

# THE CITY OF TORONTO

## Clerk's Department

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

**Tuesday, May 23, 2000.**

The North York Community Council met on Tuesday, May 23, 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 11:00 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		
Councillor King	x	x
Councillor Li Preti	x	x
Councillor Mammoliti	x	x
Councillor Minnan-Wong	x	x
Councillor Moscoe	x	x
Councillor Shiner	x	x
Councillor Valenti	x	x

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Declarations of Interest

Councillor	Minute #	Reason for Declaration
Councillor King	7.19	Only insofar as it relates to Recommendation No. (6)(f) and Exhibit L of the report (May 3, 2000) and revised Exhibit L (May 23, 2000) from the Director, Community Planning, North District, Urban Development Services, in that those sections refer to a proposed park in front of the Thomas Clarke House, which is a property owned by a member of her extended family.)

Confirmation of Minutes:

On motion by Councillor Shiner, Seneca Heights, the minutes of the meeting of the North York Community Council held on May 2, 2000, were confirmed.

**7.1 Tree Removal Request – 216 Alfred Avenue – North York Centre.**

The North York Community Council had before it a report (April 3, 2000) from the Commissioner of Economic Development, Culture and Tourism, providing information regarding an appeal to the Community Council from the owner of the above address to permit the removal of a City owned 45 cm Black Walnut tree from the lawn in front of their house; and recommending that this request to remove the City tree be refused.

The North York Community Council also had before it a communication (May 12, 2000) from Councillor Norman Gardner, indicating that in the event the property owner is prepared to accept the “S” driveway design as proposed by Mr. Fleischmann, that the North York Community Council endorse the recommendation.

Mr. Fleischmann, Supervisor, Urban Forestry, Planning and Protection, was in attendance to answer any questions from the North York Community Council and in response to a question regarding the withdrawal of the request, he advised that the applicant had only verbally advised staff of the withdrawal but had not submitted any written communication to that effect.

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- A. Councillor Filion, North York Centre, moved that the North York Community Council recommend to City Council, the adoption of the foregoing report.
- B. Councillor Valenti, North York Humber, moved that in future reports, the Supervisor, Urban Forestry, Planning and Protection, be requested to provide relevant background information if the tree removal request is the result of a Committee of Adjustment application.

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

FOR: Councillors Mammoliti, Li Preti, Moscoe, Feldman, Flint, Filion, Minnan-Wong, Shiner, King

AGAINST: Councillors Valenti, Berger

ABSENT: Councillors Augimeri, Gardner, Chong

Carried.

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

**(Report No. 7 – Clause No. 1)**

**7.2 Street Vending Permit Application No. 89141 – 5100 Yonge Street – North York Centre.**

The North York Community Council had before it a report (May 3, 2000) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, reporting on an appeal of the Municipal Licensing and Standards Division's refusal of an application from Mr. John Xenos for a street vending permit to sell ice cream and soft drinks on the west side of Yonge Street between North York Boulevard and Park Home Avenue, and recommending that:

- (1) Council consider the appeal of the refusal to issue a curblane food vending permit to John Xenos; and

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- (2) direct that the application be approved for issuance or confirmed as to refusal.

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

- Mr. Arthur Goldstein; and
  - Mrs. Xenos, on behalf of the applicant.
- A. Councillor Moscoe, North York Spadina, moved that the matter be deferred and that staff, in consultation with the Ward Councillors, work with the applicant to find a suitable location that is not in conflict with other businesses in the area.
- B. Councillor Filion, North York Centre, moved that the North York Community Council recommend to City Council that:
- (1) the report (May 3, 2000) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, be received;
  - (2) the application from Mr. John Xenos for a street vending permit to sell ice cream and soft drinks on the west side of Yonge Street between North York Boulevard and Park Home Avenue, be refused; and
  - (3) the Executive Director, Municipal Licensing and Standards Division be requested to report to the Licensing Sub-Committee on the feasibility of City Council enacting a by-law to prohibit ice cream trucks within one block of a store that primarily sells ice cream.
- C. Councillor Li Preti, Black Creek, moved that the North District Manager, Municipal Licensing & Standards and Court Services be requested to assist the applicant in finding a suitable alternate location.

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

FOR: Councillors Mammoliti, Moscoe, Augimeri, Berger, Minnan-Wong

AGAINST: Councillors Valenti, Li Preti, Feldman, Flint, Filion, Shiner, King

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ABSENT: Councillors Gardner, Chong

Lost.

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

FOR: Councillors Mammoliti, Valenti, Li Preti, Feldman, Flint, Filion, Minnan-Wong, Shiner, King

AGAINST: Councillors Moscoe, Augimeri, Berger

ABSENT: Councillors Gardner, Chong

Carried.

A recorded vote on Motion C., moved by Councillor Li Preti, Black Creek was as follows:

FOR: Councillors Mammoliti, Valenti, Li Preti, Moscoe, Augimeri, Berger, Feldman, King

AGAINST: Councillors Flint, Filion, Minnan-Wong, Shiner

ABSENT: Councillors Gardner, Chong

Carried.

**(Report No. 7 – Clause No. 2)**

**7.3 Request for Exemption to the Sign By-Law – Variance for Ground Sign – 5000 Jane Street – Black Creek.**

The North York Community Council had before it a report (May 3, 2000) from the Director and Deputy Chief Building Official, Urban Development Services, evaluating and making recommendations regarding a request for a variance from the sign by-law by Mr. Greg Tanzola, to permit the erection of a first party sign for the advertisement of vacancies in the associated rental building on the subject property; and recommending that the request for a minor variance from the sign by-law refused.

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- A. Councillor Li Preti, Black Creek, moved that the North York Community Council recommend to City Council that:
- (1) the report (May 3, 2000) from the Director and Deputy Chief Building Official, Urban Development Services, not be adopted;
  - (2) the request for a variance from the sign by-law be approved, subject to:
    - (a) the sign having an advertising face of 4.5 feet by 8 feet; and
    - (b) the said approval being granted for a period of one year.
- B. Councillor Augimeri, Black Creek, moved that the matter be referred back to staff in order to ascertain whether an approval for a temporary sign would be acceptable to the applicant.

A recorded vote on Motion B., moved by Councillor Augimeri, was as follows:

FOR: Councillors Valenti, Augimeri, Filion

AGAINST: Councillors Mammoliti, Li Preti, Moscoe, Berger, Feldman, Flint

ABSENT: Councillors Gardner, Chong, Minnan-Wong, Shiner, King

Lost.

A recorded vote on Motion A., moved by Councillor Li Preti, Black Creek, was as follows:

FOR: Councillors Mammoliti, Valenti, Li Preti, Moscoe, Augimeri, Berger, Feldman, Flint, Filion

AGAINST: Nil

ABSENT: Councillors Gardner, Chong, Minnan-Wong, Shiner, King

Carried.

**(Report No. 7 – Clause No. 3)**

**7.4 Request for Exemption to the Sign By-Law – Variance for Ground Sign – 2799 Weston Road – North York Humber.**

The North York Community Council had before it a report (May 4, 2000) from the Director and Deputy Chief Building Official, Urban Development Services, evaluating and making recommendations regarding a request for a variance from the sign by-law by Mr. Gordon Kerr, to permit the erection of a first party identification ground sign with an area of 3.9 square meters (42 sq. ft.) where the sign by-law permits 2.4 square meters (25.8 sq. ft.) on a site with an existing place of worship, and recommending that the request for a minor variance from the sign by-law be approved subject to the removal of the two existing ground signs on the property.

On motion by Councillor Mammoliti, North York Humber, the North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 7 – Clause No. 4)**

**7.5 Request for Exemption to the Sign By-Law – Variance for Ground Sign – 600 Finch Avenue West – North York Spadina.**

The North York Community Council had before it a report (May 4, 2000) from the Director and Deputy Chief Building Official, Urban Development Services, evaluating and making recommendations regarding a request for a variance from the sign by-law by Mr. Sid Catalano, to permit the erection of a illuminated third party 10 foot by 20 foot V-shaped ground sign, 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. 7 – Clause No. 5)**

**7.6 Boulevard Leasing Application for 1887 Avenue Road – North York Centre South.**

The North York Community Council had before it a report (May 4, 2000) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, reporting on an application from T.S.P. Holdings Ltd. operating as “Baker’s Café” to lease a portion of the municipal boulevard for the purpose of an outdoor boulevard patio at 1887 Avenue Road, and recommending that this application to lease a portion of the boulevard

located on the North side of Roe Avenue fronting onto 1887 Avenue Road be approved subject to the following conditions:

- (1) that the 2 parking meter poles be relocated closer to Roe Avenue and the costs associated with the relocation be paid for by the applicant;
- (2) that a distance of 1.5 metres be maintained between the railings and the parking poles;
- (3) all railings be removed by November 7;
- (4) that the maximum size of the patio is not to exceed 12.2 metres east from the front entrance, and not wider than 4.0 metres south from the south elevation of the building for a total area of 55.22 square metres or 594.4 square feet;
- (5) that proof of insurance for the period is provided and the leasing fee of \$1908.10 is paid in full prior to the issuance of the license. The formula for the fee calculation is  $594.4 \text{ square feet} \times (\$7.48/\text{square foot} + 3\%) \times 5 \text{ months}/12\text{months} = \$1908.10$ ; and
- (6) the lease period be approved for five months between June 1<sup>st</sup> and October 31<sup>st</sup>, 2000.

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

**(Report No. 7 – Clause No. 6)**

**7.7 Special Occasion Liquor Licence Permit – Persian Dance and Cultural Festival – Mel Lastman Square - North York Centre.**

The North York Community Council had before it a report (May 3, 2000) from the Commissioner of Economic Development, Culture and Tourism, recommending that the North York Community Council endorse the Persian Dance and Cultural Festival that has registered with Toronto Special Events and has met the appropriate criteria to seek a Special Occasion Permit to sell alcohol on Mel Lastman Square during their event July 8, 2000.



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

**(Report No. 7 – Clause No. 7)**

**7.8 Park Construction Budget – Wittington Properties Limited – Residential Plan of Subdivision – 55T-95006 – North-East Quadrant of Yonge Street and Highway 401.**

The North York Community Council had before it a report (May 4, 2000) from the Commissioner of Economic Development, Culture and Tourism, requesting Council approval of a construction budget of \$780,000.00 for the 2.0 acre park to be dedicated to the City and constructed by the developer through the plan of subdivision for the former MacLean Hunter property, in accordance with the Ontario Municipal Board's conditions of draft approval, and recommending that:

- (1) a construction budget of \$780,000.00 inclusive for the park works in Block 10 of Plan 55T-95006 to be carried out by the developer, Wittington Properties Limited, be approved;
- (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. 7 – Clause No. 8)**

**7.9 Parking Prohibitions – Kodiak Crescent – North York Spadina.**

The North York Community Council had before it a report (May 5, 2000) from the Director of Transportation Services, District 3, Works and Emergency Services, recommending that Schedule VIII of the former City of North York By-law No. 31001, be amended to prohibit parking at any time on the east side of Kodiak Crescent, from a point 230 metres east of the easterly limit of Whitehorse Road to a point 30 metres southerly thereof.

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

**(Report No. 7 – Clause No. 9)**

**7.10 Parking Prohibitions – York Ridge Road – North York Centre South.**

The North York Community Council had before it a report (May 3, 2000) from the Director of Transportation Services, District 3, Works and Emergency Services, recommending that Schedule VIII of By-law #31001, of the former City of North York, be amended to prohibit parking on the west side of York Ridge Road, from York Mills Road to a point 250 metres north, between 8:00 a.m. and 4:00 p.m., Monday to Friday.

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

**(Report No. 7 – Clause No. 10)**

**7.11 Temporary Road Closure – Park Home Avenue – North York Centre.**

The North York Community Council had before it a report (May 2, 2000) from the Director of Transportation Services, District 3, Works and Emergency Services, recommending that:

- (1) By enactment of a confirmatory By-law adopting this report, Park Home Avenue, between Yonge Street and Beecroft Road, be closed temporary on Sunday, June 18, from 6:00 a.m. to 2:00 p.m., subject to the applicant's compliance with procedural By-law 27433 of the former City of North York; and
- (2) During the temporary closure, there shall be no use of the closed road for vehicular traffic except under the authority of a permit issued by the Commissioner of Works and Emergency Services, Toronto Police Services, Toronto Fire Services and Ambulance Services.

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

**(Report No. 7 – Clause No. 11)**

**7.12 Naming of Private Lane at 111 Barber Greene Road – Dunbury Way – Don Parkway.**

The North York Community Council had before it a report (March 1, 2000) from the City Surveyor, Works and Emergency Services, recommending that:

- (1) the proposed private lane at the residential development at 111 Barber Greene Road, illustrated on “Attachment No. 1”, be named “Dunbury Way”;
- (2) 1324937 Ontario limited, operating as Dunbury Homes, be required to pay the costs estimated to be in the amount of \$300.00 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.

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

- report (May 1, 2000) from the City Surveyor, Works and Emergency Services, providing additional comments on the proposed name “Dunbury Way” for the private lane at the residential development at 111 Barber Greene Road, and recommending that the said report be received for information.
- Clause 38 from Report No. 6 of the North York Community Council considered by the Council of the City of Toronto at its meeting held on May 9, 10, and 11, 2000 and Clause 34 from Report No. 5 of the North York Community Council, considered by the Council of the City of Toronto at its meeting held on April 11, 12, and 13, 2000, respecting the subject matter.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council deferred consideration of the foregoing reports to its meeting scheduled for June 21, 2000.

**(Report No. 7 – Clause No. 25(a))**

**7.13 Preliminary Report – Application for Zoning By-Law Amendment No. UDZ-00-05 – Georgio Lolos (on Behalf of Roger Batista) – 10 Elmwood Avenue – North York Centre.**

The North York Community Council had before it a report (May 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 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 Councillor(s);
- (2) Staff be authorized to schedule a Public Meeting under the Planning Act to consider this application; and
- (3) Notices for the community consultation meeting, and 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. 7 – Clause No. 25(b))**

**7.14 Design Guidelines and Development Standards for Infill Housing.**

The North York Community Council had before it a communication (March 10, 2000) from the City Clerk, Planning and Transportation Committee, requesting that the transmittal letter (February 23, 2000) from the City Clerk, Etobicoke Community Council, forwarding a joint report (January 31, 2000) from the Director, Community Planning, West District and the Director of Urban Design, City Planning, entitled "Design Guidelines and Development Standards for Infill Housing" be forwarded to all Community Councils for consideration and comment to the Planning and Transportation Committee.

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

- communication (May 17, 2000) from the City Clerk, Planning and Transportation Committee advising that the Planning and Transportation Committee referred the joint

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- report (January 31, 2000) from the Director, Community Planning, West District and the Director, Urban Design, City Planning, all responses from the Community Councils, as well as the report (May 9, 2000) from the Commissioner of Urban Development Services, to the Commissioner of Urban Development Services with a request that she report further on the matter to the Planning and Transportation Committee;
- report (May 18, 2000) from the General Manager, Solid Waste Management Services, Works and Emergency Services Department, evaluating whether the draft Design Guidelines and Development Standards for Infill Housing developed Urban Development Services allow for curbside collection of waste and recommending that the report be received for information;
  - report (May 23, 2000) from the Director, Community Planning, North District, Urban Development Services, responding to Council's request for additional information on the relationship between North York Zoning By-Law standards and the proposed Design Guidelines for Infill townhouses and on the most practical methods for implementing the Infill Housing Guidelines and recommending that Council receive this report for information and endorse the recommendations of the January 31, 2000, report to Etobicoke Community Council, entitled "Design Guidelines and Development Standards for Infill Housing".

Mr. Leo DeSorcy, Program Coordinator, Urban Design, made a presentation to the North York Community Council in connection with the foregoing matter.

- A. Councillor Flint, North York Centre, moved that the North York Community Council:
- (1) advise the Planning and Transportation Committee of its endorsement of the recommendations embodied in the joint report (January 31, 2000) from the Director, Community Planning, West District, Urban Development Services and the Director, Urban Design, City Planning, Urban Development Services; and
  - (2) the following further recommendations be referred to the Planning and Transportation Committee for its consideration:
    - (a) Letters of Credit be required for Site Plan Control of infill townhouse developments, as a means of achieving design guideline goals;

- (b) the Commissioner, Urban Development Services be requested to:
  - (i) develop a policy for the enforcement of site plan conditions by the appropriate staff in the Building, Planning and Municipal Licensing and Standards Divisions of the Urban Development Services Department; such policy to clearly outline the responsibilities of each Division; and
  - (ii) the policy referred to in (i) above, be submitted to the Planning and Transportation Committee for its consideration, at the same time as the Design Guidelines and Development Standards for Infill Housing are being considered.
  
- B. Councillor Shiner, Seneca Heights, moved that the following further recommendations be referred to the Planning and Transportation Committee for its consideration:
  - (a) the guidelines be amended to require truck/vehicle turn arounds at dead end streets to facilitate access for larger vehicles including City vehicles for waste collection;
  - (b) designs be encouraged to facilitate curbside waste collection, including developments with private roads;
  - (c) Section 2.3, "Parking and Servicing" be clarified to reflect that below grade garages are supported only for larger garage structures for use by the majority of the new development; and
  - (d) below grade garages be prohibited, particularly in the North District;
  
- C. Councillor Moscoe, North York Spadina, moved that the following further recommendations be referred to the Planning and Transportation Committee for its consideration:

- (a) Recommendation No. 2 embodied in the aforementioned joint report be amended by replacing the words, “open house” with “public meetings” so that the recommendation shall read as follows:  
  
“Council authorize staff to hold public meetings to discuss the draft Design Guidelines and proposed Zoning Code Standards for infill townhouses with interested parties and obtained their feedback.”
  - (b) substandard road allowances be discouraged;
  - (c) the location of utility street furniture below grade be encouraged; and
  - (d) infill housing be required to have conduit for fibre optic cabling when constructed.
- D. Councillor Mammoliti, Black Creek, moved that the following recommendation be referred to the Planning and Transportation Committee for its consideration:
- (a) new townhouse developments by plan of subdivision be required to include appropriate Design Guidelines which form part of the subdivision agreement and require a Control Architect to administer.
- E. Councillor King, moved that the Design Guidelines and Development Standards for Infill Housing not force infill townhouses to front onto an arterial road if there is an alternative.
- F. Councillor Berger, North York Centre South, moved that the following recommendation be referred to the Planning and Transportation Committee for its consideration:
- (a) townhouses which do not front onto a public road allowance be required to be part of a condominium development.
- G. Councillor Li Preti, Black Creek, moved that the following recommendation be referred to the Planning and Transportation Committee for its consideration:

- (a) in the event property owners of existing townhouse developments apply for variances and amendments to the Zoning By-law, that the new standards for infill housing be used.

Upon the question of the adoption of Motion E., moved by Councillor King, it was lost.

Upon the question of the adoption of Motion A., moved by Councillor Flint, Motion B., moved by Councillor Shiner, Motion C., moved by Councillor Moscoe, Motion D., moved by Councillor Mammoliti, Motion F., moved by Councillor Berger and Motion G., moved by Councillor Li Preti, it was carried.

**(Report No. 7 – Clause No. 25(c))**

**7.15 Final Report – Applications to Amend the Official Plan and Zoning By-Law Nos. UDOP-99-45 and UDZ-98-33 – Monarch Construction Limited – 17 & 25 Hillcrest Avenue and 18, 20 & 22 Elmwood Avenue – North York Centre.**

As directed by the North York Community Council, at its meeting held on February 18, 1999, appropriate notice of this public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (May 3, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on applications to amend the Official Plan and Zoning By-law to permit a 33-storey residential building containing 216 units on a site occupying the middle portion of the block bounded by Yonge Street, Elmwood Avenue, Hillcrest Avenue and Doris Avenue; and submitting recommendations with respect thereto.

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

- communication (undated) from Mr. Ed Levin, President, MTCC 1006, addressed to Councillor Filion, objecting to the modified two-way access to and from Elmwood Avenue;
- communication (undated) from Mr. Ed Levin, President, MTCC 1006, addressed to Councillor Gardner, objecting to the modified two-way access to and from Elmwood Avenue;



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- Draft Directions for Site Plan Approval (undated) from the Director, Community Planning, North District, Urban Development Services - for Site Plan Approval – UDSP-99-45 – 17 & 25 Hillcrest Avenue and 18, 20 & 22 Elmwood Avenue;
- communication (May 9, 2000) from Mr. Frederic a. De Lory, commenting on the change of the arrangements for residential traffic to and from the condominium project;
- communication (May 16, 2000) from P.G. Tuffnell, Chair, Willowdale Central Ratepayers Association, expressing the Association's concerns with respect to the project;
- communication (May 22, 2000) from Sharolyn Vettese, Chair, Yonge Street Ratepayers' Association, expressing concerns with respect to the recommended Official Plan Amendment and Zoning By-law, as it relates to the proposed height of the development; requesting formal notice under the Planning Act of adoption of any Official Plan Amendment or enactment of any Zoning By-law pertaining to this development; and further that notice also be provided to their agent, Mr. George Belza.

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

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

- Mr. Murray Chusid, on behalf of the applicant, who commented on the merits of the application. He also expressed his support for the recommendations contained in the report (May 3, 2000) from the Director, Community Planning, North District and the motion proposed by Councillor Filion, which he understood was also supported by the local ratepayer association.
- Ms. Bertha Fuller, who spoke in opposition to the application and filed a copy of her written submission, which is on file with the office of the City Clerk, North York Civic Centre. Her primary objections were with respect to the lack of school facilities; lack of parkland and park facilities in the area bounded by Yonge Street, Sheppard Avenue, Bayview Avenue and Empress Avenue; traffic congestion on Empress Avenue, Yonge Street and Kenneth Avenue; the saturation of condo buildings in this area; coverage and setbacks for the proposed building; construction impact on the

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area; severance pre-plan which plan requests that after the 90 metre height is granted, the owner be allowed to sever parts of the parcel; and City land being used for the setback;

- Mr. George Belza, on behalf of the Yonge Street Area Ratepayers Association, who indicated that the Association has a number of concerns with the staff report and application. He also indicated that he had reviewed the motion which Councillor Filion intended to put forward and that he had no objections to its adoption by the North York Community Council.
  - Mr. Glen Rubinoff, Beta and Associates, on behalf of Rodger Battista, who expressed his opposition to the application, particularly with respect to the ingress and egress from the development on Elmwood Avenue. He also indicated that there was an agreement in principle between the applicant and his clients, that access would also be provided through a laneway to alleviate some of the traffic problems, however, he believed it had now been eliminated;
  - Dr. John Bate, who expressed his opposition to the application and advised that the building would be too close to the road;
  - Ms. Marion Lick, on behalf of the Willowdale Central Ratepayers Association, who expressed her support for the application and was very supportive of the parkland dedication. She did however, express her concern with respect to the lack of school facilities in the area;
  - Mr. Alvin Yuen, who with the assistance of a Cantonese interpreter, expressed his objection to the height of the building which he felt should be reduced to comply with Official Plan 447. He further expressed the concern that the approval of the increased height would set a precedent, making it possible for other builders to follow suit and change the height from 60 m to 100 m.
- A. Councillor Filion, 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 (May 3, 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 Monarch Construction Limited regarding Official Plan and Zoning Amendment Application UDOP-99-45 and UDZ-98-33,

be approved, subject to the conditions outlined in the referenced report and subject to following:

- (1) the City Solicitor and Director, Community Planning, North District, amending the draft site-specific Official Plan Amendment and Zoning By-law, to provide for:
  - (a) a maximum of 86 metres of height for habitable space purposes together with a maximum of six metres of additional height for mechanical or other non-habitable space purposes;
  - (b) a maximum of three surface parking spaces to be located near the main entrance of the building and restricted to short term parking and delivery only;
  - (c) a minimum of 1950 m<sup>2</sup> of landscape open space;
  - (d) a maximum unit count of 230; and
  - (e) such technical refinements as may prove necessary.
- (2) the applicant providing for parkland dedication/acquisition off site within 0.8 km of the development equivalent to the value of an on-site conveyance, in accordance with the provisions of Section 6.5 of the North York Centre Secondary Plan, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism, prior to issuance of a building permit; and
- (3) the Director, Community Planning, North District, Urban Development Services be requested to submit to the North York Community Council, for consideration at a statutory public meeting to be held on July 18, 2000, with notice thereof, a report on the following proposed amendment to the North York Centre Secondary Plan (OPA 447) as an OPA:  
  
“X.0.0 North York Centre Building Height Policy  
  
X.1.0 The following policy shall be implemented by Council in the North York Centre (Downtown and Uptown) in considering proposed amendments to the maximum permitted building heights shown on May D.1.6 of the Official Plan.

- X.1.1 No part of any building shall be allowed to exceed the 100 metre or 87 metre height limits shown on Map D.1.6 in the absence of the comprehensive review specified in Part D.1, Section 1.15 of the Official Plan.
- X.1.2 No part of any higher building shall be allowed into a lower height limit area for the 18 metre, 16 metre, 15 metre, 12 metre, 11 metre, 8.8 metre or 50% height limit areas shown on Map D.1.6 in the absence of the comprehensive review specified in Part D.1, Section 1.15 of the Official Plan.
- X.1.3 For all other height limit areas shown on Map D.1.6, no part of any higher building shall be allowed into a lower height limit area unless it is first demonstrated that the contemplated increase in height is necessary to provide for desirable flexibility in built form, and would have no appreciable impact on the residential amenity of properties within the adjacent stable residential area, whereupon the provisions of Part D.1, Section 1.16 of the Official Plan shall be deemed to be satisfied.
- X.1.4 While Council recognizes the important role of building height in the establishment of an appropriate identity for the North York Centre, nothing herein shall be interpreted or applied so as to encourage, facilitate or justify any increase in density beyond the limits specified in Part D.1, Section 3 of the Official Plan.
- X.2.0 When applying the absolute height limits shown on Map D.1.6, the term “maximum permitted building heights” contained in Section 5.4 shall be interpreted to encompass all parts of the building, including any penthouse, tower, cupola, steeple or other roof structure used only as an ornament upon or to house the mechanical equipment of the building.”
- B. Councillor King, Seneca Heights, moved an amendment to Councillor Filion’s motion that the date of the statutory public meeting respecting the proposed amendment to the North York Centre Secondary Plan (OPA 447) as an OPA, be changed to September 19, 2000.

A recorded vote on the Part I of Motion A., moved by Councillor Filion, North York Centre, (Recommendations (1) and (2)) was as follows:

FOR: Councillors Mammoliti, Valenti, Li Preti, Moscoe, Augimeri, Berger, Feldman, Flint, Filion, Minnan-Wong, Shiner, King

AGAINST: Nil

ABSENT: Councillors Gardner, Chong

Carried.

A recorded vote on Motion B., moved by Councillor King, Seneca Heights, was as follows:

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

AGAINST: Councillors Mammoliti, Moscoe, Augimeri, Berger, Filion

ABSENT: Councillors Gardner, Chong

Carried.

A recorded vote on Part II of Motion A., moved by Councillor Filion, North York Centre, as amended by Councillor King's motion, was as follows:

FOR: Councillors Li Preti, Moscoe, Augimeri, Berger, Feldman, Filion, Minnan-Wong, Shiner, King

AGAINST: Councillors Mammoliti, Valenti, Flint

ABSENT: Councillors Gardner, Chong

Carried.

**(Report No. 7 – Clause No. 12)**

**7.16 Final Report – Zoning By-Law Amendment Application No. UDZ-99-10 – Terraventure Group – 76 Spring Garden Avenue – North York Centre.**

As directed by the North York Community Council, at its meeting held on June 23, 1999, appropriate notice of this public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (May 2, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law to permit four three-storey freehold townhouses at 76 Spring Garden Avenue; and submitting recommendations with respect thereto.

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

Mr. Frank Reiss appeared before the North York Community Council in connection with the foregoing matter on behalf of the applicant and he advised that the applicant concurred with the staff recommendations.

On motion by Councillor Filion, North York Centre, the North York Community Council, after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (May 2, 2000) from the Director, Community Planning, North District, Urban Development Services, and for the reasons that the proposal is an appropriate use of lands, recommended to City Council that the application submitted by Terraventure Group regarding Zoning Amendment Application UDOZ-99-10, be approved, subject to the conditions outlined in the referenced report.

**(Report No. 7 – Clause No. 13)**

**7.17 Final Report – Official Plan and Zoning Amendment Applications, Site Plan Approval Application Nos. UDOZ-99-18 and UDSP-99-083 – Options for Homes – 650 Lawrence Avenue West.**

The North York Community Council had before it a report (March 3, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on applications to amend the Official Plan and Zoning By-law 7625 of the former City of North York and for site plan approval to permit a 393 unit apartment dwelling and 51 townhouse units, and submitting recommendations with respect thereto.

The North York Community Council also had before it a report (May 12, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting further on recommendations respecting applications to amend the Official Plan and Zoning By-law 7625 of the former City of North York to permit a 393 unit apartment dwelling and 51 townhouse units and recommending that the report on the deferral of fees, charges and levies for 650 Lawrence Avenue West be deferred until the Urban Development Services report on the

disposition of fees, charges and levies for non-profit housing is considered by the Planning and Transportation Committee in June, 2000.

Mr. Michael Labbé, President, Options for homes, appeared before the North York Community Council in connection with the foregoing matter, and he commented on the merits of the application. He also indicated, in response to a question from the North York Community Council, that the deferral of the various charges would be necessary in order to provide 32 affordable housing units to the City of Toronto or to a non-profit housing provider.

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

- (1) deferred consideration of the following reports (March 3, 2000 and May 12, 2000) from the Director, Community Planning, North District, Urban Development Services, to its next meeting scheduled for June 20, 2000; and
- (2) advised the Planning and Transportation Committee that the North York Community Council favours the deferral of the levies and development charges for the project proposed for 650 Lawrence Avenue West, in order to create 32 affordable units under the ownership of the City or a non-profit housing provider, through a Section 37 Agreement.

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

FOR: Councillors Mammoliti, Valenti, Li Preti, Moscoe, Augimeri, Berger, Feldman, King

AGAINST: Nil

ABSENT: Councillors Flint, Gardner, Chong, Fillion, Minnan-Wong, Shiner

Carried.

**(Report No. 7 – Clause No. 25(c))**

Councillor Mammoliti, North York Humber, assumed the Chair.

**7.18 The Allen/Sheppard Urban Design and Development Framework Study – UD03-ASU – North York Spadina.**

The North York Community Council had before it a joint report (May 9, 2000) from the Director, Urban Design and Director, Community Planning, North District, Urban Development Services, reporting on the Consultant's findings and recommended further steps with respect to the Allen/Sheppard Urban Design and Development Framework Study, and recommending that:

- (1) The Allen/Sheppard Urban Design and Development Framework Study be used for the purpose of providing a context in the evaluation of current and future Official Plan and Zoning By-law amendments;
- (2) The Allen/Sheppard Urban Design and Development Framework Study be forwarded to appropriate City departments and outside agencies for their information with respect to matters such as transportation, sewer and water; and
- (3) The Director of Community Planning, North District be requested to report on any recommended changes to the Official Plan and Zoning By-law and other municipal approval processes resulting from consideration of the Development Framework outlined in this report.

A presentation was made by the consultant hired by the City, Mr. van Nostrand, of Architects Alliance.

Mr. Joe Berridge, appeared before the North York Community Council, in connection with the foregoing matter, on behalf of Mr. G. DeBoer, the property owner of the lands located in the north-west quadrant (Idomo precinct) identified in the Allen/Sheppard Urban Design and Development Framework Study.

A. Councillor Moscoe, North York Spadina, moved that the North York Community Council recommend to City Council, the adoption of the foregoing joint report (May 9, 2000) from the Director, Urban Design and the Director, Community Planning, North District, Urban Development Services, conditional upon the following provisions:

- (1) Recommendation No. 3 being amended to read as follows:



- “3. The Director of Community Planning, North District, be requested to report on any recommended changes to the Official Plan and Zoning By-law and other municipal approval processes resulting from consideration of the Development Framework outlined in this report and that such report be presented to the North York Community Council meeting scheduled for July 18, 2000 so that it can be dealt with by City Council for its meeting scheduled for August 1, 2000;
- (2) Notwithstanding the guidelines of the Allen/Sheppard Urban Design and Development Framework Study, in the interim, the lands around the Downsview Subway Station be used for commuter parking;
- (3) The Commissioner, Urban Development Services, be directed to co-ordinate plans for water, sewer, transportation and community services plans to facilitate the development of the properties, identified in the Allen/Sheppard Urban Design and Development Framework Study;
- (4) City Council confirm its intentions to pre-zone the City-owned lands in the south-east quadrant and sell off these lands as a pre-zoned property;
- (5) City Council pursue the matter of a design competition for the development of the City-owned lands and the Commissioner, Urban Development Services, submit a report to Council on a time table and process for reviewing the necessary plans for such a competition;
- (6) That matters related to the ownership and restrictive covenants on the lands in the south-east quadrant be reported to Council in order to secure the position of the City in this matter.
- B. Councillor Augimeri, Black Creek, moved that consideration of this matter be deferred until such time as the Ontario Municipal Board has rendered a decision with respect to the rezoning application respecting the Idomo site located at the north-west corner of Allen Road and Sheppard Avenue.
- C. Councillor Li Preti, Black Creek, moved that the height limitations of the north-west quadrant (Idomo site located on the north-west corner of Allen Road and Sheppard Avenue) be 45 metres, at the apex and stepping down in height towards a northerly and westerly direction.

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A recorded vote on Motion B., moved by Councillor Augimeri, was as follows:

FOR: Councillor Augimeri

AGAINST: Councillors Valenti, Li Preti, Moscoe, Berger, Mammoliti, Filion, Shiner, King

ABSENT: Councillors Feldman, Flint, Gardner, Chong, Minnan-Wong

Lost.

A recorded vote on Motion C., moved by Councillor Li Preti, Black Creek, was as follows:

FOR: Councillors Valenti, Li Preti, Moscoe, Augimeri, Filion, Shiner, King

AGAINST: Councillors Berger, Mammoliti

ABSENT: Councillors Feldman, Flint, Gardner, Chong, Minnan-Wong

Carried.

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

FOR: Councillors Valenti, Li Preti, Moscoe, Augimeri, Berger, Mammoliti, Filion, Shiner, King

AGAINST: Nil

ABSENT: Councillors Feldman, Flint, Gardner, Chong, Minnan-Wong

Carried.

Councillor Feldman, Chairman, resumed the Chair.

**7.19 Final Report – Official Plan and Zoning Amendment Application No. UDOZ-98-29 – Goodman, Phillips and Vineberg for Dangreen Properties Inc. – Northeast Corner of Sheppard Avenue and Bayview Avenue and Zoning Amendment Application No. UDZ-98-31 – IBI Group for Select Properties Limited (Orlando Corporation) – 2901 Bayview Avenue (Bayview Village Shopping Centre) – Seneca Heights.**

As directed by the North York Community Council, at its meeting held on May 2, 2000, appropriate notice of this public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (May 3, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on two applications; an application to amend the Official Plan and Zoning By-law (UDOZ-98-29) and an application to amend the Zoning By-law (UDZ-98-31) to permit two linked residential buildings with 280 units each, at the northeast corner of Sheppard Avenue East and Bayview Avenue, integrated with the future Bayview subway station; and submitting recommendations with respect thereto.

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

- communication (May 8, 2000) from Mr. Jason Wu, on behalf of the residents of Teagarden Court, expressing their concerns with the application;
- communication (May 19, 2000) from Mr. Gerald M. Harquail, President, Elk Island Developments Inc., advising of his position that all lands lying in each of the four quadrants of the Sheppard/Bayview intersection should receive fair and equal treatment by the relevant regulatory bodies determining development policies and strategies and unless such even-handed treatment becomes self-evident, he would continue to oppose the applications.
- communication (May 19, 2000) from Mr. Cary Green, Dangreen Properties Inc., advising that they are prepared to enter into agreements for a revised park contribution;
- memorandum (May 23, 2000) from the Supervisor of Land Acquisition and Development Applications, Economic Development, Culture and Tourism to the Director, Community Planning, North District, Urban Development Services, providing revised comments with regard to the proposed development; and

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- communication (May 23, 2000) from Mr. Paul Swyer, expressing his objection to the proposal.

A staff presentation was made by Ms. Ruth Lambe, 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. Jason Wu, who indicated that as a principle he agreed with intensification of the Bayview Avenue/Sheppard Avenue Node but did have concerns with the proposed development in terms of building height and shadow impacts. In this regard, he suggested a redistribution of the building mass to result in a lower building while still maintaining the same density. He also suggested that the applicant be required to produce a new shadow study.
- Mr. Murray Chusid, on behalf of Berkim Holdings and 438 Sheppard Avenue Ltd., outlined his client's concerns with respect to the proposed development. He indicated that unless all four corners of Bayview and Sheppard Avenues were developed in a comprehensive manner, he would have no choice but to request the Ontario Municipal Board to deal with all the applications at the same time. In his opinion, if the other applications are dealt with at a later date, there could be a possibility of encountering a problem with transportation, trunk sewer capacity or too much density. He believed that there should be some equitable way of dealing with the entire quadrant.
- Mr. Gallant, on behalf of the Bayview Village Association, who commented on the community meetings held regarding the proposed development and the fact that while a commitment to a Master Plan for the block was discussed at one of these meetings, that plan has never been seen. He further indicated that while the development for the subject lands is much improved since the initial submissions, there is no indication of how the development will be phased if the proposal by Dangreen is constructed prior to the proposal by Orlando Corporation. In concluding he stated that further studies on master planning the entire site are needed.
- Ms. Francis Dobbs, who expressed her concern that the Bayview Village mall would be ruined. She further advised that the City should consider the development of all four corners as part of a comprehensive plan rather than dealing with each corner on

an individual basis. She also expressed concerns with respect to the increased traffic to the Bayview Village area;

- Mr. Bruce Koffler, who expressed his concerns with respect to the illegal on-street parking within the adjacent neighbourhoods;
- Mr. Sol Wassermuhl, who commented on the merits of the application and addressed the concerns expressed by Mr. Jason Wu regarding shadowing.
- Mr. Doug Stevens, who expressed his concerns with respect to the lack of sufficient school facilities to accommodate the increase in the number of children living in the community as a result of the proposed development.

A. Councillor Shiner, Seneca Heights, moved that the North York Community Council, after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (May 3, 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 Goodman, Phillips & Vineberg for Dangreen Properties Inc. and IBI Group for Select Properties Limited (Orlando Corporation) regarding Official Plan and Zoning Amendment Application UDOZ-98-29 and UDZ-98-31, be approved, subject to the conditions outlined in the referenced report and subject to the following further conditions:

(1) Recommendation No. (1)(b) be amended by adding the following:

“Additional community benefits shall be secured through Section 37 agreements.”

(2) Recommendation No. (1) be amended by adding (1)(c) as follows:

“(1)(c): Modifying Section 4.2A of OPA 392 to include the phrase “on the now vacant lands at the northeast flankage of Bayview Avenue between Sheppard Avenue and Bayview Mews Lane designated Mixed Use”;

(3) Recommendation No. (2)(a)(v) be deleted and replaced by the following:

“(2)(a)(v): A minimum setback from Bayview Avenue of 3.0 metres for 80% of the building frontage and 2.0 metres for 20%

of the building frontage, and a minimum 5.0 metre setback from Sheppard Avenue.”

- (4) Recommendation (2)(a)(vi) be deleted and replaced with the following:

“(2)(a)(vi): live-work uses permitted including artist studio, business and professional office, custom workshop or personal service shop, limited to 30% of the total gross floor area of the dwelling unit, and located only on the first and second floors”;

- (5) Recommendation No. (2)(b) be deleted and replaced by the following:

“(2)(b): A separate community parking lot with a maximum of 75 parking spaces, including a minimum of 10 spaces reserved for TTC pick-up and drop-off purposes and the balance to be shared by the community and visitors to the Bayview Mews townhouse development”;

- (6) Recommendation No. (3)(a)(ii) be deleted;

- (7) Recommendation No. 3(c) be replaced by the following:

“(3)(c): By-law 26422 be amended to require the number of parking spaces which would remain after the construction of the new residential building footprint and current site plan changes. The exact number or rate of parking spaces required will be determined by the Director of Community Planning, North District prior to enactment of the zoning by-law”;

- (8) Recommendation (3)(b)(vi) be deleted and replaced with the following:

“(3)(b)(vi): live-work uses permitted including artist studio, business and professional office, custom workshop or personal service shop, limited to 30% of the total gross floor area of the dwelling unit, and located only on the first and second floors”;

- (9) Recommendation No. (5)(b)(ii) be deleted and replaced with the following:
- “(5)(b)(ii): shared access between the Dangreen and the Orlando properties to ensure co-ordinated site circulation and access/egress to Bayview Avenue and Sheppard Avenue for both developments, even if constructed separately, and that the shared access agreement be in force prior to the issuance of a building permit for the Orlando residential property”;
- (10) Recommendation No. (5) be amended by adding (5)(c) as follows:
- “(5)(c): Notwithstanding Recommendation (5)(b)(ii), in the event that the Dangreen development proceeds first and is unable to secure access/egress to Sheppard Avenue across the Orlando property, the Dangreen development shall be permitted to take its access/egress solely from Bayview Avenue, subject to traffic recertification.”
- (11) Recommendation No. (6)(a) be deleted and replaced with the following:
- “(6)(a):
- (i) The Dangreen site plan approval shall include the provision of a minimum 2.5 metre wide pedestrian connection through the development from the Bayview Avenue sidewalk to the mall level and community parking lot. The walls of the pedestrian connection will be constructed of transparent glass wherever practical; and
  - (ii) The Orlando site plan approval shall include the provision of a weather protected pedestrian walkway between the residential development and the mall”;
- (12) Recommendation No. (6)(b) and Recommendation No. (4) of Exhibit G be amended by deleting the following:

“and be restricted to right-in, right-out movements only through channelization with a boulevard island”;

- (13) Recommendation No. (6)(f) be amended to require the conditions of the Parks and Recreation Planning Branch of Economic Development, Culture and Tourism memorandum dated May 23, 2000;
- (14) The draft by-law for Orlando be amended to permit libraries as a permitted use and staff report further on the success of negotiations;

B. Councillor Shiner, Seneca Heights, moved that the following Resolution be adopted.

“WHEREAS notwithstanding that the overall supply of parking spaces for the mall is sufficient to meet its overall demand;

WHEREAS the local community has expressed concerns about the availability of parking spaces in certain areas of the Bayview Village Mall parking lot;

THEREFORE BE IT RESOLVED THAT any future expansion of the mall be required to occur adjacent to areas of the parking lot that are deemed to be underutilized at the time of expansion based on a detailed parking study completed to the satisfaction of the Commissioners of Works and Emergency Services and Urban Development Services Departments.”

- C. Councillor Filion, North York Centre, moved that the massing outlined in the report (May 3, 2000) from the Director, Community Planning, North District, Urban Development Services, not be approved at this time, but rather be subject to site plan approval; and that a report on the site plan be submitted to the North York Community Council, at a later date for consideration.
- D. Councillor Moscoe, North York Spadina, moved in amendment to Councillor Shiner’s motion that Recommendation 5(c) be amended by adding the words “and subject to the approval of the Director of Transportation Services, District 3, in consultation with the Toronto Transit Commission; and notwithstanding Recommendation (5)(c) referred to above; the development shall in no way impinge on the ability of the Toronto Transit Commission buses having exclusive egress/ingress to Bayview Avenue” after the word, “recertification” so that Recommendation 5(c) shall now read as follows:



“(5)(c) : Notwithstanding Recommendation (5)(b)(ii), in the event that the Dangreen development proceeds first and is unable to secure access/egress to Sheppard Avenue across the Orlando property, the Dangreen development shall be permitted to take its access/egress solely from Bayview Avenue, subject to traffic recertification and subject to the approval of the Director of Transportation Services, District 3, in consultation with the Toronto Transit Commission; and notwithstanding Recommendation (5)(c) referred to above; the development shall in no way impinge on the ability of the Toronto

Transit Commission buses having exclusive egress/ingress to Bayview Avenue.”

E. Councillor Moscoe, North York Spadina, moved that Recommendation No. (5)(b)(ii) be amended to read:

“public art component equal to one percent (1%) of the cost of construction”.

F. Councillor King, Seneca Heights, moved that:

(1) Orlando Corporation be required to provide a designated pedestrian walkway across the Bayview Village mall property from the pedestrian connection referred to in Recommendation No. (6)(a) embodied in the report (May 3, 2000) from the Director, Community Planning, North District, respecting the Dangreen Properties Inc. site, to the Bayview Village Mall; and

(2) Prior to Orlando Corporation receiving a building permit, 7,000 square feet to 12,000 square feet be provided to the Library Board at a rent set in consultation with the local Councillors and the Chief Librarian.

G. Councillor Flint, North York Centre South, moved that the designated pedestrian walkway from the development site to the Bayview Village Mall be increased in width from 2.5 metres to 3.0 metres.

Upon the question of the adoption of Motion G., moved by Councillor Flint, it was lost.

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

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FOR: Councillors Moscoe, Filion

AGAINST: Councillors Valenti, Li Preti, Augimeri, Berger, Feldman, Flint, Minnan-Wong, Shiner, King

ABSENT: Councillors Mammoliti, Gardner, Chong

Lost.

A recorded vote on Motion D., moved by Councillor Moscoe, North York Spadina, in amendment to Councillor Shiner's motion, was as follows:

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

AGAINST: Councillors Filion, King

ABSENT: Councillors Mammoliti, Gardner, Chong

Carried.

A recorded vote on Motion A., moved by Councillor Shiner, Seneca Heights, as amended by Motions E. and F., put forward by Councillor Moscoe, North York Spadina and Councillor King, Seneca Heights respectively, and Motion B, moved by Councillor Shiner, was as follows:

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

AGAINST: Councillor Filion

ABSENT: Councillors Mammoliti, Gardner, Chong

Carried.

(Councillor King declared her interest in the foregoing matter, only insofar as it relates to Recommendation No. (6)(f) and Exhibit L of the report (May 3, 2000) and revised Exhibit L (May 23, 2000) from the Director, Community Planning, North District, Urban Development

Services, in that those sections refer to a proposed park in front of the Thomas Clarke House, which is a property owned by a member of her extended family.)

**(Report No. 7 – Clause No. 15)**

**7.20 Final Report – Zoning Amendment and Subdivision Applications Nos. UDOZ-99-29 and UDSB-1243 – Metrodome Properties Inc. – 5365 Leslie Street – Seneca Heights.**

As directed by the North York Community Council, at its meeting held on March 23, 2000, appropriate notice of this public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (May 23, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on applications to amend the Zoning By-law 7625 of the former City of North York and for Subdivision Approval to permit the development of 77 single detached residential units, a new road, and a park; and submitting recommendations with respect thereto.

The North York Community Council also had before it a report (May 23, 2000) from the Director, Community Planning, North District, Urban Development Services, providing further information with respect to the Final Report on UDZ-99-29 and UDSB-1243 and recommending that this report be received for information; and if Council adopts the recommendations of the Final Report concerning UDZ-99-29 and UDSB-1243, that the City Solicitor be instructed to object to the application for amendment to the Official Plan.

A staff presentation was made by Naomi Faulkner, Planner, Community Planning, North District.

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

- Mr. Murray Chusid, on behalf of the applicant, Metrodome Properties Inc., who commented on the merits of the application. He also outlined the reasons for not supporting the staff recommendation to reduce the number of lots to 74.
- Mr. Ted Sampson, who advised that he was opposed to the development and expressed concerns with respect to the height of the residential units as well as the rear and side yard setbacks;

- Ms. Nancy Giesler, who spoke in opposition to the application. Her primary objection was with respect to the height and lot coverage of the proposed dwellings which, in her opinion, was excessive and incompatible with the existing development in the area. She was also concerned with overshadowing;
  - Ms. Irene Baetz, who expressed concern with respect to the height of the homes, which would create an infringement on the privacy of adjacent neighbours. She also commented on the amount of lot coverage and small rear yards in comparison to the other homes presently existing in the neighbourhood; and
  - Mr. Ian Kingston, who expressed his opposition to the proposal and commented that the homeowners adjacent to the development, have not been considered. He then requested that the designation of the McDougald estate be delayed pending the approval of the changes to the development.
- A. Councillor King, Seneca Heights, moved that the North York Community Council, after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the reports (May 23, 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 Metrodome Properties Inc. regarding Zoning Amendment and Subdivision Applications UDZ-99-29 and UDSB-1243, be approved, subject to the conditions outlined in the referenced reports, and subject to the following:
- (1) That Recommendation No. 3(d)(v), which deals with the designation of the former McDougald Estate House under the Ontario Heritage Act, be forwarded to City Council, without recommendation, for its meeting scheduled for June 7, 2000;
  - (2) That Recommendation No. 3(d)(i), which deals with Schedule G, include the following:

“That prior to the issuance of a building permit, the applicant provide to the satisfaction of the Commissioner, Economic Development, Culture and Tourism, a Vegetation Assessment and Preservation Report for the trees located in the future rear yards of the lots on the perimeter of the site”;

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- (3) The aforementioned report include:
- (a) the condition of these trees;
  - (b) the protection zones and conditions to be put in place to preserve the aforementioned trees based on final building plans and envelopes; and
  - (c) which trees can be removed and replaced with a suitable alternative, as agreed to by the Supervisor, Urban Forestry, Planning and Protection.
- (4) If Council adopts the recommendations of the Final Report concerning UDZ-99-29 and UDSB-1243, that the City Solicitor be instructed to object to the application for amendment to the Official Plan UDOP-00-11; and
- (5) the Director, Community Planning, North District, Urban Development Services, be requested to meet with the applicant and the community to discuss refinements and modifications which could be submitted to the North York Community Council meeting scheduled for June 21, 2000.

B. Councillor Shiner, Seneca Heights, moved that the plan of Subdivision include a tree preservation area and new tree plantings around the perimeter for a minimum 5 feet of the development and that this area be designated in the subdivision agreement as a tree preservation area.

A recorded vote on Motion A., moved by Councillor King, Seneca Heights, and Motion B., moved by Councillor Shiner, Seneca Heights, was as follows:

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

AGAINST: Nil

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

Carried.

**(Report No. 7 – Clause No. 16)**

**7.21 Proposed Solid Waste Management Services Requirements for Developments and Redevelopments.**

The North York Community Council had before it a report (March 9, 2000) from the General Manager, Solid Waste Management Services, Works and Emergency Services, providing each Community Council the opportunity to comment on the proposed Solid Waste Management Services Requirements for Developments and Redevelopments, prior to Council consideration, and recommending that:

- (1) this report be received for information;
- (2) consultation with the public be held at the next meeting of Community Council or, alternatively, at a separate open house;
- (3) Community Council notify the General Manager of Solid Waste Management Services of their preference with regards to Recommendation No. 2 to allow for appropriate planning; and
- (4) any comments be forwarded to the contact noted at the end of this report by May 12, 2000.

The North York Community Council also had before it a report (May 9, 2000) from the General Manager, Solid Waste Management Services, Works and Emergency Services, providing the North York Community Council with information requested pertaining to the proposed Requirements for City of Toronto Garbage and Recycling Collection at New Developments and Redevelopments, and recommending that this report be received for information.

A presentation was made by Ms. Catherine Daniels, Senior Analyst, Policy Development, Solid Waste Management Services, Works and Emergency Services.

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

- Mr. Gary Rose on behalf of Y.C.C. #64; and
- Mr. Sam Wilkes, President, Y.C.C. #175.

- A. Councillor Flint, North York Centre, moved that the report (March 9, 2000) from the General Manager, Solid Waste Management Services, Works and Emergency Services, be received.
- B. Councillor Shiner, Seneca Heights, moved that:
- (1) the following recommendations respecting the proposed Solid Waste Management Services Requirements for Developments and Redevelopments, be referred to the Works Committee for its consideration:
    - (a) that all new single family homes, townhouses, semi-detached homes and multi-residential developments, other than apartment buildings, that are on public or private roads and laneways be designed to facilitate curbside collection in order to eliminate central point collection;
    - (b) all references to the use of bags to collect paper as referred to in the document headed, "Requirements for City of Toronto Garbage and Recycling Collection at New Developments and Redevelopments", be deleted and that grey and green recycling boxes continue to be used for the collection of newspapers, telephone directories, magazines and catalogues; and
  - (2) the Commissioner of Works and Emergency Services be requested to investigate and report on new vehicles and alternative methods that could be used in order to facilitate curbside collection in all new developments.

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

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

**(Report No. 7 – Clause No. 25(e))**

**7.22 Proposed Residential Solid Waste Collection By-Law.**

The North York Community Council had before it a report (March 9, 2000) from the General Manager, Solid Waste Management Services, Works and Emergency Services, providing each

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Community Council an opportunity to review and comment on the proposed residential solid waste collection by-law, prior to Council consideration and recommending that:

- (1) this report be received for information;
- (2) consultation with stakeholders be held at the next meeting of Community Council or, alternatively, at a separate open house;
- (3) each Community Council notify the General Manager of Solid Waste Management Services of their preference with regards to Recommendation No. 2 to allow for appropriate planning; and
- (4) any comments be forwarded to the contact noted at the end of this report by May 12, 2000.

The North York Community Council also had before it a report (May 9, 2000) from the General Manager, Solid Waste Management Services, Works and Emergency Services, providing the North York Community Council with information requested as a result of the proposed Residential Solid Waste Collection By-law, and recommending that this report be received for information.

A presentation was made by Ms. Catherine Daniels, Senior Analyst, Policy Development, Solid Waste Management Services, Works and Emergency Services.

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

- Ms. Charlotte Nowack, who also filed a written submission, a copy of which is on file in the office of the City Clerk, North York Civic Centre;
- Mr. Jack Goldberg, on behalf of York Condominium Corporation No. 5;
- Ms. Thelma Davidson;
- Ms. Sara Schneider; and
- Mr. Samuel Wilkes, on behalf of York Condominium Corporation No. 175.

A. Councillor Shiner, Seneca Heights, moved that:

- (1) the report (March 9, 2000) from the General Manager, Solid Waste Management Services, Works and Emergency Services, be received;
- (2) the following recommendations respecting the Proposed Residential Solid



Waste Collection By-law, be referred to the Works Committee for its consideration:

- (a) that as single family homes, townhouses, semi-detached homes and multi-residential developments, other than apartment buildings, are all taxed at the same rate, they should all receive the same level of service for waste collection and curbside collection, and that central point collection be eliminated at all properties except those that may wish to retain central point collection.
  - (b) that Section 15.1(c) be amended to provide that only grey and green recycling boxes be used for the collection of the newspapers, telephone directories, magazines and catalogues, and that all references to the use of bags for the collection of paper be deleted;
  - (c) the wording of the proposed Residential Solid Waste Collection By-law be amended to provide that the authority for the ceasing of solid waste collection be only at the discretion of City Council; and
- (3) the Commissioner, Works and Emergency Services be requested to investigate and report 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.
- B. Councillor Moscoe, North York Spadina, moved that the Commissioner, Works and Emergency Services, be requested to bring a clean-up crew from downtown to the former City of North York area to undertake a one-time clean-up of litter, in areas where the flower pot bins are located.

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

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

**(Report No. 7 – Clause No. 25(f))**

**7.23 O.M.B. Decision And Legal Proceedings Respecting Official Plan Amendment 447.**

The North York Community Council had before it a confidential report (May 8, 2000) from the City Solicitor respecting Ontario Municipal Board Decision and Legal Proceedings regarding Official Plan Amendment 447, having regard that the matter involves litigation or potential litigation, and relates to the receiving of advice under solicitor-client privilege.

Councillor Feldman, North York Spadina, moved that the North York Community Council meet privately to discuss the matter of the Ontario Municipal Board Decision and Legal Proceedings respecting Official Plan Amendment 447 having regard that the subject matter involves litigation or potential litigation, and relates to the receiving of advice under solicitor-client privilege, which was carried.

On motion by Councillor Shiner, Seneca Heights, the North York Community Council recommended to City Council, the adoption of the confidential report (May 8, 2000) from the City Solicitor entitled, “Ontario Municipal Board Decision and Legal Proceedings regarding Official Plan Amendment 447”, and recommended that, in accordance with the Municipal Act, discussions pertaining to this Clause be held in camera, having regard that the subject matter involves litigation or potential litigation, and relates to the receiving of advice under solicitor-client privilege.

**(Report No. 7 – Clause No. 17)**

**7.24 Parking Prohibitions – Cocksfield Avenue between Bathurst Street and Hove Street – North York Spadina.**

The North York Community Council had before it a report (May 15, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, 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” restriction on the north and south sides of Cocksfield Avenue, from Bathurst Street to Heaton Street;

- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by adding the “No Parking Anytime” restriction on the north side of Cocksfield Avenue, from Bathurst Street to Heaton Street; and
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by adding the “No Parking Anytime” restriction on the south side of Cocksfield Avenue, from Bathurst Street to Hove Street.

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

**(Report No. 7 – Clause No. 18)**

**7.25 Temporary Road Closure – Parkview Avenue – North York Centre.**

The North York Community Council had before it a report (May 15, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request to temporarily close a portion of Parkview Avenue, to accommodate a street party, and recommending that:

- (1) By enactment of a confirmatory By-law adopting this report, Parkview Avenue, between Willowdale Avenue and Longmore Street, should be closed temporarily on Saturday, June 10, from 2:00 p.m. to 9:00 p.m. (Rain date on Saturday, June 17), subject to the applicant's compliance with procedural By-law No. 27433 of the former City of North York; and
- (2) During the temporary closure, there shall be no use of the closed roadway for vehicular traffic except under the authority of a permit issued by the Commissioner of Works and Emergency Services.

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

**(Report No. 7 – Clause No. 19)**

Councillor Mammoliti, North York Humber, assumed the Chair.

**7.26 Parking Prohibitions – Barberry Place – North York Centre South.**

The North York Community Council had before it a report (May 16, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on both sides of Barberry Place, from 7:00 a.m. to 7:00 p.m., Monday to Friday.

On motion by Councillor Berger, North York Centre, the North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 7 – Clause No. 20)**

Councillor Feldman, Chairman, resumed the Chair.

**7.27 Sale of Surplus Vacant Land at the Southeast Corner of Wilson Heights Boulevard and Model Avenue – North York Spadina.**

The North York Community Council had before it a report (May 2, 2000) from the Commissioner of Corporate Services, to authorize the disposal of vacant land identified as Parts of Lots 139, 140 and 145, Plan 3293, designated as Parts 5 and 6 Plan RS-1258, and recommending that:

- (1) the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the highest offer in the amount of \$115,100.00 as detailed herein;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding balance of Costing Unit No. CA6532;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City and amend the closing date to such earlier or later date as considered reasonable; and
- (4) 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. 7 – Clause No. 21)**

**7.28 Community Festival Maintenance Fees at Mel Lastman Square – North York Civic Centre.**

The North York Community Council had before it a report (May 16, 2000) from the Commissioner, Economic Development, Culture and Tourism, providing information to the North York Community Council regarding maintenance fees charged to community festivals held on Mel Lastman Square, and recommending that this report be received for information.

- A. Councillor Berger, North York Centre South, moved that festival organizers of events held in Mel Lastman Square, be required to deposit a letter of credit with the City.
- B. Councillor Li Preti, Black Creek, moved that the appropriate City officials be authorized to collect any monies from event organizers after the events have been held in Mel Lastman Square, which monies would be used for clean-up purposes.
- C. Councillor Mammoliti, North York Humber, moved that the event organizers who held the event in Mel Lastman Square, on the long-weekend in May, be advised of the North York Community Council's concerns regarding maintenance of the Square after major events have taken place.

Councillor Berger, assumed the Chair.

- D. Councillor Feldman, North York Spadina, moved that:
  - (1) the report (May 16, 2000) from the Commissioner, Economic Development, Culture and Tourism, be received; and
  - (2) the Commissioner, Economic Development, Culture and Tourism, be requested to submit a further report establishing a policy regarding harmonized maintenance fees charged to festival organizers of events held in the Civic Squares located within the City of Toronto.

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

Having regard for the foregoing decision of the North York Community Council, the foregoing Motions A., B., and C., moved by Councillor Berger, Councillor Li Preti and Councillor Mammoliti respectively, were deemed redundant and were not voted upon.

Councillor Feldman, Chairman, resumed the Chair.

**(Report 7 – Clause No. 25(g))**

**7.29 Parking Prohibitions on Pearldale Avenue between Finch Avenue West and Duncanwoods Drive – North York Humber.**

The North York Community Council had before it the following Resolution by Councillor Mammoliti, North York Humber:

“WHEREAS parking is permitted for periods of up to a maximum of three hours on the entire west side of Pearldale Avenue and on the east side, north of Topeka Road;

WHEREAS residents of Pearldale Avenue have expressed concern that vehicles are parked consistently on both sides of the roadway overnight;

WHEREAS staff of the Transportation Services Division has advised that traditional enforcement by the Toronto Police Services, Parking Enforcement Unit has had minimal impact on excessive illegal parking;

THEREFORE BE IT RESOLVED that parking be prohibited on the west side of Pearldale Avenue, between the hours of 2:00 a.m. and 6:00 a.m., from Finch Avenue West to Duncanwoods Drive; and

BE IT FURTHER RESOLVED that parking be prohibited at anytime on the east side of Pearldale Avenue, between Topeka Road and Duncanwoods Drive.”

On motion by Councillor Mammoliti, 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.

On motion by Councillor Mammoliti, North York Humber, the North York Community Council recommended to City Council, the adoption of the foregoing Resolution.

**(Report No. 7 – Clause No. 22)**

Councillor Mammoliti, assumed the Chair.

**7.30 Proposed Road Alteration – Part of Eglerslie Avenue between Tamworth Road and Canterbury Place and Part of Beecroft Road between Basil Hall Court and Eglerslie Avenue – North York Centre.**

The North York Community Council had before it a joint report (May 17, 2000) from the from the Director, Transportation Services, District 3, and the Director, Engineering Services, Districts 3 and 4, Works and Emergency Services, reporting on the proposed road alteration of part of Eglerslie Avenue east of Tamworth Road and part of Beecroft Road north of Basil Hall Court in order to implement Ontario Municipal Board Decision 2030, regarding the development of 80 to 102 Eglerslie Avenue and more particularly described in the body of this report and shown in Appendices A and B, which Decision required that interim access for Numbers 72 to 102 be provided to the Downtown Service Road (Beecroft Road and the easterly portion of Eglerslie Avenue) until such time as the Uptown Service Road is constructed, and recommending that:

- (1) notice be given to the public of a proposed by-law to alter a portion of Eglerslie Avenue and Beecroft Road, in accordance with the requirements of the *Municipal Act*;
- (2) funds for the cost of publishing public notices referred to in Recommendation (1) above be borne by the developer;
- (3) the North York Community Council hold a public hearing concerning the proposed by-law, in accordance with the requirements of the *Municipal Act*;
- (4) the proponent be required to pay all costs of the road alteration, including the costs of adjusting or relocating services and/or utilities, with the costs to be determined by the Commissioner of Works and Emergency Services and the appropriate utility companies;
- (5) Authority be given by North York Community Council to immediately advertise the proposed alterations so that deputations can be held at the June 21, 2000 Community Council meeting; and,

- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing.

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.

On motion by Councillor Filion, North York Centre, the North York Community Council recommended to City Council, the adoption of the foregoing joint report.

**(Report No. 7 – Clause No. 23)**

Councillor Feldman, Chairman, resumed the Chair.

**7.31 Remedial Water Main Relining Work for Hillhurst Avenue and Abutting Area – Summer 2000 – Request Not to Turn Off Water on Fridays, June 8th, August 1st and August 11th.**

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

“WHEREAS the City of Toronto Works and Emergency Services Department has scheduled remedial water main relining work for the Hillhurst Avenue and abutting area for this summer; and

WHEREAS this work necessitates the water being turned off for certain periods of time; and

WHEREAS this community is home to a large number of Jewish constituents who observe holidays and Sabbaths and require water to prepare food, wash and bathe the day before and after;

WHEREAS a request has been received to respect these days by not shutting off the water supply;



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THEREFORE BE IT RESOLVED that the City direct the contractor to respect residents' religious observances by not turning off the water on Fridays, June 8<sup>th</sup>, August 1<sup>st</sup> and August 11<sup>th</sup>.

The North York Community Council also had before it a communication (May 23, 2000) from Dov Coodin, expressing appreciation that he lives in a city where maintenance is kept up and requesting that the water not be turned off on significant dates on the Jewish calendar during maintenance scheduled for this summer.

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.

**(Report No. 7 – Clause No. 24)**

The North York Community Council adjourned its meeting at 11:00 p.m., Tuesday, May 23, 2000.

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Chair.