

THE CITY OF TORONTO

Clerk's Department

Minutes of the Meeting of the North York Community Council

Wednesday, May 26, 1999.

The North York Community Council met on Wednesday, May 26, 1999, in the Council Chamber, North York Civic Centre, commencing at 10:00 a.m.

Attendance

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

	10:00 a.m. to 1:00 p.m.	2:00 p.m. to 6:30 p.m.	8:00 p.m. to 11:50 p.m.
Councillor Berger, Chair	x	x	x
Councillor Augimeri	x	x	x
Councillor Chong		x	
Councillor Feldman	x	x	
Councillor Fillion	x	x	x
Councillor Flint	x	x	x
Councillor Gardner	x	x	
Councillor King	x	x	x
Councillor Li Preti	x	x	x
Councillor Mammoliti	x	x	x
Councillor Minnan-Wong	x	x	x
Councillor Moscoe	x	x	x
Councillor Sgro	x	x	
Councillor Shiner	x	x	x

Declarations of Interest

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Councillor	Minute #	Reason for Declaration
Councillor Shiner	5.26	An associated Solicitor in the firm representing the applicant is representing Councillor Shiner on another matter.
Councillor Li Preti	5.44	He resides in the Balmoral community wherein the walkway in question is located.

On motion by Councillor Sgro, North York Humber, the North York Community Council, in accordance with subsection 11(8) of the Council Procedural By-law, waived the requirement of the 12:30 p.m. recess, in order to complete the deputation items scheduled for the morning session, which carried, more than two-thirds of members having voted in the affirmative.

On motion by Councillor Feldman, North York Spadina, the North York Community Council, in accordance with subsection 11(8) of the Council Procedural By-law, waived the requirement of the 6:00 p.m. recess, in order to complete consideration of the remaining items on the agenda with the exception of the deputation item scheduled for the evening session, which carried, more than two-thirds of members having voted in the affirmative.

On motion by Councillor Shiner, Seneca Heights, the North York Community Council, in accordance with subsection 11(8) of the Council Procedural By-law, waived the requirement of the 10:00 p.m. adjournment in order to complete consideration of the evening deputation item regarding the Harmonized Environmental Tobacco Smoke (ETS) By-law, which carried, more than two-thirds of members having voted in the affirmative.

Confirmation of Minutes

Councillor Shiner, Seneca Heights, moved that the declarations of interests contained in Minutes Nos. 4.22 and 4.24, be amended to read as follows:

- 4.22 “Councillor Shiner, Seneca Heights, declared his interest in the foregoing matter in that an associated Solicitor in the firm representing the applicant is representing Councillor Shiner on another matter.”; and
- 4.24 “Councillor Shiner, Seneca Heights, declared his interest in File No. UDZ-99-02 and File No. UDZ-99-09 - Brown, Dryer, Karol, listed in Exhibit No. 1 attached to the foregoing report (April 14, 1999) from the Acting Director, Community Planning,

North District, in that an associated Solicitor in the firm representing the applicants is representing Councillor Shiner on another matter.”

On motion by Councillor Feldman, North York Spadina, the minutes of the meetings of the North York Community Council held on April 28, 1999, and May 11, 1999, were confirmed, as amended.

5.1 APPEAL OF MUZZLE ORDER - MS. JANINE PINTAR - 6 PARSONS COURT - NORTH YORK HUMBER.

The North York Community Council had before it a report (May 5, 1999) from the Medical Officer of Health, reporting on an application for an exemption to the dog muzzling requirements of North York By-law No. 32823, and recommending that the request for an exemption be denied.

No individuals appeared before the North York Community Council in connection with the foregoing matter.

On motion by Councillor Mammoliti, North York Humber, the North York Community Council recommended to Council that the foregoing report be adopted; and that the request for an exemption to the dog muzzling requirements of North York By-law No. 32823, be denied.

(Clause 1, Report No. 5)

5.2 ROAD CLOSURE - PORTION OF OLD YORK MILLS ROAD - NORTH YORK CENTRE SOUTH.

The North York Community Council had before it a draft by-law to stop up and close part of the public highway Old York Mills Road and to authorize the conveyance thereof to the abutting owner.

Notice with respect to the proposed enactment of the draft by-law was advertised in The Toronto Star on April 29, May 3, 10, and 17, 1999.

No one addressed the North York Community Council in connection with the foregoing matter.

On motion by Councillor Flint, North York Centre South, the North York Community Council recommended to Council that, as the requirements of the

Municipal Act have been fulfilled and no evidence has been presented to the North York Community Council to persuade it that the proposed by-law should not be enacted, that the by-law to stop up and close a portion of Old York Mills Road and to authorize the sale thereof to 1190082 Ontario Limited, in the form of the following draft by-law, be enacted by Council.

(Clause 2, Report No. 5)

5.3 PROVISION OF LITTER BINS WITH ADVERTISING.

The North York Community Council had before it a report (May 3, 1999) from the Commissioner of Works and Emergency Services, reporting on the replacement of existing litter bins with new bins including an advertising component, and requesting the Community Councils', with the exception of Etobicoke, to advise the City of Toronto on whether they support the replacement, and if so, whether there are any existing bin locations in the Community Council area that should be excluded.

Mr. David Grey on behalf of Creative Outdoor Advertising, appeared before the North York Community Council in connection with the foregoing matter.

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

- (1) the foregoing report (May 3, 1999) from the Commissioner of Works and Emergency Services, be received;
- (2) replacement of the existing free-standing litter bins with new bins with an advertising component, be supported;
- (3) the Commissioner of Works and Emergency Services, whose approval is required for the actual placement and orientation of these bins in the specified locations, take into consideration other advertising on the road; and
- (4) the terms of reference which will form the basis of the Request for Proposals for the provision of litter bins with advertising specifically include a clause that removal or replacement of the bins be at the discretion of the Commissioner of Works and Emergency Services.

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

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

AGAINST: NIL

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

Carried

(Clause 3, Report No. 5)

5.4 SIGN BY-LAW VARIANCE REQUEST - SOUTH SIDE OF WILSON AVENUE AT CP RAILWAY TRACKS, EAST OF WESTON ROAD - NORTH YORK HUMBER.

The North York Community Council had before it a report (May 10, 1999) from the Director and Deputy Chief Building Official, reporting on a request by Mr. Sid Catalano for a variance from the Sign By-law to permit the erection of a back to back illuminated off premise billboard sign and recommending that the request for a variance from the Sign By-law be refused.

Mr. Sid Catalano, Pattison Signs, appeared before the North York Community Council in connection with the foregoing matter.

On motion by Councillor Mammoliti, North York Humber, the North York Community Council recommended to Council that the foregoing report not be adopted; and that the request for a variance from the Sign By-law be approved.

(Clause 4, Report No. 5)

5.5 REQUEST TO LICENCE - PARKLAND AIRCRAFT NOISE MONITORING SYSTEM - ACACIA AVENUE - NORTH YORK HUMBER.

The North York Community Council had before it a report (May 13, 1999) from the Commissioner of Corporate Services, requesting authority for entering into a licence agreement with the Greater Toronto Airports Authority for licensed use of the Toronto and Region Conservation Authority parkland in the installation of an aircraft noise monitoring system, and recommending that, subject to the approval of the Toronto and Region Conservation Authority, that:

- (1) authority be granted to enter into a licence agreement with the Greater Toronto Airports Authority for the premises described and based on the terms and conditions contained herein and in a form acceptable to the City Solicitor; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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

- (i) (May 21, 1999) from Mr. and Mrs. Vieira, indicating that the community is in agreement with the noise monitoring equipment being maintained in its current location; and
- (ii) (May 25, 1999) from Ms. Lorrie McKee, Executive Manager, Government Relations, Greater Toronto Airports Authority, providing background information with respect to the renewal of the lease for the noise monitor located on Conservation Authority property at Acacia Avenue.

Ms. Anna Kanavins, appeared before the North York Community Council on behalf of her mother, Mrs. Kira Kanavins.

- A. Councillor Sgro, North York Humber, moved that the foregoing report be adopted subject to the following additional recommendations, that:
 - (1) the Greater Toronto Airports Authority establish a funding mechanism to compensate residents who are impacted by aircraft noise; and a report be submitted to City Council by the Greater Toronto Airports Authority on its intentions to implement an innovative compensation model and a time line for its implementation;
 - (2) the Greater Toronto Airports Authority expand the membership of the Greater Toronto Airports Authority Noise Advisory Committee to have more direct community membership from neighbourhoods that are impacted by aircraft noise;
 - (3) the Greater Toronto Airports Authority senior staff agree to meet with a committee of the Humberlea Ratepayers Association and Councillor Sgro and Councillor Mammoliti and The Honourable Sergio Marchi, M.P., on a monthly basis to work towards finding ways to reduce the impact of aircraft noise on the community and that the results of these meetings be presented to the North York Community Council every three months;
 - (4) Transport Canada provide:
 - (a) the names of the airline companies and the specific amounts of the fines that have been levied against each company in 1998 and 1999; and

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- (b) substantially increase the fines for violations that impact communities; and
- (5) City Council support the Noise Management Committee recommendation that there be no extension to the deadline of April 1, 2002, to phase out all Chapter 2 aircraft.
- B. Councillor Mammoliti, North York Humber, moved that the present lease be renewed for a period of three years and then be reviewed by the North York Community Council.
- C. Councillor Moscoe, North York Spadina, moved that the three City of Toronto representatives on the Greater Toronto Airports Authority appear before the Planning and Transportation Committee to respond to questions and concerns regarding aircraft noise and submit a report respecting noise attenuation measures being taken by the Greater Toronto Airports Authority;
- D. Councillor Mammoliti, North York Humber, moved that The Honourable Sergio Marchi, M.P., be requested to hold a public meeting in order to hear the concerns of the community with regard to airport noise.
- E. Councillor Feldman, North York Spadina, moved that all the recommendations which contain a reference to the Greater Toronto Airports Authority be amended by inserting the words, "be requested" after the words, "the Greater Toronto Airports Authority".

A recorded vote on motion E. moved by Councillor Feldman, was as follows:

FOR: Councillors Feldman, Berger, Flint, Minnan-Wong

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

ABSENT: Councillors Gardner, Chong, Filion, Shiner, King

Lost

A recorded vote on Part (1) of motion A. moved by Councillor Sgro, was as follows:

FOR: Councillors Mammoliti, Sgro, Li Preti, Moscoe, Augimeri, Feldman

AGAINST: Councillors Berger, Flint, Minnan-Wong

ABSENT: Councillors Gardner, Chong, Filion, Shiner, King

Carried

A recorded vote on motion C. moved by Councillor Moscoe, was as follows:

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

AGAINST: NIL

ABSENT: Councillors Feldman, Gardner, Chong, Filion, Shiner, King

Carried

A recorded vote on the recommendations, as amended, was as follows:

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

AGAINST: NIL

ABSENT: Councillors Feldman, Gardner, Chong, Filion, Shiner, King

Carried

(Clause 5, Report No. 5)

5.6 1999-2000 SCHEDULE OF MEETINGS - CITY OF TORONTO COUNCIL, COMMUNITY COUNCILS AND COMMITTEES, COMMENCING ON JUNE 14, 1999.

The North York Community Council had before it a communication (April 22, 1999) from the City Clerk, forwarding the revised 1999-2000 Schedule of Meetings of the City of Toronto Council, Community Councils and its Committees, commencing on June 14, 1999, as adopted by City Council on April 13, 14 and 15, 1999.

The North York Community Council received the foregoing communication.

(Clause 35(a), Report No. 5)

5.7 COMMUNITY FESTIVAL EVENTS - MEL LASTMAN SQUARE - NORTH YORK CENTRE.

The North York Community Council had before it a report (April 30, 1999) from the Director of Special Events, forwarding requests from the following organizations for

endorsement of community festival events in Mel Lastman Square for liquor licencing purposes:

GreekFest '99	-	July 9-11, 1999
Franco Fete	-	June 25 and 26, 1999
Caribbean Sun Fest	-	July 16-18, 1999
Super Latin Fest	-	July 30 - August 2, 1999
Persian Musical Festival	-	August 21 and 22, 1999
Hispanic Fiesta	-	September 3-6, 1999
Toronto Multicultural Fiesta	-	September 18, 1999

On motion by Councillor Li Preti, Black Creek, the North York Community Council recommended to Council that the events outlined in the foregoing report be declared community festival events; and that the liquor licence be restricted to the serving of beer and wine only.

(Clause 6, Report No. 5)

5.8 APPEAL OF COMMITTEE OF ADJUSTMENT DECISION - RALPH AND ADA REICHMANN - 214 STRATHALLAN WOOD AND 409 AND 415 GLENCAIRN AVENUE - ONTARIO MUNICIPAL BOARD DECISION - NORTH YORK CENTRE SOUTH.

The North York Community Council had before it a report (April 30, 1999) from the City Solicitor, reporting on the outcome of the Ontario Municipal Board hearing held with respect to 214 Strathallan Wood and 409 and 415 Glencairn Avenue in September, 1998, and recommending that the report be received for information.

The North York Community Council received the foregoing report.

(Clause 35(b), Report No. 5)

5.9 APPEAL OF ZONING AMENDMENT APPLICATION - 16-30 BYNG AVENUE - ONTARIO MUNICIPAL BOARD DECISION - NORTH YORK CENTRE.

The North York Community Council had before it a report (April 20, 1999) from the City Solicitor, reporting on the outcome of the Ontario Municipal Board hearing held with respect to 16-30 Byng Avenue on March 25, 1999, and recommending that the report be received for information.

The North York Community Council received the foregoing report.

(Clause 35(c), Report No. 5)

**5.10 APPEAL OF ZONING AMENDMENT APPLICATION - R AND G MANAGEMENT
- 1465 LAWRENCE AVENUE WEST - ONTARIO MUNICIPAL BOARD DECISION
- NORTH YORK HUMBER.**

The North York Community Council had before it a report (May 6, 1999) from the City Solicitor, reporting on the outcome of the Ontario Municipal Board hearing held with respect to 1465 Lawrence Avenue West and recommending that the report be received for information.

The North York Community Council received the foregoing report.

(Clause 35(d), Report No. 5)

**5.11 SIGN BY-LAW VARIANCE REQUEST - PROPOSED GROUND SIGN - YORK
CEMETERY - 101 SENLAC ROAD - NORTH YORK CENTRE.**

The North York Community Council had before it a report (May 26, 1999) from the Director and Deputy Chief Building Official, reporting on a request by Royal Neon Canada Inc., for a variance from the Sign By-law to permit the erection of a second ground sign to identify the Senlac entrance for the York Cemetery, and recommending that the request for a minor variance from the Sign By-law be approved.

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

(Clause 7, Report No. 5)

**5.12 TRAFFIC MANAGEMENT PLAN - CHALKFARM DRIVE - NORTH YORK
HUMBER.**

The North York Community Council had before it a report (May 10, 1999) from the Director, Transportation Services, District 3, reporting on the installation of temporary traffic calming measures along Chalkfarm Drive to address community safety issues related to vehicle speeds, and recommending that:

- (1) two pinch points, two speed humps and two median dividers be installed on Chalkfarm Drive; and
- (2) staff of the Transportation Services Division report back to Council at the completion of the six month trial period.

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

(Clause 8, Report No. 5)

5.13 ALL WAY STOP CONTROL - BROOKDALE AVENUE AT FALKIRK STREET - NORTH YORK CENTRE SOUTH.

The North York Community Council had before it a report (May 10, 1999) from the Director, Transportation Services, District 3, recommending that Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on all approaches to the intersection of Brookdale Avenue and Falkirk Street.

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

(Clause 9, Report No. 5)

5.14 PARKING PROHIBITIONS - ST. LUCIE DRIVE - NORTH YORK HUMBER.

The North York Community Council had before it a report (May 10, 1999) from the Director, Transportation Services, District 3, recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking as follows:

- (1) that parking be prohibited at any time on the east/south sides of St. Lucie Drive, from a point 88.5 metres north of the northerly limit of Gulfstream Road to the westerly limit of Franson Crescent (west leg);
- (2) that parking be prohibited at any time on the south side of St. Lucie Drive, from a point 160 metres west of the westerly limit of Franson Crescent (east leg) to a point 30 metres westerly thereof.; and
- (3) that parking be prohibited at any time on the south side of St. Lucie Drive, from a point 33.5 metres west of the westerly limit of Franson Crescent (east leg) to a point 29 metres westerly thereof.

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

(Clause 10, Report No. 5)

5.15 BOULEVARD LEASING APPLICATION - 310 WILSON AVENUE - NORTH YORK SPADINA.

The North York Community Council had before it a report (May 10, 1999) from the Director, Transportation Services, District 3, recommending that Council approve the boulevard application, subject to the following conditions:

- (1) no permanent structure be erected on the municipal boulevard;
- (2) 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
- (3) the provision of \$2,000,000.00 (two million dollars) of liability insurance, on behalf of the City of Toronto.

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

(Clause 11, Report No. 5)

5.16 PARKING PROHIBITIONS - ELLERSLIE AVENUE - NORTH YORK CENTRE.

The North York Community Council had before it a report (March 12, 1999) from the Director, Transportation Services, District 3, recommending that:

- (1) Schedule IX of By-law No. 31001, of the former City of North York, be amended to delete the No Stopping, 8:00 a.m. - 6:00 p.m., Monday to Friday, prohibitions on the north side of Ellerslie Avenue, from a point 52 metres east of the easterly limit of Senlac Road to a point 114 metres east of the easterly limit of Senlac Road; and
- (2) Schedule IX of By-law No. 31001, of the former City of North York, be amended to add No Stopping, 8:00 a.m. - 6:00 p.m., Monday to Friday, prohibitions on the south side of Ellerslie Avenue, from Senlac Road to Diagonal Road.

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

(Clause 12, Report No. 5)

5.17 TEMPORARY ROAD CLOSURE - EDINBURGH DRIVE - NORTH YORK CENTRE SOUTH.

The North York Community Council had before it a report (May 10, 1999) from the Director, Transportation Services, District 3, recommending that:

- (1) by enactment of a confirmatory By-law adopting this report, Edinburgh Drive, between Westgate Boulevard and 42 Edinburgh Drive, should be closed temporarily on Sunday, June 20, 1999, from 12:00 p.m. to 6:00 p.m., subject to the applicant's compliance with Procedural By-law No. 27433 of the former City of North York; and
- (2) during the temporary closure, there shall be no use of the closed roadway for vehicular traffic except under the authority of a permit issued by the Commissioner of Works and Emergency Services.

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

(Clause 13, Report No. 5)

5.18 TEMPORARY ROAD CLOSURE - PARKVIEW AVENUE - NORTH YORK CENTRE.

The North York Community Council had before it a report (May 10, 1999) from the Director, Transportation Services, District 3, recommending that:

- (1) by enactment of a confirmatory By-law adopting this report, Parkview Avenue, between Willowdale Avenue and Longmore Street, should be closed temporarily on Saturday, June 12, 1999, from 1:30 p.m. to 6:30 p.m. (rain date on Sunday, June 13, 1999), subject to the applicant's compliance with Procedural By-law No. 27433 of the former City of North York; and
- (2) during the temporary closure, there shall be no use of the closed roadway for vehicular traffic except under the authority of a permit issued by the Commissioner of Works and Emergency Services.

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

(Clause 14, Report No. 5)

5.19 ALL WAY STOP CONTROL - ATHABASKA AVENUE AT DUMONT STREET - NORTH YORK CENTRE.

The North York Community Council had before it a report (May 7, 1999) from the Director, Transportation Services, District 3, recommending that Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop at all approaches to the intersection of Athabaska Avenue and Dumont Street.

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

(Clause 15, Report No. 5)

5.20 TEMPORARY ROAD CLOSURE - AUSTREY COURT - BLACK CREEK.

The North York Community Council had before it a report (May 10, 1999) from the Director, Transportation Services, District 3, recommending that:

- (1) by enactment of a confirmatory By-law adopting this report, Austrey Court should be closed temporarily on Monday, June 19, 1999, from 4:00 p.m. to 9:00 p.m., subject to the applicant's compliance with Procedural By-law No. 27433 of the former City of North York; and
- (2) during the temporary closure, there shall be no use of the closed roadway for vehicular traffic except under the authority of a permit issued by the Commissioner of Works and Emergency Services.

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

(Clause 16, Report No. 5)

5.21 PARKING PROHIBITIONS - CORAL GABLE DRIVE, VEROBEACH BOULEVARD AND FLORIDA CRESCENT - NORTH YORK HUMBER.

The North York Community Council had before it a report (May 14, 1999) from the Director, Transportation Services, District 3, recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended as follows:

- (1) prohibit parking from 9:00 p.m. to 9:00 a.m. on the west side of Verobeach Boulevard, from the northerly limit of Coral Gable Drive to a point 60 metres northerly thereof;

- (2) prohibit parking from 9:00 p.m. to 9:00 a.m. on the east side of Verobeach Boulevard, from the southerly limit of Coral Gable Drive to a point 60 metres southerly thereof;
 - (3) prohibit parking from 9:00 p.m. to 9:00 a.m. on both sides of Coral Gable Drive, from the easterly limit of Verobeach Boulevard to the westerly limit of Florida Crescent (west leg);
 - (4) prohibit parking from 9:00 p.m. to 9:00 a.m. on both sides of Florida Crescent (west leg), from the southerly limit of Coral Gable Drive (west leg) to a point 60 metres southerly thereof;
 - (5) prohibit parking from 9:00 p.m. to 9:00 a.m. on both sides of Coral Gable Drive (west leg), from the northerly limit of Florida Crescent (west leg) to a point 60 metres northerly thereof;
 - (6) delete the No Parking 9:00 a.m. to 4:00 p.m., Monday to Friday, on both sides of Coral Gable Drive, from the northerly limit of Florida Crescent (west leg) to the northerly limit of Florida Crescent (east leg); and
 - (7) prohibit parking from 9:00 a.m. to 4:00 p.m., Monday to Friday, on both sides of Coral Gable Drive (west leg) from a point 60 metres north of the northerly limit of Florida Crescent (west leg) to the northerly limit of Florida Crescent (east leg).
- A. Councillor Sgro, North York Humber, moved that the North York Community Council recommend to Council that the foregoing report be adopted; and the Commissioner of Economic Development, Culture and Tourism be requested to give consideration to the installation of lights at Verobeach Parkette, as soon as possible.
 - B. Councillor Mammoliti, North York Humber, moved that the costs associated with such installation be taken from the funds within the 1999 operating budget.

Upon the question of the adoption of the foregoing motions A. and B., it was carried.

(Clause 17, Report No. 5)

5.22 RESIDENTIAL WATER SERVICE CONNECTION REPAIR PROGRAM.

The North York Community Council had before it a report (May 14, 1999) from the Director, Water and Wastewater Operations, District 3 and 4, providing a listing of properties, on a Ward by Ward basis, who have applied for an upgrade in water service, as

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requested by the North York Community Council at its meeting held on April 28, 1999, and recommending that the report be received as information.

- A. Councillor Shiner, Seneca Heights, moved that the report (May 14, 1999) from the Director, Water and Wastewater Operations, Districts 3 and 4, be received; and that the owners of the properties identified in Appendix "A" to "D" attached to the report be provided with the water service upgrade immediately upon Council's approval of the Residential Water Service Repair Program, which is expected to be considered by Council at its meeting scheduled for June 9, 1999.
- B. Councillor Augimeri, Black Creek, moved that the City provide a water service upgrade, from the City's property line to the meter, to all homeowners whose water flow is less than 18 litres per minute at no cost to the homeowner.
- C. Councillor Moscoe, North York Spadina, moved that the Director, Water and Wastewater Operations, Districts 3 and 4, be requested to prepare a communication for all Members of North York Community Council, to be used by the Councillors for distribution to all owners of properties identified in Appendix "A" to "D" attached to the report (May 14, 1999) from the Director, Water and Wastewater Operations, Districts 3 and 4, advising the affected homeowners on the manner in which they can secure assistance for the water service upgrade.
- D. Councillor Li Preti, Black Creek, moved that the Commissioner of Works and Emergency Services be requested to co-ordinate a procedure whereby a homeowner has the opportunity to have the watermain extended to the water meter, once the City commences the repair on the City's portion of the water service upgrade.
- E. Councillor Sgro, North York Humber, moved that all homeowners that are not on the list identified in Appendix "A" to "D" attached to the report (May 14, 1999) from the Director, Water and Wastewater Operations, Districts 3 and 4, be provided with a free water service upgrade to the property line, as recommended in the proposed policy.
- F. Councillor Mammoliti, North York Humber, moved that any owners of properties identified in Appendix "A" to "D" attached to the report (May 14, 1999) from the Director, Water and Wastewater Operations, Districts 3 and 4, be reimbursed by the City for any costs incurred to upgrade their water service.
- G. Councillor King, Seneca Heights, moved that consideration of motion A. moved by Councillor Augimeri, be deferred to the next meeting of the North York Community Council scheduled for June 23, 1999, in order to allow the Director, Water and

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Wastewater Operations, Districts 3 and 4, to prepare a report outlining the associated costs.

- H. Councillor King, Seneca Heights, moved that the Director of Water and Wastewater Operations, District 3 and 4, offer to members of North York Community Council, a test of their water pressure and that the results be reported back to the North York Community Council.
- I. Councillor Mammoliti, North York Humber, moved that the City Solicitor be requested to report at a future meeting of North York Community Council on whether monies collected from development charges can be used to upgrade the residential water service.

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

FOR: Councillors Li Preti, Feldman, Berger, King

AGAINST: Councillors Mammoliti, Sgro, Moscoe, Augimeri, Flint, Filion, Minnan-Wong, Shiner

ABSENT: Councillors Gardner, Chong

Lost

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

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

AGAINST: NIL

ABSENT: Councillors Gardner, Chong

Carried

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

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

AGAINST: Councillors Flint, King

ABSENT: Councillors Gardner, Chong

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Carried

A recorded vote on motion C. moved by Councillor Moscoe, was as follows:

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

AGAINST: NIL

ABSENT: Councillors Gardner, Chong

Carried

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

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

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

ABSENT: Councillor Chong

Carried

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

FOR: Councillors Mammoliti, Sgro, Li Preti, Gardner, Filion, King

AGAINST: Councillors Moscoe, Augimeri, Feldman, Berger, Flint, Minnan-Wong, Shiner

ABSENT: Councillor Chong

Lost

Upon the question of the adoption of motion I., it was carried.

Having regard for the foregoing decision of the North York Community Council, the foregoing motions D. and E. by Councillor Li Preti and Councillor Sgro were deemed redundant and were not voted upon.

(Clause 18, Report No. 5)

5.23 INSURANCE/LIABILITY REQUIREMENTS FOR SPECIAL OCCASION PERMITS.

The North York Community Council had before it a report (May 10, 1999) from the Commissioner of Economic Development, Culture and Tourism, reporting on the findings of the Departmental review of the Liability Insurance Coverage required for Special Occasion Permits as directed by the North York Community Council at its meeting held on March 30, 1999, and recommending that:

- (1) the required amount of liability insurance coverage for Special Occasion Permits be reverted back to \$2M which has been the policy and routine practice of the Department;
- (2) the groups provide proof of liability insurance coverage in the amount of \$2M naming the City as additional insured;
- (3) this policy be harmonized city-wide;
- (4) any group seeking approval for a Special Occasion Permit obtain a Special Occasion Permit (S.O.P.) from the Liquor Licensing Board of Ontario;
- (5) the groups be charged the approved Special Occasion Permit fee of \$50.00 and for goods and services not readily available at the site;
- (6) all bartenders and servers be required to attend a Server Intervention Training Program at the group's expense; and
- (7) 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 19, Report No. 5)

5.24 REQUEST FOR RELEASE OF INSTRUMENT NO. 501684 - 3915 KEELE STREET - NORTH YORK SPADINA.

The North York Community Council had before it a report (May 6, 1999) from the Commissioner of Economic Development, Culture and Tourism and Acting Director, Community Planning, North District, reporting on a request from Mr. Austin Shapiro to remove a landscaping requirement registered on title in 1966 against the lands at 3915 Keele Street, and recommending that:

- (1) the City of Toronto release Instrument No. 501684 from title;
- (2) Legal Services prepare the necessary documentation to release Instrument No. 501684 from title and take what ever actions necessary to do so; and
- (3) in conjunction with Building Permit Application B99-00904, and prior to release of that permit, the owner apply for a minor variance seeking relief from landscaping requirements for this property and any other matters that may require compliance with former City of North York By-law No. 7625.

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

(Clause 20, Report No. 5)

5.25 REFERRAL OF APPLICATION FOR ZONING BY-LAW AMENDMENT - RITA MALCOLM - 27 MARSHLYNN AVENUE (UDZ-97-42) - NORTH YORK HUMBER.

The North York Community Council had before it a report (May 11, 1999) from the Acting Director, Community Planning, North District, reporting on an appeal of zoning by-law amendment application UDZ-97-42 filed by Peter Cheatley, agent for the applicant, Rita Malcolm, and recommending that the report be received for information.

- A. Councillor Mammoliti, North York Humber, moved that the foregoing report be received; that the City Solicitor be directed to retain an external planning consultant to defend Council's decision at the Ontario Municipal Board hearing; and that the funds to be allocated for this purpose not exceed \$5,000.00.
- B. Councillor Sgro, North York Humber, moved that the City Solicitor be requested to provide a quarterly report to City Council on the remaining funds available in the Legal Services Operating Budget which have been set aside for the retention of external consultants to defend the various decisions of City Council at upcoming Ontario Municipal Board hearings.

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

FOR: Councillors Mammoliti, Sgro, Li Preti, Augimeri, Berger, Flint, Chong, King

AGAINST: NIL

ABSENT: Councillors Moscoe, Feldman, Gardner, Filion, Minnan-Wong, Shiner

Carried

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

(Clause 21, Report No. 5)

Councillor Feldman assumed the Chair.

5.26 REFERRAL OF APPLICATION FOR ZONING BY-LAW AND OFFICIAL PLAN AMENDMENT AND SITE PLAN APPLICATION - QUADRANT DENTAL TECHNOLOGIES INC. - 181 FINCH AVENUE WEST (UDZ-99-02 AND UDSP-99-007) - NORTH YORK CENTRE.

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

- (i) (May 25, 1999) supplementary report from the Acting Director, Community Planning, North District, indicating that the appeal was in fact filed due to Council's failure to adopt the application for the proposed Official Plan amendment, Council's neglect to enact the proposed amendment to the North York Zoning By-law, and failure to approve the site plans; and
- (ii) (May 12, 1999) from the Acting Director, Community Planning, North District, reporting on an appeal of zoning by-law and Official Plan amendment application UDZ-99-02 and UDSP-99-007 filed by Adam Brown, agent for the applicant, Quadrant Dental Technologies Inc., and recommending that the report be received for information.

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

- (1) the foregoing reports (May 25, 1999) and (May 12, 1999) from the Acting Director, Community Planning North District; be received; and
- (2) in the event the applicant refuses to fund the independent parking study required by Council, that the Acting Director, Community Planning, North District, and the Director, Transportation Services, District 3, undertake the parking surveys of comparable dental laboratories at the following locations; 184 Finch Avenue West; 18 Finch Avenue West; and 129 Willowdale Avenue; as directed by Council and determine, based on the results of these surveys, whether it is necessary to review the conclusions of the previous staff and applicant transportation studies regarding 142 Finch Avenue West.

Councillor Shiner, Seneca Heights, declared his interest in the foregoing matter in that an associated Solicitor in the firm representing the applicant is representing Councillor Shiner on another matter

(Clause 22, Report No. 5)

Councillor Berger resumed the Chair.

5.27 REPORT - NEW DEVELOPMENT APPLICATIONS FOR NORTH DISTRICT.

The North York Community Council had before it a report (May 12, 1999) from the Acting Director, Community Planning, North District, reporting on new development applications (zoning and official plan amendments, lifting of (H) holding zone designations and plans of subdivision) received by the Planning Division, North District, from March 30, 1999 to April 28, 1999, and recommending that the report be received for information.

The North York Community Council received the foregoing report.

(Clause 35(e), Report No. 5)

5.28 2829, 2831 AND 2833 DUFFERIN STREET - PROPOSED CLOSURE AND SALE OF A LANE AND 0.3 METRE RESERVE, REGISTERED PLAN 2988 - NORTH YORK SPADINA.

The North York Community Council had before it a communication (April 22, 1999) from the City Clerk, advising that City Council, at its meeting held on April 13, 14 and 15, 1999, directed that Clause 12 of Report No. 4 of the Corporate Services Committee, headed "2829, 2831 and 2833 Dufferin Street - Proposed Closure and Sale of a Lane and 0.3 Metre Reserve, Registered Plan 2988", be struck out and referred to the North York Community Council for further consideration and report thereon to City Council.

The North York Community Council recommended to Council the adoption of the recommendations contained in the report (February 24, 1999) from the Commissioner of Corporate Services, embodied in Clause 12 of Report No. 4 of the Corporate Services Committee.

(Clause 23, Report No. 5)

5.29 PRELIMINARY EVALUATION REPORT - OFFICIAL PLAN AND ZONING AMENDMENT APPLICATION UDOP-99-05 - KENNETH-SHEPPARD LIMITED - 160 GREENFIELD AVENUE, 150 MAPLEHURST AVENUE AND 120 SHEPPARD AVENUE EAST - NORTH YORK CENTRE.

The North York Community Council had before it a report (May 11, 1999) from the Acting Director, Community Planning, North District, providing preliminary comments on an application to amend the Official Plan to permit a new development on the lands comprised of 160 Greenfield Avenue, 150 Maplehurst Avenue and 120 Sheppard Avenue East, and recommending that:

- (1) the applicant be advised that the following are required prior to a Final Report:
 - (a) a clear planning rationale for the proposal as discussed in this report;
 - (b) an acceptable re-housing strategy which addresses replacement rental housing and the accommodation of existing tenants;
 - (c) all submission requirements for official plan amendments and rezonings, as described in the City's common application form;
 - (d) an appropriate traffic impact assessment; and
 - (e) a wind, sunlight and shadowing impact analysis; and

- (2) once the conditions set out in Recommendation (1) have been met, that
 - (a) staff, in consultation with the local Councillors, schedule a community consultation meeting with the tenants and with the residents; and
 - (b) staff prepare a Final Report evaluating the proposal and provide Notice of the statutory public meeting at the appropriate time.

On motion by Councillor Filion, North York Centre, the North York Community Council recommended to Council that the foregoing report be approved.

(Clause 35(f), Report No. 5)

5.30 PRELIMINARY EVALUATION REPORT - ZONING AMENDMENT APPLICATION UDZ-98-32 AND PLAN OF SUBDIVISION APPLICATION UDSB-98-1241 - HERITAGE-WILLOW ESTATES LIMITED - 94, 96, 98, 100, 138, 140, 142 AND 144 CUMMER AVENUE - NORTH YORK CENTRE.

The North York Community Council had before it a report (May 11, 1999) from the Acting Director, Community Planning, North District, providing preliminary comments on applications for a plan of subdivision and zoning by-law amendment for the development of 13 single dwelling lots on an extension of Doverwood Court, and recommending that:

- (1) the applicant revise the draft plan of subdivision:
 - (a) to reflect a 20 metre road allowance width, incorporating Blocks 14, 15, 16, 18, 19 and 20;

- (b) to comply with the R4 zoning regulations;
 - (c) to delete Lot 13 and Block 17; and
 - (d) to provide a 0.3 m reserve along the north boundary of the road;
- (2) upon receipt of revised plans and development statistics, staff, in consultation with the local Councillors, schedule appropriate community consultation; and
 - (3) staff prepare a final report evaluating the subdivision proposal and zoning amendment, and provide notice of a statutory public meeting at the appropriate time.

The North York Community Council recommended to Council that the foregoing report be approved.

(Clause 35(g), Report No. 5)

5.31 STATUS REPORT - ZONING AMENDMENT APPLICATION UDZ-97-40 AND UDSP-97-222 - PREMIUM PROPERTIES LIMITED - YONGE STREET/POYNTZ AVENUE/FRIZZELL ROAD/BOGERT AVENUE, INCLUDING LANSING UNITED CHURCH - NORTH YORK CENTRE.

The North York Community Council had before it a report (May 12, 1999) from the Acting Director, Community Planning, North District, reporting on an application to amend the zoning by-law and to receive master site plan approval to permit two 29 storey residential buildings totally 416 units on the block bounded by Yonge Street, Poyntz Avenue, Beecroft Road and Bogert Avenue, and recommending that:

- (1) Staff, in consultation with the local Councillors, schedule a further community consultation meeting when the review of all municipal density transfers has been completed by Council; and
- (2) following the Administrative Committee's review of the real estate matters regarding the sale of lands and the associated densities, all of which are subject to a full planning review of this zoning application, staff prepare a final report evaluating the proposal and provide notice of the statutory public meeting at the appropriate time.

On motion by Councillor Filion, North York Centre, the North York Community Council recommended to Council that the foregoing report be received; and that:

- (1) the Acting Director, Community Planning, North District, in consultation with the local Councillors, schedule a further community consultation

meeting prior to Council's consideration of all municipal density transfers;
and

- (2) prior to the Administrative Committee's review of the real estate matters regarding the sale of lands and the associated densities, all of which are subject to a full planning review of this zoning application, the Acting Director, Community Planning, North District prepare a final report evaluating the proposal and provide notice of the statutory public meeting at the appropriate time.

(Clause 24, Report No. 5)

5.32 PARTIAL REMOVAL OF HOLDING (H) SYMBOL - IMPERIAL TOBACCO LIMITED - 1857 LESLIE STREET (UD39-99-01) - DON PARKWAY.

The North York Community Council had before it a report (May 7, 1999) from the Acting Director, Community Planning, North District, reporting on an application to partially remove a holding (H) symbol to permit construction of a retail building with a total gross floor area (GFA) of 8,900 m² and a floor space index (FSI) of 0.29, and submitting recommendations with respect thereto.

On motion by Councillor Minnan-Wong, Don Parkway, the North York Community Council recommended to Council that foregoing report (May 7, 1999) from the Acting Director, Community Planning, North District, be adopted; and the application submitted by Imperial Tobacco Limited, to partially remove the holding (H) symbol be approved, subject to the conditions contained in the referenced report and subject to the following:

- (1) if the traffic signals at the intersection of York Mills Road and Scarsdale Road are not warranted, that only a right-in/right-out access be permitted at the York Mills entrance to the development; and
- (2) that cars be prohibited from entering Scarsdale Road from 1857 Leslie Street (Imperial Tobacco Limited site).

(Clause 25, Report No. 5)

5.33 ZONING AMENDMENT APPLICATION UDZ-98-23 AND SITE PLAN APPLICATION UDSP-98-159 - THE URBAN DESIGN WORKSHOP - 139 TO 147 DORIS AVENUE - NORTH YORK CENTRE.

As directed by the North York Community Council at its meeting held on November 12, 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 4, 1999) from the Acting Director of Community Planning, North District, providing recommendations with respect to the subject application.

Mr. Jack Dougan, appeared before the North York Community Council in connection with the foregoing matter, on behalf of the applicant, and he indicated that the applicant concurred with the staff recommendations.

On motion by Councillor Augimeri, Black Creek, the North York Community Council recommended to Council that the report (May 4, 1999) from the Acting Director of Community Planning, North District, be adopted; and that application UDZ-98-23 and UDSP-98-159 - The Urban Design Workshop, be approved subject to the conditions outlined in the report.

(Clause 26, Report No. 5)

5.34 ZONING AMENDMENT APPLICATION UDZ-98-30 - LANDTACTIX (SAM-SOR ENTERPRISES) - 5200 YONGE STREET - NORTH YORK CENTRE.

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 (April 23, 1999) from the Acting Director of Community Planning, North District, providing recommendations with respect to the subject application.

Mr. Leith R. Moore, Vice-President, Landtactix (Sam-Sor Enterprises) appeared before the North York Community Council in connection with the foregoing matter, on behalf of the applicant and he indicated that the applicant concurred with the staff recommendations.

On motion by Councillor Chong, Don Parkway, the North York Community Council recommended to Council that the report (April 23, 1999) from the Acting Director of Community Planning, North District, be adopted; and that application UDZ-98-30

- Landtactix (Sam-Sor Enterprises), be approved subject to the conditions outlined in the report.

(Clause 27, Report No. 5)

5.35 ZONING AMENDMENT APPLICATION UDZ-98-20 - 1261075 ONTARIO INC. (TOR-BEL GROUP) - 906 SHEPPARD AVENUE WEST - NORTH YORK SPADINA.

As directed by the North York Community Council at its meeting held on September 16, 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 6, 1999) from the Acting Director of Community Planning, North District, providing recommendations with respect to the subject application.

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

- (i) (May 25, 1999) from Mr. Joe Regilio, advising of his support for the application;
- (ii) (May 25, 1999) from Mr. Jerry Piccirilli, in support of a seven-storey condominium and requesting an opportunity to address the North York Community Council;
- (iii) (May 25, 1999) from Ms. Carmela Zentena, in support of the application;
- (iv) (undated) from Ms. Margaret Scilopotti, in support of a 7 storey condominium building and requesting an opportunity to address the North York Community Council;
- (v) (undated) from Ms. Lucy Sartori, in support of the application and requesting an opportunity to address the North York Community Council;
- (vi) (undated) from Ms. Cindy Sanelli, advising of her support for a seven storey building;
- (vii) (May 24, 1999 and May 11, 1999) from Frank and Maria Cifelli, outlining their concerns and objections with the proposed development;
- (viii) (May 10, 1999) from Mr. Frank Loconte, advising of his opposition to the application; and

- (iv) (May 7, 1999) from Mr. George Iadipaolo and Mr. John Giangrande, on behalf of the working group of the adjacent Cocksfield Avenue residents, advising of their objection to the proposed development and forwarding a list of issues that should be addressed prior to the application being approved.

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

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

- Ms. Margaret Scilopotti, who spoke in support of the proposed development;
- Mr. Joe Regilio, who spoke in support of the application. In his opinion the proposed development would enhance the area;
- Mr. Jerry Piccirilli, who expressed his support for the proposed development because it would improve the appearance of the subject property;
- Ms. Lucy Sartori, who spoke in support of the application and who indicated that the development proposed would significantly improve the appearance of the subject site;
- Mr. George Iadipalo, who spoke in opposition to the proposed development. His primary objections were with respect to the density and height of the proposed development and overview due to the proximity of his property to the subject site;
- Mr. John Giangrande, who spoke in opposition to the application. His primary objections were with respect to loss of privacy, density and height of the proposed building. He was also concerned about the proposed 1.5 buffer strip between the subject site and adjoining properties and requested that this buffer strip be increased to 2.5 metres in order to ameliorate the negative impact of this development.
- Ms. Helen Giangrande, who expressed her opposition to the proposed development. She also indicated that she agreed with the concerns expressed by John Giangrande.
- Mr. Valentino Iadipaolo, who expressed his concerns with the proposed development. During his submission, he indicated that in his opinion, the proposed development, given its mass and bulk is an intrusion into the residential neighbourhood. Also, the proposed dwellings are not in conformity with the pattern of development in the area and the applicant should consider revising his plans in order to reflect dwellings that would be more compatible. Insofar as the building was

concerned, he was of the opinion that it should also be redesigned so that it is more compatible with other buildings along Sheppard Avenue which are predominantly five storeys in height.

- Mr. Gondor, who indicated that his primary concerns were with respect to height of the proposed building, children's safety as a result of increased traffic on Cocksfield Avenue; soil contamination; insufficient parking and the lack of property amenities for the elderly and children that would be residing in the proposed development. He concluded by stating that the proposed building should not be any greater than five storeys in height.
- Mr. Nick Sampogna, on behalf of the applicant, who commented on the merits of the application. In his opinion, the proposal is in conformity with the setbacks, density and height restrictions of the Sheppard West/Dublin Secondary Plan. He also indicated that the applicant has worked closely with the planning staff and the residents to arrive at a proposal that would be acceptable to all parties. While the applicant concurred with the staff recommendations, if the matter proceeds to a hearing at the Ontario Municipal Board, the applicant would reserve his right for a six-storey building rather than reducing the number of single family dwellings from six to four.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended to Council that the report (May 6, 1999) from the Acting Director of Community Planning, North District, be adopted; and that application UDZ-98-20 - 1261075 Ontario Inc. (Tor-bel Group), be approved subject to the conditions outlined in the report; and subject to the following additional recommendations:

- (1) the building at the south elevation be reduced to six storeys to bring it in conformity with the density established by the Sheppard West/Dublin Secondary Plan, so that the building will be five storeys to the north and six storeys to the south;
- (2) the other recommendations in the report be amended to reflect the change brought into effect by Recommendation (1) and the Commissioner of Urban Planning and Development Services be requested to provide a supplementary report outlining the amendments that will be required to bring the application into conformity with Recommendation (1); and
- (3) the Commissioner of Urban Planning and Development Services submit the Supplementary Report directly to City Council for consideration at its meeting scheduled for June 9, 1999.

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

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

AGAINST: Councillors Feldman, Berger, Gardner, Chong

ABSENT: Councillor Shiner

Carried

(Clause 28, Report No. 5)

5.36 DRAFT PLAN OF SUBDIVISION UDSB-1239 - BEARPOINT GROUP INC. - 50 AND 60 OAK STREET - NORTH YORK HUMBER.

As directed by the North York Community Council at its meeting held on December 9, 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, 1999) from the Acting Director of Community Planning, North District, providing recommendations with respect to the subject application.

The North York Community Council also had before it a communication (May 26, 1999) from Mr. R. L. Hoyt, Administrative Consultant, Canadian Pacific Railway, indicating that Canadian Pacific Railway is not in favour of residential developments adjacent to their right-of-way, but should Council decide to approve the application, that the requirements outlined in their submission be included as conditions of approval in order to ensure the safety and comfort of adjacent residents.

A staff presentation was made by Mr. A. Theobald, Senior Planner, Community Planning, North District.

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

- Ms. Anna Cirillo, who requested a clarification on the type of industrial uses proposed in this development.
- Ms. Kris Menzies, on behalf of the applicant, who 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 (May 12, 1999) from the Acting Director of Community Planning, North District, be adopted; and that application UDSB-1239 - Bearpoint Group Inc., be approved subject to the conditions outlined in the report; and subject to the following:

- (1) that the conditions of the draft plan of subdivision permit a 18.5 metre road allowance for Street "B"; and
- (2) that the street names be determined in consultation with the developer and the local Pelmo Park Community, including the students of Pelmo Park School; and that the suggested street names be subject to the usual technical requirements of the City for naming streets.

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

FOR: Councillors Mammoliti, Sgro, Moscoe, Augimeri, Feldman, Berger, Flint, Chong, Shiner

AGAINST: NIL

ABSENT: Councillors Li Preti, Gardner, Fillion, Minnan-Wong, King

Carried

(Clause 29, Report No. 5)

5.37 HARMONIZED ENVIRONMENTAL TOBACCO SMOKE (ETS) BY-LAW FOR THE CITY OF TORONTO - COMMUNITY INPUT PROCESS.

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

- (i) (May 26, 1999) from Mr. David K. Foot and Ms. Joyce S. Feinberg, advising of their support of a by-law to prohibit smoking in public places;
- (ii) (May 25, 1999) from Mr. Roger Marrelli, Vice President, Food and Beverage, Bowlerama Limited, advising of his concerns with the proposed smoking restrictions;
- (iii) (May 25, 1999) from Judith Mywold, Council for a Tobacco-Free Toronto, in support of the proposed harmonized Environmental Tobacco Smoke By-law;

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- (iv) (May 14, 1999) from the Secretary, Board of Health, forwarding the Notice advising of the public meetings to be held by Community Councils and the Board of Health with respect to the proposed harmonized Environmental Tobacco Smoke (ETS) By-law together with a fact sheet summarizing the changes;
- (v) (May 6, 1999) from the Secretary, Board of Health, regarding ventilation option for the Environmental Tobacco Smoke (ETS) By-law; and
- (vi) (April 6, 1999) from the Secretary, Board of Health, advising that the Board of Health at its meeting held on April 6, 1999:
 - (a) adopted the report dated March 26, 1999, from the Medical Officer of Health with respect to the community input process for a harmonized Environmental Tobacco Smoke (ETS) By-law for the City of Toronto; and
 - (b) forward such report to the Community Councils for staff presentation and deputations on the policy options and recommendations paper attached thereto, at the Community Council meetings scheduled to be held on May 26 and 27, 1999, with recommendations from the Community Councils to be referred to the Medical Officer of Health and the City Solicitor for consideration and recommendations back to the Board of Health at its meeting on June 28 and 29, 1999.

On motion by Councillor Augimeri, Black Creek, the North York Community Council, in accordance with subsection 130(4) of the Council Procedural By-law, waived the requirement that every individual, organization or group wishing to make oral submissions to a Committee, either in person or through a representative, shall give notice thereof in writing to the secretary of the Committee no later than noon on the third working day preceding the day upon which the agenda material is to be delivered pursuant to section 121(a), in order to allow all individuals in attendance to make oral submissions on this issue, notwithstanding non-compliance with the requirements of those subsections, which carried, more than two-thirds of members present having voted in the affirmative.

A presentation was made by Dr. Monir Taha, Associate Medical Officer of Health and Director of Health Environments.

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

- Mr. Douglas Bennett;

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- Dr. John Luik, on behalf of the Ontario Restaurant Association;
 - Mr. Paul Readings, on behalf of Travelodge Toronto East; and on behalf of the following: Mr. Michael Singer, Novotel North York; Mr. Joe Kamal, Toronto Don Valley Hotel; and Mr. Robert Housez, Inn on the Park;
 - Mr. Michael Pearley;
 - Mr. Cliff Jenkins;
 - Mr. Ken Baxter on behalf of The Fish House Restaurants at 2035 Sheppard Avenue East and 144 Front Street West;
 - Mr. Michael Dawson, Victoria Village Ratepayers Association;
 - Dr. Jim Woodgett;
 - Ms. Sylvia Warriner;
 - Dr. Peter Webster; Sunnybrook and Women's College Health Science Centre; and
 - Mr. Gord Cooke.
- A. Councillor Fillion, North York Centre, moved that:
- (1) the Recommendations (1), (4), (5) and (6) embodied in the policy options and recommendations attached to the report (March 26, 1999) from the Medical Officer of Health, be adopted;
 - (2) Recommendation (2) embodied in the policy options and recommendations attached to the report (March 26, 1999) from the Medical Officer of Health be amended to reflect Option No. 2 outlined in the Fact Sheet summarizing the options being recommended by the Medical Officer of Health to the Board of Health; and
 - (3) Recommendation (3) embodied in the policy options and recommendations attached to the report (March 26, 1999) from the Medical Officer of Health be amended to reflect Option No. 1 outlined in the Fact Sheet summarizing the options being recommended by the Medical Officer of Health to the Board of Health; and the recommendation as so amended, be adopted.

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- B. Councillor Moscoe, North York Spadina, moved that Recommendations (2)(ii)(a) and (2)(ii)(b) embodied in the policy options and recommendations attached to the report (March 26, 1999) from the Medical Officer of Health, be amended to read as follows:
- “2(ii)(a) Restaurants become smoke-free June 1, 2000 and bowling centres become smoke-free April 30, 2001”; and
- “2(ii)(b) Casinos, bars, billiard and bingo halls become smoke-free June 1, 2001, with the distinction between bars and restaurants being that a bar is where alcohol is served and where admittance is restricted to persons 19 years of age and older at all times”;
- and the recommendations as so amended, be adopted.
- C. Councillor Mammoliti, North York Humber, moved that effective June 1, 2000, all workplaces and public spaces be smoke-free except for donut shops, bingo halls and bars; and that the Mayor establish a Committee whose mandate would be to create a smoke-free environment policy by June 1, 2004 for donut-shops, bingo halls and bars.
- D. Councillor Shiner, Seneca Heights, moved that the Provincial Government be requested to implement uniform Province-wide legislation to prohibit smoking in all public places, bars and restaurants, similar to the proposed harmonized Environmental Tobacco Smoke (ETS) By-law for the City of Toronto.
- E. Councillor Minnan-Wong, Don Parkway, moved that the Medical Officer of Health and City Solicitor be requested to report on the following:
- (1) which jurisdictions are presently repealing their smoke-free by-laws;
 - (2) the filtration devices and ventilation equipment referred to in the deputations made by owners of hospitality establishments, which are currently available; and
 - (3) the feasibility of instituting performance standards which would be related to air quality.
- F. Councillor Minnan-Wong, moved that the Federal Government be requested to make tobacco an illegal substance.

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

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FOR: Councillors Mammoliti, Li Preti

AGAINST: Councillors Moscoe, Augimeri, Berger, Flint, Filion, Minnan-Wong, Shiner, King

ABSENT: Councillors Sgro, Feldman, Gardner, Chong

Lost

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

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

AGAINST: Councillor Li Preti

ABSENT: Councillors Sgro, Feldman, Gardner, Chong

Carried

A recorded vote on parts (1) and (3) of motion A. moved by Councillor Filion, was as follows:

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

AGAINST: NIL

ABSENT: Councillors Sgro, Feldman, Gardner, Chong

Carried

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

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

AGAINST: NIL

ABSENT: Councillors Sgro, Feldman, Gardner, Chong

Carried

A recorded vote on part (1) of motion E. moved by Councillor Minnan-Wong, Don Parkway, was as follows:

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FOR: Councillors Mammoliti, Li Preti, Moscoe, Minnan-Wong

AGAINST: Councillors Augimeri, Berger, Flint, Filion, Shiner, King

ABSENT: Councillors Sgro, Feldman, Gardner, Chong

Lost

A recorded vote on part (2) of motion E. moved by Councillor Minnan-Wong, Don Parkway, was as follows:

FOR: Councillors Mammoliti, Li Preti, Moscoe, Berger, Minnan-Wong, King

AGAINST: Councillors Augimeri, Flint, Filion, Shiner

ABSENT: Councillors Sgro, Feldman, Gardner, Chong

Carried

A recorded vote on part (3) of motion E. moved by Councillor Minnan-Wong, Don Parkway, was as follows:

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

AGAINST: Councillors Augimeri, Berger, Shiner, King

ABSENT: Councillors Sgro, Feldman, Gardner, Chong

Carried

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

FOR: Councillors Mammoliti, Li Preti, Berger, Filion, Minnan-Wong, Shiner, King

AGAINST: Councillors Moscoe, Augimeri, Flint

ABSENT: Councillors Sgro, Feldman, Gardner, Chong

Carried

Having regard for the foregoing decision of the North York Community Council, part (2) of the foregoing motion A. by Councillor Filion, was deemed redundant and was not voted upon.

(A copy of the policy options and recommendations paper referred to in the foregoing report is on file in the office of the City Clerk, North York Civic Centre.)

(Clause 35(h), Report No. 5)

5.38 TEMPORARY ROAD CLOSURE - PARK HOME AVENUE - NORTH YORK CENTRE.

The North York Community Council had before it a report (May 17, 1999) from the Director, Transportation Services, District 3, recommending that

- (1) by enactment of a confirmatory By-law adopting this report, Park Home Avenue, between Yonge Street and Beecroft Road, be closed temporarily on Sunday, June 20, from 7:00 a.m. to 9:30 a.m., subject to the applicant's compliance with procedural By-law No. 27433 of the former City of North York; and
- (2) during the temporary closure, there shall be no use of the closed roadway for vehicular traffic except under the authority of a permit issued by the Commissioner of Works and Emergency Services.

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

(Clause 30, Report No. 5)

5.39 PARKS AND RECREATION - STATUS OF HARMONIZATION OF OUTDOOR POOL OPERATIONS - ALL WARDS.

The North York Community Council had before it a report (May 17, 1999) from the Commissioner of Economic Development, Culture and Tourism, providing a brief update and status report on the harmonization of outdoor pool operations in the Parks and Recreation Division of the Economic Development, Culture and Tourism Department, and recommending that the report be received as information.

The North York Community Council received the foregoing report.

(Clause 35(i), Report No. 5)

5.40 ZONING AMENDMENT APPLICATION Udz-98-13 AND DRAFT PLAN OF SUBDIVISION APPLICATION UDSB-1238 - GLENARDA PROPERTIES LTD. - 20

BOND AVENUE - ONTARIO MUNICIPAL BOARD APPEAL - RETENTION OF OUTSIDE PLANNING CONSULTANT - DON PARKWAY.

The North York Community Council had before it a report (May 17, 1999) from the City Solicitor, reporting on the retention of an independent planning consultant to defend the City's position and the costs associated therewith, and recommending that the report be received as information.

On motion by Councillor Minnan-Wong, Don Parkway, the North York Community Council recommended to Council that the foregoing report be received; and that a maximum of \$20,000.00 be made available from the Legal Services Operating Budget for the payment of professional planning services to support Council's Decision before the Ontario Municipal Board.

(Clause 31, Report No. 5)

5.41 URBAN PLANNING AND DEVELOPMENT SERVICES DEPARTMENT - STAFF RESOURCES.

The North York Community Council had before it a communication (May 18, 1999) from the City Clerk, advising that the Urban Environment and Development Committee will be submitting the following recommendations to City Council for consideration at its meeting on June 9, 1999 and, in addition, forwarding its action in this request and the report (May 11, 1999) from the Commissioner, Urban Planning and Development to all Community Councils for information and to the Budget Committee for consideration and report directly to Council for its meeting on June 9, 1999.

- (1) that Recommendations (1), (2) and (3) of the report (May 11, 1999) from the Commissioner, Urban Planning and Development Services be adopted subject to amending Recommendation (1) by deleting the figure "7" and substituting the figure "15" and amending the amounts accordingly, so as to read:
 - "(2) City Council approve an additional amount of \$369,900 to the 1999 salaries and benefits budget of the Urban Planning and Development Services Department in order to fund the hiring of 15 additional planners by the final four months of the current fiscal year (thereby representing an annualized cost of \$1,107,000;"
- (2) that the past practices of hiring summer planning students be maintained and encouraged.

The North York Community Council received the foregoing report.

(Clause 35(j), Report No. 5)

5.42 FURTHER REPORT ON PROPOSED USE OF FUNDS GENERATED FROM CASH-IN-LIEU OF PARKLAND DEDICATION.

The North York Community Council had before it a communication (May 18, 1999) from the City Clerk, advising that, City Council, at its meeting held on May 11 and 12, 1999, directed that Clause 5 of Report No. 7 of the Urban Environment and Development Committee, headed "Further Report on Proposed Use of Funds Generated from Cash-in-lieu of Parkland Dedication": be struck out and referred back to the Planning and Transportation Committee for further consideration at its meeting to be held on June 14, 1999, for report thereon to Council for its meeting to be held on July 6, 1999; and further directed that:

- (1) a copy of the Clause be forwarded to the Community Councils with a request that they submit their comments thereon to the Planning and Transportation Committee for consideration at its meeting on June 14, 1999;
- (2) the Commissioner of Urban Planning and Development Services submit a report to the Planning and Transportation on a policy and mechanism, in the context of planning applications, of identifying parks deficiencies and allocating funding therefor through the budget process;
- (3) the Commissioner of Economic Development, Culture and Tourism submit a report to the Planning and Transportation Committee on all concerns expressed by Members of Council in regard to park deficiencies, by district and community; and
- (4) the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Urban Planning and Development Services submit a joint report to the Planning and Transportation Committee for acquiring additional parkland in areas that are parkland deficient.

The North York Community Council also had before it a chart (May 19, 1999) from the Commissioner of Economic Development, Culture and Tourism, entitled "Park Acreages Per Ward Population and Standards for the Provision of Parkland".

- A. Councillor Moscoe, North York Spadina, moved that the Commissioner of Economic Development, Culture and Tourism be requested to prepare maps of park deficiencies within the boundaries of the North York Community Council area, and within each Ward; with such maps having isometric lines and clearly indicating the calculations that were used to support the deficiencies.

- B. Councillor Fillion, North York Centre, moved that when reviewing amendment applications in areas that are deficient in parkland, the City attempt to acquire parkland, where possible, either on site or in adjoining neighbourhoods, rather than accepting cash-in-lieu of parkland dedication payments.
- C. Councillor Fillion, North York Centre, moved that the Commissioner of Economic Development, Culture and Tourism be requested to report further on what plans are in place to address the parkland deficiencies in the area bounded by Yonge Street, Bayview Avenue, Finch Avenue and Sheppard Avenue.
- D. Councillor Flint, North York Centre South, moved that Recommendation (2) embodied in the joint report (March 17, 1999) from the Commissioner of Economic Development, Culture and Tourism and the Commissioner of Urban Planning and Development Services, be amended by adding thereto the following:
- “(2)(c) That notwithstanding the above, Community Councils, if they so choose can allocate monies from Recommendation No. (2)(b)(i) to Recommendation No. (2)(a)(i).
- E. Councillor Augimeri, Black Creek, moved that the Commissioner of Corporate Services be directed to make offers for up to 10 percent over the appraised value for properties that may be for sale and can be used for parkland purposes; and further, that expropriation be considered as a last resort.
- F. Councillor Moscoe, North York Spadina, moved that the Commissioner of Economic Development, Culture and Tourism be requested to bring forward an aggressive policy for requiring parkland in areas that are parkland deficient.

Upon the question of the adoption of the foregoing motions A., B., C., D., E. and F., it was carried.

(Clause 35(k), Report No. 5)

5.43 COMMITTEES - COMMITTEE OF ADJUSTMENT - UDCA-98-801 - APPEAL BY MICHAEL COHEN - 619 LAWRENCE AVENUE WEST - ONTARIO MUNICIPAL BOARD HEARING - NORTH YORK SPADINA

The North York Community Council had before it the following Resolution from Councillor Moscoe, North York Spadina:

WHEREAS the Planning Department recommended refusal of a rezoning application at 619 Lawrence Avenue West; and

WHEREAS the North York Community Council and Toronto Council refused the rezoning of the property; and

WHEREAS the applicant applied to the Committee of Adjustment for a minor variance to allow a home occupation; and

WHEREAS the Committee of Adjustment refused the application for home occupation at 619 Lawrence Avenue West; and

WHEREAS the Legal Department and the Planning Department recommend staff representation at the Ontario Municipal Board;

THEREFORE BE IT RESOLVED THAT North York Community Council and Toronto Council approve staff representation at the Ontario Municipal Board hearing on June 10, 1999 in support of the Council and staff position.

The North York Community Council also had before it a memorandum (May 19, 1999) from the Acting Director, Community Planning, North District, to Councillor Moscoe, North York Spadina, recommending that Council direct staff to attend the Ontario Municipal Board hearing in order to uphold the City's by-laws and be in support of the Committee's decision.

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

(Clause 32, Report No. 5)

5.44 WALKWAY CLOSURE - WEST END OF TILLINGHAM KEEP - NORTH YORK SPADINA.

The North York Community Council had before it the following Resolution from Councillor Moscoe, North York Spadina:

WHEREAS the Balmoral community has several dedicated walkways located on city property; and

WHEREAS residents have expressed many concerns regarding safety and security at the walkway located at the west end of Tillingham Keep; and

WHEREAS a survey was conducted and 95 percent of residents were in favour of closing the walkway; and

WHEREAS Transportation staff have indicated that this walkway is not required for pedestrian or vehicular circulation;

THEREFORE BE IT RESOLVED THAT the walkway located at the west end of Tillingham Keep be closed.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council, in accordance with subsection 124(b), waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

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

Councillor Li Preti, Black Creek, declared his interest in the foregoing matter, in that he resides in the Balmoral community wherein the walkway in question is located.

(Clause 33, Report No. 5)

5.45 TREE REMOVAL REQUEST - 46 CRAIGMORE CRESCENT - NORTH YORK CENTRE.

The North York Community Council had before it a report (May 19, 1999) from the Commissioner of Economic Development, Culture and Tourism,

On motion by Councillor Filion, North York Centre the North York Community Council, in accordance with subsection 124(b), waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

On motion by Councillor Filion, North York Centre, the North York Community Council recommended to Council that the foregoing report not be adopted; and that the resident at 46 Craigmore Crescent be permitted to remove the tree on City property, conditional upon the resident absorbing all costs involved in the removal of the tree and replacement thereof with a more suitable one, in consultation with the Commissioner of Economic Development, Culture and Tourism.

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

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

AGAINST: Councillors Moscoe, King

ABSENT: Councillors Feldman, Minnan-Wong

Carried

(Clause 34, Report No. 5)

The North York Community Council adjourned its meeting at 11:50 p.m., Wednesday, May 26, 1999.

Chair.