

THE CITY OF TORONTO

Clerk's Department

Minutes of the Meeting of the North York Community Council

Tuesday, February 15, 2000.

The North York Community Council met on Tuesday, February 15, 2000, in the Council Chamber, North York Civic Centre, commencing at 10:00 a.m.

Attendance

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

	10:00 a.m. to 12:00 p.m.	2:00 p.m. to 6:45 p.m.	8:00 p.m. to 10:30 p.m.
Councillor Feldman, Chair	x	x	x
Councillor Augimeri	x		
Councillor Berger	x	x	
Councillor Chong			
Councillor Filion		x	
Councillor Flint	x	x	x
Councillor Gardner	x	x	x
Councillor King			
Councillor Li Preti		x	x
Councillor Mammoliti		x	
Councillor Minnan-Wong	x	x	x
Councillor Moscoe	x	x	x

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Councillor Shiner	x	x	x
Councillor Valenti	x	x	

Declarations of Interest

Councillor	Minute #	Reason for Declaration
Councillor King	3.34	As it pertains to Thomas Clark House at 9 Barberry Place, in that a member of her extended family is the owner of this property.
Councillor Augimeri	3.37	As it relates to a member of her family owning a condominium adjacent to the applicant's property.
Councillor Valenti	3.37	As it relates to a member of his family owning the building located on the subject site.
Councillor Shiner	3.40	As it relates to a member of his family owning a property in close proximity to the subject lands.

On motion by Councillor Filion, North York Centre, 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 public meeting respecting Solid Waste Management Service Level Changes in the North York Community, which carried, more than two-thirds of members having voted in the affirmative.

Confirmation of Minutes:

On motion by Councillor Moscoe, North York Spadina, the minutes of the meeting of the North York

Community Council held on January 15, 2000, were confirmed.

3.1 Neighbourhood Traffic Management Plan: Harrison Road Heathcote Avenue to York Mills Road - North York Centre South.

The North York Community Council had before it a report (January 27, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on proposed traffic calming measures (speed humps) on Harrison Road between Heathcote Avenue and York Mills Road and recommending that:

- (1) the traffic management plan described in this report be approved; and
- (2) By-law No. 31878, of the former City of North York be amended to install a 40 km/h speed zone on Harrison Road, from Heathcote Avenue to York Mills Road.

Mr. Sven Ericson, S Ericson Management Services Inc. appeared before 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 City Council, the adoption of the foregoing report.

(Report No. 3 – Clause No. 1)

3.2 Tree Removal Request – 164 Owen Boulevard – North York Centre South.

The North York Community Council had before it a report (December 28, 1999) from the Commissioner of Economic Development, Culture and Tourism, providing information regarding an appeal to the Community Council from the owner of 164 Owen Boulevard to permit the removal of two City owned White Birch street trees at 26 and 36 cm in diameter from the lawn in front of their house; and recommending that this request to remove the City trees be denied.

Mr. Brian Hands, Hands On Landscape Design and Contracting, appeared before the North York Community Council in connection with the foregoing matter and he commented on the reasons for requesting the removal of the two existing City trees. He also submitted a landscape concept plan, a copy of which is on file with the City Clerk, North York Civic Centre.

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On motion by Councillor Flint, North York Centre South, the North York Community Council recommended to City Council that:

- (1) the report (December 28, 1999) from the Commissioner of Economic Development, Culture and Tourism, not be adopted; and
- (2) the applicant be permitted to remove the two City-owned street trees, subject to:
 - (a) the payment of the value of the trees plus the removal fee at a total cost of \$3,323.00;
 - (b) the applicant developing a front yard landscape plan to the satisfaction of the Urban Design staff, City Planning Division, North District, in general accordance with the plan dated January 2000 and filed with the City Clerk, North York Civic Centre;
 - (c) the said landscape plan including a replacement tree on City property, the species of which shall be determined in consultation with the Supervisor, Urban Forestry, Planning and Protection.

(Report No. 3 – Clause No. 2)

3.3 All Way Stop Control: Esgore Drive at Haddington Avenue – North York Centre South.

The North York Community Council had before it a report (January 31, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, responding to a request to install an all way stop control at the intersection of Esgore Drive at Haddington Avenue, and recommending that the report be received for information and that no actions be taken.

On motion by Councillor Flint, North York Centre South, the North York Community Council deferred consideration of the foregoing report to its next meeting scheduled for March 23, 2000.

(Report No. 3 – Clause No. 35(a))

3.4 Permanent Installation of Traffic Calming Measures Within the Armour Boulevard/Bombay Avenue Residential Community – North York Centre South.

The North York Community Council had before it a report (January 4, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the permanent installation of traffic calming measures within the Armour Boulevard/Bombay Avenue residential community and recommending that:

- (1) the speed humps on Armour Boulevard and Bombay Avenue be maintained permanently; and
- (2) all other temporary traffic calming measures be removed.

The North York Community Council also had before it a communication (February 1, 2000) from Ms. Shirley Zussman, in opposition to retaining the speed bumps in this area.

Mr. Irving Chorney appeared before the North York Community Council in connection with the foregoing matter.

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

(Report No. 3 – Clause No. 3)

3.5 Tree Removal Request – 22 Dunsmore Gardens – North York Spadina.

The North York Community Council had before it a report (December 28, 1999) Commissioner of Economic Development, Culture and Tourism, providing information regarding an appeal to the Community Council from the owner of 22 Dunsmore Gardens to permit the removal of two City owned Silver Maple street trees situated on the City portion of the front lawn; and recommending that this request to remove the City trees be denied.

Mr. Alan Diaz, appeared before the North York Community Council in connection with the foregoing matter, on behalf of the applicant.

- A. Councillor Moscoe, North York Spadina, moved that it be recommended to City

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Council that the report (December 28, 1999) from the Commissioner of Economic Development, Culture and Tourism, be adopted.

- B. Councillor Gardner, North York Centre, moved that the applicant be permitted to remove one tree conditional upon the payment of the appropriate fees for the removal of said tree; and conditional upon the provision of a replacement tree.

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

FOR: Councillors Valenti, Berger, Feldman, Gardner

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

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

Lost.

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

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

AGAINST: Councillors Valenti, Berger, Feldman, Gardner

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

Carried.

(Report No. 3 – Clause No. 4)

3.6 Noise By-Law Exemption – 4950 Yonge Street – Madison Centre Renovations – North York Centre.

The North York Community Council had before it a report (January 4, 2000) from the District Manager – North, Municipal Licensing and Standards and Court Services, Urban Development Services, reporting on an application (November 15, 1999) received from Mr. Jerry Crawford, Project Estimator, BFC Buildings, requesting an exemption to North York Noise By-law #31317, as amended, to permit construction to continue between the hours of

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7:00 p.m. and 10:00 p.m. at night from January 20, 2000 to June 16, 2000, Mondays to Saturdays only; and

Recommending that:

- (1) The posting of the name of a responsible individual on site along with a telephone number that will be answered during the hours of construction in the event of a noise complaint. This information is to be provided to the District Manager, Municipal Licensing and Standards at 395-7015.
- (2) Screening of an area at the north end of the building to house two disposal bins for the removal of debris from the proposed construction to isolate the residential portion of the building as much as possible from the noise associated with the dumping of debris into these bins.

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

- (February 14, 2000) from Councillor Norman Gardner, requesting a deferral until the March meeting of the North York Community Council, on behalf of the management of Manhattan Place;
- (February 14, 2000) from Mr. David M. Burton, expressing his opposition to the amendment to Noise By-law No. 31317, and requesting that the application be refused or alternatively be deferred until the March meeting in order to allow residents an opportunity to appear before the North York Community Council;
- (February 14, 2000) from Mr. Glenn Luckasavitch, Property Manager, Manhattan Place, expressing his opposition to the exemption to the Noise By-law; and requesting that the application be denied and if not denied; that the matter be deferred in order to allow residents of Manhattan Place to express their concerns or have representation to do so during the March meeting of North York Community Council.

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

- (1) It be recommended to City Council that:
 - (a) the report (January 4, 2000) from the District Manager – North, Municipal Licensing and Standards and Court Services, Urban

Development Services, not be adopted; and

(b) the request for an exemption from the noise by-law be refused.

(2) The District Manager – North, Municipal Licensing and Standards and Court Services, Urban Development Services be requested to:

(a) discuss requests for exemption from the Noise By-law with Ward Councillors prior to finalizing a report;

(b) include in all future reports respecting exemptions from the Noise By-law, an assessment of the impact of the noise on nearby residences, if any

B. Councillor Flint, North York Centre South, moved that the following words be added to Recommendation 2 (b) moved by Councillor Filion: “but excluding from this provision any noise matters relating to the Toronto Transit Commission Sheppard Subway construction”.

C. Councillor Valenti, North York Humber, moved that the District Manager – North, Municipal Licensing and Standards and Court Services, Urban Development Services, be requested to include a construction schedule with the staff report, in the event a new application is submitted for the subject site.

Upon the question of the adoption of Motion A, moved by Councillor Filion, Motion B, moved by Councillor Flint and Motion C, moved by Councillor Valenti, it was carried.

(Report No. 3 – Clause No. 5)

3.7 Proposed Wall and Ground Sign - Sign Application #S99-11485 - Tim Hortons Restaurant – Northwest Corner of Don Mills Road and Lawrence Avenue East – 980 Lawrence Avenue East – Don Parkway.

The North York Community Council had before it a report (January 31, 2000) from the Director and Deputy Chief Building Official, reporting on a request by Franco Romano of Action Planning Consultants, for a variance from the Sign By-law to permit wall and ground signage for a restaurant in a residential zone; and recommending that the request for a variance from the Sign

By-law be approved.

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

(Report No. 3 – Clause No. 6)

3.8 Appointments to the Gibson House / Zion Schoolhouse Museum Management Board and North York Community Local Architectural Conservation Advisory Committee (LACAC) Panel.

The North York Community Council had before it a report (February 1, 2000) from the City Clerk, respecting Implementation of Council's process for appointing Members of Council to Community Local Architectural Conservation Advisory Committee (LACAC) Panels and Community Museum Management Boards and;

Recommending that:

- (1) the North York Community Council give consideration to Members' preferences outlined in Schedule 1, and recommend to City Council the appointment of Members of Council to:
 - (i) North York Community LACAC Panel; and
 - (ii) Gibson House / Zion Schoolhouse Community Museum Management Boardfor a term of office expiring November 30, 2000, and until their successors are appointed; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council recommended to City Council that:

- (1) Councillor M. Augimeri, Black Creek be appointed to the North York Community LACAC Panel for a term of office expiring November 30, 2000, and until her successor is appointed;
- (2) Councillor D. Shiner, Seneca Heights, be appointed to the Gibson House/Zion Schoolhouse Community Museum Management Board for a

term of office expiring November 30, 2000, and until his successor is appointed; and

- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

(Report No. 3 – Clause No. 7)

3.9 Sale of Surplus Vacant Land at the Northeast Corner of Glengrove Avenue and Coldstream Avenue – North York Spadina.

The North York Community Council had before it a report (January 27, 2000) from the Commissioner of Corporate Services, requesting the authorization of the disposal of vacant land identified as Lot 21, Registered Plan 3687, shown as Parts 11 and 19 on Plan 64R-8442 and recommending that:

- (1) the Acting Commissioner of Corporate Services or the Executive Director of Facilities and Real Estate be authorised to accept the highest offer in the amount of \$230,000.00 as detailed herein;
- (2) authority be granted to direct a portion of the sale proceeds on closing to fund the outstanding balance of Costing Unit No. CA700CA2816;
- (3) the City Solicitor be authorised and directed to take the appropriate action to complete the transaction on behalf of the City of Toronto and further authorised to amend the closing date to such earlier or later date as considered reasonable; and
- (4) the appropriate City Officials be authorised and directed to take the necessary action to give effect thereto.

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

(Report No. 3 – Clause No. 8)**3.10 Appeal of Official Plan Amendment No. 482 and Zoning By-law No. 881-1999 - Amendment Application UDOZ-97-45 - 505000 N.B. Inc. - 2800 Bathurst Street, Southwest Corner of Bathurst and Glen Park – North York Spadina.**

The North York Community Council had before it a report (January 27, 2000) from the Director, Community Planning, North District, Urban Development Services, advising of an appeal of Official Plan Amendment No. 482 and By-law No. 881-1999 filed by Earl Mernick; and recommending that this report and the attached notice of appeal be received for information, and that the Ontario Municipal Board be advised accordingly.

The North York Community Council received the foregoing report.

(Report No. 3 – Clause No. 35(b))

3.11 All Way Stop Control: Blue Forest Drive and Elder Street – North York Spadina.

The North York Community Council had before it a report (January 27, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, 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 Blue Forest Drive and Elder Street.

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

(Report No. 3 – Clause No. 9)

3.12 All Way Stop Control: Robert Hicks Drive and Henry Welsh Drive (North Leg) – North York Spadina.

The North York Community Council had before it a report (January 28, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, 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 Robert Hicks Drive and Henry Welsh Drive (north leg).

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

(Report No. 3 – Clause No. 10)

3.13 Parking Prohibitions: Avondale Avenue – North York Centre.

The North York Community Council had before it a report (January 27, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on both sides of Avondale Avenue from 8:00 a.m. to 6:00 p.m., Monday to Friday, from

the easterly limit of Burnwell Street to the westerly limit of Willowdale Avenue.

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

(Report No. 3 – Clause No. 11)

3.14 Reduced Speed Zone : Lawrence Avenue East, West of Park Lane Circle - North York Centre South.

The North York Community Council had before it a report (January 24, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that By-law No. 31878, of the former City of North York, be amended to introduce a 40 km/h speed limit on Lawrence Avenue East, from a point opposite the easterly limit of Bayview Avenue to a point 300 metres west of Park Lane Circle.

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

(Report No. 3 – Clause No. 12)

3.15 Parking Prohibitions: Langside Avenue – North York Humber.

The North York Community Council had before it a report (January 25, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the east side of Langside Avenue, from Queenslea Avenue to a point 40 metres south.

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

(Report No. 3 – Clause No. 13)

3.16 Parking Prohibitions: Basswood Road – North York Centre.

The North York Community Council had before it a report (January 24, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking between 8: a.m. and 6:00 p.m., Monday to Friday, on both sides of Basswood Road, from the southerly limit of Santa Barbara Road to the southerly limit of Basswood Road.

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

(Report No. 3 – Clause No. 14)

3.17 Parking Prohibitions: Burnett Avenue – North York Centre.

The North York Community Council had before it a report (January 28, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the north side of Burnett Avenue between Welbeck Road and Senlac Road.

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

(Report No. 3 – Clause No. 15)

3.18 Parking Prohibitions: Cameron Avenue – North York Centre.

The North York Community Council had before it a report (January 31, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that Schedules IX and X of By-law No. 31001, of the former City of North York, be amended to permit short term parking on the south side of Cameron Avenue, adjacent to the Cameron Public School.

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

(Report No. 3 – Clause No. 16)

3.19 Driveway Entrance: 172 Rustic Road – North York Humber.

The North York Community Council had before it a report (September 3, 1999) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request from the property owner for a semi-circular driveway entrance (two driveway entrances) on a 50 feet lot to accommodate his disability and recommending that the request for a second driveway not be approved.

Mr. Joe Ditta appeared before the North York Community Council in connection with the foregoing matter.

- A. Councillor Mammoliti, North York Humber, moved that it be recommended to City Council:
- (1) that the report (February 1, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, not be adopted; and
 - (2) that the request for a second driveway be approved.
- B. Councillor Flint, North York Centre South, moved that the request for a second driveway be approved conditional upon the applicant not covering more than 55% of the front yard with a hard surface; and
- C. Councillor Valenti, North York Humber, moved that the request for a second driveway be approved conditional upon the applicant entering into an encroachment agreement to be registered on title to permit the walkway and curb cut in order to ensure reinstatement of the curb if the home is sold in the future.

Upon the question of the adoption of Motion A, moved by Councillor Mammoliti, Motion B, moved by Councillor Flint, and Motion C, moved by Councillor Valenti, it was carried.

(Report No. 3 – Clause No. 17)

3.20 Concrete Walkway and Curb Cut Installation: 540 Rustic Road – North York Humber.

The North York Community Council had before it a report (January 28, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request from the property owner for a walkway with a curb cut on his corner lot, off Blandorman Road, to accommodate his disabled son, and recommending that the resident enter into an encroachment agreement to be registered on title to permit the walkway and curb cut, which would ensure reinstatement of the curb if the home were sold in the future.

The North York Community Council also had before it an Extract from the Minutes of the Committee of Adjustment meeting held on March 25, 1999 and a copy of the report (March 19, 1999) from the Manager, Committee of Adjustment and Secretary-Treasurer, submitted to the Chairman and Members of the Committee of Adjustment, respecting variance application UDCA-99-82 – Bernardo and Maria Correia.

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

(Report No. 3 – Clause No. 18)

3.21 Tree Protection Zone Reduction Request – 444 Bedford Park Avenue – North York Centre South.

The North York Community Council had before it a report (January 25, 2000) from the Commissioner of Economic Development, Culture and Tourism, providing information regarding an appeal to the Community Council from the owner, Mr. Waldman, 444 Bedford Park Avenue, to permit the reduction of the Tree Protection Zone of the 100 cm diameter City-owned Silver Maple tree, on the front lawn, to allow for the widening of the driveway entrance; and recommending that the request to reduce the tree protection area be refused.

The North York Community Council also had before it a communication (February 14, 2000) from Mr. Adam J. Brown, Brown Dryer Karol, Barristers and Solicitors, on behalf of the applicant, requesting a deferral until the next meeting of the North York Community Council on March 23, 2000.

On motion by Councillor Berger, North York Centre South, the North York Community

Council deferred consideration of the foregoing report to its next meeting scheduled for March 23, 2000.

(Report No. 3 – Clause No. 35(c))

3.22 Tree Removal Request – 38 Larkfield Drive – North York Centre South.

The North York Community Council had before it a report (January 25, 2000) from the Commissioner of Economic Development, Culture and Tourism, providing information regarding an appeal to the Community Council from the owner of 38 Larkfield Drive to permit the removal of a City owned 28 cm diameter Crimson King Norway Maple from the lawn in front of their house; and recommending that the request to remove the City tree be refused.

Mr. Armando Chu, on behalf of the applicant, appeared before 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:

- (1) recommended to City Council, the adoption of the foregoing report; and
- (2) requested the Commissioner of Economic Development, Culture and Tourism to instruct the appropriate staff to prune the City-owned tree located in front of 38 Larkfield Drive.

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

FOR: Councillors Moscoe, Augimeri, Berger, Feldman, Flint, Shiner

AGAINST: Councillors Valenti, Gardner

ABSENT: Councillors Mammoliti, Li Preti, Chong, Filion, Minnan-Wong, King

Carried.

(Report No. 3 - Clause No. 19)

3.23 Final Report – Application for Part Lot Control Exemption – UD54-99-08-Rel - Rodeo Fine Homes - 65-81 Drewry Avenue (Rodeo Court), Part of Lots 3 to 7, both Inclusive, Plan 2272 – North York Centre.

The North York Community Council had before it a report (January 24, 2000) from the Director of Community Planning, North District, Urban Development Services, reporting on a request for an exemption from part lot control in order that 32 townhouse dwelling units may be conveyed into separate ownership and;

Recommending that:

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

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

(Report No. 3 – Clause No. 20)

3.24 Preliminary Report – Application for Official Plan and Zoning By-Law Amendment – UDOZ-99-46 – Kirkor Architects and Planners – 118 Finch Avenue West and 4 – 10 Altamont Avenue - North York Centre.

The North York Community Council had before it a report (January 31, 2000) from the Director, Community Planning, North District, Urban Development Services, providing preliminary comments on an application to amend the Official Plan and Zoning By-law to permit a residential development comprising of 32 stacked townhouse units and 8 townhouse units at the north-west corner of Finch and Altamont; and

Recommending that:

- (1) staff be directed to schedule a Community Consultation Meeting in consultation with the Ward Councillors(s);

- (2) staff be authorized to schedule a Public Meeting under the Planning Act to consider this application, targeted for the third quarter of 2000;
- (3) staff be directed to prepare a Final Report for the public meeting; and
- (4) Notice of the Public Meeting be given in a manner prescribed in the Regulations under the Planning Act.

The North York Community Council approved the foregoing preliminary report.

(Report No. 3 - Clause No. 35(d))

3.25 Preliminary Evaluation Report - Applications for Zoning By-Law Amendment - UDZ-99-33 and UDZ-99-34 – 1153345 Ontario Inc. - Patrick Berne - 5575 Yonge Street; 7,11,15,19,23,25 Finch Avenue East and 16,20,22,24,26,28, & 30 Olive Avenue - North York Centre.

The North York Community Council had before it a report (January 27, 2000) from the Director, Community Planning, North District, Urban Development Services, providing preliminary comments on the zoning amendment applications and to seek Community Council's direction on further processing of the applications and on the community consultation process; and

Recommending that:

- (1) Staff be directed to schedule a Community Information Meeting in consultation with the Ward Councillors.
- (2) Staff be directed to prepare a Final Report for the Public Meeting.
- (3) Staff be authorized to schedule a Public Meeting under the Planning Act to consider this application, targeted for the third quarter of 2000.
- (4) Notice of the Public Meeting be given in the manner prescribed in the Regulations under the Planning Act.

On motion by Councillor Filion, North York Centre, the North York Community Council approved the foregoing preliminary report, subject to Recommendation No. (3) being amended to read as follows:

- “(3) Staff be authorized to schedule a Public Meeting under the Planning Act to consider this application, targeted for the second quarter of 2000.”

(Report No. 3 – Clause No. 35(e))

3.26 Preliminary Report - Official Plan Amendment Application - UDOZ-99-38 - 584952 Ontario Limited - 1100 Sheppard Avenue West - North York Spadina.

The North York Community Council had before it a report (January 28, 2000) from the Director, Community Planning, North District, Urban Development Services, providing preliminary comments on an application to amend the Official Plan for the property known as 1100 Sheppard Avenue West to permit a mixed commercial residential project with an FSI of 4.5; and

Recommending that:

- (1) Staff be directed to schedule a Community Consultation Meeting in consultation with the Ward Councillor(s).
- (2) Staff be authorized to schedule a Public Meeting under the Planning Act to consider this application, targeted for the third quarter of 2000.
- (3) Staff be directed to prepare a Final Report for the Public Meeting.
- (4) Notice of the Public Meeting be given in a manner prescribed in the Regulations under the Planning Act.

Mr. Alan Heisey, Solicitor and Mr. Joe Berridge, Planning Consultant, appeared before the North York Community Council in connection with the foregoing matter, on behalf of the applicant.

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

- (1) approved the foregoing preliminary report, subject to Recommendation No. (2) being amended to read as follows:

- “(2) Staff be authorized to schedule a Public Meeting under the

Planning Act to consider this application” and;

- (2) requested the Director, Community Planning, North District, to advise the applicant that:
 - (a) the density increase from 1.1 to 4.5 is inappropriate and that the applicant should consider a base density consistent with the development of a sub-centre in the Official Plan of the former City of North York, with modest bonussing to achieve community objectives;
 - (b) the introduction of a residential component into this isolated industrial sector can only be achieved if community amenities are provided on site; and
 - (c) the built form and nature of the development must take into account the community planning and consultation process that has been ongoing with respect to the 75 acres of City-owned land at the same intersection.

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

FOR: Councillors Valenti, Moscoe, Augimeri, Feldman, Flint, Shiner

AGAINST: Councillors Berger, Gardner

ABSENT: Councillors Mammoliti, Li Preti, Chong, Filion, Minnan-Wong, King

Carried.

(Report No. 3 – Clause No. 35(f))

3.27 Preliminary Report - Official Plan and Zoning By-Law Amendment Application - UDOZ-96-36 - PMG Consultants - 35 Cedarcroft Boulevard - North York Spadina.

The North York Community Council had before it a report (January 28, 2000) from the Director, Community Planning, North District, Urban Development Services, providing preliminary

comments on an application to amend both the Official Plan and Zoning By-law to permit the construction of 72 stacked townhouses with underground parking on a portion of an existing rental building site at 35 Cedarcroft Boulevard and the retention of the existing 13 storey apartment building; and

Recommending that:

- (1) Staff be directed to schedule a Community Consultation Meeting in consultation with the Ward Councillor(s).
- (2) Staff be authorized to schedule a Public Meeting under the Planning Act to consider this application, targeted for the third quarter of 2000.
- (3) Staff be directed to prepare a Final Report for the public meeting.
- (4) Notice of the Public Meeting be given in a manner prescribed in the Regulations under the Planning Act.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council deferred consideration of the foregoing preliminary report to its next meeting scheduled for March 23, 2000, in order to allow the Ward Councillors an opportunity to hold a community meeting.

(Report No. 3 – Clause No. 35(g))

3.28 Preliminary Report - Application for Zoning By-Law Amendment - UDZ-99-41 and UDSP-99-154 – Rosedale Development Inc. - 4917-4995 Yonge Street, 11-27 Hollywood Avenue and 8 – 18 Spring Garden Avenue - North York Centre.

The North York Community Council had before it a report (January 28, 2000) from the Director, Community Planning, North District, Urban Development Services, providing preliminary comments for an application to amend the Zoning By-law to permit a mixed commercial residential complex consisting of two 28 storey residential buildings containing 551 units and a 15 storey commercial office building with retail at grade; and

Recommending that:

- (1) Staff be directed to schedule a Community Consultation Meeting in consultation with the

Ward Councillor(s).

- (2) Staff be authorized to schedule a Public Meeting under the Planning Act to consider this application, targeted for the third quarter of 2000.
- (3) Staff be directed to prepare a Final Report for the Public Meeting.
- (4) Notice of the Public Meeting be given in a manner prescribed in the Regulations under the Planning Act.

The North York Community Council approved the foregoing preliminary report.

(Report No. 3 – Clause No. 35(h))

3.29 Preliminary Report – Application to Amend The North York Official Plan and Zoning By-law – UDOZ-99-44 – The Police Credit Union Limited, c/o Walker, Nott, Dragicevic Associates Limited – 4679-4687 Yonge Street and 20 Avondale Avenue –North York Centre.

The North York Community Council had before it a report (January 28, 2000) from the Director of Community Planning, North District, Urban Development Services, providing preliminary comments on an application for amendments to increase the maximum permitted density, and to permit a 12-storey office building, with street-related retail uses, on the north-east corner of Yonge Street and Avondale Avenue; and

Recommending that:

- (1) staff be directed to schedule a Community Information Meeting in consultation with the Ward Councillors;
- (2) the applicant be required to submit a Site Plan Approval application and fee, pursuant to North York Community Council policy for all amendment applications in North York Centre, prior to the scheduling of the Public Meeting under the Planning Act to consider this application, targeted for the third quarter of 2000;
- (3) staff be directed to prepare a Final Report for the Public Meeting; and

- (4) Notice of the Public Meeting be given in the manner prescribed in the Regulations under the Planning Act.

The North York Community Council, approved the adoption of the foregoing preliminary report.

(Report No. 3 – Clause No. 35(i))

3.30 Preliminary Report - Application for Zoning By-Law Amendment - UDZ-99-32 and UDSP-99-143 - Terence Van Elslander - 76 - 80 Finch Avenue East – North York Centre.

The North York Community Council had before it a report (January 27, 2000) from the Director, Community Planning, North District, Urban Development Services, providing preliminary comments on the zoning amendment application and to seek Community Council's directions on further processing of the application and on the community consultation process; and

Recommending that:

- (1) Staff be directed to schedule a Community Information Meeting in consultation with the Ward Councillors.
- (2) Staff be authorized to schedule a Public Meeting under the Planning Act to consider this application, targeted for the second quarter of 2000.
- (3) Staff be directed to prepare a Final Report for the Public Meeting.
- (4) Notice of the Public Meeting be given in the manner prescribed in the Regulations under the Planning Act.

The North York Community Council, approved the adoption of the foregoing preliminary report.

(Report No. 3 – Clause No. 35(j))

3.31 Preliminary Report - Applications to Amend the Official Plan and Zoning – UDZ-99-37 and UDSP-99-149 - Baghai Development Limited - 2425 and 2427 Bayview Avenue - North York Centre South.

The North York Community Council had before it a report (January 18, 2000) from the Director of Community Planning, North District, Urban Development Services, providing preliminary comments on the Official Plan and Zoning Amendment applications and to seek Community Council's directions on further processing of the applications and on the community consultation process; and

Recommending that:

- (1) Staff be directed to schedule a Community Information Meeting in consultation with the Ward Councillors.
- (2) Staff be authorized to schedule a Public Meeting under the Planning Act to consider this application, targeted for the second quarter of 2000.
- (3) Staff be directed to prepare a final report for the Public Meeting.
- (4) Notice of the Public Meeting be given in the manner prescribed in the Regulations under the Planning Act.

The North York Community Council, approved the adoption of the foregoing preliminary report.

(Report No. 3 – Clause No. 35(k))

3.32 Jane Finch Community Strategic Initiatives – Black Creek.

The North York Community Council had before it a report (February 1, 2000) from the Director, Community Planning, North District, Urban Development Services, seeking direction for City staff to work with the Jane Finch community, Metropolitan Toronto Housing Authority (MTHA) and other appropriate agencies in developing strategic initiatives to enhance the physical and social infrastructures within the public realm of the Jane Finch community; and recommending that the Director, Community Planning, North District, in consultation with appropriate City staff, Metropolitan Toronto Housing Authority staff and community representatives, initiate a process to develop strategic initiatives in the Jane Finch community in the manner described in this report.

On motion by Councillor Li Preti, Black Creek, the North York Community Council

recommended to City Council:

- (1) the adoption of the report (February 1, 2000) from the Director, Community Planning, North District, Urban Development Services;
- (2) that the community residents in the area be thoroughly consulted on the proposed "Peace Memorial" or monument;
- (3) that the Director, Community Planning, North District, Urban Development Services, be directed to revisit the specific recommendations of Project Rebirth 1 and Project Rebirth 2; and report back to the North York Community Council with concrete and tangible ideas on how to improve the Jane-Finch community; and
- (4) in the event a working group is established, that it be comprised of tenants, ratepayers, business and social service representatives in addition to the Metro Toronto Housing Authority tenants.

(Report No. 3 – Clause No. 21)

3.33 Report - Application for Site Plan Approval – UDSP-97-012 - English Lane Homes Inc. (Formerly Ghods Builders Inc.) - 39 Greenbelt Drive – Don Parkway.

The North York Community Council had before it a report (January 24, 2000) from the Director of Community Planning, North District, Urban Development Services, reporting on a site plan application to redevelop the site with a series of twenty 4-storey townhouse buildings comprising a total of 183 units and two, 8-storey apartment buildings comprising a total of 192 units; and recommending that the Ontario Municipal Board be advised that Council has no objection to the site plan application that has been filed subject to the conditions outlined in Appendix "1" to the report.

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

- (1) the adoption of the report (January 24, 2000) from the Director, Community Planning, North District, Urban Development Services; and

- (2) that the separation of the CP rail corridor be by way of a decorative solid wall having a minimum height of eight feet.

(Report No. 3 – Clause No. 22)

3.34 Context Plan for the Southeast Bayview Node – North York Centre South.

The North York Community Council had before it a joint report (February 1, 2000) from the Director of Community Planning, North District, Urban Development Services and Director of Transportation Services, District 3, Works and Emergency Services, reporting on a Context Plan for the Southeast Bayview Node, and seeking further direction from Council on the processing of Amendment Application UDOZ-99-20 (Whitleigh Development Corporation); and

Recommending that:

- (1) Council adopt the recommended Context Plan for the Southeast Bayview Node as a framework to evaluate development;
- (2) Council consent to having the City-owned lands of the Sheppard Square Parkette and the Sheppard Square road allowance included in Amendment Application UDOZ-99-20;
- (3) The relevant portions of the Sheppard Square road allowance be declared surplus, and Corporate Services (Facilities and Real Estate) staff be authorized to negotiate the sale of these lands to Whitleigh Development Corporation, as a condition of approval of Amendment Application UDOZ-99-20;
- (4) Corporate Services (Facilities and Real Estate) staff be authorized to negotiate a land exchange of the Sheppard Square Parkette for an equal area of Whitleigh Development Corporation's lands abutting Rean Park, as a condition of approval of Amendment Application UDOZ-99-20;
- (5) City Planning and Works and Emergency Services staff investigate the possibility of terminating Dervock Crescent at a point east of Rean Drive; and
- (6) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council also had before it a communication (February 10, 2000) from Mr. Vincent Ching, Secretary, Dervock Cusack Greenbriar Ratepayers Association, expressing his concerns regarding the proposed future development by Whitleigh Development Corporation.

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The following persons were in attendance in connection with the foregoing matter and their support for the Context Plan for the Southeast Bayview Node was noted by the North York Community Council:

- Ms. Ida Ellenbery
- Mr. Harvey Cracknell
- Mr. Sheldon Barris
- Ms. Eve Marks
- Pia Bruni
- Mr. Lucas Roffey

The following persons were also in attendance in connection with the foregoing matter and their opposition to the Context Plan for the Southeast Bayview Node was noted by the North York Community Council:

- Tang Wong
- Ms. Linda Groll

- A. Councillor Flint, North York Centre South, moved that it be recommended to City Council that the joint report (February 1, 2000) from the Director, Community Planning, North District, Urban Development Services and the Director, Transportation Services, District 3, Works and Emergency Services be adopted.
- B. Councillor Shiner, Seneca Heights, moved that it be recommended to City Council that Recommendation No. (3) in the joint report (February 1, 2000) from the Director, Community Planning, North District, Urban Development Services and the Director, Transportation Services, District 3, Works and Emergency Services, be amended to read as follows:

“That staff of Corporate Services (Facilities and Real Estate) be authorized to negotiate a land exchange for the closure of those portions of Sheppard Square road allowance in exchange for the new road to be constructed and negotiate the sale of the balance of the closed road to Whitleigh Development Corporation as a condition of approval of amendment application UDOZ-99-20.”

- C. Councillor King, Seneca Heights, moved that it be recommended to City Council that:

“WHEREAS there is an existing significant demand for the west to southbound left turn at the Bayview Avenue and Sheppard Avenue East intersection;

WHEREAS the current traffic signal operations at this intersection preclude the provision of westbound dual left turns;

WHEREAS the City is evaluating significant development in the Sheppard Corridor; and

WHEREAS notwithstanding the imminent start up of operations of the Sheppard Subway, there will be an increase in vehicular traffic using the Bayview Avenue and Sheppard Avenue East intersection;

THEREFORE BE IT RESOLVED that staff be directed to ensure that future development in the Sheppard Corridor does not preclude the opportunity to implement dual westbound left turn lanes at the intersection of Bayview Avenue and Sheppard Avenue East in the future”:

D. Councillor Shiner, Seneca Heights, moved that it be recommended to City Council that:

“WHEREAS there is a concern about traffic infiltration into the adjacent neighbourhoods resulting from the full build out of the area; and

WHEREAS Official Plan Amendment 392 discusses potential road connections to Bayview Avenue; and

THEREFORE BE IT RESOLVED that staff be directed to meet with Ministry of Transportation officials to explore further options for connections to Bayview Avenue, and that future redevelopment of the area between Kenaston Gardens and Bayview Avenue should protect for these connections.

FURTHER, as development proceeds, staff be directed to report on traffic infiltration and any required mitigating measures to address it.”

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E. Councillor Shiner, Seneca Heights, moved that it be recommended to City Council that:

“WHEREAS the context plan provides a clear direction for future development in the area; and

WHEREAS there are a few refinements that we would like to add to clarify the height Map attached to the report;

The issues refined by the new map are:

- buildings with Sheppard Avenue frontage will have a 6-storey height limit with flexibility as defined by OPA 392;
- in keeping with the objective of having the tallest buildings adjacent to the 401, towers north of the new Sheppard Square Road should be no higher than 18 storeys (54 metres);
- heights listed on the revised map as attached are to the top of habitable floors, mechanical penthouses may exceed this height as per the Urban Design Principles; and

THEREFORE BE IT RESOLVED that the revised height map attached to this motion would replace Map 2 of the Context Plan.”

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

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

AGAINST: Councillors Flint, Filion

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

Carried

Upon the question of the adoption of Motion A., Motion C., Motion D., and Motion E., it was carried.

(Councillor King, Seneca Heights, declared an interest in the foregoing matter, insofar as it pertains to Thomas Clark House at 9 Barberrry Place, in that a member of her extended family is the owner of this property.)

(Report No. 3 – Clause No. 23)

3.35 Further Report: Application to Amend the Zoning By-Law – Udz-97-40 and UDSP-

97-222 – Premium Properties Limited, c/o Bruce Engell, Weir & Foulds – Poyntz Avenue, Frizzell Road and Bogert Avenue – North York Centre.

The North York Community Council had before it a report (February 2, 2000) from the Director of Community Planning, North District, Urban Development Services, reporting on recently submitted revised plans to amend the Zoning By-law, and for Site Plan Approval, to permit two residential buildings containing street related retail uses on the Premium Properties site, located on the northeast corner of Poyntz Avenue and Beecroft Road; and

Recommending that:

- (1) Council support, in principle, the proposed total Gross Floor Area (31,723 m²) and building heights (25 storeys/73 m and 24 storeys/65 m), as shown on revised plans, date stamped as received January 12, 2000, prepared by Adamson Associates architects, conditional upon:
 - (a) the proposal meeting the planning recommendations and concerns outlined in Supplementary Report (November 15, 1999);
 - (b) the proposal meeting the requirements for redevelopment of the site, including the widening and realignment of Poyntz Avenue, as outlined in the Status Report (May 12, 1999); and
 - (c) the City agreeing to sell a 186 m² strip of land adjacent to the east side of Beecroft Road and clarification of the potential closure and conveyance of a portion of the north/south public lane located west of Yonge Street.
- (2) Council authorize and direct the City Solicitor and the Director of Community Planning, North District, to do the things necessary to continue discussions with the appellant to settle outstanding issues respecting the appeal, generally in accordance with Recommendation (1) above; and
- (3) the appellant be requested to seek adjournment of the Ontario Municipal Board Hearing, scheduled to commence March 21, 2000, to allow for continued discussions, review and processing in accordance with Recommendation (1) above.

On motion by Councillor Filion, North York Centre, the North York Community Council recommended to City Council, the adoption of the report (February 2, 2000)

from the Director, Community Planning, North District, Urban Development Services; subject to:

- (1) amending Recommendation (1)(c) by deleting the words, “and clarification of the potential closure and conveyance of a portion of the north/south public lane located west of Yonge Street”, and substituting in lieu thereof, the words, “the City not closing and conveying and not transferring its density off the north/south lane located west of Yonge Street to the proposed revised development” so that Recommendation (1)(c) shall now read:

“(1)(c) the City agreeing to sell a 186 m2 strip of land adjacent to the east side of Beecroft Road and the City not closing and conveying and not transferring its density off the north/south lane located west of Yonge Street to the proposed revised development.”

(Report No. 3 – Clause No. 24)

3.36 Final Report – Application for Zoning By-Law Amendment UDZ-99-09 and UDSP-99-028 – Brown Dryer Karol, on Behalf of Judy Cohen In Trust - 718 Sheppard Avenue West – North York Spadina.

The North York Community Council had before it a report (December 20, 1999) from the Director, Community Planning, North District, Urban Development Services, reporting on a rezoning application to permit a three-storey retirement home at 718 Sheppard Avenue West; and submitting recommendations with respect thereto.

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

- Clause No. 30(o) of North York Community Council Report No. 1, titled “Other Items Considered by the Community Council – Zoning By-law Amendment – Brown, Dryer Karol on behalf of Judy Cohen In Trust – 718 Sheppard Avenue West – North York Spadina, which was received for information by City Council on February 1, 2 and 3, 2000
- Report (February 1, 2000) from the Director, Community Planning, North District,

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Urban Development Services, providing revised recommendations, highlighted in bold, to the Final Report dated December 20, 1999, arising from discussions with Councillor Feldman regarding conformity of the application to the Official Plan.

- Communications (June 21, 1998 and January 2, 2000) from Bernard Rubin, P. Eng., outlining his concerns with respect to the proposed parking for the retirement home.

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

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

- Mr. Adam Brown, Solicitor, on behalf of the applicant, who expressed his support for the recommendations contained in the report (December 20, 1999) from the Director, Community Planning, North District. During his submission he also commented on the proposed landscaping and parking; and
- Mr. Bernard Rubin, who indicated that he did not have any objection to the proposal but was concerned about overflow parking on Maxwell Street in light of the number of parking spaces being provided for the proposed development.

On motion by Councillor Moscoe, the North York Community Council, after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the foregoing report (February 1, 2000) from the Director of Community Planning, North District, Urban Development Services, and for the reasons that the proposal is an appropriate use of lands, recommended to City Council that the application submitted by Brown Dryer Karol, on behalf of Judy Cohen in Trust, regarding Zoning Amendment Application UDZ-99-09 and UDSP-99-028 be approved, subject to the conditions outlined in the referenced report; and subject to following additional conditions:

- (1) that the applicant be required to post a letter of credit or bond which will be refundable after one year of full occupancy, to ensure the adequacy of on-site parking; and
- (2) that the applicant be required to install, at his own expense, a bus shelter,

including a bench, at the corner of Maxwell Street and Sheppard Avenue West.

(Report No. 3 – Clause No. 25)

3.37 Final Report - Official Plan and Zoning Amendment UDOZ-97-35 – V.V. De Marco Properties Limited – 1415 Lawrence Avenue West – North York Humber.

The North York Community Council had before it a report (December 20, 1999) from the Director of Community Planning, North District, Urban Development Services, reporting on an Official Plan and Zoning Amendment to permit the development of an 8-storey residential condominium apartment building with ground floor commercial uses at 1415 Lawrence Avenue West; and submitting recommendations with respect thereto.

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

- (1) Clause No. 30(p) of North York Community Council Report No. 1, titled “Other Items Considered by the Community Council – Official Plan and Zoning Amendment No. UDOZ-97-35 – V.V. De Marco Properties Limited, 1415 Lawrence Avenue West – North York Humber, which was received for information by City Council on February 1, 2 and 3, 2000
- (2) Report (January 27, 2000) from the Director of Transportation Services, District 3, Works and Emergency Services, providing a further report on a Traffic Impact Study prepared by the staff of the Transportation Services Division that updates the Traffic Study presented by the applicant, which was requested by the Community Council at its meeting on January 18, 2000; and recommending that the findings of their report dated December 13, 1999 be accepted and that the results of the Traffic Impact Study for 1415 Lawrence Avenue West prepared by Marshall, Macklin, Monaghan for V.V. De Marco Properties Limited be accepted as valid.

On motion by Councillor Li Preti, Black Creek, on behalf of Councillor Mammoliti, North York Humber, the North York Community Council, after considering the depositions and based on the findings of fact, conclusions and recommendations contained in the foregoing report recommended to City Council that the application submitted by V.V. DeMarco Properties Limited, regarding Official Plan and Zoning Amendment Application UDOZ-97-35 be approved, subject to the conditions outlined in the referenced report.

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

(Councillor Valenti, North York Humber, declared his interest in the foregoing matter in that a member of his family owns the building located on the subject site.)

(Report No. 3 – Clause No. 26)

3.38 Official Plan & Zoning By-Law Amendment Application – UDOZ-99-23 – Jerrett Funeral Chapels Limited – Southeast of Yonge Street/Otonabee Avenue, East of Laneway – North York Centre.

As directed by the North York Community Council, at its meeting held on September 14, 1999, appropriate notice of this public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (January 14, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to convert an existing temporary parking lot located at Yonge Street and Otonabee Avenue on the east side of the City lane, to a permanent parking lot for the funeral home at 6191 Yonge Street; and submitting recommendations with respect thereto.

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

- Mr. Mel Winch, Winch Planning and Development Services, appeared on behalf of the applicant and advised that he was in favour of the recommendations contained in the staff report. He further advised that the applicant has 50 leased parking spaces at Centrepoint Mall and that he has been unable to purchase a commercial property in the vicinity to create additional parking spaces;
- Mr. Gary S. Kay, Barrister and Solicitor, appeared on behalf of the owners of 9 and 11 Otonabee Avenue, in opposition to the application. He advised that approval of the application will cause a negative impact to the property value of 9 and 11 Otonabee Avenue. He further advised that it was his belief that the applicant has not actively pursued the purchase of a commercial property in the immediate area to alleviate the parking short-fall the applicant presently has.

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- A. Councillor Filion, North York Centre, moved that the temporary use be extended for an additional three years, during which time the applicant be required to demonstrate a concerted effort to procure commercially-zoned parking to meet his parking needs.
- B. Councillor Berger, North York Centre South, moved that it be recommended to City Council that the report (January 14, 2000) from the Director, Community Planning, North District, be adopted and the application submitted by Jerrett Funeral Chapels Limited regarding Official Plan and Zoning Amendment Application UDOZ-99-03 be approved, subject to the conditions outlined in the referenced report.

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

FOR: Councillors Moscoe, Filion

AGAINST: Councillors Mammoliti, Valenti, Li Preti, Berger, Feldman, Flint, Gardner

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

Lost

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

FOR: Councillors Valenti, Li Preti, Berger, Feldman, Flint, Gardner

AGAINST: Councillors Mammoliti, Moscoe, Filion

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

Carried

(Report No. 3 – Clause No. 27)

- 3.39 Zoning Amendment Application UDZ-98-28 and UDSP-98-169 – Brown, Dryer, Karol – 62 And 64 – 68 Finch Avenue West, 8 Kensington Avenue – North York Centre.**

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As directed by the North York Community Council, at its meeting held on January 20, 1999, appropriate notice of the public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (January 25, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on a rezoning application to permit 25 condominium townhouse units at 64 – 68 Finch Avenue West; and a 4 storey building combining institutional use with a group home at 62 Finch Avenue West and 8 Kensington Avenue; and submitting recommendations with respect thereto.

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

- (February 1, 2000) from Mr. George Belza, on behalf of Edithvale-Yonge Community Association, outlining the reasons for the Association's objections to the proposal; requesting that the application be referred back to staff for further consideration and such revisions to the draft zoning by-law(s) and the 62 Finch Avenue West development site as may prove necessary in order to resolve all of the issues outlined, in consultation with the proponents, community representatives and the local Councillors; and further requesting notice under the Planning Act of any subsequent enactment by City Council of Zoning by-law(s) pertaining to this matter or proponent appeal of the application; and further requesting notice of any hearing(s) of the Committee of Adjustment pertaining to any related minor variances for the property municipally known as 72 Finch Avenue West (Danish Lutheran Church);
- (February 1, 2000) from Karen Nolan and Egan Done, expressing their concerns with the application;
- (February 8, 2000) from Mr. Nick Van Vliet, expressing his concerns with the application; and
- (February 14, 2000) from Mr. Grant A. Bacchus, P. Eng., Grant A. Bacchus Limited, advising that he has conducted a review of the parking supplies provided at other developments similar to that proposed for 62 Finch Avenue West and that although not all of the examples of seniors homes are within City of Toronto municipal boundaries, the summary does provide a good cross-section of parking rates at sites served well by mass transit, but also those not served at all; and that based upon the parking supplies provided at other seniors homes within the GTA, and supported by the results of previous parking demand surveys and the findings of the American studies, the

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proposed parking rate for 62 Finch Avenue West of approximately 0.5 spaces/senior's unit will be quite adequate.

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

- Mr. Adam Brown, Brown Dryer Karol, Barrister and Solicitor, on behalf of the applicant, who commented on the merits of the application. He further advised that he was in favour of the notice of motion proposed by Councillor Filion which was the result of a negotiated settlement between the applicant, and Mr. George Belza, representing the Edithvale Yonge Community Association;
 - Mr. George Belza, on behalf of the Edithvale Yonge Community Association, who indicated that the concerns of the Edithvale Yonge Community Association are outlined in the communication filed with the North York Community Council. These concerns prompted a meeting between the applicant, Councillor Filion and himself and consequently led to an agreement and resolution. He further stated the Draft By-law attached to the notice of motion by Councillor Filion has been reviewed and accepted by the Association; and in general meets the concerns of Mr. and Mrs. Nolan as well.
- Mr. Belza further described the uses that would be permitted by the proposed Draft By-law and stated that this by-law would ensure that the development at 62 Finch Avenue West would be residential in built form and would revert back to a residential use as a retirement home if the institutional use to permit the acquired brain injury rehabilitation centre and associated group home does not come to fruition or is no longer viable; and
- Mr. Werner Schwendt, who expressed concern with respect to location of the proposed parking for the development and increased traffic in the area.

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

- (1) that the report (January 25, 2000) from the Director, Community Planning, North District, not be adopted; and
- (2) the adoption of the following Resolution by Councillor Filion, North York Centre, and the Draft Zoning By-law attached to the Resolution:

“WHEREAS a mutual understanding has been reached between the applicant and ratepayer representatives to the effect that development approvals for application UDZ-98-28/UDSP-98-169, 62-68 Finch Avenue West, will:

- (a) demonstrably conform to the Official Plan;
- (b) permit the proposed project at 64-68 Finch Avenue West as a residential townhouse development;
- (c) permit the proposed project at 62 Finch Avenue West as a residential retirement home, with adequate on-site parking, together with an additional institutional use as a community-based, acquired brain injury rehabilitation centre and associated group home, with adequate off-site parking; and
- (d) ensure that the development at 62 Finch Avenue West will be residential in built form and will revert back to residential use as a retirement home if the aforesaid institutional use does not come to pass or is no longer viable;

THEREFORE BE IT RESOLVED THAT development application UDZ-98-28/UDSP-98-169 be approved subject to the following conditions:

- (1) The zoning by-law and site plan agreement, and associated undertakings, reflect and implement the intent of this resolution.
- (2) The R4 zoning be amended to RM1(____) for the 64-68 Finch Avenue West site and RM4(____) for the 62 Finch Avenue West and 8 Kensington Avenue site, substantively in accordance with the draft zoning by-law agreed upon by the applicant and ratepayer representatives attached hereto as “Exhibit AA – Draft

Zoning By-law”.

- (3) Staff refine the zoning by-law and site plan agreements in consultation with the applicant and ratepayer representatives prior to enactment of the by-law, reporting back to Community Council only if necessary.
- (4) Prior to enactment of the zoning by-law:
 - (a) The Director, Community Planning, North District shall have granted site plan approval.
 - (b) The conditions of the Technical Services Division, Works and Emergency Services, attached as Exhibit F to the staff report dated 25 January 2000, shall be fulfilled.
 - (c) The conditions of the Transportation Services Division, Works and Emergency Services, attached as Exhibit G to said staff report, shall be fulfilled, with the reference in condition (4) to an off-site lease agreement for “15 spaces” replaced with “at least 18 spaces”.
 - (d) The applicant obtain a variance to permit at least 18 off-site parking spaces at 72 Finch Avenue West (Danish Lutheran Church).
 - (e) The applicant be required to prepare and register on title a suitable reference plan showing the areas of each of the two sites, and relevant parts thereof, and all lands to be conveyed to the City of Toronto.

EXHIBIT "AA"

DRAFT ZONING BY-LAW

Authority: Report No. _____ Clause No. _____ , as enacted by Council on

Enacted by Council:

CITY OF TORONTO

Bill No. _____

BY-LAW No. _____

To amend By-law No. 7625 of the former City of North York
in respect of lands municipally known as
62 and 64-68 Finch Avenue West and 8 Kensington Avenue

WHEREAS authority is given to Council by Section 34 of the Planning Act, R.S.O. 1990, c.P.13, as amended, to pass this By-law; and

WHEREAS Council of the City of Toronto has provided adequate information to the public and has held at least one public meeting in accordance with the Planning Act;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Schedules "B" and "C" of By-law No. 7625 are amended in accordance with Schedule "1" of this By-law.
2. Section 64.16 of By-law No. 7625 is amended by adding the following subsection:

64.16(____) RM1(____)

“PERMITTED USES

- (a) The only permitted use shall be multiple attached dwellings.

EXCEPTION REGULATIONS

- (b) Gross Floor Area

The maximum gross floor area shall be 4650 m² of which no more than 2056 m² shall be on the area shown as Part B on Schedule RM1(____).

- (c) Building Height

The maximum height of buildings and structures shall be as shown on Schedule RM1(____) provided additionally that the height of any part of any building or structure shall not exceed 70% of the horizontal distance separating that part of the building or structure from the Relevant Residential Property Line shown on Schedule RM1(____).

- (d) Dwelling Units

The maximum number of dwelling units shall be 25.

- (e) Yard Setbacks

The minimum yard setbacks shall be as shown on Schedule RM1(____).

- (f) Lot Area

The minimum lot area shall be _____ m².

- (g) Lot Coverage

The maximum lot coverage of all buildings and structures shall be 45%.

- (h) Distance Between Buildings

The minimum distance between buildings shall be as shown on Schedule RM1(____).”

3. Schedule 64.16 is amended by the addition of Schedule RM1(____) attached hereto.
4. Section 64.19 of By-law No. 7625 is amended by adding the following subsection:
“64.19(____) RM4(____)

PERMITTED USES

- (a) The only permitted uses shall be:
 - (i) retirement home;
 - (ii) an acquired brain injury rehabilitation centre and associated group home operated by a provincially funded social agency offering residential accommodation and support services for persons who have suffered disabling head trauma in order to enable them to live as independently and productively as possible in the community; and
 - (iii) accessory office uses incidental to, subordinate to, and devoted exclusively to (i) or (ii).

DEFINITIONS

- (b) For purposes of this exception, “retirement home” shall mean an apartment house dwelling supplying accommodation for elderly persons, with a common dining area available to residents on a daily basis.

EXCEPTION REGULATIONS

- (c) Gross Floor Area

The maximum gross floor area shall be 1826 m².

- (d) Building Height

The maximum height of buildings and structures shall be as shown on Schedule RM4(____) provided additionally that the height of any part of any building or structure

shall not exceed 70% of the horizontal distance separating that part of the building or structure from the Relevant Residential Property Line shown on Schedule RM4(_____).

(e) Dwelling Units

The maximum number of dwelling units shall be 22.

(f) Yard Setbacks

The minimum yard setbacks shall be as shown on Schedule RM4(_____).

(g) Lot Area

The minimum lot area shall be _____m².

(h) Lot Coverage

The maximum lot coverage of all buildings and structures shall be 50%.

(i) Lot Frontage

The lot frontage shall be a minimum of 14 m.

(j) Minimum Distance

The provisions of section 15.6 shall not apply.

(k) Landscaping

The provisions of section 15.8 shall not apply.

(l) Parking Spaces

The minimum number of parking spaces shall be 12 on site if the building is used exclusively as a retirement home. Otherwise, the minimum number of parking spaces shall be 30, of which not less than 12 shall be on site and the remainder within 500 metres. A minimum of 4 on-site parking spaces shall be designated for visitors, one of which shall be a handicapped space.

(m) Group Home

The group home shall not be subject to the limitation on the number of group homes in the same neighbourhood or to the 300 metre proximity limit.”

5. Schedule 64.19 is amended by the addition of Schedule RM4(____) attached hereto.

ENACTED and PASSED this _____ day of _____, A.D. 2000.

Mayor

City Clerk

(Report No. 3 – Clause No. 28)

3.40 Final Report – Application for Official Plan and Zoning By-Law Amendment – UDOZ-99-43 – Baywood Homes – 53, 57 and 59 Sheppard Avenue West – North York Centre.

The North York Community Council had before it a report (January 27, 2000) from the Director of Community Planning, North District, Urban Development Services, providing comments on the Official Plan and Zoning By-law Amendment Application to permit a 7-storey mixed commercial-residential building containing offices and 38 residential units; and recommending that:

- (1) Official Plan and Zoning By-law Amendment Application No. 99-43 be refused in its current form.
- (2) Should this application be appealed to the Ontario Municipal Board, the City Solicitor and City staff be authorized to appear before the Ontario Municipal Board to defend the refusal of this application in its current form.

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

- Mr. Robert Derech, on behalf of the applicant, who spoke in opposition to the recommendations contained in the staff report. He advised that he had not received any negative comments from the area residents; and that in his opinion, the proposed development was appropriate in size and scope to act as a transition from the built-form to the east on Yonge Street and the stable residential neighbourhood to the west; and
 - Mr. John Romanov, on behalf of the applicant, who commented on the architectural aspects of the proposal.
- A. Councillor Filion, North York Centre, moved that it be recommended to City Council that the report (January 27, 2000) from the Director, Community Planning, North District, be adopted.

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

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

AGAINST: Nil

ABSENT: Councillors Augimeri, Berger, Chong, Shiner, King

Carried

(Councillor Shiner, Seneca Heights, declared his interest in the foregoing matter in that a member of his family owns a property in close proximity to the subject lands).

(Report No. 3 – Clause No. 29)

3.41 Further Report – Zoning Amendment Application UDZ-98-09 – Peter Roh – 85 Steeles Avenue East – North York Centre.

The North York Community Council had before it a report (January 25, 2000) from the Director of Community Planning, North District, Urban Development Services, requesting a decision on

an application to amend the zoning by-law for lands located at 85 Steeles Avenue East to permit an accounting business as a home occupation within an existing one-family detached dwelling; and recommending that Council make a decision on the application.

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

- Mr. Adam Brown, Brown Dryer Karol, Barrister and Solicitor, on behalf of the applicant who spoke on the merits of the application. During his submission, he indicated that the applicant would like to legalize the existing use in order to permit the accounting business which has a maximum gross floor area of 13 square metres, as a home occupation. He further indicated that the said use has not had an adverse impact on the surrounding neighbourhood;
 - Mr. Alasdair Robertson, on behalf of the Bayview Cummer Association, who spoke in opposition to the application. During his submission he stated that granting approval would set a precedent for similar requests. He further commented that such a use would have an impact on the traffic in the surrounding neighbourhood and a negative impact on property values; and
 - Mr. Tariq Saeed, who spoke in opposition to the application. In his opinion, it is inappropriate to allow a commercially zoned designation within a residential neighbourhood.
- A. Councillor Gardner, North York Centre, moved that:
- (1) the report (January 25, 2000) from the Director, Community Planning, North District, be received; and
 - (2) the report (November 18, 1998) from the Director, Community Planning, North District, not be adopted; and the application submitted by Peter Roh regarding Zoning Amendment Application UDZ-98-09, be refused.
- B. Councillor Filion, North York Centre, moved that the appropriate City Officials take whatever action necessary, including the hiring of an external planner to defend the City's position at the Ontario Municipal Board.

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

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

AGAINST: Nil

ABSENT: Councillors Li Preti, Augimeri, Chong, Shiner, King

Carried

(Report No. 3 – Clause No. 30)

3.42 O.M.B. Decision and Legal Proceedings Respecting 15 - 17 Lorraine Drive.

The North York Community Council had before it a confidential report (February 8, 2000) from the City Solicitor respecting the Ontario Municipal Board Decision and legal proceedings regarding 15 – 17 Lorraine Drive – North York Centre, which was forwarded to all Members of Council under separate cover.

The North York Community Council also had before it during consideration of this matter, the following communications:

- (February 1, 2000) from Mr. George Belza, on behalf of the Edithvale Yonge Residents' Association requesting an opportunity to address the Community Council, and further requesting that Council instruct the City Solicitor to continue and vigorously pursue the City's appeal of the Board's decision and support the Ratepayers' in their cross appeal by all available means;
- (February 8, 2000) from Mr. Murray H. Chusid, Blaney McMurtry, on behalf of Symphony Square Limited, requesting an opportunity to be listed as a deputation at the North York Community Council meeting in order to address any matters which Mr. Belza may comment on;
- (February 9, 2000) from Mr. Murray H. Chusid, Blaney McMurtry, forwarding a copy of a communication from Mr. Rodney L.K. Smith, of the firm of Blaney McMurtry, addressed to Mr. Stephen R. Bradley of the City's Legal Division;

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- (February 14, 2000) from Ms. Sharolyn Vettese, Chair, Yonge Street Area Ratepayer Associations, clarifying that YSARA's decision not to proceed to the Divisional Court does not diminish their support for the Edithvale Yonge Residents' Association decision to do so; and
- (February 15, 2000) from Mr. William deBacker, President, Edithvale-Yonge Community Association, expressing his opposition to the Ontario Municipal Board's decision.

Prior to considering this matter in camera, the North York Community Council heard deputations from the following persons:

- Mr. George Belza, on behalf of the Edithvale-Yonge Community Association; and
- Mr. Murray Chusid, Barrister and Solicitor, on behalf of Symphony Square.

Councillor M. Feldman, moved that the North York Community Council meet privately to discuss the matter respecting the Ontario Municipal Board Decision and Legal Proceedings – 15-17 Lorraine Drive – North York Centre, having regard that the subject matter relates to the receiving of advice under solicitor-client privilege, including communications necessary for that purpose; and litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board, in accordance with the Municipal Act, which was carried.

Upon returning into public session, Councillor Filion, North York Centre, advised that he wished to present motions and the Chair ruled that the motions could not be presented and the matter would be forwarded to City Council without a recommendation.

The ruling of the Chair was challenged and upheld.

A recorded vote on upholding the ruling of the Chair was as follows:

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

AGAINST: Councillors Mammoliti, Moscoe, Flint, Filion

ABSENT: Councillors Augimeri, Chong, King

Carried.

The North York Community Council submitted this matter without recommendation to City Council and recommended that, in accordance with the Municipal Act, discussions pertaining to this Clause be held in camera, having regard that the subject matter relates to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

(Report No. 3 – Clause No. 31)

3.43 Public Meeting Respecting Solid Waste Management Service Level Changes in the North York Community.

As directed by the North York Community Council, at its meeting held on November 9, 1999, appropriate notice of this public meeting was given.

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

- Report (February 9, 2000) from the General Manager, Solid Waste Management Services, providing information on how the twice per week summer time garbage collection schedule will be communicated to North York residents, and recommending that the report be received for information.
- Clause No. 30(d) of the North York Community Council Report No. 10, titled “Solid Waste Management Service Level Changes in the North York Community, which was received for information by the Council of the City of Toronto at its meeting held on November 23, 24 and 25, 1999.
- Communication (February 11, 2000) from Ms. Susan Hope, in support of returning to weekly recycling pick-up;
- Communication (February 14, 2000) from Helen and Robert Hansen, expressing their endorsement for the present practice of collecting garbage once a week and recyclables once every two weeks;
- Communication (undated) from Mr. Barry McMonagle, President, Bayview Willowdale Homeowner’s Association Inc., in support of returning to twice a week summer garbage collection and weekly recycling pick-up; and

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- Communication (February 15, 2000) from Sandy Cooper, in support of returning to once a week recycling collection.

A staff presentation was made by Mr. Angelos Bacopoulos, General Manager, Solid Waste Management Services.

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

- Mr. Barry McMonagle, on behalf of the Willowdale Homeowner's Association Inc.;
- Mr. Garry Rose, on behalf of York Condominium Corporation No. 64; and
- Mr. Atillio Didiano, President, on behalf of the Jane-Finch South Homeowners' Association.

A. Councillor Flint, North York Centre South, moved that it be recommended to the Works Committee that:

- (1) the City's goal be a clean City; to be achieved through excellent service to residents and customers;
- (2) residents and customers be enlisted to co-operate by placing garbage, yard waste and recyclables out for pick up only on designated days and encouraged to not litter the parks and boulevards;
- (3) "same day service" for the pick up of garbage, trash, yard waste and recyclables in residential areas be implemented, wherever possible;
- (4) provisions be made in the 2000 Operating Budget for once-a-week recycling pick-up in residential areas;

B. Councillor Flint, North York Centre South, moved that it be recommended to the Works Committee that there be no limit on the number of bags/pails of garbage for pick-up in residential areas.

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

- (1) the Chief Financial Officer and Treasurer submit a report on the levying of default in payment of garbage collection charges against the property owners

through the addition of these collection charges on the property tax bill;

- (2) it be recommended to the Works Committee, that on an interim basis, the City of Toronto, introduce a residential street clean-up component to the flowerpot collection program;
 - (3) the Commissioner of Works and Emergency Services be requested to submit a report on how each collection system works for each ward in the former City of North York area; that such report include a map of the route for residential garbage collection, litter pick-up and other collection services; and also include the weekly schedule; and
 - (4) the Commissioner of Works and Emergency Services provide each Councillor with a series of names and phone numbers to call for the purpose of reporting complaints during and after business hours.
- D. Councillor LiPreti, Black Creek, moved that Chief Financial Officer submit a report to all Community Councils regarding unpaid invoices for garbage collection charges and how staff will proceed in collecting these charges.
- E. Councillor Minnan-Wong, Don Parkway, moved that the requested reports recommended by Councillor Moscoe and Councillor LiPreti be a joint report from the Chief Financial Officer and Treasurer to all Community Councils.
- F. Councillor Shiner, Seneca Heights, moved that it be recommended directly to City Council that the waste collection on Wild Briarway be returned to single point collection until such time as the working group dealing with Flower Pot collection forwards its recommendations to the Works Committee.

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

Upon the question of the adoption of motion B., moved by Councillor Flint, it was lost.

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

Upon the question of the adoption of motion D., moved by Councillor LiPreti, it was carried.

Upon the question of the adoption of motion E., moved by Councillor Minnan-Wong, it was

carried.

Upon the question of the adoption of motion F., moved by Councillor Shiner, it was carried.

(Report No. 3 – Clause No. 35(l))

3.44 Presentation of Black History Month Poster.

Mr. Samuel Wilkes made a verbal presentation to the North York Community Council and introduced Ms. Teresa Valadares, creator of the poster for Black History Month.

The North York Community Council received a commemorative framed poster, in recognition of Black History Month, from Mr. Samuel Wilkes, Member, Toronto Committee on Community, Race and Ethnic Relations (North York Division).

(Report No. 3 – Clause No. 35(m))

3.45 Eastbound Right Turn Restrictions at Wilson Avenue and Lady York Avenue – North York Spadina.

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

“WHEREAS eastbound right turns on Wilson Avenue and Lady York Avenue are currently prohibited from 4:00 p.m. to 6:00 p.m. (except Saturdays, Sundays and Public Highways); and

WHEREAS a significant number of afternoon peak hour eastbound right turns at this intersection are related to employees of the Bombardier (deHavilland) factory, who by-pass the signalized intersection of Wilson Avenue and Dufferin Street; and

WHEREAS the daytime shift at the Bombardier (deHavilland) factory ends at 3:30 p.m. and therefore the current right turn restrictions do not control this traffic from infiltrating the community to the south of Wilson Avenue;

THEREFORE BE IT RESOLVED that the current eastbound right turn restrictions at Wilson

Avenue and Lady York Avenue be modified to be in effect from 3:30 p.m. to 6:00 p.m. (except Saturdays, Sundays and Public Holidays”.

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

(Report No. 3 – Clause No. 32)

3.46 Planning a Barrier Free City of Toronto – A Statement of Planning Principles.

The North York Community Council had before it a communication (January 25, 2000) from Councillor Elizabeth Brown, Rexdale – Thistletown, forwarding the report headed “Planning A Barrier Free City of Toronto – A Statement of Planning Principles”, which was endorsed by the Etobicoke Community Council on January 20, 2000 and requesting North York Community Council’s endorsement of same and to advise the Commissioner of Urban Development Services accordingly.

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

A. Councillor Shiner, Seneca Heights, moved that:

- (1) consideration of the communication (January 25, 2000) from Councillor Elizabeth Brown, Rexdale – Thistletown forwarding the report headed “Planning A Barrier Free City of Toronto – A Statement of Planning Principles” be deferred to the next meeting scheduled for March 23, 2000;
- (2) the Director, Community Planning, North District, be requested to submit a report to the North York Community Council for its meeting scheduled for March 23, 2000, commenting on the analysis of the aforementioned report along with the current Barrier Free Access Guidelines adopted by the former City of North York Council and identifying the best of both documents to further enhance barrier free access in the City of Toronto; and
- (3) Councillor Elizabeth Brown, Rexdale-Thistletown, be so advised.

- C. Councillor Moscoe, North York Spadina, moved that the report headed, “Planning A Barrier Free City of Toronto – A Statement of Planning Principles” be referred to the Toronto Transit Commission for comment thereon to the Commissioner of Urban Development Services.

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

(Report No. 3 – Clause No. 35(n))

3.47 Ontario Municipal Board Decision – 5 Stayner Avenue – North York Spadina.

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

“WHEREAS the owner of 5 Stayner Avenue received relief from the North York zoning by-law from the Ontario Municipal Board with conditions; and

WHEREAS the owner has failed to comply with the conditions of the Ontario Municipal Board’s approval; and

WHEREAS the owner of 5 Stayner had made a further application to the Committee of Adjustment on February 4, 2000 seeking relief from the by-law to in effect nullify the Ontario Municipal Board conditions; and

WHEREAS at the Committee of Adjustment hearing the owner withdrew his application by refusing to proceed with the hearing; and

WHEREAS the Committee of Adjustment closed the file.

THEREFORE BE IT RESOLVED that the City of Toronto Municipal Licensing and Standards Division, Fire Services Division, Legal Division and Buildings Division take all necessary measures to ensure that the property at 5 Stayner Avenue complies with all applicable law including the Ontario Municipal Board Decision.”

On motion by Councillor Moscoe, North York Spadina, the North York Community Council, in accordance with Subsection 121(b), waived the requirement that the

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supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

- A. Councillor Moscoe, North York Spadina, moved that it be recommended to City Council that the foregoing Resolution be adopted.

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

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

AGAINST: Nil

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

Carried

(Report No. 3 – Clause No. 33)

The North York Community Council adjourned its meeting at 10:30 p.m., Tuesday, February 15, 2000.

Chair.