

THE CITY OF TORONTO

Clerk's Department

Minutes of the Meeting of the North York Community Council

Wednesday, June 24, 1998.

The North York Community Council met on Wednesday, June 24, 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
Mayor Lastman, ex-officio

Confirmation of Minutes.

Councillor Flint moved that Minute No. 48 of the Minutes of the meeting of May 27, 1998, be amended to reflect that recommendation (d) was moved by Councillor Shiner.

On motion by Councillor Flint, the Minutes of the meeting of the North York Community Council held on May 27, 1998, were confirmed, as amended.

236. Dedication By-law - Part of Dalkeith Drive (South Of Donwoods Drive) - North York Centre South.

The North York Community Council had before it a report (June 11, 1998) from the City Solicitor, North York Civic Centre, recommending that:

- (a) a by-law be enacted dedicating Dalkeith Drive as a public highway; and
- (b) the appropriate City officials be authorized and directed to take the necessary steps to give effect thereto.

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

(City Solicitor - July 17, 1998)

(Clause 1, Report No. 7)

237. Community Festival Event - 1998 Du Maurier Open - Canada's International Men's Tennis Championships - August 1-9, 1998 - National Tennis Centre - York University - Black Creek.

The North York Community Council had before it a communication (May 25, 1998) from Jane Wynne, Tournament Director, Canadian Tennis Association requesting permission to proceed with an application for a Special Events Permit from the Liquor Control Board of Ontario for an event to be held August 1-9, 1998 at York University.

The North York Community Council recommended to Council that the subject event be declared as a community festival event.

(Mr. Clare Lewis, Chair, Alcohol and Gaming Commission of Ontario - July 17, 1998)

(Clause 8, Report No. 7)

238. Dedication By-law - One-foot Strip of Land Abutting Don Mills Road at Au Large Boulevard, North of Finch Avenue East, as a Public Highway - Seneca College, Newnham Campus - Seneca Heights.

The North York Community Council had before it a report (June 11, 1998) from the City Solicitor, North York Civic Centre, recommending that:

- (1) a by-law be enacted dedicating the subject one-strip of land as a public highway; and

- (2) the appropriate City officials be authorized and directed to take the necessary steps to give effect thereto.

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

(City Solicitor - July 17, 1998)

(Clause 10, Report No. 7)

239. Request for Exemption to Fence By-law - Mr. M. Cabiddu and Ms. K. Waszynska - 145 Playfair Avenue - North York Spadina.

The North York Community Council had before it a report (May 21, 1998) from the Director of Municipal Standards, Urban Planning and Development Services, recommending that the request by Mr. M. Cabiddu and Ms. K. Waszynska for a variance to the Fence By-law to maintain the fence located at 145 Playfair as proposed be approved.

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

(Mr. M. Cabiddu and Ms. K. Waszynska, 145 Playfair Avenue; Director of Municipal Standards, Urban Planning and Development Services; and Director of By-law Enforcement Services - July 17, 1998)

(Clause 11, Report No. 7)

240. Parking Prohibitions - Yorkview Drive - North York Centre.

The North York Community Council had before it a report (June 8, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to allow for the uniformity of the by-law entry and signs posted on Yorkview Drive.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 12, Report No. 7)

241. Turn Restriction - Ravel Road - Seneca Heights.

The North York Community Council had before it a report (June 2, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to prohibit northbound left turns from Ravel Road to the first driveway accessing 10 Ravel Road, located on the west side of Ravel Road immediately north of Finch Avenue East.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 13, Report No. 7)

242. Boulevard Leasing Cafe - Hollywood North Restaurant/Bar - 4973 Yonge Street - North York Centre.

The North York Community Council had before it a report (May 21, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that the application to lease a portion of the boulevard located on the south side of Hollywood Avenue adjacent to 4973 and 4975 Yonge Street be approved, subject to the following conditions:

- (1) any structure erected on the boulevard is to be of a nature which can be readily removed, should the need arise;
- (2) that the boulevard café be accessible to the disabled;
- (3) an anchored portable railing be placed around the proposed café area;
- (4) that the applicant enter into an agreement to indemnify and save harmless the City of Toronto from any action, claim, damage or loss whatsoever arising from the issuance of the licence or the use to be provided or anything done or neglected to be done in connection with the said use; and
- (5) the provision of \$2,000,000.00 (two million dollars) of liability insurance, naming the City of Toronto as co-insured.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 14, Report No. 7)

243. Stopping Prohibitions - Oscar Court - Seneca Heights.

The North York Community Council had before it a report (June 2, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to prohibit stopping from September 1 to June 30, between 8:00 a.m. to 9:00 a.m. and 3:00 p.m. to 4:00 p.m., Monday to Friday, on both sides of Oscar Court.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 15, Report No. 7)

244. Parking Prohibition Amendments - Hanover Road - North York Spadina.

The North York Community Council had before it a report (June 8, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to prohibit parking on the south side of Hanover Road, between 8:00 a.m. and 6:00 p.m., Monday to Friday, from a point opposite the westerly limit of Maniza Road to a point 60 metres westerly.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 16, Report No. 7)

245. Parking Prohibitions - Princess Avenue, Willowdale Avenue to Longmore Street - North York Centre.

The North York Community Council had before it a report (June 5, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a

by-law to prohibit parking on both sides of Princess Avenue, from Willowdale Avenue to Longmore Street, from 8:30 a.m. to 6:00 p.m., Monday to Friday.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 18, Report No. 7)

246. Stopping Prohibitions - Princess Avenue, between Willowdale Avenue and Dudley Avenue - North York Centre.

The North York Community Council had before it a report (June 9, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to prohibit stopping on both sides of Princess Avenue, from 8:00 a.m. to 6:00 p.m., Monday to Friday, between Willowdale Avenue and Dudley Avenue.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 20, Report No. 7)

247. Temporary Road Closure - Grenadine Court - North York Humber.

The North York Community Council had before it a report (June 11, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that:

- (1) Grenadine Court be temporarily closed from 8:00 a.m. on Saturday, August 29 to 12:00 a.m. on Sunday, August 30, for the purpose of conducting a neighbourhood street party, subject to the applicants compliance with By-law No. 27433 of the former City of North York; and
- (2) during this temporary closure, there shall be no use of the closed road for vehicle traffic except under the authority of a permit issued by the Commissioner of Works and Emergency Services.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 21, Report No. 7)

248. Stopping Prohibitions - Greenfield Avenue - North York Centre.

The North York Community Council had before it a report (June 9, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to prohibit parking at any time on the north side of Greenfield Avenue, from the westerly limit of Doris Avenue to a point 50 metres westerly.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 22, Report No. 7)

249. Parking Prohibitions - Yatescastle Drive - Black Creek.

The North York Community Council had before it a report (June 6, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to prohibit parking on both sides of Yatescastle Drive, between 2:00 a.m. and 6:00 a.m., from the southerly limit of Dolores Avenue to the northerly limit of Arthur Griffith Drive.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 23, Report No. 7)

250. All Way Stop Controls - Esgore Drive at Joicey Boulevard - North York Centre South.

The North York Community Council had before it a report (June 12, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to require traffic to stop on all approaches to the intersection of Esgore Drive and Joicey Boulevard.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 24, Report No. 7)

251. Turn Restrictions - Elana Drive at Firgrove Crescent and Finch Avenue West - Black Creek.

The North York Community Council had before it a report (June 12, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to:

- (1) prohibit westbound right turns from 7:00 a.m. to 9:00 a.m., Monday to Friday, from Firgrove Crescent to Elana Drive; and
- (2) delete the existing eastbound right turn from 7:00 a.m. to 9:00 a.m., Monday to Friday, except public holidays, restriction from Finch Avenue West to Elana Drive.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 25, Report No. 7)

252. Parking Prohibitions - Esgore Drive, Ridley Boulevard to Apsley Road/Saunders Street - North York Centre South.

The North York Community Council had before it a report (June 12, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to prohibit parking on both sides of Esgore Drive, from the northerly limit of Ridley Boulevard to the southerly limit of Apsley Road/Saunders Street.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 26, Report No. 7)

253. Parking Prohibitions - Chalkfarm Drive and Marlinton Crescent - North York Humber.

The North York Community Council had before it a report (June 12 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to prohibit parking at any time on both sides of the south leg of Chalkfarm Drive, from the westerly limit of Jane Street to the southerly limit of Heavitree Drive and Marlinton Crescent, from the easterly limit of Chalkfarm Drive to a point 118 metres easterly.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 28, Report No. 7)

254. Amendment of Parking Prohibitions - Glengarry Avenue - North York Centre South.

The North York Community Council had before it a report (June 12, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to permit three hour parking on the south side of Glengarry Avenue, from a point 91 metres east of Bathurst Street to the westerly limit of Welland Avenue.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 29, Report No. 7)

255. Designated on Street Loading Zones for the Disabled - Robert Hicks Drive - North York Spadina.

The North York Community Council had before it a report (June 12, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to amend the existing traffic by-law to accommodate for the previous removal of the area designated on Robert Hicks Drive as an On Street Loading Zone for the disabled.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 30, Report No. 7)

256. All Way Stop Control - Dalemount Avenue at Hillmount Avenue - North York Spadina.

The North York Community Council had before it a report (June 12, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to require traffic to stop on all approaches to the Dalemount Avenue/Hillmount Avenue intersection.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 31, Report No. 7)

257. Boulevard Leasing Cafe - Millie's Bistro - 1980 Avenue Road - North York Centre South.

The North York Community Council had before it a report (June 12, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending that the application to lease a portion of the boulevard at 1980 Avenue Road be approved, subject to the following conditions.

- (1) the existing hydrant must have easy, unobstructed access;
- (2) no permanent structure will be allowed;
- (3) the broken asphalt should be replaced with concrete paving stones, similar to the portion of the outdoor café fronting Avenue Road;
- (4) the café area should be protected from vehicles using the rear parking area by the use of bollards or anchored portable concrete curbs;
- (5) that the applicant be aware that normal maintenance or repair of the telephone cable through the café area may disrupt their operation;
- (6) the applicant enter into an agreement to indemnify and save harmless the City of Toronto from any action, claim, damage or loss whatsoever arising from the issuance of the licence or the use to be provided or anything done or neglected to be done in connection with the said use; and

- (7) the provision of \$2,000,000.00 (two million dollars) of liability insurance, naming the City of Toronto as co-insured.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 32, Report No. 7)

258. Recommendation Report - Official Plan and Zoning Amendment Applications UD0Z-97-11 - The Park Avenues of North York - 134 to 140 Finch Avenue West, 11 and 15 Carney Road and the Rear of 16 to 18 Altamont Road - North York Centre.

The North York Community Council had before it a report (June 10, 1998) from the Acting Commissioner of Planning, North York Civic Centre, reporting on an application to amend the Official Plan and Zoning By-law to permit a residential development comprised of 148 condominium stacked townhouse units and submitting recommendations with respect thereto.

The North York Community Council recommended to Council that the foregoing report be received and that staff be authorized to schedule a public meeting.

(Bryan Tuckey, Acting Commissioner of Planning - July 3, 1998)

(Clause 45(e), Report No. 7)

259. Recommendation Report - Zoning Study UD43-KIR- South Side of Kirby Road - North York Humber.

The North York Community Council had before it a report (June 11, 1998) from the Acting Commissioner of Planning, North York Civic Centre, reporting on a zoning by-law amendment to change the zoning designation for the lots on the south side of Kirby Road and submitting recommendations with respect thereto.

The North York Community Council recommended to Council that the foregoing report be received and that staff be authorized to schedule a public meeting.

(Bryan Tuckey, Acting Commissioner of Planning - July 3, 1998)

(Clause 45(f), Report No. 7)

260. Temporary Road Closure - Beecroft Road - North York Centre.

The North York Community Council had before it a report (June 11, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending:

- (1) enactment of a confirmatory by-law to temporarily close Beecroft Road, from North York Boulevard to Park Home Avenue, from 8:30 a.m. to 11:30 a.m., on Sunday, July 26, 1998, for the purpose of conducting a Run for Drug Free Sport event, subject to the applicant's compliance with City of North York By-law No. 27433; and
- (2) during this temporary closure, there shall be no use of the closed road for vehicle traffic except under the authority of a permit issued by the Commissioner of the Works and Emergency Services Department.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 37, Report No. 7)

261. Community Festival Event - Las Flores Charitable Foundation - Hispanic Fiesta '98 - September 4, 5, 6 and 7, 1998 - Mel Lastman Square - North York Centre.

The North York Community Council had before it a memorandum (May 28, 1998) from Jaye Robinson, Interim Lead, Special Events forwarding a request from the Producer, Hispanic Fiesta '98, for permission to proceed with an application for a Special Events Permit from the Liquor Control Board of Ontario for an event to be held September 4, 5, 6 and 7, 1998, in Mel Lastman Square.

The North York Community Council recommended to Council that the subject event be declared as a community festival event.

(Mr. Clare Lewis, Chair, Alcohol and Gaming Commission of Ontario - July 17, 1998)

(Clause 9, Report No. 7)

262. Parking Prohibition Amendments - Stratford Crescent - North York Centre South.

The North York Community Council had before it a report (June 9, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to prohibit parking between the hours of 8:00 a.m. and 7:00 p.m., on both sides of Stratford Crescent, from the westerly limit of Mildenhall Road to the northerly limit of Blythwood Road.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 17, Report No. 7)

263. All Way Stop Control - Margaret Avenue at Pleasant View Drive - Seneca Heights.

The North York Community Council had before it a report (June 12, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to require traffic to stop on all approaches to the intersection of Margaret Avenue at Pleasant View Drive.

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

(Doug Floyd, Interim Functional Lead, Transportation - July 17, 1998)

(Clause 27, Report No. 7)

264. Proposed Amendment to Low Lot By-law No. 7273 - Lots 799 and 800, Plan M-108 (Between 446 and 466 Bedford Park Avenue) - North York Centre South.

The North York Community Council had before it a draft by-law to amend the City of North York By-law No. 7273, as amended.

On motion by Councillor Flint, North York Centre South, the North York Community Council deferred consideration of this matter to its next meeting scheduled for July 22, 1998.

(Bryan Tuckey, Acting Commissioner of Planning - July 3, 1998)

(Clause 45(j), Report No. 7)

265. Parking Prohibitions - Covington Road - North York Spadina.

The North York Community Council had before it a report (June 2, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to permit three hour parking on the north side of Covington Road, from the westerly limit of Bathurst Street to the easterly limit of Saranac Boulevard and to prohibit parking at any time on the south side of Covington Road, from the westerly limit of Bathurst Street to the easterly limit of Saranac Boulevard.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended to Council the adoption of the foregoing report subject to the three hour parking being “metered” parking.

(Mr. Maurice Anderson, President, Toronto Parking Authority - July 17, 1998)

(Clause 19, Report No. 7)

266. Road Closing - Dalkeith Drive (South of Donwoods Drive) - North York Centre South.

The North York Community Council had before it a report (June 11, 1998) from the City Solicitor, North York Civic Centre, recommending that:

- (a) a by-law be enacted to close and stop up Dalkeith Drive and authorize the sale thereof; and
- (b) the appropriate City officials be authorized and directed to take the necessary steps to give effect thereto.

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

(City Solicitor - July 17, 1998)

(Clause 3, Report No. 7)

267. Parking Prohibitions - Clearcrest Avenue and Creekside Road - North York Centre.

The North York Community Council had before it a report (June 8, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to prohibit parking between 8:00 a.m. to 6:00 p.m., Monday to Friday, on the north side of Clearcrest Avenue, from the westerly limit of Creekside Road to a point 45 metres westerly, and on the west side of Creekside Road, from the northerly limit of Clearcrest Avenue to a point 20 metres northerly.

On motion by Councillor Filion, North York Centre, the foregoing report was deferred sine die.

(Roberto Stopnicki, Deputy Commissioner of Transportation - July 3, 1998)

(Clause 45(c), Report No. 7)

268. Parking Prohibitions - Goulding Avenue - North York Centre.

The North York Community Council had before it a report (June 8, 1998) from the Commissioner of Transportation, North York Civic Centre, recommending enactment of a by-law to prohibit parking at anytime on the south side of Goulding Avenue, from the westerly limit of Cactus Avenue to the easterly limit of Peckham Avenue.

On motion by Councillor Filion, North York Centre, the foregoing report was deferred sine die.

(Roberto Stopnicki, Deputy Commissioner of Transportation - July 3, 1998)

(Clause 45(d), Report No. 7)

269. Recommendation Report - Zoning Amendment Application UDOZ-97-42 - Rita Malcolm - 27 Marshlynn Avenue - North York Humber.

The North York Community Council had before it the following:

- (1) report (May 13, 1998) from the Acting Commissioner of Planning, North York Civic Centre, reporting on an application to amend the Zoning By-law to permit a commercial use (beauty salon) within a portion of the existing dwelling as a home business; and submitting recommendations with respect thereto; and

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- (2) petition (April 7, 1998) signed by approximately 31 area residents in opposition to the application.
- A. Councillor Mammoliti, North York Humber, moved that the foregoing report not be adopted and that the application be refused.
- B. Councillor Sgro, North York Humber, moved that the North York Community Council recommend to Council the adoption of the foregoing report and that staff be authorized to schedule a public meeting.

A recorded vote on a motion A. by Councillor Mammoliti, North York Humber, to refuse the application, was as follows:

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

AGAINST: Councillors Sgro, Feldman, Gardner, Chong

ABSENT: Councillors Minnan-Wong, Shiner

Carried

(Paul Bedford, Executive Director, Urban Planning and Development Services - July 17, 1998)

(Clause 33, Report No. 7)

270. Ontario Society for the Prevention of Cruelty to Animals - Presentation by Victoria Earle, Chief Executive Officer.

The North York Community Council had before it a communication (April 23, 1998) from Ms. Victoria E. R. Earle, Chief Executive Officer, Ontario Society for the Prevention of Cruelty to Animals, requesting permission to address the North York Community Council with respect to the work of the SPCA in the North York community.

The North York Community Council heard a presentation by Victoria E. R. Earle, Chief Executive Officer, Ontario SPCA, with respect to the work of the Ontario Society for the Prevention of Cruelty to Animals in the community.

The Ontario SPCA is celebrating 125 years of protecting animals across the Province and its investigations include cruelty under the *Ontario SPCA Act*, rehabilitation and treatment, as well as finding homes for unwanted animals, and education.

Ms. Earle advised the North York Community Council that the Ontario SPCA, in collaboration with the local branch, is launching initiatives to improve service and help animals.

(Clause 45(a), Report No. 7)

271. Appeal of Muzzle Order - Mr. John Obeyesekere - 175 Cottonwood Drive - Don Parkway.

The North York Community Council had before it a report (May 28, 1998) from the City Solicitor, North York Civic Centre, recommending that the request for exemption be denied.

- A. Councillor Gardner, North York Centre, moved that the request for an exemption to the muzzle order be approved.

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

- B. Councillor Moscoe, North York Spadina, moved adoption of the foregoing report and that the exemption be denied.

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

Mr. John Obeyesekere appeared before the North York Community Council in connection with the foregoing matter.

(Mr. John Obeyesekere, 175 Cottonwood Drive, and City Solicitor - July 17, 1998)

(Clause 2, Report No. 7)

272. Establishment of the Downsview Trust - North York Spadina.

The North York Community Council had before it a report (June 12, 1998) from the Acting Commissioner of Planning, North York Civic Centre forwarding a communication (June 12, 1998) from Canada Lands Company Limited respecting the establishment of the Downsview Trust.

- A. Councillor Augimeri, Black Creek, moved that:

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WHEREAS many community residents still have concerns regarding the reports and technical information which are the basis for the Downsview Lands Secondary Plan; and

WHEREAS the nature of holding a Statutory Public Meeting during the summer months is a deterrent to a full and adequate public process; and

WHEREAS a Special meeting of City Council will be held on July 23, 1998 to deal with the establishment of a tax rate thereby leaving only the one day for Community Council; and

WHEREAS the communication from Canada Lands Company regarding the Downsview Trust does not adequately comply with Council's request that they "confirm the establishment of the Downsview Trust";

NOW THEREFORE BE IT RESOLVED THAT the North York Community Council establish the date of the Statutory Public Meeting on the Downsview Lands Secondary Plan as Wednesday, September 16, 1998; and

BE IT FURTHER RESOLVED THAT City staff take the appropriate actions to notify the community.

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

1. a special committee be established consisting of Councillors Moscoe, Augimeri, Feldman, Flint, together with a representative from the Mayor's Office, to meet with the Honourable Art Eggleton, M.P., York Centre, to discuss at length the establishment of the Downsview Trust;
2. no building permit be issued for any construction on Canada Lands' holdings until such time as CLC Downsview Inc., (the Downsview Trust) has been formally established and a governing body is in place and fully operational with a secure revenue base and business plan; and
3. the Federal Government be informed that the communication from Canada Lands regarding the establishment of the Downsview Trust does not adequately comply with the motion adopted at the North York Community Council meeting of May 27, 1998 regarding its establishment as it relates to the rezoning matters.

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- C. Councillor Gardner, North York Centre, moved in amendment to the motion by Councillor Moscoe, that any other interested Member of the North York Community Council be permitted to sit on the special committee.

- D. Councillor Flint, North York Centre South, moved that it should be noted that the public meeting on this item scheduled for July 22, 1998 is being held on the understanding that a large portion of the meeting will be taken up with the briefing and presentation and that no person should have any expectation that this will be the only meeting on this item.

On motion by Councillor Chong, Don Parkway, the North York Community Council recommended that the report (June 12, 1998) from the Acting Commissioner of Planning be received.

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

FOR: Councillors Moscoe, Augimeri, Filion

AGAINST: Councillors Mammoliti, Sgro, Li Preti, Feldman, Berger, Flint, Gardner, Chong, Minnan-Wong, Shiner, King

ABSENT: NIL

Lost

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

FOR: Councillors Mammoliti, Sgro, Li Preti, Berger, Flint, Gardner, Chong, Filion, Shiner, King

AGAINST: Councillors Moscoe, Augimeri, Feldman

ABSENT: Councillor Minnan-Wong

Carried

A recorded vote on Part 1. of motion B. by Councillor Moscoe, North York Spadina, was as follows:

FOR: Councillors Mammoliti, Sgro, Li Preti, Moscoe, Augimeri, Feldman, Berger, Flint, Gardner, Chong, Filion, Shiner, King

AGAINST: NIL

ABSENT: Councillor Minnan-Wong

Carried

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A recorded vote on Part 2. of motion B. by Councillor Moscoe, North York Spadina, was as follows:

FOR: Councillors Mammoliti, Moscoe, Augimeri, Feldman, Berger, Filion, Shiner, King

AGAINST: Councillors Sgro, Li Preti, Flint, Gardner, Chong

ABSENT: Councillor Minnan-Wong

Carried

A recorded vote on Part 3. of motion B. by Councillor Moscoe, North York Spadina, was as follows:

FOR: Councillors Mammoliti, Sgro, Li Preti, Moscoe, Augimeri, Feldman, Berger, Flint, Gardner, Filion, Shiner, King

AGAINST: Councillor Chong

ABSENT: Councillor Minnan-Wong

Carried

A recorded vote on motion D. by Councillor Flint, North York Centre South, was as follows:

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

AGAINST: Councillor Berger

ABSENT: NIL

Carried

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

- Mr. Vince Lombardi, President, Downsview Lands Community Voice Association;
- Mr. Toni Varone, Balmoral Homeowners' Association;
- Mr. Gerrit de Boer, Idomo Furniture International; and
- Mr. David Sadowski on behalf of Canada Lands Corporation.

Councillor Li Preti declared his interest in this matter, as it relates to the city-owned lands at the southeast corner of Sheppard Avenue West and the William R. Allen Road, in that he owns a property in the vicinity.

(Commissioner of Urban Planning and Development Services - July 17, 1998)

(Clause 36, Report No. 7)

The North York Community Council recessed at 12:45 p.m. and reconvened at 2:18 p.m. in the Council Chamber, North York Civic Centre.

Members Present:

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

273. Statutory Public Meeting regarding Zoning Amendment Application UDZ-96-30 - Harry Snoek to permit two residential apartment buildings - 15-19 Finch Avenue West and 7-11 Blakely Road - North York Centre.

As directed by the North York Community Council at its meeting held on May 6, 1998 appropriate notice of this continuation of this statutory public meeting was given in accordance with the Planing Act and the regulations thereunder.

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

- (I) (June 10, 1998) from Virginia M. West, Commissioner of Urban Planning and Development Services, responding to the motion made by the North York Community Council at its meeting held on May 6, 1998;
- (ii) (June 11, 1998) from Ms. Kim Kovar, Aird & Berlis, Barristers and Solicitors, Solicitor on behalf of the applicant;

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- (iii) (undated) from Mr. John Monita, forwarding a petition containing 108 signatures and 78 letters from area residents forwarding their comments on the proposed application;
- (iv) (June 24, 1998) from William deBacker, President, Edithvale-Yonge Community Association, requesting that the City purchase 31 Lorraine Drive for parks purposes, in light of the fact that it has recently been placed on the market for sale; and
- (v) (June 24, 1998) from Sharolyn Vettese, Chair, on behalf of the Yonge Street Area Ratepayer Associations, commenting on the parkland and service road issues.

A staff presentation was made by Karen Whitney, Planner, Planning Department, North York Civic Centre.

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

- Ms. Kim Kovar, Aird and Berlis, Barristers and Solicitors, Solicitor on behalf of the applicant, who commented on the merits of the application. She further indicated that there would appear to be two issues which are of interest to the residents The first being the parkland issue and the second being the service road issue.

With respect to the parkland issue, she indicated that the applicant will be required to pay cash-in-lieu of parkland, in accordance with the Official Plan policies of the North York Centre Secondary Plan OPA 447. She pointed out that the Willowdale West community is not deficient but that in fact it has a surplus of parkland.

With respect to the service road issue, the applicant, although not required to, purchased 11 Blakely Avenue so that it can be conveyed to the City to be used for the service road. This development does not trigger the need to build the functional section of the service road but the applicant acquired the lands in order to address the concerns expressed by the community.

In concluding Ms. Kovar indicated that the applicant concurred with the recommendations contained in the report from the Acting Commissioner of Planning dated March 18, 1998 with the exception of 3(e) which should be amended by adding the words, "subject to the existing tenancy".;

- Mr. Jim Morwood expressed concern with the increased level of traffic penetrating the residential areas as a result of piece-meal development. He also indicated that the service road should be completed in order to alleviate the traffic congestion in the area;

- Ms. Sharolyn Vettese, Chair, on behalf of the Yonge Street Area Ratepayer Associations, commented on the parkland and service road issues. In her opinion, the Supplementary Report does not satisfactorily address the concerns regarding these two issues.

With respect to the parkland, she pointed out that the City Centre is one of the most parkland deficient areas in the former City of North York. There has been little success in getting parkland within the City Centre and that is why the new policies consider obtaining land in the immediate environs. Often parkland is not available at the desired time for various reasons and therefore policies have to be in place, and property owners have to want to sell when the money is available to buy those properties. Property values may go up in the future and available funds may not be adequate. The Yonge Street Area Ratepayer Associations request that 31 Lorraine Drive be purchased either by the applicant or by the Parks Acquisition Fund at this time before another opportunity to gain parkland is lost.

With respect to the service road, the report does not answer the question of what is the likelihood of it being built, given the multi-owner make-up of most of the blocks in the former Uptown, and the new megacity policies. She further indicated that ratepayers view the service road as an important physical barrier between the redevelopment and the stable residential neighbourhoods so that they can continue to enjoy their homes adjacent to the redevelopment; and

- Mr. John Monita who indicated that since the last public meeting on this proposal, he canvassed the residents in the area and acquired 125 signatures on a petition and 185 letters from residents expressing concern with traffic infiltration. He outlined the importance of the service road being completed and was of the opinion that a partially implemented service road would be more of a hindrance than a help.

Mr. Monita further indicated that until a proper service road and infrastructure are in place, this proposal is premature and should not be approved until this issue has been addressed.

- A. Councillor Filion, North York Centre South, moved that:

WHEREAS new development in and around Lorraine Drive will generate additional residential demand for parkland; and

WHEREAS the City has acquired a portion of 27 Lorraine Drive and all of 29 Lorraine Drive for parks purposes, and

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WHEREAS it is the City's long range plan to acquire additional parkland in the North York City Centre; and

WHEREAS the Service Road is planned to be developed immediately adjacent to 31 Lorraine Drive; and

WHEREAS the Economic Development, Culture, and Tourism Department supports further acquisition in the area; and

WHEREAS the owners of 31 Lorraine Drive have placed their home on the market for sale;

THEREFORE BE IT RESOLVED that staff be directed to negotiate, and bring to Council for approval, a Purchase and Sale Agreement for the acquisition of 31 Lorraine Drive, at fair market value, for parks purposes, utilizing funds from the Parkland Acquisition Account (Account No. 007-435-000).

- B. Councillor Filion, North York Centre, moved that:
- (I) recommendation 3(e) of the report dated May 18, 1998 from the Acting Commissioner of Planning be amended to read as follows:

"the property identified municipally as 11 Blakely Road described as Lot 88, Registered Plan 3705 has been conveyed to the City, subject to the existing tenancy"; and
 - (ii) that staff bring forward to the North York Community Council, a plan and timetable for the completion of the service road for its meeting of July 22, 1998.
- C. Councillor Gardner, North York Centre, moved in amendment to foregoing motion A. by Councillor Filion, North York Centre, that the matter be deferred for one month and the following words be inserted after the words, fair market value, "and in accordance with the City's acquisition/purchasing policies"

A recorded vote on motion A. by Councillor Filion was as follows:

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FOR: Councillors Mammoliti, Sgro, Li Preti, Moscoe, Feldman, Berger, Flint, Gardner, Chong, Filion, Minnan-Wong

AGAINST: NIL

ABSENT: Councillors Augimeri, Shiner, King

Carried

A recorded vote on Part (ii) of motion B by Councillor Filion was as follows:

FOR: Councillors Mammoliti, Sgro, Li Preti, Moscoe, Feldman, Berger, Flint, Gardner, Chong, Filion, Minnan-Wong

AGAINST: NIL

ABSENT: Councillors Augimeri, Shiner, King

Carried

A recorded vote on motion C by Councillor Gardner was as follows:

FOR: Councillors Mammoliti, Sgro, Li Preti, Moscoe, Augimeri, Feldman, Berger, Gardner, Chong, Filion, Minnan-Wong

AGAINST: Councillor Flint

ABSENT: Councillors Augimeri, Shiner, King

Carried

(Doug Stewart, Functional Lead, Real Estate; Roberto Stopnicki, Deputy Commissioner of Transportation; and Bryan Tuckey, Acting Commissioner of Planning - July 3, 1998)

(Clause 45(b), Report No. 7)

274. Official Plan and Zoning Amendment Application UD0Z-94-34 - T.W.S. Developments Limited to permit the residential conversion of the existing vacant office building into 180 residential units - 797 Don Mills Road - Don Parkway.

As directed by the North York Community Council, at its meeting held on May 27, 1998, appropriate notice of the continuation of the public meeting was given in accordance with the Planning Act and regulations thereunder.

The North York Community Council had before it a report (April 23, 199) from the Acting Commissioner of Planning providing recommendations with respect to the subject application.

The North York Community Council also had before it a written brief dated June 24, 1998 from Richard Crawford, The Independent Order of Foresters, outlining their concerns with the application.

A staff presentation was made by Franco Romano, Senior Planner, Planning Department, North York Civic Centre.

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

- Mr. M. H. Chusid, Solicitor, on behalf of the applicant, T.W.S. Developments Limited, who commented on the merits of application. He also indicated that the applicant concurred with the staff recommendations with the exception of Recommendation (1) (v). He requested that the one bedroom units be 71m² rather than 70m² because the building is existing and it is difficult to change the configuration. In addition he suggested the imposition of a further condition which would address the concerns expressed by the adjacent property owner, The Independent Order of Foresters; and
- Mr. Richard Crawford, Assistant Vice-President, on behalf of The Independent Order of Foresters, who outlined their concerns with the application. Their primary concerns were with respect to ingress and egress to the 797 Don Mills property via the IOF Laneway; the maintenance of the roadway once the unit holders in the proposed building have taken residence; the shared podium between the building and the future maintenance and up-keep of the podium; and the underground passageway between the IOF's and proponent's building and the impact this passage may have for the future, given the projected change in land use.

Mr. Crawford also clarified that while the IOF and the proponent have held meetings to discuss these main site specific issues, resolution has not yet been finalized. In order to ensure that all these site specific matters are resolved to the mutual satisfaction of the applicant and themselves, site plan approval should be obtained prior to the enactment of the zoning by-law.

On motion by Councillor Minnan-Wong, Don Parkway, the North York Community Council recommended the adoption of the foregoing report from the Acting Commissioner of Planning and that the application submitted by T.W.S.

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Developments Limited regarding Official Plan and Zoning Amendment for 797 Don Mills Road, be approved, with the following revisions and additional condition:

- (1) recommendation 1 (v) be amended to read as follows:

“A minimum of 25 percent of the residential dwelling units shall have a maximum gross floor area of 71 square metres for a one bedroom unit, 80 square metres for a two bedroom and 120 square metres for a three bedroom unit.”

- (2) recommendation 2 be amended to read as follows:

“Prior to the enactment of the Zoning By-law, the applicant shall receive site plan approval, said approval to address to the satisfaction of the applicant and the City, the laneway called the IOF Laneway, the podium and the underground passageway. This process shall be in full consultation and involvement with the IOF. In addition, the applicant agrees that it will resolve the issues between it and the IOF with respect to the IOF Laneway, the podium and the underground passageway, prior to the enactment of the by-law.”; and

- (3) all outstanding by-law violations be complied with prior to July 7, 1998.

(Paul Bedford, Executive Director, Urban Planning and Development Services - July 17, 1998)

(Clause 4, Report No. 7)

275. Zoning Amendment Application UDZ-97-32 - L & A International Management Inc. to permit a six storey 134 unit apartment building on the east side of William Carson Crescent - William Carson Crescent - North York Centre South.

As directed by the North York Community Council at its meeting held on May 27, 1998, 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 14, 1998) from the Acting Commissioner of Planning, providing recommendations with respect to the subject application.

The North York Community Council also had before it a communication (June 24, 1998) from Philip Edward Brent, in support of the application.

A staff presentation was made by Michael Saunders, Planner, Planning Department, North York Civic Centre.

Mr. Adam Brown, Solicitor, on behalf of the applicant, L & A. International Management Inc. appeared before the North York Community Council in connection with the foregoing matter and he commented on the merit of the application. He also stated that the applicant concurred with the staff recommendations with the exception of Recommendation (1) (iii), in which case he requested that the two bedroom units be 95m² rather than 80m². The issues with respect to storm water management can be addressed prior to the enactment of the zoning by-law.

A. Councillor Flint, North York Centre South, moved that the report from the Acting Commissioner of Planning dated May 14, 1998, be adopted and the application UDZ-97-32 - L & A International Management Inc., be approved as set out in the foregoing report with the following revisions and additional conditions:

(i) recommendation (1) (iii) be amended to read as follows:

“a minimum of 25 percent of the total number of dwelling units provided shall have a maximum floor area of 55 m² for bachelor units, 70 m² for one-bedroom units, 95 m² for two-bedroom units, 120 m² for three-bedroom units, or any combination thereof”;

(ii) recommendation (2) be deleted in its entirety; and

(iii) a further condition be added to read as follows:

“that the Works and Emergency Services Department confirm in writing, prior to the Toronto City Council meeting, that the issues of storm water run-off and garbage collection over the easement have been resolved to its satisfaction.”

B. Councillor Moscoe, North York Spadina, moved that the parking provision for this building be amended in accordance with the recommendation of the Toronto Transit Commission, as outlined in its memorandum of February 4, 1998 and accordingly a cap of 138 spaces be placed on the parking, which represents a ratio of 1.25 spaces per unit inclusive of visitor parking.

A recorded vote on motion B by Councillor Moscoe was as follows:

FOR: Councillors Mammoliti, Sgro, Moscoe, Augimeri

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AGAINST: Li Preti, Feldman, Berger, Flint, Gardner, Chong, Filion, King

ABSENT: Councillors Minnan-Wong, Shiner

Lost

A recorded vote on Part (i) of motion A by Councillor Flint, was as follows:

FOR: Councillors Feldman, Berger, Flint, Gardner, Filion

AGAINST: Councillors Mammoliti, Sgro, Li Preti, Moscoe, Augimeri, Chong, King

ABSENT: Councillors Minnan-Wong, Shiner

Lost

A recorded vote on Part (ii) of motion A by Councillor Flint was as follows:

FOR: Councillors Feldman, Berger, Flint, Gardner, Chong, Filion

AGAINST: Councillors Mammoliti, Sgro, Li Preti, Moscoe, Augimeri, King

ABSENT: Councillors Minnan-Wong, Shiner

Lost

A recorded vote on the motion by Councillor Flint to approve the application, was as follows:

FOR: Councillors Mammoliti, Sgro, Li Preti, Moscoe, Augimeri, Feldman, Berger, Flint, Gardner, Chong, Filion, King

AGAINST: NIL

ABSENT: Councillors Minnan-Wong, Shiner

Carried

(Paul Bedford, Executive Director, Urban Planning and Development Services - July 17, 1998)

(Clause 5, Report No. 7)

276. Temporary Public Parking Lot - Zoning Application UD52-97-01 - 4155 Yonge Street - North York Centre South.

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As directed by the North York Community Council, at its meeting held on May 27, 1998, 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 12, 1998) from Nick Spensieri, Toronto Parking Authority and a report (August 26, 1997) from the Commissioner of Planning for the former City of North York.

Mr. Joe Casali, Manager, Development and Planning, Toronto Parking Authority, North York Civic Centre, appeared before the North York Community Council in connection with the foregoing matter and commented on the merits of the application.

On motion by Councillor Flint, North York Centre South, the North York Community Council recommended to Council that the report from the Commissioner of Planning for the former City of North York dated August 26, 1997, be adopted and the application UD52-97-01 - Toronto Parking Authority be approved as set out in that report with the following revisions and additional condition:

- (1) recommendation 2.1.1 of the report from the Commissioner of Planning for the former City of North York be amended to read as follows:

“The C1 zoning for the site be amended to permit a public parking lot on a temporary basis for a period ending December 31, 1999”.

- (2) no billboards or signs, other than those related to the Toronto Parking Authority, be permitted until such time as the lease agreement, or any extension thereof, between the Toronto Parking Authority and the property owner of 4155 Yonge Street, has expired.

(Toronto Parking Authority - July 17, 1998)

(Clause 6, Report No. 7)

- 277. Zoning Amendment Application UDZ-97-37 - Lopes Bros. Contracting to allow the existing one storey commercial building and parking lot which fronts onto Jane Street to be maintained and to develop the eastern portion of the property which fronts onto Hearne Avenue with 2 semi-detached dwellings (4 units) - 1721 Jane Street - North York Humber.**

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As directed by the North York Community Council, at its meeting held on May 27, 1998, 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 the following:

- (a) report (May 13, 1998) from the Acting Commissioner of Planning providing recommendations with respect to the subject application;
- (b) communication (June 9, 1998) from Mr. Marco Massaro expressing his concerns with the proposed development; and
- (c) communication (June 9, 1998) from Mr. Ettore Massaro expressing his concerns with the proposed development.

A staff presentation was made by Anthony Rossi, Planner, Planning Department, North York Civic Centre.

Mr. Peter Cheatley Planning Consultant, appeared before the North York Community Council on behalf of the applicant in connection with the foregoing matter and commented on the merits of the application. He also indicated that the applicant concurred with the staff recommendations.

On motion by Councillor Sgro, North York Humber, the North York Community Council recommended to Council that the report from the Acting Commissioner of Planning dated May 13, 1998, be adopted and the application UDZ-97-37 - Lopes Bros. Contracting be approved as set out in that report.

(Paul Bedford, Executive Director, Urban Planning and Development Services - July 17, 1998)

(Clause 7, Report No. 7)

278. Black Creek Business Area Association Revitalization Action Plan - Presentation by Ella Jackson, Chair, Black Creek Business Area Association - North York Humber And York Humber.

The North York Community Council had before it a report (June 19, 1998) from the Director, York Economic Development Office and the Executive Director, North York Economic Development Office recommending that:

- (1) the Black Creek Business Area Association Revitalization Action Plan be received;

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- (2) the report and accompanying Black Creek Business Area Association Revitalization Action Plan be forwarded for information to the Economic Development Committee; and
- (3) the Black Creek Business Area Association Revitalization Action Plan be referred to the Commissioner of Economic Development, Culture and Tourism and that reports be submitted to the appropriate committee(s), as necessary, with respect to the implementation of projects recommended through the Revitalization Action Plan.

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

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

- Ms. Ella Jackson, Vice-Chair, Black Creek Business Area Association; and
- Mr. Lorne Berg, Executive Director, Black Creek Business Area Association.

(Commissioner of Economic Development, Culture and Tourism and Economic Development Committee - July 2, 1998)

(Clause 45(k), Report No. 7)

279. Preliminary Report - Official Plan and Zoning Amendment Application UD0Z-98-07 - Michael A. Cohen - 619 Lawrence Avenue West - North York Spadina.

The North York Community Council had before it a report (May 5, 1998) from the Acting Commissioner of Planning, North York Civic Centre, reporting on an application to permit commercial offices (medical, chiropractic, acupuncture and message therapy) and a basement apartment within the existing one-storey single-family dwelling and recommending that the application be refused.

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

- (1) the foregoing report (May 5, 1998) from the Acting Commissioner of Planning, North York Civic Centre, be adopted and that the application be refused; and
- (2) staff of the Municipal Standards Division, North York Civic Centre, be requested to have the subject property conform with the existing by-law provisions.

B. Councillor Feldman, North York Spadina, moved that this matter be deferred for two months in order for the applicant to revise his application.

A recorded vote on Part (1) of motion by Councillor Moscoe, North York Spadina, to refuse the application, was as follows:

FOR: Councillors Mammoliti, Sgro, Moscoe, Augimeri, Berger, Flint, Filion, Minnan-Wong

AGAINST: Councillors Li Preti, Feldman, Gardner

ABSENT: Councillors Chong, Shiner, King

Carried

A recorded vote on Part (2) of motion by Councillor Moscoe, North York Spadina, to have the property conform to the existing by-law provisions, was as follows:

FOR: Councillors Mammoliti, Sgro, Moscoe, Augimeri, Feldman, Berger, Flint, Gardner, Filion, Minnan-Wong

AGAINST: NIL

ABSENT: Councillors Li Preti, Chong, Shiner, King

Carried

Dr. Michael Cohen appeared before the North York Community Council in connection with this matter.

(Paul Bedford, Executive Director, Urban Planning and Development Services - July 17, 1998)

(Clause 34, Report No. 7)

280. Ramp Improvements - Highway 404/Highway 401, Highway 404/Finch Avenue East and Highway 404/Steeles Avenue East - Don Parkway and Seneca Heights.

The North York Community Council having agreed to the introduction of an additional item by Councillor Shiner, recommended that City Council endorse the following Resolution by Councillor David Shiner, Seneca Heights:

WHEREAS the Province of Ontario has plans to add traffic lanes to Highway 404, between Highway 7 and Highway 401 and to reconfigure the ramps at Steeles Avenue East, Finch Avenue East and Highway 401; and

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WHEREAS the Province has announced a further extension of Highway 404, north of Davis Drive in Newmarket to Green Lane; and

WHEREAS the Province has plans to continue to extend Highway 404 north of Green Lane, as the residential communities expand; and

WHEREAS adding traffic lanes to Highway 404 between Highway 407 and Highway 401 will only exacerbate traffic congestion on Highway 401 and the Don Valley Parkway; and

WHEREAS adding the traffic lanes south of Highway 407 will only encourage more traffic to avoid Highway 407 because of the toll charges and use Highway 401; and

WHEREAS the lack of capacity of the Don Valley Parkway forces motorists to exit Highway 404, north of Highway 401, onto arterial roads and residential streets to by-pass the congestion on the Don Valley Parkway; and

WHEREAS this is already an intolerable situation for local residents;

NOW THEREFORE BE IT RESOLVED THAT the Province be advised that the North York Community Council and the City of Toronto Council support the necessary ramp improvements at the interchange of Highway 404/Highway 401, Highway 404/Finch Avenue East and Highway 404/Steeles Avenue East; and

BE IT FURTHER RESOLVED THAT the North York Community Council and the City of Toronto Council request the Province not to add traffic lanes to Highway 404, from Highway 401 to Highway 7; and

BE IT FURTHER RESOLVED THAT the Province be requested to come up with a new traffic management plan that would encourage the east/west movement of vehicles along Highway 407 instead of Highway 401; and

BE IT FURTHER RESOLVED THAT Provincial Members of Parliament whose ridings include Highway 404/Don Valley Parkway be requested to invite area residents and the local councillors to public meetings regarding this issue; and

BE IT FURTHER RESOLVED THAT this item be placed on the next regular agenda of the City of Toronto Council for its consideration, and not included under "other items" .

(The Honourable Tony Clement, Minister of Transportation; The Honourable David Turnbull, MPP York Mills; and The Honourable David Johnson, MPP, Don Mills - July 17, 1998)

(Clause 42, Report No. 7)

281. Back Sloping Driveway - 632 Glengrove Avenue West - North York Spadina.

The North York Community Council had before it a report (June 18, 1998) from the Director of Roads and Sidewalk Operations, North York Civic Centre, recommending that the requested driveway slope commence as close as possible to the property line which would prevent surface drainage from the road entering onto private property and would provide proper cover to the underground utilities such as the watermain and that the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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

(Mr. Nick Totino, 632 Glengrove Avenue and Dominic Gismondi, Director of Roads and Sidewalk Operations, Works and Emergency Services - July 17, 1998)

(Clause 43, Report No. 7)

282. Change in North-end Looping of 97 Yonge Bus Route - Results of Public Consultation.

The North York Community Council had before it a communication (June 22, 1998) from Mr. Vincent Rodo, General Secretary, Toronto Transit Commission, advising that the previously approved six-month trial period for this routing proceed with a report to follow at the end of that trial.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council received the foregoing communication.

(Vincent Rodo, General Secretary, Toronto Transit Commission - July 3, 1998)

(Clause 45(n), Report No. 7)

283. Community Festival Event - Super Latin Fest - July 31 to August 3, 1998 - Mel Lastman Square - North York Centre.

The North York Community Council had before it a report (June 22, 1998) from Jaye Robinson, Interim Lead, Special Events, forwarding a request from Magda de la Torre, Super Latin Fest, for permission to proceed with an application for a Special Events Permit from the Liquor Control Board of Ontario for an event to be held July 31 to August 3, 1998, in Mel Lastman Square.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended to Council that the subject event be declared as a community festival event.

(Mr. Clare Lewis, Chair, Alcohol and Gaming Commission of Ontario - July 17, 1998)

(Clause 39, Report No. 7)

284. Roads - Princess Avenue - from Dudley Avenue to Willowdale Avenue - North York Centre.

The North York Community Council had before it a report (June 9, 1998) from the Director of Engineering, North York Civic Centre, recommending that:

- (1) Princess Avenue from Dudley Avenue to Willowdale Avenue be repaved without constructing curbs, storm sewers or sidewalk as a pilot North York project; and
- (2) the funds approved be transferred from the Local Improvement program to the North York Road Overlay And Restoration program.

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

(Stan Bertoia, Director of Engineering, Works and Emergency Services - July 17, 1998)

(Clause 40, Report No. 7)

285. Liquor Licence Application - Luxor Banquet Hall - 4250 Dufferin Street - North York Spadina

The North York Community Council having previously agreed to the introduction of an additional item by Councillor Moscoe, North York Spadina, recommended that City Council endorse the following Resolution by Councillor Howard Moscoe, North York Spadina:

WHEREAS the former Liquor Licence Board, now known as the Alcohol and Gaming Commission, rejected Application No. 48580 to establish a night club, "the Luxor", at 4250 Dufferin Street on February 24, 1995; and

WHEREAS this rejection was based on depositions from some 600 residents in opposition, including the City of North York; and

WHEREAS the Alcohol and Gaming Commission, through public hearings, rejected a leave to appeal the first application in July 1996; and

WHEREAS a new application (No. 88731) for a liquor licence for Luxor has been submitted to the Alcohol and Gaming Commission;

NOW THEREFORE BE IT RESOLVED THAT the City of Toronto advise the Alcohol and Gaming Commission that the City of Toronto is opposed to Application No. 88731 submitted June 19, 1998, for a liquor licence for the Luxor at 4250 Dufferin Street unless the application is amended to specifically exclude the operation of a night club and submitted under the name "Luxor Banquet Hall" as indicated on the attached notice; and

BE IT FURTHER RESOLVED THAT the City Solicitor assist in preparing the wording of an amendment to the liquor licence application to ensure that it cannot be used to operate a night club.

(A copy of the notice referred to in the foregoing motion is on file in the office of the City Clerk, North York Civic Centre.)

(Mr. Clare Lewis, Chair, Alcohol and Gaming Commission of Ontario - July 17, 1998)

(Clause 41, Report No. 7)

286. Claim - Reimbursement for Damages during the Bridle Path Area Road Reconstruction - 77 The Bridle Path - North York Centre South.

The North York Community Council had before it a communication (May 19, 1998) from Councillor Joanne Flint, North York Centre South, forwarding a request from the owner of 77 The Bridle Path for compensation for costs incurred as a result of damage to his sprinkler system by the contractor during the local improvements to The Bridle Path area last year.

On motion by Councillor Flint, North York Centre South, the North York Community Council deferred consideration of this matter to its next meeting scheduled for July 22, 1998.

(Councillor Flint, North York Centre South - July 3, 1998)

(Clause 45(h), Report No. 7)

287. Proposed Sale of Lot 198 - Woburn Avenue, Registered Plan M-108 - North York Centre South.

The North York Community Council had before it a memorandum (June 8, 1998) from the City Clerk advising that City Council at its meeting held on June 3, 4 and 5, 1998, struck out and referred back to the North York Community Council for further consideration Clause 28 of Report No. 7 of the Corporate Services Committee, headed "Proposed Sale of Lot 198 - Woburn Avenue, Registered Plan M-108 - North York Centre South".

On motion by Councillor Flint, the North York Community Council deferred consideration of this item to its next meeting scheduled to be held on July 22, 1998.

(Clause 45(l), Report No. 7)

288. Community Festival Event - Club Epiphany - Summer Family Celebrations - June 28, July 19, July 26, August 2, August 3 and August 30, 1998 - 11 Arrow Road - North York Humber.

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

- (1) (June 19, 1998) from Ms. Phyllis James, Managing Director, Club Epiphany, amending the original request contained in a communication (May 20, 1998) and requesting the use of the outside rear area of the establishment for a Cultural Family Event in Celebration of Caribana on Monday, August 3, 1998 from 11:00 a.m. to 9:00 p.m. which will include a cultural show, games and activities for the entire family; and
- (2) (May 20, 1998) from Ms. Phyllis James, Managing Director, Club Epiphany, requesting permission to proceed with an application for a Special Events Permit from the Liquor Control Board of Ontario for a variety of events to be held on June 28, July 19, July 26, August 2, August 3 and August 30, 1998, at the outside area of their establishment, which was deferred by the North York Community Council at its meeting held on May 27, 1998.

On motion by Councillor Sgro, North York Humber, the North York Community Council recommended to Council approval of the foregoing event to be held on August 3, 1998.

(Mr. Clare Lewis, Chair, Alcohol and Gaming Commission of Ontario - July 17, 1998)

(Clause 35, Report No. 7)

289. Refund of Reimbursement Paid for Damage to City Trees - 105 Wigmore Drive - Don Parkway.

The North York Community Council had before it a report (June 5, 1998) from the Commissioner, Economic Development, Culture and Tourism, recommending that this reimbursement be retained by the City and applied towards the costs for City arborists to perform remedial pruning to rectify the damage caused by the unauthorized and improper pruning of two trees in front of 105 Wigmore Drive.

On motion by Councillor Minnan-Wong, Don Parkway, the North York Community Council deferred consideration of this matter to its next meeting scheduled for July 22, 1998.

(Commissioner of Economic Development, Culture and Tourism - July 3, 1998)

(Clause 45(i), Report No. 7)

290. Preliminary Report - Zoning Amendment Application UDZ-98-08 - 1205373 Ontario Limited - 70, 72, 76, 78, 80, 84, 88, 90, 96, 100 and 102 Ellerslie Avenue - North York Centre.

The North York Community Council had before a report (June 9, 1998) from the Acting Commissioner of Planning, North York Civic Centre reporting on an application to amend the Zoning By-law to permit a 66 unit 3 storey freehold townhouse development at 70 to 102 Ellerslie Avenue and submitting recommendations with respect thereto.

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

- (1) the re-opening of site specific Official Plan Policy part c9.140 of Official Plan Amendment No. 381, be approved;
- (2) the foregoing report be received; and
- (3) staff be authorized to schedule a public meeting to determine whether the subject lands should be included in the development area.

(Paul Bedford, Executive Director, Urban Planning and Development Services - July 17, 1998)

(Clause 44, Report No. 7)

291. Purchase of Surplus Density from City-owned Land by Symphony Square Ltd. - 29 Lorraine Drive - North York Centre.

The North York Community Council had before it a report (June 15, 1998) from the Commissioner of Corporate Services recommending that North York Community Council recommend to the Corporate Services Committee that:

- (1) the "Offer to Purchase" from Symphony Square Ltd. to purchase 19,660 square feet of density for the sum of \$400,000.00 be accepted and the Treasurer and the City Clerk be authorized to execute same;
- (2) proceeds from the sale be credited to Account No. 007-435-000-8340; and
- (3) the appropriate City officials be authorized to take all actions necessary to finalize this matter.

Councillor Filion, North York Centre, moved that:

1. the foregoing report be adopted and that the sale be approved;
2. the sale be subject to all applicable levies; and
3. requested the Chief Financial Officer and Treasurer to provide a supplementary report to City Council when this matter is before it for final approval on what levies would be applicable to the additional density in the event that either a rezoning application or a Committee of Adjustment application is received.

A recorded vote on Part 1. of motion by Councillor Filion, was as follows:

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

AGAINST: Councillors Mammoliti, Flint

ABSENT: Councillors Chong, King

Carried

A recorded vote on Part 2. of motion by Councillor Filion, North York Centre, was as follows:

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

AGAINST: NIL

ABSENT: Councillors Chong, King

Carried

Upon the question of the adoption of Recommendation 3. of motion by Councillor Filion, it was carried.

(Chief Financial Officer and Treasurer and Corporate Services Committee - July 2, 1998)

(Clause 45(m), Report No. 7)

292. Sign By-law Variance Request - Cineplex Odeon - Sheppard Centre Cinemas - North York Centre.

The North York Community Council had before it the following

- (a) report (June 19, 1998) from the Executive Director and Chief Building Official recommending that the request for a variance from the sign-by-law be considered by Community Council in light of the information contained in the report; and
 - (b) (June 15, 1998) from Mr. Brian Sickle, Page & Steele Incorporated, Architects and Planners, requesting approval of the request.
- A. Councillor Filion, North York Centre, moved that the request for a variance from the sign by-law be refused.
 - B. Councillor Gardner, North York Centre, moved that the request for a variance to the sign by-law be approved.

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

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

AGAINST: Councillors Sgro, Feldman, Berger, Gardner

ABSENT: Councillors Mammoliti, Flint, Chong, King

Carried

(Mr. Gerald Stanley, Director, Design and Construction, Cineplex Odeon Corporation - July 17, 1998)

(Clause 38, Report No. 7)

293. Heritage Services - Governance Structure And Staffing.

The North York Community Council had before it a communication (June 12, 1998) from Mr. Lawrence Leonoff, Chair, North York Heritage Committee, requesting endorsement on the position of the Heritage Committee, and requesting that this be forwarded to the Special Committee to Review the Final Report of the Toronto Transition Team for consideration.

Councillor Filion, North York Centre, moved that the foregoing communication be received and no action taken.

On motion by Councillor Moscoe, North York Spadina, the foregoing communication was forwarded to the Special Committee to Review the Final Report of the Transition Team, without comment.

(Special Committee to Review the Final Report of the Toronto Transit Team - July 2, 1998)

(Clause 45(g), Report No. 7)

The North York Community Council adjourned its meeting at 6:42 p.m.

Chair.