13, 2000, the Committee of Adjustment approved the variance to allow the elevation of the entrance of the floor of the garage to be located below the elevation of the centre of the street; and

WHEREAS this decision could set a precedent which would seriously erode City by-laws with respect to below-grade garages;

THEREFORE BE IT RESOLVED THAT the City support the City's by-law by appealing the Committee of Adjustment's decision for 206 Ellerslie Avenue; with respect to the below-grade garage only; and

BE IT FURTHER RESOLVED THAT the City Solicitor be instructed to submit a Notice of Appeal immediately."

The North York Community Council also had before it a communication (July 9, 2000) filed with the Committee of Adjustment at its meeting held on July 13, 2000, from Ms. Janet and Pelly Shafto, together with petition signed by the area residents of Ellerslie Avenue, in support of the redevelopment application proposed for 206 Ellerslie Avenue under File Number B036/00NY, A264/00NY and A245/99 NY by Hazelton Construction regarding the severance of the lot and the construction of two homes.

On motion by Councillor Filion, North York Centre, the North York Community Council, in accordance with Subsection 121 (b) of the Council Procedural By-law, waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

- A. Councillor Filion, North York Centre, moved that it be recommended to City Council that the foregoing Resolution be adopted.
- B. Councillor Moscoe, North York Spadina, moved that the petition attached to the communication (July 9, 2000) from Ms. Janet and Pelly Shafto, be referred to the Director, Corporate Access and Privacy, City Clerk's Office, Corporate Services, for a report to the Planning and Transportation Committee.

Upon the question of the adoption of Motion B., moved by Councillor Moscoe, North York Spadina, it was carried.

A recorded vote on Motion A., moved by Councillor Filion, North York Centre, was as follows:

FOR: Councillors Moscoe, Flint, Filion, Minnan-Wong

AGAINST: Councillors Li Preti, Berger, Feldman, Gardner

ABSENT: Councillors Mammoliti, Valenti, Augimeri, Chong, Shiner, King

Lost on a Tie Vote.

**(Report No. 9 – Clause No. 42(h))**

**9.45 Ontario Municipal Board Appeal – Official Plan and Zoning Amendment Application – UDOP-99-45 and UDZ-98-33 – Monarch Construction Limited – 17 & 25 Hillcrest Avenue and 18, 20 & 22 Elmwood Avenue – North York Centre.**

The North York Community Council had before it the following resolution by Councillor Gardner, North York Centre:

“WHEREAS City Council on June 7, 8 and 9, 2000, adopted Clause 12 of Report No. 7 of the North York Community Council recommending approval of Official Plan and Zoning Amendment application UDOP-99-45 and UDZ-98-33, Monarch Construction Limited, 17 & 25 Hillcrest Avenue and 18, 20 & 22 Elmwood Avenue, subject to a number of specified conditions, and in the context of a proposed comprehensive Official Plan Amendment clarifying building height policy for the North York Centre redevelopment area with the intent of providing some flexibility in the maximum heights allowed in the transition zones, between the highest heights permitted in the core adjacent to Yonge Street and the much lower heights permitted in the periphery adjacent to the stable residential neighbourhoods, while otherwise continuing to strictly limit height; and

WHEREAS Council’s resolution is based on a settlement agreed to by both the applicant and the ratepayers at the statutory public meeting held before North York Community Council on May 23, 2000; and

WHEREAS the contemplated comprehensive Official Plan Amendment is to be considered at a statutory public meeting on September 19, 2000, following a report thereon by Planning Staff; and

WHEREAS Monarch Construction Limited has elected to pursue its appeal at the Ontario Municipal Board for early approval by the Board of its project, in advance of Council's consideration of the contemplated comprehensive Official Plan Amendment clarifying building height policy in the North York Centre redevelopment area; and

WHEREAS the Ontario Municipal Board hearing is presently scheduled for August 8, 2000;

THEREFORE BE IT RESOLVED THAT the City Solicitor be instructed to do all things necessary to defend Clause 12 of Report No. 7 of the North York Community Council in its entirety, including the contemplated building height policy proposed therein, insofar as it would apply to Monarch's site, and facilitate implementation at the Board of the settlement reached at the statutory public meeting on May 23<sup>rd</sup>."

On motion by Councillor Gardner, North York Centre, the North York Community Council, in accordance with Subsection 121 (b) of the Council Procedural By-law, waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

The North York Community Council recommended to City Council, the adoption of the foregoing resolution.

**(Report No. 9 – Clause No. 36)**

**9.46 Traffic Management Plan – Torresdale Avenue (North Section), south of Steeles Avenue West – North York Spadina.**

The North York Community Council had before it a report (June 26, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, respecting Traffic Management Plan – Torresdale Avenue (North Section), south of Steeles Avenue West – North York Spadina, and recommending that:

- (1) six speed humps be installed on Torresdale Avenue; and
- (2) staff of the Transportation Services Division report back to Council at the completion of the six-month trial period.

On motion by Councillor Moscoe, North York Spadina, the North York Community

Council, in accordance with Subsection 121 (b) of the Council Procedural By-law, waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended to City Council that:

- (1) the report (June 26, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, be adopted;
- (2) the funds for the traffic calming measures outlined therein, be funded by any funds available as a result of cancelled road projects within District 3; and
- (3) the Director of Transportation Services, District 3, Works and Emergency Services, be directed to submit a report to the September 19, 2000 meeting of the North York Community Council, outlining how this will be accomplished within the year 2000.

**(Report No. 9 – Clause No. 37)**

**9.47 Ontario Municipal Board Hearing – Committee of Adjustment – Application No. A038/OONY – 239 St. Leonard’s Avenue – North York Centre South.**

The North York Community Council had before it the following Resolution by Councillor Flint, North York Centre South:

“WHEREAS on March 23, 2000, the North York Committee of Adjustment refused an application for two variances at 239 St. Leonard's Avenue, namely: Length of dwelling and Three storey Dwelling; and

WHEREAS the applicant subsequently appealed the Committee decision to the Ontario Municipal Board; and

WHEREAS approval of a third storey would set a serious precedent in the Lawrence Park area and adversely affect the character of the neighbourhood; and

WHEREAS the appellant has been successful in obtaining an early hearing date (August 17th); and

WHEREAS City Planning staff have indicated that they have difficulty attending the OMB hearing to provide evidence against this application;

THEREFORE BE IT RESOLVED that Council direct the City Solicitor to attend the OMB hearing to defend the Committee of Adjustment decision; and approve representation by an outside Planner at the Ontario Municipal Board hearing to defend the Committee decision; and

BE IT FURTHER RESOLVED that Council allocate funds to a maximum of \$5,000 for this purpose.”

The North York Community Council, also had before it, for information, the following:

- communication (July 13, 2000) from Graham Parkinson and David Redgrave addressed to Councillors Flint and Berger, a copy of which is on file in the office of the City Clerk, North York Civic Centre;
- memorandum (July 7, 2000) addressed to Councillor J. Flint, from the Director, Community Planning, North District, recommending that planning staff not attend the Ontario Municipal Board Hearing on this matter, a copy of which is on file in the office of the City Clerk, North York Civic Centre;
- Ontario Municipal Board’s Appointment for Hearing dated July 11, 2000, which is on file in the office of the City Clerk, North York Civic Centre.

On motion by Councillor Flint, North York Centre South, the North York Community Council, in accordance with Subsection 121 (b) of the Council Procedural By-law, waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

The North York Community Council recommended to City Council, the adoption of the foregoing Resolution by Councillor Flint, North York Centre South.

**(Report No. 9 – Clause No. 38)**

**9.48 Committee of Adjustment Application – 27 Gordon Road – North York Centre South.**



The North York Community Council had before it the following Resolution by Councillor Flint, North York Centre South:

“WHEREAS the Committee of Adjustment, on occasion, approves applications for variances conditional upon a Site Plan being provided; and

WHEREAS this conditional approval is given to provide assurance for neighbours with respect to buffering, noise, etc. and is used as a tool to mediate disputes; and

WHEREAS a formal site plan application directed by the Committee of Adjustment is now subject to the levying of fees; and a landscape plan to the satisfaction of the Commissioner of Urban Planning and Development is not subject to the levying of fees; and

WHEREAS the Site Plan Fee is often onerous for applicants willing to accommodate neighbours; and

WHEREAS in the case of 27 Gordon Road, a Site Plan fee was levied of \$540.00 in addition to the regular fee charged for Committee of Adjustment applications; and

WHEREAS the intent of the Committee of Adjustment is accomplished with a landscaping plan;

THEREFORE BE IT RESOLVED THAT, in the case of 27 Gordon Road, the owner be reimbursed the Site Plan fee of \$540.00 by the City.

On motion by Councillor Flint, North York Centre South, the North York Community Council, in accordance with Subsection 121 (b) of the Council Procedural By-law, waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

On motion by Councillor Flint, North York Centre South, the North York Community Council recommended to City Council, the adoption of the foregoing Resolution.

**9.49 Symphony Square Limited – 23 Lorraine Drive – East Side of Lorraine Drive, South of Finch Avenue West – North York Centre.**

The North York Community Council had before it a report (July 17, 2000) from the Director

and Deputy Chief Building Official, North District, Building Division, Urban Development Services, providing North York Community Council, as directed, with copies of the agreement referred to in a joint report dated June 8, 2000 (Attachment No. 1), plus a comprehensive list of site plan, zoning and building deficiencies together with expected remedial completion dates for Symphony Square, a 317 residential unit building at 23 Lorraine Drive, and recommending that this report be received for information.

The North York Community Council received the foregoing report.

**(Report No. 9 – Clause No. 42(i))**

**9.50 Community Festival Event – the Festival de Verano – Amphitheatre of Earl Bales Park – July 30, 2000 – Black Creek.**

The North York Community Council had before it the following Resolution by Councillor Li Preti, Black Creek:

“WHEREAS a request has been received from the Canadian Hispanic Congress for a special occasions permit to hold a community event...the “Festival de Verano” at the Amphitheatre of Earl Bales Park in the former City of North York on Sunday, July 30, 2000; and

WHEREAS this group requires support and authorization to sell Hispanic food and beer on the festival day; and

WHEREAS the time sensitive nature of this request requires the endorsement of North York Community Council; and

WHEREAS the North York Community Council will be meeting on July 18, 2000;

THEREFORE BE IT RESOLVED THAT North York Community Council, for liquor licensing purposes, declare this to be an event of municipal and/or community significance, and that it has no objection to the event taking place, and that the Alcohol and Gaming Commission of Ontario be so advised.”

On motion by Councillor Li Preti, Black Creek, the North York Community Council, in accordance with Subsection 121 (b) of the Council Procedural By-law, waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

The North York Community Council recommended to City Council that, for liquor licensing purposes, the action of the North York Community Council in adopting the foregoing Resolution by Councillor Li Preti, Black Creek, be endorsed, having regard that the event will take place prior to Council's meeting.

**(Report No. 9 – Clause No. 40)**

**9.51 Final Report – Application for Part Lot Control Exemption – UD54-00-01REL – Laredo Construction Inc. – Lots 195-207 all inclusive – Plan 66M-2340 – 665 Trethewey Drive – North York Humber.**

The North York Community Council had before it a report (July 7, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on a request for exemption from part lot control in order that 13 semi-detached dwelling units may be conveyed into separate ownership and recommending that:

- (1) this application be approved;
- (2) the City Solicitor be authorized to introduce the necessary Bills in Council to give effect to recommendation 1; and
- (3) the appropriate City Officials be authorized and directed to register the By-law on title.

On motion by Councillor Valenti, North York Humber, the North York Community Council, in accordance with Subsection 121 (b) of the Council Procedural By-law, waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

The North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 9 – Clause No. 41)**

**Adjournment**

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North York Community Council Minutes  
Tuesday, July 18, 2000

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On motion by Councillor Shiner, Seneca Heights, the North York Community Council adjourned its meeting at 6:45 p.m., Tuesday, July 18, 2000.

A recorded vote on the motion moved by Councillor Shiner, was as follows:

FOR: Councillors Valenti, Moscoe, Feldman, Flint, Gardner, Minnan-Wong, Shiner

AGAINST: Nil

ABSENT: Councillors Mammoliti, Li Preti, Augimeri, Berger, Chong, Filion, King

Carried.

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Chair.