

# **THE CITY OF TORONTO**

## **Clerk's Department**

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

**Wednesday, April 1, 1998.**

The North York Community Council met on Wednesday, April 1, 1998, in the Council Chamber, North York Civic Centre, commencing at 10:00 a.m.

#### **Members Present:**

Councillor Berger, Chair  
Councillor Augimeri  
Councillor Chong  
Councillor Feldman  
Councillor Fillion  
Councillor Flint  
Councillor Gardner  
Councillor King  
Councillor Li Preti  
Councillor Mammoliti  
Councillor Minnan-Wong  
Councillor Moscoe  
Councillor Sgro  
Councillor Shiner

Councillor Mammoliti assumed the Chair.

#### **Confirmation of Minutes.**

Councillor Flint moved that Minute No. 70 of the Minutes of the Meeting of February 18, 1998 be amended to delete the direction to staff to hold one of the community consultation meetings in Earl Bales Park.

On motion by Councillor Flint, North York Centre South, the Minutes of the meeting of the North York Community Council held on February 18, 1998, were confirmed, as amended.

**76. Relocation Of School Bus Loading Zone - St. Conrad Catholic School - Roding Street - Black Creek.**

The North York Community Council had before it a report (March 18, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that North York By-law No. 30358 be amended to relocate the existing school bus loading zone, associated with the St. Conrad Catholic School, from Parent Avenue to the west side of Roding Street, south of Parent Avenue.

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

**(Clause 10, Report No. 4)**

**77. All Way Stop Control - Heathrow Drive At Chesham Drive/Forthbridge Crescent - Black Creek.**

The North York Community Council had before it a report (February 4, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that Schedules XVIII and XIX of North York By-law No. 31001 be amended to require traffic to stop on all approaches to the intersection of Heathrow Drive and Chesham Drive/Forthbridge Crescent.

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

**(Clause 11, Report No. 4)**

**78. Right-turn Prohibition - Altamont Road At The Access To Chelsea Gate (108 Finch Avenue West) - North York Centre.**

The North York Community Council had before it a report (February 11, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that the necessary by-law be enacted to prohibit outbound right-turns at the access driveway from the Chelsea Gate development to Altamont Road; and the necessary funds be acquired from the developer to cover the cost of the sign installation.

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

**(Clause 12, Report No. 4)**

**79. Relocation Of Pedestrian Crossover - Cummer Avenue - Seneca Heights.**

The North York Community Council had before it a report (January 30, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending the relocation of the existing pedestrian crossover on Cummer Avenue from Simeon Court to the east side of Ruddington Drive.

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

**(Clause 13, Report No. 4)**

**80. Temporary Road Closure - Ridley Boulevard Between Bombay Avenue And Sandringham Drive - North York Centre South.**

The North York Community Council had before it a report (January 30, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that permission for the temporary closure of Ridley Boulevard, Bombay Avenue to Sandringham Drive, be granted and that the appropriate by-law be enacted by Council.

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

**(Clause 15, Report No. 4)**

**81. Parking Prohibitions - Hickorynut Drive - Seneca Heights.**

The North York Community Council had before it a report (March 11, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that Schedule VIII of North York By-law No. 31001 be amended to prohibit parking from 8:00 a.m. to 5:00 p.m., Monday to Friday, on the north and west sides of Hickorynut Drive, from the westerly limit of Hickorynut Drive to the southerly limit of Hazelnut Crescent.

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

**(Clause 17, Report No. 4)**

**82. Parking Prohibitions - Duncanwoods Drive - North York Humber.**

The North York Community Council had before it a report (March 12, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that Schedule VIII of North York By-law No. 31001 be amended to prohibit parking on the west side of Duncanwoods Drive, from the southerly limit of Benrubin Drive to the northerly limit of Pearldale Drive.

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

**(Clause 18, Report No. 4)**

**83. All Way Stop Control - Barse Street At Fairlawn Avenue - North York Centre South.**

The North York Community Council had before it a report (March 13, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that Schedules XVIII and XIX of North York By-law No. 31001 be amended to require traffic to stop on all approaches to the intersection of Barse Street and Fairlawn Avenue.

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

**(Clause 19, Report No. 4)**

**84. Stopping Prohibitions - Baycrest Avenue - North York Centre South.**

The North York Community Council had before it a report (March 13, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that Schedule XI of North York By-law No. 31001 be amended to prohibit stopping at any time on the south side of Baycrest Avenue, from the westerly limit of Bathurst Street to the easterly limit of Khedive Avenue.

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

**(Clause 20, Report No. 4)**

**85. Parking Prohibitions - Barmac Drive - North York Humber.**

The North York Community Council had before it a report (March 16, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that Schedule VIII of North York By-law No. 31001 be amended to prohibit parking at anytime on both sides of Barmac Drive, from a point 288 metres south/west of the southerly lim of Ormont Drive (east intersection) to the southerly limit of Ormont Drive (west intersection).

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

**(Clause 22, Report No. 4)**

**86. Temporary Road Closure - Baycrest Avenue And Neptune Drive - North York Centre South.**

The North York Community Council had before it a report (March 16, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that the appropriate by-law be enacted to grant permission for the temporary road closure of portions of Baycrest Avenue and Neptune Drive, on Sunday, May 10, 1998, from 8:00 a.m. to 11:30 a.m. subject to the applicant's compliance with North York Procedural By-law No. 27433.

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

**(Clause 23, Report No. 4)**

**87. Request For Three Curb Cuts/driveway Entrances - 2 Suncrest Drive At Glenorchy Road - North York Centre South.**

The North York Community Council had before it a report (March 18, 1998) from the Deputy Commissioner of Public Works, North York, recommending that the policy of the former City of North York Council, which reads in part, "that when the frontage of a property exceeds 69 feet or the frontage and flankage of a corner lot exceeds 69 feet, the owner be permitted two curb cuts not to exceed a total of 30 feet", be upheld.

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

**(Clause 26, Report No. 4)**

**88. Building Water Rates - 89 Larkfield Drive - North York Centre South.**

The North York Community Council had before it a report (March 18, 1998) from the Deputy Commissioner of Public Works, North York Civic Centre, recommending that the request by the owner of 89 Larkfield Drive that the building water rate in the amount of \$416.00, which was paid under Municipal Services Application No. 004701, not be refunded as he used water from his neighbours during construction of the new house at the subject location.

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

**(Clause 28, Report No. 4)**

**89. Request To Waive Building Permit Fees - Canadian Memorial Chiropractic College - Annual Fundraising - "Backs In Motion" Run - April 26, 1998.**

The North York Community Council had before it a report (March 23, 1998) from the Chief Building Official/Building Commissioner forwarding a request from Councillor Flint to waive the permit fee for the erection of a temporary tent for the "Backs in Motion" event sponsored by the Canadian Memorial Chiropractic College and advising that:

- (1) the Building Department has no objections to the request from Councillor Flint to waive the permit fee for this year's event being approved by the North York Community Council; and
- (2) the applicant be advised to file the application for the permit at least 3 weeks prior to the event.

The North York Community Council recommended to Council that the foregoing report, be adopted and that the request from Councillor Flint to waive the permit fee for the erection of a temporary tent at the subject event be approved.

**(Clause 30, Report No. 4)**

**90. Special Occasion Permits For Community Events - North York Humber; Black Creek; And North York Centre.**

The North York Community Council had before it a report (March 2, 1998) from the Deputy Commissioner of Parks and Recreation, North York Civic Centre, recommending that:

- (1) permission be granted to the groups listed in Appendix I of the report (March 2, 1998) to hold Special Occasion (Beer Garden) Permit Events;
- (2) the groups obtain a Special Occasion Permit from the Liquor Licensing Board of Ontario;
- (3) the groups be charged the approved Special Occasion Permit fee of \$50.00 and for goods and services not readily available at the site;
- (4) the groups provide proof of liability insurance coverage in the amount of \$2M naming the City as additional insured;
- (5) all bartenders and servers be required to attend a Server Intervention Training Program at the groups' expense; and

- (6) appropriate City officials be directed to carry out all things necessary thereto.

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

**(Clause 31, Report No. 4)**

**91. Environmental Events - Spring 1998.**

The North York Community Council had before it a report (March 20, 1998) from the Interim Functional Lead, Parks and Recreation, informing local Councillors about the sites which are proposed for this year's naturalization plantings in their community and recommending that the report be received as information.

The North York Community Council received the foregoing report.

**(Clause 42(i), Report No. 4)**

**92. Filipino Commemorative Monument - Earl Bales Park - North York Centre South.**

The North York Community Council had before it a report (March 23, 1998) from the Interim Functional Lead, Parks and Recreation, recommending that:

- (1) the City of Toronto accept as a gift a monument to Dr. Jose P. Rizal and erect it in Earl Bales Park in the location designated on the map attached as Appendix I to the report;
- (2) a moratorium be placed on any further installation of monuments and memorial trees in Earl Bales Park until a consolidated public art policy is completed and a specific plan developed for Earl Bales Park and approved by a future meeting of Council; and
- (3) the appropriate City Officials take the necessary action to give effect thereto.

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

**(Clause 32, Report No. 4)**

**93. Interim Delegation Of Authority - Community Council - Rental Housing Protection Act.**

The North York Community Council had before it a communication (March 12, 1998) from the City Clerk advising that City Council on March 4, 5, and 6, 1998, adopted, without amendment a motion by Councillor Brown which provided for the delegation to each

Community Council the authority to give notice and hold any public meeting regarding applications under the Rental Housing Protection Act as required by Section 11 of that Act in respect of land within the part of the urban area it represents and that the Urban Environment and Development Committee is delegated the authority to hold such meetings in respect of land that is within the geographic area represented by more than one Community Council.

The North York Community Council received the foregoing communication.

**(Clause 42(j), Report No. 4)**

**94. Neighbourhood Watch Program.**

The North York Community Council had before it the following motion by Councillor Minnan-Wong which was deferred by the North York Community Council at its meeting of January 21, 1998, regarding funding for North York Neighbourhood Watch:

WHEREAS community safety is a priority to the residents of the North York community; and

WHEREAS the Toronto Police Service has received fewer resources in the last number of years and has come to rely more and more on Neighbourhood Watch; and

WHEREAS the North York community has come to rely and depend on Neighbourhood Watch as an effective way of protecting our communities; and

WHEREAS Neighbourhood Watch has been an unqualified success in promoting community safety and crime prevention;

NOW THEREFORE BE IT RESOLVED THAT the North York Community Council endorse Neighbourhood Watch as integral in fighting crime and promoting crime prevention in the City of Toronto;

AND BE IT FURTHER RESOLVED THAT the North York Community Council adopt Neighbourhood Watch as a model for establishing community safety and crime prevention programs;

AND BE IT FURTHER RESOLVED THAT funding for Neighbourhood Watch in North York be continued;

AND BE IT FURTHER RESOLVED THAT this resolution be circulated to all other Community Councils in the City of Toronto.”



The North York Community Council recommended to Council the adoption of the foregoing motion.

(All other Community Councils - April 27, 1998)  
**(Clause 33, Report No. 4)**

**95. City Of Toronto Act, 1997 - Proposed Amendment To Bill 103.**

The North York Community Council had before it the following:

- (a) motion by Councillor Minnan-Wong deferred by the North York Community Council at its meeting of January 21, 1998, regarding a request for amendment to subsection 8(4) of Bill 103; and
- (b) communication (January 30, 1998) from the City Solicitor, North York Civic Centre, recommending that if it is decided to seek an amendment to the City of Toronto Act, 1997, the City Solicitor be directed to seek the same from the Ontario Legislature.

The North York Community Council deferred consideration of the foregoing motion from Councillor Minnan-Wong and communication (January 30, 1998) from the City Solicitor, North York Civic Centre, to the meeting at which the matter of the Roles and Responsibilities of Community Councils is to be considered.

**(Clause 42(l), Report No. 4)**

**96. Request For Heritage Conservation Easement Agreement - Elihu Pease House - 34 Avondale Avenue - North York Centre.**

The North York Community Council had before it a report (March 13, 1998) from the Manager, Culture Branch, North York Civic Centre, recommending that:

- (1) Council for the City of Toronto approve in principle the receipt of a donation of a Heritage Conservation Easement Agreement on the property known as the historic Elihu Pease House, located at 34 Avondale Road, under the terms of Part IV of the Ontario Heritage Act and in accordance with the advice of the North York Heritage Committee (Local Architectural Conservation Advisory Committee);
- (2) municipal staff be given the authority to negotiate the terms of the Heritage Conservation Easement Agreement with Louis and Donalda Badone, the owners of the Elihu Pease House;

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- (3) staff report back to Council for the enactment of a municipal by-law and execution of the agreement; 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 Council the adoption of the foregoing report.

**(Clause 34, Report No. 4)**

**97. Community Festival Event - Second Harvest -The Estates Of Sunnybrook - 2075 Bayview Avenue - North York Centre South.**

The North York Community Council had before it a communication (February 23, 1998) from Ms. Misa Kim, Second Harvest, advising of intention of applying for a special occasion permit from the Liquor License Board of Ontario for an event to be held Sunday, June 7, 1998 at 4:30 p.m. at the Vaughan Estate, The Estates of Sunnybrook at 2075 Bayview Avenue.

The North York Community Council recommended to Council that the Toronto Taste '98 event being held by Second Harvest be declared a community festival event.

**(Clause 35, Report No. 4)**

**98. Special Event - Crime Concern - Neighbours Night Out - June 16, 1998.**

The North York Community Council had before it a communication (February 10, 1998) from Ms. Carol Johnson, Crime Concern, advising of a neighbourhood community event on June 16, 1998 and requesting support and assistance to spread the celebration across more of the City.

The North York Community Council recommended to Council that the foregoing communication be received as information.

**(Clause 42(k), Report No. 4)**

**99. Special Occasion Permit - The Canadian Council Of South Africans - South African Freedom Day Celebrations - April 26, 1998 - Mel Lastman Square.**

The North York Community Council had before it a memorandum (February 27, 1998) from Ms. Jaye Robinson, Interim Lead, Special Events, forwarding a request from the President, Canadian Council of South Africans for permission to proceed with an application for a

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Special Events Permit from the Liquor Control Board of Ontario for an event to be held April 26, 1998 in Mel Lastman Square.

The North York Community Council recommended to Council that the South African Freedom Day event being held by The Canadian Council of South Africans be declared a community festival event.

**(Clause 36, Report No. 4)**

**100. Preliminary Report - Zoning Amendment and Site Plan Application UDZ-98-04, UDSP-98-015 - Oxford Hills Developments (Horsham) Inc. - 24, 26, 36, 38 and 44 Horsham Avenue - North York Centre.**

The North York Community Council had before it a report (March 13, 1998) from the Acting Commissioner of Planning reporting on an application to amend the Zoning By-law to permit a 16 unit, 3-storey freehold townhouse development; and recommending that the application be referred to the North York Planning Department to continue reviewing and processing in the manner outlined in the report.

The North York Community Council concurred with the foregoing report.

**(Clause 42(o), Report No. 4)**

**101. Preliminary Report - Official Plan and Zoning Amendment Application UD0Z-98-01 - B.Y. Group Ltd. - 111 Barber Greene Road - Don Parkway.**

The North York Community Council had before it a report (March 13, 1998) from the Acting Commissioner of Planning reporting on an application to amend the Official Plan and Zoning By-law to permit 31 townhouses, and recommending that the application be referred to the North York Planning Department to continue reviewing and processing in the manner outlined in the report.

The North York Community Council concurred with the foregoing report.

**(Clause 42(p), Report No. 4)**

**102. Preliminary Report - Zoning Amendment Application UDZ-97-50 - Romzanali Akbarali in Trust - 101 - 123 Bartley Drive - Don Parkway.**

The North York Community Council had before it a report (March 12, 1998) from the Acting Commissioner of Planning reporting on an application to amend the Zoning By-law to permit a residential development comprising of two 4-storey apartment buildings, ten 3-

storey townhouse units and four 2-storey semi-detached units; and recommending that the application be referred to the North York Planning Department to continue processing in the manner outlined in the report.

The North York Community Council concurred with the foregoing report.

**(Clause 42(q), Report No. 4)**

**103. Preliminary Report - Official Plan and Zoning Amendment Application UD0Z-98-03 - Rowland Lincoln Mercury - Southwest Corner of Eglinton Avenue East and Jonesville Crescent - Don Parkway.**

The North York Community Council had before it a report (March 13, 1998) from the Acting Commissioner of Planning reporting on application to amend the Official Plan and Zoning By-law Amendments in order to permit the immediate construction of an automobile dealership and the future construction of a restaurant; and recommending that the application be referred to the North York Planning Department to continue reviewing and processing in the manner outlined in the report.

The North York Community Council concurred with the foregoing report.

**(Clause 42(r), Report No. 4)**

**104. Preliminary Report - Official Plan and Zoning Amendment Application UD0Z-98-02 - John Waldie - 860 York Mills Road - Don Parkway.**

The North York Community Council had before it a report (March 16, 1998) from the Acting Commissioner of Planning reporting on an application to amend the Official Plan and Zoning By-law to permit the construction of a one storey commercial building containing a restaurant and service commercial uses; and recommending that the application be referred to the North York Planning Department to continue reviewing and processing in the manner outlined in the report.

The North York Community Council concurred with the foregoing report.

**(Clause 42(s), Report No. 4)**

**105. Preliminary Report - Zoning Amendment Application UDZ-98-06 - Liberty Walk Developments Inc. - 760 Lawrence Avenue West - North York Spadina.**

The North York Community Council had before it a report (March 16, 1998) from the Acting Commissioner of Planning reporting on an application to amend the Zoning By-law

to permit a development consisting of 245 four-storey townhouse units; and recommending that the application be referred to the North York Planning Department to continue reviewing and processing in the manner outlined in the report.

The North York Community Council concurred with the foregoing report.

**(Clause 42(t), Report No. 4)**

**106. Change In North-end Looping Of 97 Yonge Bus Route - Results Of Public Consultation.**

The North York Community Council had before it a communication (February 26, 1998) from Mr. Vincent Rodo, Toronto Transit Commission, reporting on the routing change of the 97 Yonge Bus Route and approving the following:

- (1) staff proceed with the routing change outlined in the 1998 Service Plan on a trial basis between the March and September Board periods;
- (2) staff report back in consultation with the local area councillors on the results of this trial at the first meeting in September, including comment on ridership and safety issues that were raised during discussion of the report;
- (3) the Toronto Transportation Department review the intersection of Hilda Avenue and Steeles Avenue with a view to instituting traffic measures that would reduce traffic levels; and
- (4) the Toronto Transportation Department review the traffic signals at Moore Park Avenue and Yonge Street for possible signal prioritization.

Ms. Gayle Brown appeared before the North York Community Council in connection with this matter.

- A. Councillor Fillion, North York Centre, moved that North York Community Council request the Toronto Transit Commission to support the views of the majority of residents and rescind the change in the bus looping.
- B. Councillor Moscoe, North York Spadina, moved that:
  - (1) Recommendations Nos. 3 and 4 contained in the foregoing communication (February 26, 1998) from Mr. Vincent Rodo, General Manager, Toronto Transit Commission, be referred to the Commissioner of Transportation, North York Civic Centre; and

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- (2) the Commissioner of Transportation, North York Civic Centre, be requested to review the intersection of Moore Park Avenue and Hilda Avenue.
- C. Councillor King, Seneca Heights, moved in amendment that the Toronto Transit Commission be requested to implement the routing change on a three month trial basis and provide a report on its findings to the North York Community Council meeting scheduled to be held on June 24, 1998.

Upon the question of the adoption of motion A. by Councillor Fillion, it was lost.

Upon the question of the adoption of motion B. by Councillor Moscoe, it was carried.

Upon the question of the adoption of amendment C. by Councillor King, it was carried.

(Commissioner of Transportation and Toronto Transit Commission - April 15, 1998)  
**(Clause 42(m), Report No. 4)**

**107. Recommendation Report - Zoning Amendment Application UDZ-96-30 - Harry Snoek - 15-19 Finch Avenue West and 7-11 Blakely Road - North York Centre.**

The North York Community Council had before it a report (March 18, 1998) from the Acting Commissioner of Planning reporting on an application to amend the Zoning By-law to permit two residential apartment buildings and submitting recommendations with respect thereto.

On motion by Councillor Gardner, North York Centre, the North York Community Council received the foregoing report and authorized staff to schedule a public meeting.

**(Clause 42(u), Report No. 4)**

**108. Request For Exemption To Noise By-law - PCL Constructors Canada Inc. - 5075 Yonge Street - North York Centre.**

The North York Community Council had before it a report (March 10, 1998) from the City Solicitor recommending that the request by PCL Constructors Canada Inc. for an exemption from North York Noise By-law No. 31317 to permit construction equipment to operate until 10:00 p.m. be approved subject to the following conditions:

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- (1) in the event complaints concerning construction noise after 7:00 p.m. are received by the By-law Enforcement Division, the exemption to 10:00 p.m. be rolled back to 9:00 p.m.; and
- (2) the exemption of the hours of work apply Monday to Saturday only.

Ms. Marion Lick, President, Willowdale Central Ratepayers' Association, addressed the North York Community Council in connection with this matter.

- A. Councillor Filion, North York Centre, moved that the report (March 10, 1998) from the City Solicitor, North York Civic Centre, not be adopted and that the request for an exemption to the North York Noise By-law No. 31317 be denied.
- B. Councillor King, Seneca Heights, moved that staff when receiving a request for an exemption to the noise by-law are to notify the two local Councillors before any recommendations are made.

Upon the question of the adoption of motion A. by Councillor Filion, it was carried.

Upon the question of the adoption of motion B. by Councillor King, it was carried.

**(Clause 7, Report No. 4)**

**109. Request For Exemption To Fence By-law - Constance Hodgson - 186 Wedgewood Drive - North York Centre.**

The North York Community Council had before it a report (March 10, 1998) from the City Solicitor, North York Civic Centre, recommending that the request by Mrs. Constance Hodgson for a variance to the Fence By-law to maintain the fence located at 186 Wedgewood Drive as constructed be approved.

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

- Mr. Pileggi; and
- Mrs. Hodgson.

On motion by Councillor Gardner, North York Centre, the North York Community Council recommended that the report (March 10, 1998) from the City Solicitor, North York Civic Centre, be adopted and that the application to maintain the fence as constructed, be approved.

**(Clause 8, Report No. 4)**

**110. All Way Stop Control - Charleswood Drive At Collinson Boulevard - North York Spadina.**

The North York Community Council had before it a report (February 2, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that Schedules XVIII and XIX of North York By-law No. 31001 be amended to require traffic to stop on all approaches to the intersection of Charleswood Drive and Collinson Boulevard.

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

**(Clause 14, Report No. 4)**

**111. Sanitary Control Manholes - 3460-3472 Bathurst Street - North York Centre South.**

The North York Community Council had before it a report (March 19, 1998) from the Deputy Commissioner of Public Works, North York Civic Centre, recommending that sanitary control manholes be installed to 3466, 3468, 3470 and 3472 Bathurst Street and Barrett Type Clean-outs be installed in the basement of 3460, 3462 and 3464 Bathurst Street.

Mr. Montana appeared before the North York Community Council in connection with this matter.

A. Councillor Augimeri, Black Creek, moved that consideration of this matter be deferred until the next meeting of the North York Community Council scheduled for May 6, 1998.

B. Councillor Flint, North York Centre, moved that this item be considered at 8:00 p.m.

On motion by Councillor Flint, it was carried.

(See Minute No. 129)  
**(Clause 27, Report No. 4)**

**112. Driveways - 325 Hollywood Avenue - North York Centre.**

The North York Community Council had before it the following:



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- (a) Report (March 23, 1998) from the Deputy Commissioner of Public Works, North York, recommending that the policy of the former City of North York Council regarding number of permitted driveways be upheld; and
- (b) communication (March 30, 1998) from Firoz and Parvin Gulamhusein outlining their concerns with respect to the decision by the Public Works Department not to approve the request for two curb cuts/driveway entrances for the construction of a new single family dwelling.

Mr. Firoz Gulamhusein appeared before the North York Community Council in connection with this matter.

On motion moved by Councillor Filion, North York Centre, the North York Community Council deferred consideration of the foregoing report and communication until its next meeting scheduled for May 6, 1998, in order to obtain a report from Urban Planning (Forestry) on the best method of designing the driveway in order to protect the tree.

(Commissioner of Parks and Recreation - April 15, 1998)  
(Clause 42(h), Report No. 4)

**113. Official Plan And Zoning Amendment Application OZ-88-40 - R. G. Thwaites - 15 Cameron Avenue - North York Centre.**

The North York Community Council had before it a communication dated (March 12, 1998) from the City Clerk advising that City Council on March 4, 5 and 6, 1998, referred Clause 1 of Report No. 2 of the North York Community Council headed "Official Plan and Zoning Amendment Application OZ-88-40 - R.G. Thwaites - 15 Cameron Avenue - Ward 10 - North York Centre", back to the North York Community Council for further consideration.

- A. Councillor Gardner, North York Centre, moved that the communication (March 12, 1998) from the City Clerk be received and recommended that a second public meeting be scheduled to consider this application.
- B. Councillor King, Seneca Heights, moved that the Special Committee to Review the Final Report of the Transition Team be requested to consider the matter of City Council referring back to Community Councils planning items on which public hearings have been held and whether City Council has the authority to refer such items back to Community Councils.
- C. Councillor Moscoe, North York Spadina, moved that consideration of this item be deferred until such time as the Special Committee to Review the Final Report of the

Transition Team has addressed the matter of planning items referred back to Community Councils by City Council.

Upon the question of the adoption of motion C. by Councillor Moscoe, it was lost.

Upon the question of the adoption of motion B. by Councillor King, it was carried.

Upon the question of the adoption of motion A. by Councillor Gardner, it was carried.

(Special Committee to Review the Final Report of the Transition Team - April 14, 1998)

**(Clause 42 (n), Report No. 4)**

**114. Provision For Relief Of Subdivision Agreement Condition - Rosemount Subdivision UDSB-1227 - The Goldman Group - North York Humber.**

The North York Community Council had before it a report (March 23, 1998) from the Deputy Commissioner of Public Works, North York Civic Centre, recommending that Council provide direction on the Goldman Group's request for relief from Clause A.6.2 of the Subdivision Agreement which requires extension of house storm chains for rear lot drainage and providing options for the Community Council to consider.

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

- Ms. Cynthia Murphy, Senior Planner, The Goldman Group; and
- Mr. Frank Dodano, Builder.

A. Councillor Sgro, North York Humber, moved that:

- (i) Clause A.6.2 of the Subdivision Agreement (Option [a]) referred to in the report (March 23, 1998) from the Deputy Commissioner of Public Works, North York Civic Centre, be re-confirmed; and
- (ii) a policy be established for residential building lots for single and semi-detached dwellings developed by plans of subdivision to have a storm drain extended to the rear of proposed dwellings to alleviate any future rear lot drainage problems, where required.

B. Councillor Moscoe, North York Spadina, moved that:

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- (i) The Goldman Group be granted an exemption from Clause A.6.2 of the Subdivision Agreement provided that the developer deposits an irrevocable letter of credit in the amount of \$84,000.00 for a period of five years after the assumption of the subdivision to cover any unforeseen drainage problems (Option [c]); and
  - (ii) the City advise each of the homeowners of the new conditions that have been imposed and that they have five years to ensure that the drainage in their back lot is secure.
- C. Councillor Gardner, North York Centre, moved in amendment to motion B. by Councillor Moscoe, North York Spadina, that the irrevocable letter of credit referred to in Option (c) be in the amount of \$40,000.00.

Upon the question of the adoption of motion A. by Councillor Sgro, North York Humber, it was carried.

(Commissioner of Works and Emergency Services - April 27, 1998)  
**(Clause 38, Report No. 4)**

**115. Parking Prohibitions - Garnier Court - Seneca Heights.**

The North York Community Council had before it a report (February 2, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that City of North York By-law No. 31001 be amended to prohibit parking at any time on the north side of Garnier Court, from a point 199 metres west of the westerly limit of Ballyconnor Court to a point 286 metres east of the easterly limit of Ballyconnor Court, and on the south side between 8:00 a.m. and 6:00 p.m., Monday to Friday, from a point 199 metres west of the westerly limit of Ballyconnor Court to a point 288.5 metres east of the easterly limit of Ballyconnor Court.

The North York Community Council also had before it memorandum (March 26, 1998) from Councillor David Shiner, Seneca Heights, requesting that this item be deferred as discussions are still being held with the Ontario Bible College regarding the problem of their students parking on Garnier and Ballyconnor Courts.

On motion by Councillor Shiner, Seneca Heights, the North York Community Council deferred the foregoing report (February 2, 1998) from the Commissioner of Transportation, North York Civic Centre, sine die.

**(Clause 42(d), Report No. 4)**

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The North York Community Council recessed at 1:00 p.m., and reconvened at 2:10 p.m. with the following Members in attendance:

Councillor Berger, Chair  
Councillor Augimeri  
Councillor Chong  
Councillor Feldman  
Councillor Fillion  
Councillor Flint  
Councillor Gardner  
Councillor King  
Councillor Li Preti  
Councillor Mammoliti  
Councillor Minnan-Wong  
Councillor Moscoe  
Councillor Sgro  
Councillor Shiner

**116. Statutory Public Meeting regarding Official Plan And Zoning Amendment Application UDOZ-96-38 - Joseph Sahar to permit the existing retirement home and accessory place of worship within the two existing single-family dwellings - 31 and 33 Wilmington Avenue - North York Spadina.**

As directed by the North York Community Council, at its meeting held on February 18, 1998, appropriate notice of the continuation of this public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it reports (February 16, 1998) and (December 30, 1997) from the Acting Commissioner of Planning providing recommendations with respect to the subject applications.

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

- (February 9, 1998) from Mr. J. Jordan, Chief, Fire Prevention Division, North York Civic Centre, addressed to Mr. Joseph Sahar, Ahavath Achim Retirement Home, 33 Wilmington Avenue, M3H 5J1, confirming that all of the requirements of the modified Fire Marshal's order (Appeal No. FM 7032) have been met;

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- (February 16, 1998) from Cecila and Lino Vitorio, 193 Codsell Avenue, Toronto, Ontario, M3H 3W5, outlining their objections to the application;
- (undated) from Mr. Robert Rosenbaum, 38, Sandale Garden, North York, outlining his opposition to the application; and
- (April 1, 1998) from Mr. Barry Horosko, Bratty and Partners, Barristers and Solicitors, Madison Centre, 20th Floor, 4950 Yonge Street, Toronto, Ontario, M2N 6K1, on behalf of Alfredo and Maddelena Grossi, property owners of 198 Cocksfield Avenue, indicating that his clients are prepared to withdraw their opposition on the condition that the enacting by-law be subject to the following matters: (1) That a Site Plan Agreement incorporating the attached Landscape Screening Plan prepared by Diane Gerrard Landscape Architect, project no. 9809, dated March 24, 1998, be in effect before any zoning by-law is enacted; (2) That the proposed zoning by-law for these lands map out a "No-Build area" upon which paving and/or parking is prohibited; and (3) That the zoning by-law include a provision for 31 Wilmington to limit construction to the existing house.

A staff presentation was made by Randy Jones, Planning Department (North York Civic Centre).

The following individuals appeared before the Community Council:

- a) Mr. Murray H. Chusid, Solicitor, on behalf of Joseph Sahar

Mr. Chusid indicated that this application has been deferred on several occasions in order to address the concerns expressed by staff and to conduct the work necessary to comply with the Building and Fire regulations. That work has now been completed and the applicant will be able to satisfy the conditions outlined in the staff report.

He explained the merits of the application and agreed with planning staff that the proposal is an appropriate use for this site and conforms to the Housing Policies of the Official Plan.

Mr. Chusid also made reference to the conditions being recommended by the solicitor for the property owners of 198 Cocksfield Avenue and stated that while he had no objection to community consultation prior to final site plan approval, he did have concerns with the imposition of those conditions.

In his opinion, many of the concerns expressed are site plan issues which can be addressed at the site plan approval stage;

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- b) Mr. Andrew Salem, Solicitor, of the firm of Bratty & Partners, on behalf of Alfredo and Maddelena Grossi

Mr. Salem indicated that his clients were initially opposed to this application. They are now prepared to withdraw their opposition provided the conditions outlined in the communication dated April 1, 1998 from Barry Horosko, Solicitor, from Bratty & Partners, are imposed. These conditions would address his clients' concerns and he therefore requested that these three conditions be incorporated into any decision by the Community Council;

- c) Mr. Murray Kline

Mr. Kline supports the application for the existing retirement home;

- d) Mr. Murray Hahn

Mr. Hahn commented in support of the existing retirement home and the type of care provided by its operators;

- e) Mr. Nathan Shapiro

Mr. Shapiro supports the application. He also commented on the type of operation and care provided by the owners of this retirement home;

- f) Ms. Freda Justiz

Ms. Justiz commented in support of the existing retirement home. The type of care and environment allows individuals in this home, her mother being one of them, to live a happy life and to be amongst other people in their community;

- g) Ms. Wendy Isenberg

Ms. Isenberg indicated that she works in this facility. As such she has been able to see the type of care provided to these senior citizens. She believed it would be a terribly tragedy if this facility is closed especially since it fulfils a great need and it allows the senior citizens to stay in the area in which they lived most of their lives;

- h) Ms. Jennifer Aquilino

Ms. Aquilino indicated that she works in many retirement homes and the care and environment in this particular home is commendable;

i) Ms. Gloria Hutman

Ms. Hutman spoke in support of the existing retirement home. Her father-in-law is currently in this home and the type of care he receives is truly remarkable. She further indicated that she visits her father-in-law frequently and during those times she has never experienced traffic or parking problems;

j) Ms. Susan Rosenthal, Solicitor, on behalf of Mr. and Mrs. Vitorio, property owners of 193 Codsell Avenue

Ms. Rosenthal commented in opposition to the application. She indicated that her clients' primary objections are with respect to loss of privacy, overview, noise and odours.

She requested a deferral of the application so that the impact on her client's property can be considered. In the event a deferral cannot be granted, and the application is recommended for approval, she requested that conditions be imposed to require the applicant to provide adequate buffering, some type of noise barrier and a mechanism to control odour.

Ms. Rosenthal also requested that the amending by-law be drafted in such a manner so that any further expansion to the existing retirement home is discouraged;

k) Mr. Daryn Mandle

Mr. Mandle indicated that he is a physiotherapist and provides physiotherapy to the residents in this home. In his opinion the existing retirement home is congruous with the community and the quality of care provided to its residents is quite high. He also indicated that he has never had a problem in finding a parking space;

l) Rabbi David Cooper

Rabbi Cooper commented in support of the application. He stated that the quality of care is commendable and having visited the site on a weekly basis, he has never experienced any problems with parking, traffic or odours; and

m) Mrs. Jessie Silver

Mrs. Silver spoke in opposition to the application. Her primary concerns were with respect to the incremental manner in which this residential dwelling has been converted into a retirement home. The home in her opinion, is not properly licenced,

does not comply with fire and health regulations and it is an intrusion to the residents in this area.

- A. Councillor Moscoe, North York Spadina, moved that the report from the Commissioner of Planning dated June 23, 1997, be adopted and the application UD0Z-96-38 - Joseph Sahar be approved as set out in that report with the following additional conditions:

- (i) that the rear deck be appropriately screened; and
- (ii) the abutting property owners be consulted prior to the site plan being finalized;

- B. Councillor Flint, North York Centre South, moved in amendment to the motion by Councillor Moscoe that:

- (i) Recommendation 2.3 dealing with the conditions of the Transportation Department attached as Schedule "C" be imposed provided that the overall site plan regarding parking does not preclude any changes agreed upon by the applicant and neighbouring property owners; and

- (ii) Recommendation 2.4 be amended by including the following:

"A mechanism to vent kitchen odours away from neighbours be included in the site plan deliberations."

Upon the question of the adoption of amendment B, by Councillor Flint, it was carried.

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

The main motion moved by Councillor Moscoe carried, as amended.

**(Clause 1, Report No. 4)**

- 117. Statutory Public Meeting regarding Official Plan and Zoning Amendment Application UD0Z-97-26 - Shell Canada Limited to permit an upgrade to the existing gasoline station - 4021 Yonge Street - North York Centre South.**



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As directed by the North York Community Council, at its meeting held on January 21, 1998, appropriate notice of this meeting was given in accordance with the Planning and the regulations thereunder.

The North York Community Council had before it a report (January 7, 1998) from the Acting Commissioner of Planning providing recommendations with respect to the subject applications.

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

- (March 11, 1998) from Mr. Marty Fruchtmann expressing his opposition to the redevelopment;
- (March 6, 1998) from Mr. George G. Flint advising of his opposition to the proposed official plan and zoning by-law amendments; and
- (January 19, 1998) from A. Mukherjee, P. Eng., Acting Manager, Program and Development Engineering, Metro Transportation Department, advising of required changes to the site plan.

A staff presentation was made by Alan Binks, Planner, Planning Department, North York Civic Centre.

The following individuals appeared before the Community Council:

- a) Mr. R. Dragicevic on behalf of Shell Canada Limited

Mr. Dragicevic indicated that Shell Canada Limited intends on redeveloping the site. Meetings with the community have been held on various occasions and it was his understanding that Councillor Flint, Ward Councillor, would be introducing modifications to the recommendations contained in the planning staff report. His client is prepared to accept those modifications.

He further indicated that the site has been the subject of a thorough review by the former Metro Works and Transportation Departments with respect to access points. As a result of that review, there would be no left-turn movements from the major roadways. His client would be submitting the site plan application as soon as possible. He accordingly requested that the Community Council endorse Councillor Flint's modifications and that planning staff be requested to expedite the Official Plan Amendment;

b) Mr. Ying Hope

Mr. Hope indicated that the modifications being suggested by Councillor Flint address many of the concerns expressed by the residents. However, the introduction of a car washing establishment may have some impact in terms of entry and exit to the site. He requested the Councillors to take cognisance of this and to involve the Commissioner of Transportation in any future study of this issue.

Councillor Flint, North York Centre South, moved that the report from the Acting Commissioner of Planning dated January 7, 1998 be adopted and the application UD0Z-97-28 - Shell Canada Limited be approved as set out in that report with the following revisions and additional conditions:

- (1) Recommendation 2.1 be deleted and replaced with the following and Recommendations 2.2 and 23 be renumbered to 2.1.4 and 2.1.5 and Recommendation 2.4 be renumbered to 2.2:

“2.1 In conjunction with a gasoline service station the following provisions shall apply:

2.1.1 The uses permitted shall be limited to:

- (a) one retail store which may include an automated bank machine and the selling of prepared food and beverages to be consumed off the premises which shall not include a take-out restaurant;
- (b) car washing establishment; and
- (c) accessory uses to a gasoline service station.

2.1.2 The maximum gross floor area is 420m<sup>2</sup> with a minimum gross floor area for the car washing establishment of 170m<sup>2</sup>;

2.1.3 A maximum of 8 parking spaces are required; and

- (2) The applicant ensure that the additional opportunities created by removing the take-out restaurant and the associated drive-through lane and parking are used to enhance the site plan.

Upon the question of the adoption of the motion by Councillor Flint, it was carried.

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Councillor Feldman, North York Spadina, declared his interest in the foregoing matter in that he resides in the immediate vicinity of the development application.

**(Clause 2, Report No. 4)**

**118. Statutory Public Meeting regarding General Zoning By-law Amendment UD43-HSK to improve the Zoning By-law by identifying and recommending changes which will contribute to fewer changes, improved clarity; more consistent interpretation and better enforcement of By-law No. 7625, as amended - All North York Wards.**

As directed by North York Community Council, at its meeting held on February 18, 1998, appropriate notice of this meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (February 4, 1998) from the Acting Commissioner of Planning providing recommendations with respect to this zoning by-law amendment.

The North York Community Council reports also having before it the following notice of motion from Councillor Milton Berger, North York Centre South:

“Whereas North York Community Council has before it the General Zoning By-law Amendment Report dated February 4, 1998;

And Whereas the General Zoning By-law Amendment Report has a new regulation that deems a residential accessory building that is larger than 10 m<sup>2</sup> and is closer than 2.0 metres from the main dwelling to be regulated for zoning purposes as if the accessory building and main dwelling were one dwelling;

And Whereas it is deemed appropriate to increase that minimum distance to 3.0 metres;

Now Therefore be it resolved that the 2.0 metres minimum distance between an accessory building larger than 10 m<sup>2</sup>, and a dwelling as set out in Section 9 of the draft by-law be increased to 3.0 metres.”

No individuals appeared before the Community Council.

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- A. Councillor Berger, North York Centre South, moved that the report from the Acting Commissioner of Planning dated February 4, 1998 be adopted with the following additional recommendations:
- (i) That the 2.0 metres minimum distance between an accessory building larger than 10m<sup>2</sup>, and a dwelling as set out in Section 9 of the draft by-law be increased to 3.0 metres.
- B. Councillor Moscoe, North York Spadina, moved that:
- (i) Section 19 (Section 15.1(b) of Zoning By-law No. 7625) dealing with sidewalks for apartment houses be deleted;
  - (ii) Section 30 (Section 22.8 of Zoning By-law No. 7625) dealing with the location of garbage containers be referred back to the North York Planning Department for a comprehensive report;
  - (iii) the following Sections of Zoning By-law No. 7625 be referred to the North York Planning Department for an additional report:
    - (a) Section 36 dealing with General Provisions for O Zones;
    - (b) Section 64.23(74) dealing with a missing schedule in reference to amenity space per unit; and dealing with a reference to the C1(75) zone;
    - (c) Section 64.23(75) dealing with a missing schedule;
    - (d) Section 64.39(2) dealing with missing schedule; and dealing with a reference to Section 39; and
    - (e) Section 64.39(2) dealing with Section 39.

Upon the question of the adoption of motion A, by Councillor Berger, it was carried.

Upon the question of the adoption of motion B, by Councillor Moscoe, it was carried.

**(Clause 3, Report No. 4)**

**119. Presentation On Behalf Of Community Voices Of Support.**

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The North York Community Council received presentations from the following with respect to Community Voices of Support, a network of community-based health and social services agencies across Metropolitan Toronto organized to give voice to the vital contribution that the voluntary community service sector makes to the quality of life in the City and communities.

- Ms. Karen Liberman, Culture Director, Community Social Planning Council of Toronto;
- Ms. Shelley Zuckerman, Executive Director, North York Community House; and
- Ms. Leslie Kirke, Executive Director, Conflict Mediation Service, Downsview.

Councillor Moscoe, North York Spadina, moved that the Commissioner of Community and Neighbourhood Services be requested to provide a report to the Community and Neighbourhood Services Committee on the impact of the commercial concentration tax and downloading on community and volunteer agencies as it relates to new charges or user fees; new taxes and/or rents; the sideloads from the City of Toronto and school board, and its agencies, boards and commissions.

(Commissioner Community and Neighbourhood Services - April 15, 1998)  
(Clause 42(a), Report No. 4)

**120. Request For Exemption To Fence By-law - Phillip Beale - 31 Arran Crescent - North York Centre.**

The North York Community Council had before it a report (March 10, 1998) from the City Solicitor recommending that the request by Mr. Phillip Beale for a variance to the Fence By-law to maintain the electrified fence at 31 Arran Crescent be refused.

Mr. Phillip Beale appeared before the North York Community Council in connection with this matter.

- A. Councillor Mammoliti, North York Humber, moved that this matter be referred back to staff for a report to the next meeting of the North York Community Council on the dangers of the voltage of the fencing, if any.
- B. Councillor Li Preti, Black Creek, moved in amendment that the Legal Department provide a report on what kind of liability could be claimed against the City if approval was given for the electrified fence.

- C. Councillor Feldman, North York Spadina, moved that the report (March 10, 1998) from the City Solicitor be adopted and that the request to maintain the electrified fence at 31 Arran Crescent be refused.

Upon the question of the adoption of motion A. by Councillor Mammoliti, it was lost.

Upon the question of the adoption of motion C. by Councillor Feldman, it was carried.

**(Clause 4, Report No. 4)**

**121. Appeal To Muzzle Order - Ms. Darlaine Mathews - 147 Northover Street - Black Creek.**

The North York Community Council had before it a report (March 11, 1998) from the City Solicitor recommending that the request for an exemption to the dog muzzling requirements of North York By-law No. 32823 be granted based upon the fact that there is no evidence to indicate that the dog is aggressive other than it is protecting its own property.

The North York Community Council recommended to Council that the report (March 11, 1998) from the City Solicitor, North York Civic Centre, be adopted and that the request for an exemption to the muzzling requirements of North York By-law No. 32823 be approved.

**(Clause 5, Report No. 4)**

**122. Requirements Of Statutory Powers Procedure Act, Planning Act And Toronto's Interim Procedure By-law.**

The North York Community Council had before it a report (March 17, 1998) from the City Solicitor reporting on the Interim Procedural By-law as it relates to the requirements of the Statutory Powers Procedure Act and the Planning Act and recommending that the report be received as information.

The North York Community Council recommended to Council that:

- (a) the report (March 17, 1998) from the City Solicitor, North York Civic Centre, be received; and
- (b) the City Solicitor be requested to prepare a report for consideration by the North York Community Council on the obligations and procedural responsibilities with respect to the Statutory Powers Procedure Act.

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(City Solicitor - April 15, 1998)  
(**Clause 42(c), Report No. 4**)

Councillor Feldman assumed the Chair.

**123. Sign By-law Variance Application - Omni, The Outdoor Company - 305 Finch Avenue West - North York Centre.**

The North York Community Council had before it a report (February 5, 1998) from the Chief Building Official/Building Commissioner recommending that the request by Ingrid V. Brooks of Omni, the Outdoor Company, be denied as a minor variance from the sign by-law.

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

- Ms. Ingrid V. Brooks; and
- Mr. A. Grossman.

- A. Councillor Li Preti, Black Creek, moved that this matter be deferred and considered at the next meeting of the North York Community Council scheduled for May 6, 1998 and that the Building Commissioner submit a report on the new submission provided by Omni, The Outdoor Company.
- B. Councillor Gardner, North York Centre, moved that the report (February 5, 1998) from the Chief Building Official/Building Commissioner, not be adopted and that the request for a variance to the Sign By-law be approved.

Upon the question of the adoption of motion A. by Councillor Li Preti, it was lost.

Upon the question of the adoption of motion B. by Councillor Gardner, it was carried.

**(Clause 6, Report No. 4)**

Councillor Berger resumed the Chair.

**124. Property Tax Fairness - Multi-Residential Properties.**

The North York Community Council received a presentation from Mr. Howard Tessler, Federation of Metro Tenants' Associations on the issue of property tax fairness for tenants of multi-residential properties. A copy of Mr. Tessler's presentation is on file in the office of the City Clerk, North York Civic Centre.

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Councillor Moscoe, North York Spadina, moved that the Chief Financial Officer and Treasurer be requested to report to the North York Community Council on a mechanism to ensure that savings that accrue as a result of assessment on multi-residential buildings are passed back to the tenants of such buildings.

(Chief Financial Officer - April 15, 1998 )  
(Clause 42(x), Report No. 4)

**125. Payment-in-lieu Of Parking - Baker's Dozen Co. Ltd. - 1887 Avenue Road - North York Centre South.**

The North York Community Council had before it a report (March 16, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that payment-in-lieu of parking be applied against the 9 space parking deficiency, consistent with the approvals granted by the former North York Council for the same building at a rate of \$1500.00 per space.

Mr. Mark Shiner appeared before the North York Community Council on behalf of the applicant.

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

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Councillor Shiner declared his interest in the foregoing matter in that the representative of the applicant is a relative.

(Clause 21, Report No. 4)

**126. Supplementary Report regarding Official Plan and Zoning Amendment Application and Subdivision Application UD0Z-97-34 & UDSB-1232 - Romeo DiBattista to permit 529 townhouses and semi-detached dwelling units fronting onto public streets and a public park - 665 Trethewey Drive - Ward 6 - North York Humber.**

The North York Community Council had before it a supplementary report (March 26, 1998) from the Acting Commissioner of Planning providing recommendations with respect to the subject applications.

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



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- (March 12, 1998) from the City Clerk advising that Clause 3 of Report No. 2 of the North York Community Council was referred back to the North York Community Council for further consideration;
  - (March 17, 1998) from Mr. David L. Smith, Vice President, Monto Industries Limited, advising that while the noise study recommends some form of buffering for the noise emanating from his company, he is concerned that it will be difficult to design a buffer that will sufficiently suppress the sound while allowing the company easy access to service its equipment; and
- A. Councillor Sgro, North York Humber, moved that the supplementary report from the Acting Commissioner of Planning dated March 26, 1998, be adopted and the application UD0Z-97-34 and UDSB-1232 be approved as set out in that report with the following revisions and additional conditions:
- (i) the addition of the following wording to Recommendation 3.1(iv):

“, Jane Street or Trethewey Drive and not be allowed to use local residential streets.”;
  - (ii) Recommendation No. 3.2 be amended to read as follows:

“The subdivision agreement shall require that the owner provide funds for one traffic light on Trethewey Drive at either of the two entrances to the subdivision site, should they be deemed necessary by the City within five years from the start of construction.”;
  - (iii) the deletion of the following from Recommendation No. 3.3:

“and the applicant provide the City with a letter of credit to construct a road on this block.”
  - (iv) the deletion of the following from Note No. 10 in Schedule “E” attached to the subject report (Transportation Department comments):

“and the costs borne by the applicant.”;
  - (v) the replacement in Note No. 11 in Schedule “E” attached to the subject report (Transportation Department comments) of “must be provided at no cost to the City” with “The applicant pay a prorated amount of the total cost based on the proportion of traffic generated by the development.”; and

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- (vi) that the layout and use of the park be the subject of a community meeting organized by the Parks and Recreation Department and the two local Councillors:
- B. Councillor King, Seneca Heights, moved in amendment to the motion by Councillor Sgro, that:
  - (i) Recommendation 3.3 be amended to provide for the Letter of Credit to be for a period of up to five years.
- C. Councillor Moscoe, North York Spadina, moved that the subdivision be re-configured so that the dwellings along Trethewey Drive face Trethewey Drive and that the width of the laneways be negotiated.

Upon the question of the adoption of the foregoing motion C, by Councillor Moscoe, it was lost.

Upon the question of the adoption of amendment B, Councillor King, it was carried.

Upon the question of the adoption of the foregoing motion by A, by Councillor Sgro, it was carried.

The main motion moved by Councillor Sgro carried as amended.

**(Clause 37, Report No. 4)**

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The North York Community Council met **in-camera** to consider the following two confidential matters.

Members Present:

Councillor Berger, Chair  
Councillor Chong  
Councillor Filion  
Councillor Flint  
Councillor Gardner  
Councillor King  
Councillor Li Preti  
Councillor Mammoliti  
Councillor Moscoe

Councillor Sgro

**127. Confidential - Development Charges Application to Seneca College (at Newham Campus and York University) - Ward 12 - Seneca Heights and Ward 7 - Black Creek.**

The North York Community Council met in camera to discuss a joint confidential report (February 20, 1998) from the Chief Financial Officer and Treasurer and the Solicitor, North York Civic Centre, advising that North York Development Charges By-laws Nos. 31597 and 31598 do not apply to Seneca College and providing recommendations with respect thereto.

A staff presentation was made by Mr. G. Dixon, Solicitor, North York Civic Centre.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended that the foregoing joint confidential report (February 20, 1998) from the Chief Financial Officer and Treasurer and the Solicitor, North York Civic Centre, be adopted; and the City Solicitor be requested to explore whether under the "omnibus bill", charges can be levied that are unable to be levied under the Development Charges Act, and that a supplementary report be provided to the North York Community Council on this matter.

(City Solicitor - April 27, 1998)  
**(Clause 40, Report No. 4)**

**128. Confidential - UDSP-95-109 - Royal Mansions - 15 - 25 Lorraine Drive - North York Centre.**

The North York Community Council discussed, in camera, the matter of the issuance of a Conditional Building Permit in connection with the above application.

On motion by Councillor Moscoe, North York Spadina, this matter was deferred to the last item on the agenda.

(See Minute No. 144)  
**(Clause 41, Report No. 4)**

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The North York Community Council adjourned its **private meeting** at 6:35 p.m. and reconvened in public session at 8:15 p.m. with the following Members in attendance:

Councillor Berger, Chair  
Councillor Filion

Councillor Flint  
Councillor Gardner  
Councillor King  
Councillor Mammoliti  
Councillor Minnan-Wong  
Councillor Moscoe  
Councillor Sgro  
Councillor Shiner

**129. Sanitary Control Manholes - 3460-3472 Bathurst Street - North York Centre South.**

The North York Community Council having agreed to defer discussion of this item until 8:00 p.m., gave further consideration to the subject matter.

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

- Mr. Montana; and
- Mr. Danny Fu.

On motion by Councillor Gardner, North York Centre, the North York Community Council recommended to Council that sanitary control manholes not be installed to Nos. 3466, 3468, 3470 and 3472 Bathurst Street and that Barrett Type Clean-outs be installed in the basement of all seven of the subject properties.

(See Minute No. 111)  
**(Clause 27, Report No. 4)**

**130. Temporary Road Closure - Brookfield Road - North York Centre South.**

The North York Community Council had before it a report (March 30, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that permission for the temporary road closure of Brookfield Road be granted and that the appropriate by-law be enacted by Council.

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

**(Clause 39, Report No. 4)**

**131. Draft Discussion Paper On The Roles And Responsibilities of Community Councils.**

The North York Community Council had before it a communication (March 12, 1998) from the City Clerk advising that City Council on March 4, 5 and 6, 1998, adopted, without amendment Clause 2 of Report No. 3 of the Special Committee to Review the Final Report of the Toronto Transition Team headed "Draft Discussion Paper on the Roles and Responsibilities of Community Councils".

A. Councillor King, Seneca Heights, moved that:

- (a) the foregoing communication (March 12, 1998) from the City Clerk be received;
- (2) two workshops to be held on to be determined dates to discuss such issue be approved; and
- (3) the City Clerk and staff of the Chief Administrative Officer's office be requested to facilitate such workshops.

B. Councillor Mammoliti, North York Humber, moved that:

- (4) an invitation to attend the workshops be issued to:
  - (i) all ratepayer associations in the former City of North York; and
  - (ii) any other organizations which Members of North York Community Council feel should be invited and that the Members of North York Community Council provide the names of such organizations to the Interim Contact for the North York Community Council.

On motion by Councillor King, it was carried.

On motion by Councillor Mammoliti, it was carried.

(City Clerk and Chief Administrative Officer - April 15, 1998)  
**(Clause 42(b), Report No. 4)**

**132. Request For Exemption From Noise By-law - Resurfacing Arterial Roads - North York Spadina; North York Centre South; Don Parkway and Seneca Heights.**

The North York Community Council had before it a report (March 20, 1998) from the City Solicitor, North York Civic Centre, recommending that the request for an exemption to the North York Noise By-law No. 31317 be approved.

- A. Councillor Flint, North York Centre South, moved that the report (March 20, 1998) from the City Solicitor, North York Civic Centre, be adopted with the exception of the exemption request for Contract No. T-52-98 - York Mills Road, which is not required due to the fact that the necessary funding for this project has been removed from the budget.
- B. Councillor Moscoe, North York Spadina, moved that:
  - (i) the request for an exemption to the Noise By-law in connection with Contract No. T-23-98 be denied; and
  - (ii) the City Solicitor be requested to consult with the local Councillors on any future noise exemption requests prior to the matter being placed on the North York Community Council agenda.
- C. Councillor Gardner, North York Centre, moved that consideration of this matter be deferred for one month and that the Solicitor, North York Civic Centre, provide a further report at that time.

Upon the question of the adoption of motion C. by Councillor Gardner, it was lost.

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

Upon the question of the adoption of Part (i) of motion B. by Councillor Moscoe, it was lost.

Upon the question of the adoption of Part (ii) of motion B. by Councillor Moscoe, it was carried.

(City Solicitor - April 27, 1998 )  
(Clause 9, Report No. 4)

### **133. Parking, Stopping And Turn Prohibitions - Amendments To The Traffic By-law.**

The North York Community Council had before it a report (March 10, 1998) from the Commissioner of Transportation recommending that Schedules VIII, IX, XV and XIX of North York By-law No. 31001 be amended to allow for the coordination of the entries between the traffic by-law and signs posted on specific roadways.

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

**(Clause 16, Report No. 4)**

**134. Quit Claim Of Easement - 5 Glen Park Avenue - North York Spadina.**

The North York Community Council had before it a report (February 3, 1998) from the Commissioner of Public Works, North York Civic Centre, recommending that the City easements at 204 Richard Clark Drive, 357 Hollywood Avenue and 5 Glen Park Avenue be quit claimed subject to the City assuming no liabilities for any of the physical services (pipes) within the easements.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council deferred consideration of the foregoing report (February 3, 1998) from the Commissioner of Public Works, North York Civic Centre, as it relates to 5 Glen Park Avenue (204 Richard Clark Drive and 357 Hollywood Avenue having been dealt with at the North York Community Council meeting of February 18, 1998), until its next meeting scheduled to be held on May 6, 1998 in order that Councillor Moscoe may consult with the Synagogue.

**(Clause 42(e), Report No. 4)**

**135. Traffic Calming - Wendell Avenue, Pellatt Avenue To Gary Drive And Gary Drive, Yelland Street To Wendell Avenue - North York Humber.**

The North York Community Council had before it a report (March 23, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that, for a six month trial period, traffic calming measures be installed on Wendell Avenue and Gary Drive and the specific measures include intersection diverters, pinch points or chicanes and a traffic circle.

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

**(Clause 24, Report No. 4)**

**136. Damaged Sod - 2 Northgate Drive, Off Whitley Avenue Flankage - North York Spadina.**

The North York Community Council had before it a report (February 10, 1998) from the Commissioner of Public Works, North York Civic Centre, recommending that no immediate

action be taken regarding the request by the residents of 2 Northgate Drive to replace the boulevard sod on the Whitley Avenue flankage because of weeds.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council deferred the foregoing report (February 10, 1998) from the Commissioner of Public Works, North York Civic Centre, sine die.

**(Clause 42(f), Report No. 4)**

**137. Encroachment - Vacant Lot North of 28 Glenavy Avenue - North York Centre South.**

The North York Community Council had before it a report (March 4, 1998) from the Deputy Commissioner of Public Works, North York Civic Centre, recommending that the proposed encroachment and backfaling driveway are approved by the City, the encroachment and driveway be subject to the following conditions:

- (1) the owner(s) enter into an encroachment agreement with the City;
- (2) the agreement also includes a provision to “save harmless” the City in the event that the owners are flooded as a result of the backfaling driveway; and
- (3) the City Solicitor be authorized to do all things necessary.

On motion by Councillor King, Seneca Heights, the North York Community Council recommended to Council the adoption of the foregoing report (March 4, 1998) from the Deputy Commissioner of Public Works, North York Civic Centre, subject to the specified conditions.

**(Clause 25, Report No. 4)**

**138. Encroachment - 10 Amos Crescent - North York Spadina.**

The North York Community Council had before it a report (March 4, 1998) from the Deputy Commissioner of Public Works, North York Civic Centre, recommending that if the proposed encroachment is approved by the City, the encroachment be subject to the following conditions:

- (1) the owner(s) enter into an encroachment agreement with the City;
- (2) the City Solicitor be authorized to do all things necessary.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council deferred consideration of the foregoing report (March 4, 1998) from the



Deputy Commissioner of Public Works, North York Civic Centre, until its next meeting scheduled for May 6, 1998.

**(Clause 42(g), Report No. 4)**

**139. Low Lot By-law No. 7273 - Bedford Park Avenue - North York Centre South.**

The North York Community Council had before it a report (March 4, 1998) from the Deputy Commissioner of Public Works, North York Civic Centre, recommending that:

1. Lots 799 and 800 be released from the provisions of Low Lot By-law No. 7273, subject to:
  - (a) the owner providing for the design and construction of the storage pipe works as proposed by the Consultant's report (October 2, 1997) prepared by Greenland Engineering Group;
  - (b) the owner covenants and agrees to deposit to the City, a letter of credit in the amount of \$70,000 to guarantee the satisfactory and prompt performance of the works as proposed by Greenland Engineering Group. The letter of credit shall be kept in full force and effect, until such time as the City accepts the said service, at which time the letter of credit shall be returned to the owner;
  - (c) a 3.5 metre easement be conveyed to the City at no cost over the proposed box culvert to ensure maintenance of the system;
  - (d) building permits not be released until a grading plan is submitted to the Public Works Department for approval, certification from a Consultant Engineer is received by the City verifying that all works have been completed satisfactory to the Commissioner of Public Works and that agreements be concluded and registered on title to maintain the grading as approved by the Commissioner of Public Works and Building and indemnify the City from all claims and damages;
  - (e) no building openings below the flood line contour of 176.0 metres; and
  - (f) all legal costs to be borne by owner; and
2. as per Council's policy, subject to North York Community Council's approval, the Legal Department provide to Council for public hearing the by-law for removal of provisions of the Low Lot By-law and that the Planning Department send out the

notice of the policy of the by-law in the same manner as any other zoning amendment.

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

- (a) the foregoing report (March 4, 1998) from the Deputy Commissioner of Public Works, North York Civic Centre, be adopted; and
- (b) the storage pipe and reference to the report (March 4, 1998) from the Deputy Commissioner of Public Works, North York Civic Centre, be registered on title.

**(Clause 29, Report No. 4)**

**140. 1998 City Planning Work Program.**

The North York Community Council had before it a communication (March 24, 1998) from the City Clerk forwarding a copy of a report (March 6, 1998) from the Commissioner of Planning and Urban Development Services to all Community Councils for their comments on the 1998 City Planning Work Program and requesting that any comments be forwarded to the Urban Environment and Development Committee for consideration at its meeting of April 20, 1998.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council reports having concurred with the recommendation of the Urban Environment and Development Committee embodied in the communication (March 24, 1998) from the City Clerk, save and except for the description of Project No. (9) appearing in subclause (1)(a)(ii) of the Committee's recommendation which it recommends be amended to read as follows:

“Responds to the closure of CFB Downsview and several specific applications. Included in the study for the purposes of establishing appropriate principles of land use and density are the City (formerly Metro) owned lands at the south east corner of Allen Road and Sheppard Avenue West. The study will result in a Secondary Plan for the area, as well as rezoning to permit specific developments on the CFB Downsview lands.”:

(Urban Environment and Development Committee - April 4, 1998)

**(Clause 42(y), Report No. 4)**

**141. High Priority Items Being Considered by Transportation Staff on Eglinton Avenue West, Between Dufferin Street and W. R. Allen Road - Wards 22 and 28 - North Toronto and York-Eglinton.**

The North York Community Council had before it a communication (March 25, 1998) from the City Clerk advising that the Urban Environment and Development Committee on March 23 and 24, 1998, had before it a report (February 25, 1998) from the Interim Functional Lead, Transportation, listing high priority items being considered on Eglinton Avenue West, between Dufferin Street and the W. R. Allen Road. The Urban Environment and Development Committee directed that the report (February 25, 1998) from the Interim Functional Lead, Transportation, be forwarded to the North York Community Council and the York Community Council for information.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council that the communication (March 25, 1998) from the City Clerk be received; and reservations and concerns be expressed on behalf of the residents using the Allen Road about the extreme measures that the former City of York and the former Metropolitan Toronto have taken with respect to the traffic management plan for the former City of York Ward 2.

(Commissioner of Transportation - April 15, 1998)  
(Clause 42(z), Report No. 4)

**142. UDOZ-96-27 and U52-97-03 - 1190082 Ontario Limited (Tridel) - 22 Old York Mills Road - North York Centre South.**

The North York Community Council, having previously agreed to the introduction of an additional item by Councillor Flint, concurred with the following motion moved by Councillor Flint:

“WHEREAS the applicant has had a number of meetings with area community groups to review the applications and site plan for the proposals on the site;

AND WHEREAS the applications have been with the City for over one and a half years;

AND WHEREAS there is an issue of the timing between scheduled Community Council meetings;

THEREFORE BE IT RESOLVED that Planning staff be given the authority to schedule a statutory public meeting for the subject applications when the Acting Commissioner of Planning has signed the final report.

**(Clause 42(w), Report No. 4)**

**143. Zoning - Kirby Road between Jethro Road and Dallner Road.**

The North York Community Council, having previously agreed to the introduction of an additional item by Councillor Sgro, North York Humber, concurred with the following motion moved by Councillor Sgro:

“WHEREAS the Committee of Adjustment has recently dealt with a minor variance application for semi-detached dwellings at 31 Kirby Road; and

WHEREAS the south side of Kirby Road in the vicinity of 31 Kirby Road is zoned RM5, but developed as single family dwellings;

NOW THEREFORE BE IT RESOLVED THAT the Planning staff prepare a report regarding the zoning on the south side of Kirby Road, considering options to make the zoning on the south side of the street consistent with the rest of the street.”

**(Clause 42(v), Report No. 4)**

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The North York Community Council met in camera to consider the following confidential matter.

**144. Confidential - UDSP-95-109 - Royal Mansions - 15 - 25 Lorraine Drive - North York Centre.**

The North York Community Council having previously deferred consideration of this matter until the last item on the agenda, discussed the item further.

Councillor Flint assumed the Chair.

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

- (a) the Conditional Building Permit issued by the Chief Building Official, North York Civic Centre, for this application be revoked; and
- (b) the Commissioner of Urban Planning and Development Services and the City Solicitor to review this situation and provide a report for consideration at the Council meeting scheduled for April 16, 1998, at which time this matter will be considered;

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- (c) the City Solicitor to also report to the City Council meeting of April 16, 1998, on the legal liability of the City having moved to revoke this Conditional Building Permit.

B. Councillor Mammoliti, North York Humber, moved that the Chief Building Official, North York Civic Centre, in future to notify the local Councillors immediately a request for a Conditional Building Permit is received.

A recorded vote on Part (a) of motion A. by Councillor Moscoe, was as follows:

FOR: Councillors Mammoliti, Moscoe, Flint, Shiner, Minnan-Wong

AGAINST: Councillors Sgro, Gardner, King

ABSENT: Augimeri, Feldman, Berger. Li Preti, Chong

Part (a) of motion A. carried.

A recorded vote on Part (b) of motion A. by Councillor Moscoe, was as follows:

FOR: Councillors Mammoliti, Sgro, Moscoe, Flint, Filion, Gardner,  
Shiner,  
Minnan-Wong, King

AGAINST: Nil

ABSENT: Augimeri, Feldman, Berger. Li Preti, Chong

Part (b) of motion A. carried.

A recorded vote on motion B. by Councillor Mammoliti, was as follows:

FOR: Councillors Mammoliti, Sgro, Moscoe, Flint, Filion, Gardner,  
Shiner,  
Minnan-Wong, King

AGAINST: Nil

ABSENT: Augimeri, Feldman, Berger. Li Preti, Chong

Motion B. by Councillor Mammoliti, North York Humber, carried.

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(Commissioner of Urban Planning and Development Services and  
City Solicitor - April 6, 1998)  
(See Minute No. 128)  
**(Clause 41, Report No. 4)**

The North York Community Council adjourned its meeting at 11:03 p.m.

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Chair.