

THE CITY OF TORONTO

Clerk's Department

Minutes of the Meeting of the North York Community Council

Tuesday, May 2, 2000.

The North York Community Council met on Tuesday, May 2, 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 12:30 p.m.	2:10 p.m. to 6:00 p.m.	8:00 p.m. to 10:00 p.m.
Councillor Feldman, Chair	x	x	
Councillor Augimeri	x	x	x
Councillor Berger	x	x	
Councillor Chong	x	x	
Councillor Filion	x	x	
Councillor Flint	x	x	x
Councillor Gardner	x	x	
Councillor King	x	x	x
Councillor Li Preti	x	x	x
Councillor Mammoliti	x	x	x
Councillor Minnan-Wong	x	x	
Councillor Moscoe	x	x	x
Councillor Shiner	x	x	x
Councillor Valenti	x	x	

Confirmation of Minutes:

On motion by Councillor Gardner, North York Centre, the minutes of the meeting of the North York Community Council held on March 23, 2000, were confirmed.

6.1 Tree Protection Zone Reduction Request – 540 Bedford Park Avenue – North York Centre South.

The North York Community Council had before it a report (April 3, 2000) from the Commissioner of Economic Development, Culture and Tourism, providing information regarding an appeal to the Community Council from the owner of the above address to permit the reduction of the Tree Protection Zone for the 92 cm City owned Silver Maple tree on the lawn in front of their house to allow for the installation of a double driveway; and recommending that the request to reduce the tree protection area be refused.

Mr. Issac Michaelov, appeared before the North York Community Council in connection with the foregoing matter, on behalf of the applicant and he outlined the reasons for requesting a reduction in the Tree Protection Zone. He also filed a tree consultant's report (May 1, 2000) from Bostock Tree Service, indicating that if certain conditions and recommendations are followed, as outlined therein, the City-owned Silver Maple tree would not be significantly damaged.

On motion by Councillor King, Seneca Heights, the North York Community Council recommended to City Council, the adoption of the foregoing report.

(Report No. 6 – Clause No. 1)

6.2 Tree Removal Request – 216 Alfred Avenue – North York Centre.

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

North York Community Council Minutes
Tuesday, May 2, 2000

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

- A. Councillor Filion, North York Centre, moved that the staff report be adopted.
- B. Councillor Gardner, North York Centre, moved that the request to remove the City tree be approved subject to another tree being planted elsewhere on the site, satisfactory to the Supervisor, Urban Forestry.
- C. Councillor Mammoliti, North York Humber, moved that the Commissioner of Economic Development, Culture and Tourism, explore the feasibility of creating a policy respecting reimbursement to property owners who have suffered damages as a result of City trees, and that a report thereon be submitted to the North York Community Council for consideration at a future meeting.
- D. Councillor Gardner, North York Centre, moved that the North York Community Council defer consideration of the foregoing report to its next meeting scheduled for May 23, 2000 to allow the Ward Councillors an opportunity to meet with the applicant and the Supervisor, Urban Forestry, Planning and Protection, to further consider the tree removal request.

Motion C., moved by Councillor Mammoliti, North York Humber, was ruled out of order by the Chair.

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

FOR: Councillors Moscoe, Feldman, Filion, King

AGAINST: Councillors Mammoliti, Valenti, Gardner, Chong

ABSENT: Councillors Li Preti, Augimeri, Berger, Flint, Minnan-Wong, Shiner.

Lost

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

FOR: Councillors Mammoliti, Valenti, Gardner, Chong

North York Community Council Minutes
Tuesday, May 2, 2000

AGAINST: Councillors Moscoe, Feldman, Filion, King

ABSENT: Councillors Li Preti, Augimeri, Berger, Flint, Minnan-Wong, Shiner

Lost

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

FOR: Councillors Mammoliti, Feldman, Gardner, King, Valenti, Chong

AGAINST: Councillors Moscoe, Filion

ABSENT: Councillors LiPreti, Augimeri, Berger, Flint, Minnan-Wong, Shiner

Carried.

(Report No. 6 – Clause No. 28(a))

6.3 Tree Removal Request – 130 Grey Road – North York Centre South.

The North York Community Council had before it a report (April 3, 2000) from the Commissioner of Economic Development, Culture and Tourism, providing information regarding an appeal to the Community Council from the owner of the above address to permit the removal of a City owned 33 cm White Spruce tree from the lawn in front of their house; and recommending that this request to remove the City tree be refused.

Mr. Maayan Leshem appeared before the North York Community Council in connection with the foregoing matter.

A. Councillor King, Seneca Heights, moved that the staff report be adopted.

B. Councillor Mammoliti, North York Humber, moved that it be recommended to City Council that:

- (1) the report (April 3, 2000) from the Commissioner, Economic Development, Culture and Tourism, not be adopted; and

North York Community Council Minutes
Tuesday, May 2, 2000

- (2) the request to remove the City-owned tree be approved on the condition that the resident reimburse the City for the amenity value of the tree plus the removal cost totalling \$2,215.00

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

FOR: Councillors Moscoe, Filion, King

AGAINST: Councillors Mammoliti, Valenti, Berger, Feldman, Gardner, Chong

ABSENT: Councillors Li Preti, Augimeri, Flint, Minnan-Wong, Shiner

Lost

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

FOR: Councillors Mammoliti, Valenti, Berger, Feldman, Gardner, Chong

AGAINST: Councillors Moscoe, Filion, King

ABSENT: Councillors Li Preti, Augimeri, Flint, Minnan-Wong, Shiner

Carried

(Report No. 6 – Clause No. 2)

6.4 Tree Removal Request – 548 Brookdale Avenue – North York Centre South.

The North York Community Council had before it a report (April 3, 2000) from the Commissioner of Economic Development, Culture and Tourism, providing information regarding an appeal to the Community Council from the owner of the above address to permit the removal of a City owned 50 cm Colorado Spruce tree from the lawn in front of their house; and recommending that this request to remove the City tree be refused.

On motion by Councillor Mammoliti, North York Humber, the North York Community Council recommended to City Council that:

North York Community Council Minutes
Tuesday, May 2, 2000

- (1) the report (April 3, 2000) from the Commissioner, Economic Development, Culture and Tourism, not be adopted; and
- (2) the request to remove the City-owned tree be approved, conditional upon the applicant paying the amenity value of the tree and the removal costs totalling \$4,378.00; and conditional upon the provision of a replacement tree to the satisfaction of the Supervisor, Urban Forestry, Planning and Protection.

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

FOR: Councillors Mammoliti, Valenti, Berger, Feldman, Gardner, Chong, Minnan-Wong

AGAINST: Councillors Moscoe, Filion, King

ABSENT: Councillors Li Preti, Augimeri, Flint, Shiner

Carried

(Report No. 6 – Clause No. 3)

6.5 Traffic Calming – Donwoods Drive – North York Centre South.

The North York Community Council had before it a report (November 15, 1999) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request from residents of Donwoods Drive for traffic calming measures and recommending that traffic calming, in the form of speed humps, not be installed on Donwoods Drive.

The North York Community Council also had before it a report (April 18, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services recommending that:

- (1) The Neighbourhood Traffic Management Plan, as described in this report, be approved for a test period of six months;

North York Community Council Minutes
Tuesday, May 2, 2000

- (2) By-law No. 31878, of the former City of North York, be amended to introduce a 40 km/h speed zone on Donwoods Drive, from the westerly limit of Yonge Street to the westerly limit of Donino Avenue; and
- (3) 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 Donwoods Drive and Ivor Road.

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

- Mr. Tim Sheers;
- Ms. Alessandra Morassutti, on behalf of the Donwoods Drive Street Traffic Committee;
- Ms. Jan Kosik;
- Ms. Susan Coen;
- Mr. Don Warrington;
- Ms. Lillian Sone; and
- Mr. Andrew Lipchak, on behalf of the York Mills Valley Association.

On motion by Councillor Flint, North York Centre South, the North York Community Council recommended to City Council, that the report (April 18, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services be adopted.

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

FOR: Councillors Mammoliti, Moscoe, Augimeri, Berger, Feldman, Flint, Gardner, Chong, King

AGAINST: Councillors Filion, Minnan-Wong, Shiner

ABSENT: Councillors Valenti, Li Preti,

Carried.

(Report No. 6 – Clause No. 4)

6.6 Proposed Illuminated Double-Sided Ground Sign – Third Party Advertising – Undeveloped Lot – 1460 Victoria Park Avenue – Don Parkway.

The North York Community Council had before it a report (March 1, 2000) from the Director and Deputy Chief Building Official, reporting on a request for a variance from the Sign By-law to permit the erection of a 200 square foot illuminated double-sided, third party advertising ground sign on an undeveloped lot and recommending that the request be refused.

Ms. Grace Chan appeared before the North York Community Council, in connection with the foregoing matter.

On motion by Councillor Chong, Don Parkway, the North York Community Council deferred consideration of the foregoing report to its next meeting scheduled for May 23, 2000, in order to allow the Director and Deputy Chief Building Official an opportunity to review and submit further comments on the revised plan filed by the applicant respecting the proposed illuminated double-sided ground sign.

(Report No. 6 – Clause No. 28(b))

6.7 Request for Exemption to Noise By-Law No. 31317 – 4950 Yonge Street – Madison Centre Renovations – North York Centre.

The North York Community Council had before it a report (March 3, 2000) from the North District Manager, Municipal Licensing and Standards, Urban Development Services, reporting on an application (February 24th, 2000) received from Mark McLaren, P. Eng. and Project Manager for Bird Construction requesting an exemption to the North York Noise By-Law # 31317, as amended, to permit construction to continue between the hours of 7:00 P.M. and 9:00 P.M., Monday through Fridays, until May 31, 2000 and recommending that this application be approved subject to:

- (1) The request for an exemption from the North York Noise By-Law be approved for a period not beyond May 31st, 2000; and
- (2) The posting of names of responsible individuals on site with telephone numbers that will be answered during the construction periods in the event of a noise complaint. This information is also to be provided to the District Manager, Municipal Licensing and Standards at 395-7015; and

North York Community Council Minutes
Tuesday, May 2, 2000

- (3) That in the event Bird Construction receives construction noise complaints, they are to implement noise mitigation measures or cease the construction activity creating the excessive noise.

The North York Community Council also had before it a communication (May 1, 2000) from M.A. McLaren, Project Manager, Bird Construction Company, withdrawing their request for an exemption to the Noise By-law 31317.

On motion by Councillor Gardner, North York Centre, the North York Community Council received the foregoing report having regard that the subject request for Exemption to Noise By-law No. 31317 was withdrawn, at the request of the applicant.

(Report No. 6 – Clause No. 28(c))

6.8 All Way Stop Control – Clyde Avenue at Joicey Boulevard – North York Centre South.

The North York Community Council had before it a report (April 17, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the feasibility of installing an all-way stop control at the intersection of Joicey Boulevard and Clyde Avenue and recommending that an all way stop control not be installed at the intersection of Joicey Boulevard and Clyde Avenue.

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

- (1) the report (April 17, 2000) from the Director, Transportation Services, District 3, not be adopted; and
- (2) an all-way stop control be installed at the intersection of Joicey Boulevard and Clyde Avenue.

(Report No. 6 – Clause No. 5)

6.9 Presentation to the Heart Health Community Award Recipients.

Councillor Filion welcomed the following recipients of the Heart Health Community Awards who were nominated by their colleagues and chosen for their contribution towards people adopting a healthy lifestyle:

Viggo Zingenberg, Restaurateur;
Alberto Cesario, Cittadelle Café, Centennial Arena;
Luisa Ormiston, Principal, Brookhaven Public School;
Rick Hatzeloffer, Head of Physical Education, Georges Vanier Secondary School;
Sharon Allen, Macauley Child Development Centre;
Michael O'Brien, Sears Canada Incorporated;
Jackie Hutchinson, staff nurse, Sunnybrook and Women's College Health Sciences;
Evelyn Hietala, The Culinary Arts Committee of the North York Seniors' Centre;
The Donway Baptist Church, St. Mark's United Church and Church of Ascension Anglican Church

Councillor Feldman, on behalf of the Members of the North York Community Council, congratulated the winners and presented them with the Heart Health Community Award.

(Report No. 6 – Clause No. 28(d))

6.10 Request for Exemption to Noise By-Law No. 31317 – Valcoustics Canada Limited – Highway 401 – Hogg's Hollow Infill Structure – North York Centre South.

The North York Community Council had before it a report (April 11, 2000) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, reporting on an application for an exemption to the former City of North York's Noise By-Law # 31317, to permit an exemption from August to November 2000 so that the Highway 401 Strategic Rehabilitation work on the Hogg's Hollow structures west of Yonge Street can proceed and to provide temporary traffic lanes within the core to maintain the total number of lanes and capacity of Highway 401 during the overall project; and recommending that the application be approved as the construction of an infill structure joining the westbound and eastbound core of Highway 401 Hogg's Hollow structures, and the replacement of highway illumination facilities is on the critical path of the Strategic Rehabilitation Program for Highway 401.

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

(Report No. 6 – Clause No. 6)

6.11 Request for Exemption to Noise By-Law No. 31317 – Sheppard Subway – North York Centre and Seneca Heights.

The North York Community Council had before it Clause No. 33 of the North York Community Council Report No. 5, titled “Request for Exemption to Noise By-law No. 31317 – Sheppard Subway – North York Centre and Seneca Heights, which was adopted by the Council of the City of Toronto at its meeting held on April 11, 12 and 13, 2000.

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

- report (March 14, 2000) from the Manager, North District, Municipal Licensing and Standards and Court Services, reporting on an application for an extension to the most recent Exemption from the Noise By-law which will expire on April 1, 2000. This application seeks an exemption from April 1, 2000 to September 30, 2000. The purpose for the request is so that work can proceed on the Yonge, Bayview, Bessarion, and Don Mills Subway Stations and recommending that in view of the responsible management of the construction activities to date, that the application be approved; and
- communication (April 20, 2000) from Mr. Richard C. Ducharme, Chief General Manager, Toronto Transit Commission, outlining the need for ongoing renewal for the exemption, and a copy thereof is on file in the office of the City Clerk, North York Civic Centre.

On motion by Councillor Shiner, Seneca Heights, the North York Community Council recommended to City Council that:

- (1) the balance of the request for an extension to the most recent exemption from Noise By-law 31317; (from May 12, 2000 to September 2000), outlined in the report dated March 14, 2000 from the Manager, North District, Municipal Licensing and Standards and Court Services, embodied in Clause No. 33 of the North York Community Council Report No. 5, be approved; and

- (2) the Toronto Transit Commission be requested to advise the Local Councillors one week in advance of proposed extended work hours and proposed road closings; such work proceeding weather permitting.

(Report No. 6 – Report No. 7)

6.12 Appeal of Interim Control By-Law No. 33016 and Site Plan Referral – 1016338 Ontario Limited – 3000 Islington Avenue (former City of North York) – North York Humber.

The North York Community Council had before it a report (March 24, 2000) from the City Solicitor, advising of the outcome of the Ontario Municipal Board appeals with respect to 3000 Islington Avenue and recommending that this report be received for information.

- A. Councillor Mammoliti, North York Humber, moved that the North York Community Council refer the following Resolution from Councillor Mammoliti, North York Humber, to the Policy and Finance Committee:

“WHEREAS the Ontario Municipal Board has written a reply to the appeal, 3000 Islington Avenue which states the appellant withdrew their case “at the eleventh hour”; and

WHEREAS the Ontario Municipal Board found that the local Councillor’s office had “legitimate expenses”, from this case and directed the Councillor’s office to incur further expenses; and

WHEREAS the Ontario Municipal Board ordered costs of the appellant in the amount of \$5,000.00 to the City of Toronto; and

WHEREAS local Councillor George Mammoliti (North York) incurred meeting, mailing and lobbying costs from 1997 – 2000, which pertain directly to this case being deducted from the local office budget; and

WHEREAS the costs associated from the office of Councillor George Mammoliti amounted to \$3,500.00 from the issue;

THEREFORE BE IT RESOLVED THAT an amount of \$3,500.00 be allocated from the payable amount to cover a reasonable portion of these costs; and

13
North York Community Council Minutes
Tuesday, May 2, 2000

BE IT FURTHER RESOLVED THAT this amount of \$3,500.00 be credited towards the 1999 office budget of Councillor Mammoliti.”

- B. Councillor Mammoliti, North York Humber, moved that it be recommended to City Council, that the following Resolution from Councillor Mammoliti, North York Humber, be adopted:

“WHEREAS the community of Humber Summit has notified the local Councillor of issues which pertain to site plan for lands respecting 3000 Islington Avenue;

WHEREAS the Ontario Municipal Board has written a reply to the appeal, 3000 Islington Avenue, which states the appellant withdrew their case ‘at the eleventh hour’; and

WHEREAS the community of Humber Summit should be properly notified of the City’s position on this important issue;

THEREFORE BE IT RESOLVED THAT the City’s Building Department immediately conduct an information Public Meeting prior to May 10, 2000, at an appropriate site within the Humber Summit Sub-Centre to inform the public of the current zoning and building situation of 3000 Islington Avenue; and

BE IT FURTHER RESOLVED THAT the City’s Building Department conduct additional meetings on this issue when necessary.”

- C. Councillor Mammoliti, North York Humber, moved that it be recommended to City Council that the following Resolution from Councillor Mammoliti, North York Humber be adopted:

“WHEREAS the City of Toronto has designated the surrounding area along Islington Avenue as an economic sub-centre called the Humber Summit Sub-Centre; and

WHEREAS the greatest proportion of the Humber Summit Sub-Centre is located along Islington Avenue from Steeles Avenue West to Vanhill Avenue; and

North York Community Council Minutes
Tuesday, May 2, 2000

WHEREAS there is currently business operation in this sub-centre that is not legally complying with the City's commercial and Sub-Centre zoning designation; and

WHEREAS the community has notified the local Councillor regarding issues which pertain to the esthetic nature of the boulevards; and

WHEREAS the boulevard portions of the area along Islington Avenue are in need of a face-lift;

THEREFORE BE IT RESOLVED THAT the Director, Community Planning, North District, in consultation with the Director, Transportation Services, District 3, report back to the North York Community Council regarding the grassy boulevards (paved and non-paved) along Islington Avenue; and

BE IT FURTHER RESOLVED THAT the Director of Community Planning, North District, in consultation with the Director, Transportation Services, District 3, report back to the North York Community Council on the recommendations to design, implement and provide a face-lift to the boulevard portions along Islington Avenue between Steeles Avenue West and Vanhill Avenue, and within the Humber Summit Sub-Centre.”

- D. Councillor Mammoliti, North York Humber, moved that it be recommended to City Council the report (March 24, 2000) from the City Solicitor be adopted;
- E. Councillor Moscoe, North York Spadina, moved that the Director, Corporate Access and Privacy and the Director, Municipal Licensing and Standards Division, be requested to release the names of the Board of Directors of 1016338 Ontario Limited.
- F. Councillor Mammoliti, North York Humber, moved that:
- (1) the Director, Corporate Access and Privacy and the Director, Municipal Licensing and Standards and Court Services, be requested to release all other relevant information, including the corporate profile and the letter from the Director, Corporate Access and Privacy, advising that information pertaining to 1016338 Ontario Limited not be distributed to Members of Council; and

15
North York Community Council Minutes
Tuesday, May 2, 2000

- (2) the City Clerk be requested to prepare all required documentation which may be requested by the Director, Corporate Access and Privacy.

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

(Report No. 6 – Clause No. 8)

6.13 Special Occasion Liquor License Permit Request for Community Event – Armenian Community Centre Summer Fest 2000 – 45 Hallcrown Place – Seneca Heights.

The North York Community Council had before it a communication (April 10, 2000) from Ani Tuysusian, Manager, Armenian Community Centre, requesting a special occasion liquor license permit for the Armenian Community Centre Summer Fest to be held on the following dates:

Friday, July 14, 2000	5:00 p.m. to 2:00 a.m.
Saturday, July 15, 2000	4:00 p.m. to 2:00 a.m.
Sunday, July 16, 2000	5:00 p.m. to 12:00 p.m.

The North York Community Council recommended to City Council that the Summer Fest 2000 being held by the Armenian Community Centre, be declared a community festival event.

(Report No. 6 – Clause No. 9)

6.14 Special Occasion Beer Garden Permit Request for Community Event – Feast of Our Patron St. Roch – North York Humber.

The North York Community Council had before it a communication (April 11, 2000) from Father Mario Cafarelli, Pastor and Mr. Patrick J. Rodrigues, Treasurer, Feast Committee, requesting a special occasion beer garden permit for the Feast of Our Patron St. Roch festival to be held on Sunday, August 13, 2000 – 5:00 p.m. to 11:30 p.m.

The North York Community Council recommended to City Council that the Feast of our Patron St. Roch being held by St. Roch's Parish community be declared a community festival event.

(Report No. 6 – Clause No. 10)

6.15 Special Occasion Liquor License Permit – Mel Lastman Square – Caribbean Musical Expo 2000, c/o Caribbean Concert Promotions – North York Centre.

The North York Community Council had before it a communication (April 19, 2000) from Councillor Norman Gardner – North York Centre, requesting endorsement of Caribbean Musical Expo 2000, c/o Caribbean Concert Promotions to seek Special Occasions Permit authorising the sale of alcohol on Mel Lastman Square on May 20 to May 22, 2000 and recommending that the North York Community Council endorse Caribbean Musical Expo 2000, c/o Caribbean Concert Promotions who have registered with Toronto Special Events and have met the appropriate criteria to seek a Special Occasion Permit to sell alcohol on Mel Lastman Square during the year 2000.

- A. Councillor Berger, North York Centre South, moved that the request be approved conditional upon a deposit being provided for the purposes of cleaning Mel Lastman Square after the event.
- B. Councillor Gardner, North York Centre, moved that the North York Community Council recommend to City Council that Caribbean Musical Expo 2000 be declared a community festival event.
- C. Councillor Flint, North York Centre South, moved that the Director, Special Events Division, Economic Development, Culture and Tourism be requested to submit a report to the next meeting of the North York Community Council scheduled for May 23, 2000 on:
 - (a) the cost of cleaning up Mel Lastman Square after major festivals;
 - (b) judging by past experience, how long the clean-up has taken; how many people have been brought in especially to help with the clean-up;
 - (c) what fees have been charged back to the festival operators; and
 - (d) the policy of other Civic Centres respecting the clean-up of the Civic Squares.

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

Upon the question of the adoption of Motion C., moved by Councillor Flint, North York Centre South, it was carried.

Having regard for the foregoing decision of the North York Community Council, Motion A., moved by Councillor Berger, was noted voted upon.

(Report No. 6 – Clause No. 11)

6.16 Parking Prohibitions – Beffort Road and Hanover Road – North York Spadina.

The North York Community Council had before it a report (March 6, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that:

- (1) Schedule VIII of By-law No. 31001 of the former City of North York, be amended to prohibit parking at anytime on both sides of Hanover Road, between the westerly limit of Hanover Road and the northerly limit of Beffort Road; and
- (2) Schedule VIII of By-law No. 31001 of the former City of North York, be amended to prohibit parking at anytime on both sides of Beffort Road, between the northerly limit of Katherine Road and the southerly limit of Hanover Road.

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

(Report No. 6 – Clause No. 12)

6.17 Parking Prohibitions – Hounslow Avenue – North York Centre.

The North York Community Council had before it a report (April 14, 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 8:00 a.m. and 6:00 p.m., Monday to Friday, on both sides of Hounslow Avenue, from a point 70 metres north/west of Horsham Avenue to Basswood Road.

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

(Report No. 6 – Clause No. 13)

6.18 Stopping Prohibitions – Kenneth Avenue – North York Centre.

The North York Community Council had before it a report (April 13, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that Schedules VIII and IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping at anytime on the east side of Kenneth Avenue, from a point 110 metres north of Sheppard Avenue East to a point 180 metres north of Sheppard Avenue East.

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

(Report No. 6 – Clause No. 14)

6.19 Parking Prohibitions – Yorkview Drive Adjacent to Yorkview Public School – North York Centre.

The North York Community Council had before it a report (April 13, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that:

- (1) By-law No. 30358, of the former City of North York, be amended to delete the school bus loading zone on the north side of Yorkview Drive, adjacent to Yorkview Public School; and
- (2) Schedules VIII and IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping on the south side of Yorkview Drive and parking on the north side of Yorkview Drive, adjacent to Yorkview Public School.

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

(Report No. 6 – Clause No. 15)

6.20 Neighbourhood Traffic Management Plan – Brooke Avenue, Avenue Road to Clyde Avenue – North York Centre South.

The North York Community Council had before it a report (April 14, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that:

19
North York Community Council Minutes
Tuesday, May 2, 2000

- (1) Three speed humps be installed on Brooke Avenue in the vicinity of 251, 261 and 279 Brooke Avenue, for a six month trial period; and
- (2) By-law No. 31878, of the former City of North York be amended to designate Brooke Avenue, from the westerly limit of Avenue Road to the easterly limit of Clyde Avenue as a 40 km/h zone.

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

(Report No. 6 – Clause No. 16)

6.21 Parking Prohibitions – Estelle Avenue Adjacent to the Hollywood Public School – North York Centre.

The North York Community Council had before it a report (April 14, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that Schedules VIII and X of By-law No. 31001, of the former City of North York, be amended to permit 15 minute parking on the west side of Estelle Avenue, adjacent to the Hollywood Public School.

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

(Report No. 6 – Clause No. 17)

6.22 Temporary Road Closure – Mildenhall Road and Cheltenham Avenue – North York Centre South.

The North York Community Council had before it a report (April 14, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that:

- (1) By enactment of a confirmatory By-law adopting this report, Mildenhall Road, between Rochester and Buckingham Avenues, and Cheltenham Avenue, between St. Ives Crescent and Mildenhall Road, be closed temporary on Saturday, June 3, from 7:30 a.m. to 10:00 p.m., subject to the applicant's compliance with procedural By-law 27433 of the former City of North York; and

- (2) During the temporary closure, there shall be no use of the closed road for vehicular traffic except under the authority of a permit issued by the Commissioner of Works and Emergency Services, Toronto Police Services, Toronto Fire Services and Ambulance Services.

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

(Report No. 6 – Clause No. 18)

6.23 Traffic Calming Measures and Southbound Right Turn Designation – Shaughnessy Boulevard, North and South of Sheppard Avenue East – Seneca Heights.

The North York Community Council had before it a report (April 14, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that:

- (1) the Neighbourhood Traffic Management Plan as described in the foregoing report, be constructed on Shaughnessy Boulevard, south of Sheppard Avenue East;
- (2) the southbound curb lane on Shaughnessy Boulevard, between Sheppard Avenue East and a point 30.5 metres north thereof, be designated for right turns only; and
- (3) the appropriate by-laws are enacted accordingly.

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

(Report No. 6 – Clause No. 19)

6.24 Two Way Traffic Operations – Neptune Drive Between Bathurst Street and Hotspur Road.

The North York Community Council had before it a report (April 14, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that Schedule XII of By-law No. 31001, of the former City of North York, be amended to delete the one way designation of Neptune Drive, between Bathurst Street and Hotspur Road.

21
North York Community Council Minutes
Tuesday, May 2, 2000

The North York Community Council also had before it a communication (May 1, 2000) from Mr. Louis Greenbaum, Associated Hebrew Schools of Toronto, requesting a deferral to the next meeting of the North York Community Council scheduled for May 23, 2000.

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

- Mr. Edwin Goldstein on behalf of the Baycrest Centre for Geriatric Care; and
 - Mr. Louis Greenbaum, Associated Hebrew Schools of Toronto, who also presented a copy of a site plan outlining the construction work presently underway at the property located at 3630 Bathurst Street.
- A. Councillor Berger, North York Centre South, moved that the North York Community Council defer consideration of the foregoing report to its next meeting scheduled for May 23, 2000, and in the interim, the Baycrest Centre and The Associated Hebrew Schools meet to resolve the problems associated with converting traffic operations on Neptune Drive between Bathurst Street and Hotspur Road from one-way to two-way.
- B. Councillor Moscoe, North York Spadina, moved that he as well as a representative from the Toronto Transit Commission and a representative from the Shera Tyilla Synagogue, be invited to attend the said meeting in order to resolve the noted problems and to resolve how the bus on Bathurst Street should be re-routed.
- C. Councillor Shiner, Seneca Heights, moved that the Director, Transportation Services, District 3, be requested to review and report on amending the operation of the traffic control signal at Neptune Drive and Bathurst Street to provide a northbound left turn advance green, if Neptune Drive reverts to a two-way roadway.

Upon the question of the adoption of Motion A., moved by Councillor Berger, North York Centre South, it was carried.

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

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

(Report No. 6 – Clause No. 28(e))

6.25 40 km/h Speed Limit – Wallingford Road – North York Don Parkway.

The North York Community Council had before it a report (March 22, 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 Wallingford Road, from the southerly limit of Brookbanks Drive to the northerly limit of Cassandra Boulevard.

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

(Report No. 6 – Clause No. 20)

6.26 Temporary Road Closure – North York Boulevard – North York Centre.

The North York Community Council had before it a report (March 15, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that:

- (1) by enactment of a confirmatory by-law adopting this report, North York Boulevard be closed temporarily on Sunday, May 28, from 7:00 a.m. to 11:00 a.m., subject to the applicant's compliance with procedural By-law No. 27433 of the former City of North York; and
- (2) during the temporary closure, there shall be no use of the closed roadway for vehicular traffic except under the authority of a permit issued by the Commissioner of Works and Emergency Services.

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

(Report No. 6 – Clause No. 21)

6.27 Parking Prohibitions – Cottonwood Drive – Don Parkway.

The North York Community Council had before it a report (April 18, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking, 1:00 a.m. to 6:00 a.m., prohibitions on both sides of Cottonwood Drive, from the easterly limit of Southill Drive (north leg) to the easterly limit of Southill Drive (south leg);
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by installing No Parking, 1:00 a.m. to 6:00 a.m., prohibitions on the south side of Cottonwood Drive, from the easterly limit of Cottonwood Drive (south leg) to a point 252 metres east thereof;
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by installing No Parking, 1:00 a.m. to 6:00 a.m., prohibitions on the north/east sides of Cottonwood Drive, from the easterly limit of Cottonwood Drive (north leg) to a point 328 metres east thereof;
- (4) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by installing No Parking Anytime prohibitions on the south/east sides of Cottonwood Drive, from a point 252 metres east of the easterly limit of Southill Drive (south leg) to a point 136 metres east thereof; and
- (5) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by installing No Parking, 1:00 a.m. to 6:00 a.m., prohibitions on the north/west/south sides of Cottonwood Drive, from the easterly limit of Southill Drive (south leg) to the easterly limit of Southill Drive (north leg).

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

(Report No. 6 – Clause No. 22)

6.28 Temporary Road Closure – Brookfield Road – North York Centre South.

The North York Community Council had before it a report (April 19, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that:

- (1) By enactment of a confirmatory By-law adopting this report, Brookfield Road, between Old Yonge Street and Plymbridge Crescent, be closed temporary on Saturday, June 3, from 10:00 a.m. to 10:00 p.m., subject to the applicant's compliance with procedural By-law 27433 of the former City of North York; and
- (2) During the temporary closure, there shall be no use of the closed road for vehicular traffic except under the authority of a permit issued by the Commissioner of Works and Emergency Services, Toronto Police Services, Toronto Fire Services and Ambulance Services.

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

(Report No. 6 – Clause No. 23)

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

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

- (1) the proposed private lane at the residential development at 111 Barber Greene Road, illustrated on "Attachment No. 1", be named "Dunbury Way";
- (2) 1324937 Ontario limited, operating as Dunbury Homes, be required to pay the costs estimated to be in the amount of \$300.00 for the fabrication and installation of street name signs; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

North York Community Council Minutes
Tuesday, May 2, 2000

The North York Community Council also had before it a report (May 1, 2000) from the City Surveyor, Works and Emergency Services, providing additional comments on the proposed name "Dunbury Way" for the private lane at the residential development at 111 Barber Greene Road, and recommending that the said report be received for information.

Mr. Scott Cowden, Fire Services, appeared before the North York Community Council, in connection with the foregoing matter.

On motion by Councillor Minnan-Wong, Don Parkway, the North York Community Council:

- (1) deferred consideration of the foregoing reports (March 1, 2000 and May 1, 2000) from the City Surveyor, Works and Emergency Services to its next meeting scheduled for May 23, 2000; and
- (2) requested the City Surveyor, Works and Emergency Services, to prepare a further report setting forth the names of suitable individuals who have made a contribution to the Don Mills community, and recommending an appropriate name for the road in consultation with the property owner and the Don Mills Ratepayers Association.

(Report No. 6 – Clause No. 28(f))

6.30 Report on Appeal to Ontario Municipal Board – City of Toronto Zoning By-Law No. 111-2000 – Del Real Estate Consultants – UDZ-99-19 & UDSP-99-085 – 12 McKee, 33 Doris and 21 Church Avenues – North York Centre.

The North York Community Council had before it a report (April 14, 2000) from the Director, Community Planning, North District, Urban Development Services, advising that By-law No. 111-2000 has been appealed to the Ontario Municipal Board and recommending that this report be received for information.

The North York Community Council also had before it the following communications, which are on file in the office of the City Clerk, North York Civic Centre:

- (March 31, 2000) from Mr. George Belza, representing the Yonge Street Area Ratepayer Associations; and

26
North York Community Council Minutes
Tuesday, May 2, 2000

- (April 30, 2000) from Ms. Sharolyn Vettese, Chair, Yonge Street Area Ratepayer Associations.

Mr. George Belza, appeared before the North York Community Council in connection with the foregoing matter, on behalf of the Yonge Street Area Ratepayers Association.

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

- (1) the foregoing report be adopted; and
- (2) the Director, Community Planning, North District, and the City Solicitor be requested to meet with Mr. George Belza and with Ms. Sharolyn Vettese, Chair, Yonge Street Area Ratepayer Association, to determine if there are any technical corrections which can be made, that the amending by-law be forwarded directly to the May 9, 2000 meeting of Council

(Report No. 6 – Clause No. 24)

6.31 Report – Referral of Applications for Zoning By-Law Amendment and Site Plan Approval UDZ-96-30 and UDSP-96-116 – Harry Snoek (Appeal by Sonata Developments Inc.) – 15, 17 and 19 Finch Avenue West and 7, 9, 11 and 12 Lorraine Drive – North York Centre.

The North York Community Council had before it a report (April 18, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on an appeal of zoning by-law amendment application UDZ-96-30 and site plan application UDSP-96-116 filed by Murray Chusid, solicitor for the applicant, Sonata Developments Inc. and recommending that this report be received for information.

The North York Community Council also had before it a communication (May 1, 2000) from Mr. William deBacker, President, Edithvale-Yonge Community Association, outlining the Association's position regarding the applicant's appeal and requesting that a representative be allowed to address the North York Community Council at its meeting scheduled for May 1, 2000.

Mr. George Belza, appeared before the North York Community Council in connection with the foregoing matter, on behalf of the Edithvale-Yonge Community Association.

27
North York Community Council Minutes
Tuesday, May 2, 2000

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

- (1) the adoption of the report (April 18, 2000) from the Director, Community Planning, North District; and
- (2) the adoption of the following Resolution by Councillor Filion:

“THAT until such time as staff have reported on the Sonata Developments Inc., application appealed to the Ontario Municipal Board by the applicant, including the additional density and height now being requested, and Council has taken a position on the matter following a public meeting thereon, the City Solicitor be instructed to do all things necessary to oppose the applicant’s appeal;

THAT in the interim, staff freely provide copies of material on the public record requested by the local ratepayers’ association for potential use at the Ontario Municipal Board proceedings in support of the City; and

THAT unless the applicant is prepared to conform to the by-law recommended by North York Community Council at the statutory public meeting on July 22nd, 1998, without material alteration thereto, the current development proposal be processed as a new application in accordance with established City practice.”

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

FOR: Councillors Mammoliti, Valenti, Moscoe, Augimeri, Berger, Feldman, Gardner, Chong, Filion, King

AGAINST: Nil

ABSENT: Councillors Li Preti, Flint, Minnan-Wong, Shiner

Carried.

(Report No. 6 – Clause No. 25)

6.32 Preliminary Report – Application to Amend the Official Plan and Zoning By-Law - UDOZ-00-03 – Carmella Fallico – 2710 Victoria Park Avenue – Seneca Heights.

The North York Community Council had before it a report (April 17, 2000) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and seeking Community Council's directions on further processing of the application and on the community consultation process and recommending that:

- (1) Staff be directed to schedule a community consultation meeting together with the Ward Councillors;
- (2) Staff be authorized to schedule a Public Meeting under the Planning Act to consider this application;
- (3) Notices for the community consultation meeting, and for the Public Meeting under the Planning Act, be given according to the Regulations under the Planning Act.

The North York Community Council approved the foregoing report.

(Report No. 6 – Clause No. 28(g))

6.33 Preliminary Report – Official Plan and Zoning Amendment Application - UDOZ-00-02 and Plan of Subdivision Application - UDSB-1247 – Walker, Nott, Dragicevic for Canadian Tire Corporation Limited – 1015, 1019 & 1181 Sheppard Avenue East – North York Centre South.

The North York Community Council had before it a report (April 17, 2000) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted applications, and seeking Community Council's directions on further processing of the applications and on the community consultation process and recommending that:

- (1) An interdepartmental staff team undertake a context plan study of the Bessarion and Leslie Nodes, with regard to the objectives of OPA 392, in co-operation with the applicant and other landowners in the area. The study should address alternatives for

29
North York Community Council Minutes
Tuesday, May 2, 2000

existing and new roads, alternative built forms within the planned densities, and parkland configurations and opportunities.

- (2) The context plan study must acknowledge future road connections to Leslie Street which are currently being reviewed as part of the Leslie Street-Sheppard Avenue East Class Environmental Assessment.
- (3) Staff be directed to schedule Community Consultation meetings in consultation with the Ward Councillors, including meetings of a Steering Committee of landowners and residents with interests in the local area, to work with staff on the context plan.
- (4) Staff be authorized to schedule a Public Meeting under the Planning Act to consider these applications.
- (5) Notice for the Community Consultation meetings and the Public Meeting be given according to the Planning Act.

The North York Community Council approved the foregoing report

(Report No. 6 – Clause No. 28(h))

6.34 Status Report – Official Plan and Zoning Amendment and Site Plan Approval Applications Nos. UDOZ-99-18 and UDSP-99-083 – Options For Homes – 650 Lawrence Avenue West – North York Spadina.

The North York Community Council had before it a report (April 12, 2000) from the Director, Community Planning, North District, Urban Development Services, providing a status report as requested by Community Council at its meeting of March 23, 2000 on matters arising from consideration of a Final Report on 650 Lawrence Avenue West and recommending that this report be received for information.

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

- (1) received the status report (April 12, 2000) from the Director, Community Planning, North District, Urban Development Services; and

- (2) requested that the report (March 3, 2000) from the Director, Community Planning, North District, Urban Development Services, be brought forward to the next meeting of the North York Community Council scheduled for May 23, 2000.

(Report No. 6 – Clause No. 28(i))

6.35 Scheduling of Statutory Public Meetings – Dangreen-Orlando Applications – File Nos. UDOZ-98-29 & UDZ-98-31 - Bayview Avenue and Sheppard Avenue East; and Metrodome Properties Inc. (McDougald Estate) – File Nos. UDZ-99-29 and UDSB-1243 - 5365 Leslie Street – Seneca Heights.

The North York Community Council had before it a report (April 18, 2000) from the Director, Community Planning, North District, Urban Development Services, advising Community Council of some scheduling difficulties for two final reports that have to be moved to the May 23rd meeting in the evening; and recommending that:

- (1) staff be authorized to schedule the Public Meeting under the Planning Act for 7:00 p.m. at the May 23rd Community Council meeting for the Dangreen-Orlando applications at the northeast corner of Bayview Avenue and Sheppard Avenue East (UDOZ-98-29 and UDZ-98-31);
- (2) staff be authorized to schedule the Public Meeting under the Planning Act for 7:30 p.m. at the May 23rd Community Council meeting for the McDougald Estate subdivision and rezoning (UDZ-99-29 & UDSB-1243) 5365 Leslie Street; and
- (3) that notice of these Public Meetings be given in the manner prescribed in the Regulations under the Planning Act.

The North York Community Council approved the foregoing report.

(Report No. 6 – Clause No. 28(j))

6.36 Design Guidelines and Development Standards for Infill Housing.

The North York Community Council had before it a communication (March 10, 2000) from the

31
North York Community Council Minutes
Tuesday, May 2, 2000

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

A. Councillor King, Seneca Heights, moved that:

- (1) the North York Community Council defer consideration of the foregoing communication; and
- (2) the Director, Community Planning, North District, be requested to submit a report to the North York Community Council for its meeting scheduled for May 23, 2000, on:
 - (a) the differences between the Design Guidelines and Development Standards for Infill Housing recommended in the joint report (January 31, 2000) from the Director, Community Planning, and Director, Urban Design, City Planning and the Design Guidelines and townhouse zoning regulations for the former City of North York; and
 - (b) how the Design Guidelines for the former City of North York can be applied in a more practical manner for applications dealing with single-family dwellings; and

B. Councillor Shiner, Seneca Heights, moved that the Commissioner, Works and Emergency Services, be requested to submit a report to the North York Community Council for its meeting scheduled for May 23, 2000, on whether or not the new Design Guidelines and Development Standards for Infill Housing would allow for the curbside collection of residential waste.

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

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

(Report No. 6 – Clause No. 28(k))

6.37 Harmonization of the Division Fence By-Law.

The North York Community Council had before it a communication (March 23, 2000) from the City Clerk, Planning and Transportation Committee, advising that the Planning and Transportation Committee:

- (1) adopted the report (March 1, 2000) from the Commissioner, Urban Development Services with respect to the Harmonization of the Division Fence By-law and in so doing forwarded this report to all Community Councils for their review and report back to the Planning and Transportation Committee; and
- (2) forwarded to each Community Council for their consideration with the above-noted report, the following amendment proposed by the Planning and Transportation Committee:

“That the report be amended by directing that the Committees of Adjustment be advised that a standard condition of severance from any rail line for reasons of safety, is the installation of a 2.5 metre chain link fence as a standard to the satisfaction of the Commissioner of Urban Development Services”.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council referred the following recommendations to the Planning and Transportation Committee:

- (1) That the harmonized Division Fence By-law, attached to the report (March 1, 2000) from the Commissioner, Urban Development Services, be adopted; and
- (2) That the amendment to the above-noted report, proposed by the Planning and Transportation Committee, embodied in the communication (March 23, 2000) from the City Clerk, Planning and Transportation Committee, be adopted.

(Report No. 6 – Clause No. 28(l))

6.38 Harmonization of the Fence By-Law.

The North York Community Council had before it the following:

- (i) communication (March 23, 2000) from the City Clerk, Planning and Transportation Committee, advising that the Planning and Transportation Committee:
 - (1) adopted the report (March 1, 2000) from the Commissioner of Urban Development Services and in so doing forwarded it to all Community Councils for their review and report back to the Planning and Transportation Committee; and
 - (2) requested the Commissioner of Urban Development Services, in consultation with the City Solicitor, to report to each Community Council on suggested wording to clarify the term “a City employee” contained in Section 11 on page 10 of the report so as to define the City employee’s role in exercising lawful authority in this respect as being limited to emergency situations of a temporary nature, and comment on the suggested stipulation that the employee be requested to consult with the Ward Councillor prior to exercising such authority.
- (ii) report (April 17, 2000) from the City Solicitor, clarifying the term “City employee” in section 11 of the draft harmonized fence by-law and to comment on a proposed stipulation that Ward Councillors be consulted before employees exercise authority to require that specified fences be erected and recommending that:
 - (1) sections 11 and 12 of the draft harmonized fence by-law be re-worded as outlined in this report; and
 - (2) ward councillors be informed when a property standards officer or the chief building official has made an emergency order under the Building Code Act, 1992, requiring that a fence be erected that does not comply with the harmonized fence by-law.
- A. Councillor Moscoe, North York Spadina, moved that, the North York Community Council refer the following recommendations to the Planning and Transportation Committee:

- (1) That the harmonized fence by-law, attached to the report (March 1, 2000) from the Commissioner of Urban Development Services, be adopted, subject to:
- (a) Sections 11 and 12 of the draft harmonized fence by-law being re-worded as outlined in the report (April 17, 2000) from the City Solicitor; and
 - (b) Ward Councillors being informed when a property standards officer or the chief building official has made an emergency order under the Building Code Act, 1992 requiring that a fence be erected that does not comply with the harmonized fence by-law.
- B. Councillor Li Preti, Black Creek, moved that the Commissioner, Urban Development Services be requested to submit a report to the Planning and Transportation Committee on a mechanism for an appeal to the Fence By-law.

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

Upon the question of the adoption of Motion B., moved by Councillor Li Preti, Black Creek, it was carried.

(Report No. 6 – Clause No. 28(m))

6.39 Harmonization of Fence By-Law – Clarification of Section 11 of Draft By-Law.

Incorporated in with Minute No. 6.38.

6.40 Steeles Avenue Boundary Road Agreement with the Region of York.

The North York Community Council had before it a communication (April 17, 2000) from the City Clerk, forwarding Council's action regarding Clause No. 3 of Report No. 3 of The Planning and Transportation Committee, headed "Steeles Avenue Boundary Road Agreement with the Region of York", and advising that Council, at its meeting held on April 11, 12 and 13, 2000, directed that this Clause be struck out and referred to the Etobicoke, North York and

35
North York Community Council Minutes
Tuesday, May 2, 2000

Scarborough Community Councils for further consideration and report thereon to the Planning and Transportation Committee.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council referred the following recommendation to the Planning and Transportation Committee:

- (1) That the recommendations of the Steeles Avenue Sub-Committee contained in the transmittal letter (February 1, 2000) from the City Clerk, Steeles Avenue Sub-Committee, be adopted.

(Report No. 6 – Clause No. 28(n))

Councillor Flint, Vice-Chair, assumed the Chair.

6.41 Final Report – Zoning Amendment Application No. UDZ-99-26 – Gabor + Popper Architects – 91 Hallsport Crescent – Black Creek.

As directed by the North York Community Council at its meeting held on November 9, 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 (February 28, 2000) from the Director, Community Planning, North District, Urban Development Services, commenting on an application to amend the Zoning By-law to permit the development of a semi-detached dwelling with two dwelling units at 91 Hallsport Crescent and submitting recommendations with respect thereto.

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

- Petition of Objection signed by 44 property owners on Hallsport Crescent;
- (March 9, 2000) from Jane Pepino, Solicitor, Aird & Berlis, on behalf of the property owner of 93 Hallsport Crescent, who opposes the application;
- (March 10, 2000) from Councillor Li Preti, Black Creek, in opposition to the application;

North York Community Council Minutes
Tuesday, May 2, 2000

- (March 20, 2000) from Mr. Peter Arci, Remax Presents, advising that, in his opinion, the construction of semi-detached dwellings on the proposed site at 91 Hallsport Crescent will decrease the value of the larger detached properties in the area especially to those single family homes adjacent, and located in close proximity; and
- (May 1, 2000) from Mr. Frank DeLuca, Royal LePage, The Parks Branch, advising that in his opinion, the construction of the two semi-detached dwellings on the proposed site at 91 Hallsport Crescent is not in keeping with the immediate properties and may be detrimental in the value of the detached homes in the immediate area.

A staff presentation was made by Mr. Gerry Rogalski, Planner, Community Planning, North District.

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

- Mr. Brian Abbey, Gabor and Popper Architects Inc., who commented on the merits of the application. He also indicated that the applicant concurred with the recommendations and conditions contained in the staff report;
- Ms. N. Jane Pepino, Solicitor, on behalf of the owner of 93 Hallsport Crescent and other residents of Hallsport Crescent, who spoke in opposition to the application. During her submission she indicated that the proposed development is not compatible with the character of the surrounding area and does not conform with the Official Plan with respect to general standards.

She also indicated that the average lot size in this area for single family homes is 528 m² and the proposed lots would be 324.5 m² and 472 m² respectfully. In her opinion, it is misleading for staff to look at zoning standards rather than doing an analysis of the lots on Hallsport Crescent.

Ms. Pepino further elaborated on the history related to the subject lands and the original plan of subdivision which was registered and which stated that there shall be no subdivision, no division or redivision to increase or decrease the total number of lots on the original plan without the approval of the Planning Board. In her opinion this is clear evidence that the character of this subdivision should be protected.

In concluding she indicated that the subject site is an inappropriate location for the proposed development and the application should be refused.

North York Community Council Minutes
Tuesday, May 2, 2000

- Mr. Fred Romano, who spoke in opposition to the application. His primary objection was respect to the incompatibility of the proposed development with the existing pattern of development and lot sizes in the area.
- A. Councillor Augimeri, Black Creek, moved that, after considering the depositions and based on the findings of fact, conclusions and recommendations contained in the foregoing report (February 28, 2000) from the Director, Community Planning, North District, and for the reasons that the proposal is not an appropriate use of lands, it be recommend to City Council that the application submitted by Gabor and Popper Architects Inc. regarding Zoning Amendment Application UDZ-99-26, be refused.
- B. Councillor Mammoliti, North York Humber, moved that a report from Parks and Recreation staff be requested, in consultation with the Ward Councillors and the area residents, on the amount of parkland within the immediate area of Hallsport Crescent and the feasibility of acquiring 91 Hallsport Crescent and 22 Victory Drive and converting the said properties into parkland.

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

FOR: Councillors Mammoliti, Li Preti, Augimeri, Shiner

AGAINST: Councillors Moscoe, Flint, King

ABSENT: Councillors Valenti, Berger, Feldman, Gardner, Chong, Filion, Minnan-Wong

Carried.

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

FOR: Councillors Mammoliti, Li Preti, Augimeri

AGAINST: Councillors Moscoe, Flint, Shiner, King

ABSENT: Councillors Valenti, Berger, Feldman, Gardner, Chong, Filion, Minnan-Wong

Lost.

(Councillor Valenti, North York Humber, declared his interest in the foregoing matter in that he has acted on behalf of the property owner in the past.)

(Report No. 6 – Clause No. 26)

6.42 Report Request Respecting Curb Cut Policy (former City of North York).

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

“WHEREAS the current curb cut policy permits cuts up to a maximum of 6.1 metres;

WHEREAS the current Zoning By-law permits a driveway to have a minimum width of 3.0 m and a maximum width of 6.0 m or greater based on the width of a garage or carport; and

WHEREAS the current front yard parking policy permits hard surfaces in up to 50% of the front yard; and

WHEREAS there has been a large increase in requests for widened curb cuts for single family residential dwellings regardless of the width of the garage or carport; and

WHEREAS residents have expressed great concerns with the resulting erosion of green space in the boulevard and the reduction of available on-street parking for residents and visitors;

THEREFORE BE IT RESOLVED that the Director, Community Planning, North District and the Director, Transportation Services, District 3, report back to the North York Community Council, for its meeting scheduled for June 20, 2000, with a clarification of the current policies and recommendations for approvals of curb cuts; and

BE IT FURTHER RESOLVED that a moratorium on curb cuts for residential dwellings be implemented until the aforementioned report is submitted.”

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 carried, more than two-thirds of members present having voted in the affirmative.

39
North York Community Council Minutes
Tuesday, May 2, 2000

- A. Councillor Feldman, North York Spadina, moved that the foregoing Resolution, be endorsed.

Councillor Feldman, resumed the Chair.

- B. Councillor Mammoliti, North York Humber, moved that the Director, Transportation Services, District 3, be requested to report on the issue of boulevard parking in residential areas.

- C. Councillor Moscoe, North York Spadina, moved that the last operative paragraph be amended to read as follows:

“BE IT FURTHER RESOLVED THAT the said moratorium on curb cuts for residential dwellings in excess of the standards specified by the curb cut policy, be implemented until the aforementioned report is submitted”.

- D. Councillor Shiner, Seneca Heights, moved that the foregoing Resolution be further amended by adding the following new operative paragraph:

“BE IT FURTHER RESOLVED THAT curb cuts be allowed to a maximum of 6 metres and a maximum of 50% lot coverage on lots of 15 metres or more and where there is 5.5 metres (18 feet) or more from the property line to the dwelling.”

- E. Councillor Mammoliti, North York Humber, moved that the foregoing Resolution be further amended by adding the following new operative paragraph:

“BE IT FURTHER RESOLVED THAT the said moratorium not apply to applications currently being processed; and that new applications which deal with disability issues be exempt”.

Upon the question of the adoption of Motion D., moved by Councillor Shiner, it was lost on a tie vote.

Upon the question of the adoption of Motion E., moved by Councillor Mammoliti, it was carried.

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

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

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

(Report No. 6 – Clause No. 28(o))

**6.43 Ontario Municipal Board Hearing – Committee of Adjustment Application
A057/00NY – Hassan Mostafour – 251 Hollywood Avenue – North York Centre.**

The North York Community Council had before it the following Resolution from Councillor Fillion, North York Centre:

“WHEREAS North York Council approved a by-law which prohibits below-grade garages on lots with a frontage above 45 feet; and

WHEREAS an application was made to the Committee of Adjustment by Hassan Mostafour to create a below-grade garage at 251 Hollywood; and

WHEREAS the staff report on this application reads as follows:

‘Staff are of the opinion that the application represents new construction and given that the subject property maintains a lot frontage of approximately 14.24m (50’) which is in compliance with the by-law requirement, there would appear to be no undue hardship on the applicant to comply with the by-law’; and

WHEREAS on April 20, 2000, the Committee of Adjustment nevertheless approved the variance; and

WHEREAS this decision could set a precedent which would seriously erode North York’s by-law;

THEREFORE BE IT RESOLVED THAT City planning and legal staff appear at the Ontario Municipal Board in opposition to the Committee of Adjustment decision and in support of the City’s by-law; and

BE IT FURTHER RESOLVED THAT the City Solicitor be directed to file a Notice of Appeal on behalf of the City immediately in order to meet the time limit for an appeal; and

BE IT FURTHER RESOLVED THAT City Council confirm the filing of the Notice of Appeal.”

The North York Community Council also had before it a report (March 3, 2000) from the Manager, Committee of Adjustment and Secretary-Treasurer, addressed to the Chairman and Members of the Committee of Adjustment – North District and a copy of the extract from the Minutes of the meeting of the Committee of Adjustment held on April 20, 2000, respecting the application from Hassan Mostafour to permit the construction of a new two-storey dwelling unit at 251 Hollywood Avenue.

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

- A. Councillor Filion, North York Centre, moved that the North York Community Council recommend to City Council, the adoption of the foregoing Resolution.
- B. Councillor Shiner, Seneca Heights, moved that the Members of the Committee of Adjustment be requested to uphold the current provisions of Zoning By-law No. 7625, of the former City of North York, regarding below-grade garages.
- C. Councillor Li Preti, Black Creek, moved that the Director, Community Planning, North District, be requested to submit a report on the last five cases heard before the Ontario Municipal Board with regard to below-grade garages; the success or failure of the appeal and whether or not either side had legal and/or planning representation.
- D. Councillor Valenti, North York Humber, moved that the Director, Community Planning, North District be requested to submit a report on amendments to Zoning By-law No. 7625, of the former City of North York, prohibiting below-grade garages.
- E. Councillor Mammoliti, North York Humber, moved that the Director, Operations Section, District 3 & 4, Works and Emergency Services Department be requested to submit a report at such time as the report referred to in Councillor Valenti’s motion,

North York Community Council Minutes
Tuesday, May 2, 2000

is being considered by the North York Community Council, respecting flooding problems that are created for adjoining property owners as a result of dwellings having below-grade garages and back-sloping driveways.

- F. Councillor Filion, North York Centre, moved that the Director, North District, Parks and Recreation Division be requested to submit a report at such time as the report referred to in Councillor Valenti's motion is being considered by the North York Community Council, respecting the impact of dwellings having below-grade garages on trees.

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

(Report No. 6 – Clause No. 27)

The North York Community Council adjourned its meeting at 10:00 p.m., Tuesday, May 2, 2000.

Chair.