

THE CITY OF TORONTO

Clerk's Department

Minutes of the Meeting of the North York Community Council

Wednesday, June 21, 2000.

The North York Community Council met on Wednesday, June 21, 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.	2:00 p.m. to 6:30 p.m.
Councillor Feldman, Chair	x	x
Councillor Augimeri	x	
Councillor Berger	x	x
Councillor Chong		
Councillor Filion	x	x
Councillor Flint	x	x
Councillor Gardner	x	x
Councillor King	x	x
Councillor Li Preti	x	x
Councillor Mammoliti	x	x
Councillor Minnan-Wong		x
Councillor Moscoe	x	x
Councillor Shiner	x	x
Councillor Valenti		

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Declarations of Interest

Councillor	Minute #	Reason for Declaration
Councillor King	8.36	Only insofar as it pertains to the Thomas Clarke House at 9 Barberry Place, in that a member of her extended family is the owner of this property.
Councillor King	8.37	Only insofar as it pertains to the Thomas Clarke House at 9 Barberry Place, in that a member of her extended family is the owner of this property.

Confirmation of Minutes:

On motion by Councillor Moscoe, North York Spadina, the minutes of the meeting of the North York Community Council held on May 23, 2000, were confirmed.

8.1 Renewal of Lease for a Portion of the City Boulevard - 2032 Avenue Road – North York Centre South.

The North York Community Council had before it a report (June 6, 2000) from the North District Manager, Municipal Licensing & Standards and Court Services, Urban Development Services, reporting on an appeal of the North District Manager, Municipal Licensing & Standards and Court Services' decision not to renew the lease of a portion of the City boulevard for the subject location; and recommending that:

- (1) Council review the position and objections of staff with respect to the leasing of a portion of the boulevard for marketing purposes;
- (2) Council consider the City's duty of care to the public;
- (3) Council consider the applicants' disregard for the previous leasing agreement made with the City;
- (4) Council consider the impact of leasing boulevard areas that fall outside of the criteria of the proposed By-law for the larger City of Toronto;
- (5) Council review the position of the applicant with respect to their entitlement to continue

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to market on that portion of the City right-of-way refused by staff;

- (6) Grant or refuse the boulevard leasing licence for Four Seasons Convenience Store (2032 Avenue Road); and
- (7) If Council's direction is to refuse the licence, provide direction to staff to take the necessary steps to remove the merchandise from that portion of the right-of-way not approved.

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

- (May 29, 2000) from Mr. David A. Payne, Solicitor, on behalf of the applicant, requesting an opportunity to appear before the North York Community Council in order to appeal the decision by the North District Manager, Municipal Licensing & Standards and Court Services for renewal of the boulevard lease.
- (June 20, 2000) from Mr. Gerard C. Ronan, expressing his support for the continued use of the boulevard area for display of flowers.

A staff presentation was made by Mr. Mitch O'Grady, North District Supervisor, Municipal Licensing and Standards, Urban Development Services.

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

- Mr. David Payne, Solicitor, on behalf of the applicant requesting the North York Community Council to not uphold the decision of the North District Manager, Municipal Licensing and Standards and Court Services to not renew the boulevard lease at the convenience store on Dunblaine Avenue, West of Avenue road. He also filed a petition which was signed by 1,023 local residents in support of the continued leasing of the boulevard for the display of flowers; and a written copy of his presentation, all of which are on file in the office of the City Clerk, North York Civic Centre.
 - Ms. Thora Macdonell in support of the continued use of the boulevard for the display of flowers.
- A. Councillor Berger, North York Centre South, moved that the North York Community Council recommend to City Council that:

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- (1) the report (June 6, 2000) from the North District Manager, Municipal Licensing and Standards and Court Services, not be adopted; and
 - (2) the boulevard leasing licence be renewed for the portion of the City property previously leased.
- B. Councillor Moscoe, North York Spadina, moved that consideration of this matter be deferred to the next meeting of the North York Community Council to:
- (a) allow a meeting to be held between staff, the Solicitor representing the property owners and the Ward Councillors in order to work out lease arrangements that are satisfactory to all parties, including the removal of site obstructions and hazards; and
 - (b) that the materials that are on the Avenue Road road allowance between the sidewalk and the curb be immediately removed and all materials that are at the corner of Dunblaine and Avenue Road, from the tree to Avenue Road and from the sidewalk to the curb, be removed.
- C. Councillor Gardner, North York Centre, moved in amendment to Councillor Berger's motion that:
- (1) the boulevard leasing licence be renewed for the period between May 1st and October 31st and
 - (2) the North District Manager, Municipal Licensing and Standards and Court Services be requested to:
 - (a) advise the North York Community Council if there is a continued encroachment problem over a period of time; and that in the interim, the provisions of the By-law be enforced;
 - (b) provide the applicant with a further plan indicating the leased portion of the site; and
 - (c) report to the North York Community Council if any further expansion of the corner is available for display purposes and as to the possible inclusion of additional space in the lease.

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

FOR: Councillors Moscoe, Feldman, Flint, Shiner

AGAINST: Councillors Mammoliti, Li Preti, Augimeri, Berger, Gardner

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

Lost

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

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

AGAINST: Councillors Flint, Shiner

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

Carried

(Report No. 8 – Clause No. 1)

8.2 Boulevard Leasing Application – 1980 Avenue Road – North York Centre South

The North York Community Council had before it a report (June 2, 2000) from the North District Manager, Municipal Licensing & Standards and Court Services, Urban Development Services, reporting on an application from Millie's Bistro & Gourmet Market to lease an additional 180 square feet of the municipal boulevard for the purpose of extending the outdoor boulevard patio at 1980 Avenue Road, and recommending that this application to lease an additional 180 square feet of the boulevard located on the North side of Haddington Avenue fronting onto 1980 Avenue Road be approved subject to the following conditions:

- (1) that proof of insurance for the lease period for the year 2000 is provided and the total leasing fee of \$1310.10 is paid in full prior to the issuance of the license. The formula for the fee calculation for the previously approved area is 264 square feet X (\$7.48/square foot + 3%) X 5months/12months= \$847.84 The formula for the fee

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for the proposed extension is 180 square feet X (\$7.48/square foot + 3%) X 4 months/12 months = \$462.26 These fees total \$1310.10;

- (2) the lease period for the proposed extension be approved for four months between July 1st and October 31st, 2000; and
 - (3) the hours of operation be limited to 11:30 A.M. to 11:00 P.M.
- The North York Community Council recommended to City Council the adoption of the foregoing report.

(Report No. 8 – Clause No. 2)

8.3 Request for Exemption to the Sign By-Law – Variance for Two V-Shaped Illuminated First Party Ground Signs – 243-255 Consumers Road – Seneca Heights.

The North York Community Council had before it a report (June 5, 2000) from the Director and Deputy Chief Building Official, evaluating and making recommendations regarding a request by Ryan Gaul of Steel Art Signs, on behalf of “Truscan Property Corporation”, for a variance from the Sign By-law to permit the erection of two V-shape illuminated first party ground signs 347.75 ft² in sign area each and 40 ft. high and recommending that the request for a minor variance from the Sign By-law be approved.

The North York Community Council also had before it a communication (June 13, 2000) from Mr. Ken Sherbanowski, Permits Officer, Central Region, Corridor Management Office, Ministry of Transportation advising that the Ministry has approved the application submitted by Truscan Property Corporation for a permit to be used at the subject location.

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

(Report No. 8 – Clause No. 3)

8.4 Request for Endorsement - Community Festival Event – Club Epiphany – Annual Cultural Family Event in Celebration of Caribana – August 7, 2000 – 11 Arrow Road - North York Humber.

The North York Community Council had before it a communication (May 31, 2000) from the Administrator, Club Epiphany, requesting permission to use outdoor area of Club Epiphany for

the Annual Cultural Family Event in Celebration of Caribana on Monday, August 7, 2000 from 11:00 a.m. to 11:00 p.m.

On motion by Councillor Mammoliti, North York Humber, the North York Community Council:

- (1) recommended to City Council that for liquor licensing purposes, the Annual Cultural Family Event of Club Epiphany in Celebration of Caribana, to be held on August 7, 2000 at 11 Arrow Road, be declared an event of municipal and/or community significance; that it has no objection to the event taking place and that the Alcohol and Gaming Commission of Ontario be so advised; and
- (2) the Chief of Police, Toronto Police Services, be requested to make the necessary arrangements with 31 Division to have Paid Duty Officers present at this community festival event.

(Report No. 8 – Clause No. 4)

8.5 Ontario Municipal Board Decision – Appeals by Premium Properties Limited Respecting Lands Bounded by Yonge Street, Poyntz Avenue, Beecroft Road and Bogert Avenue – North York Centre.

The North York Community Council had before it a report (May 30, 2000) from City Solicitor, advising of the outcome of an Ontario Municipal Board hearing held on March 21 and 22, 2000 with respect to lands bounded by Yonge Street, Poyntz Avenue, Beecroft Road and Bogert Avenue, and recommending that this report be received for information.

The North York Community Council received the foregoing report.

(Report No. 8 – Clause No. 35(a))

8.6 Ontario Municipal Board Decision Respecting Interim Control By-Law No. 4-2000 – Bathurst Manor Community – North York Spadina.

The North York Community Council had before it a report (June 6, 2000) from the City Solicitor, advising of the outcome of an Ontario Municipal Board Hearing with respect to the appeal against Interim Control By-law No. 4-2000 for the Bathurst Manor Community and recommending that this report be received for information.

The North York Community Council received the foregoing report.

(Report No. 8 – Clause No. 35(b))

8.7 Ontario Municipal Board Hearing - Appeal from Decision of Committee of Adjustment (Former City of North York) – 17 Mulholland Avenue – North York Spadina.

The North York Community Council had before it a report (May 26, 2000) from the City Solicitor, advising of the outcome of the Ontario Municipal Board Hearing held with respect to 17 Mulholland Avenue and recommending that this report be received for information.

The North York Community Council received the foregoing report.

(Report No. 8 – Clause No. 35(c))

8.8 Request for Tree Removal – 347 Ridley Blvd. – North York Centre South.

The North York Community Council had before it a Resolution (June 6, 2000) by Councillor Berger, recommending that the City remove the tree as soon as possible.

Mr. Mark Steinberg appeared before the North York Community Council in connection with the foregoing matter.

- A. Councillor Flint, North York Centre South, moved that the North York Community Council recommend to City Council that:
- (1) the resolution (June 6, 2000) by Councillor Berger, North York Centre South, be received; and
 - (2) the Commissioner of Economic Development, Culture and Tourism, work with the owner in an attempt to save the tree at 347 Ridley Boulevard; if possible, and if not possible and the property owner decides that the tree should be removed, that the City pay for half of the removal costs.
- B. Councillor Mammoliti, North York Humber, moved in amendment to Councillor Flint's motion that if the tree cannot be saved and the owner decides to remove the tree, the City pay the full cost to remove the tree and replace it with a tree of a similar value.

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

FOR: Councillors Mammoliti, Moscoe, Flint, Gardner

AGAINST: Councillors Feldman, Minnan-Wong, Shiner

ABSENT: Councillors Valenti, Li Preti, Augimeri, Berger, Chong, Fillion, King

Carried

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

FOR: Councillors Mammoliti, Moscoe, Feldman, Flint, Gardner

AGAINST: Councillors Minnan-Wong, Shiner

ABSENT: Councillors Valenti, Li Preti, Augimeri, Berger, Chong, Fillion, King

Carried

(Report No. 8 – Clause No. 5)

8.9 Request for Westbound Advance Left Turn Feature – Avenue Road at Wilson Avenue – North York Centre South.

The North York Community Council had before it a communication (June 6, 2000) from Councillor Berger, advising of numerous requests received from area residents to have a westbound advance left turn lane feature installed; and recommending that Council direct the Transportation Department to install advanced left turn arrows for motorists turning easterly, going south as presently exists, and westerly at Avenue Road and Wilson Avenue, going north.

On motion by Councillor Berger, North York York Centre South, the North York Community Council referred the foregoing communication (June 6, 2000) from Councillor Berger, North York Centre South, to the Director, Transportation Services, District 3, Works and Emergency Services.

(Report No. 8 – Clause No. 35(d))

8.10 Parking Prohibitions – Queen’s Drive – North York Humber.

The North York Community Council had before it a report (May 17, 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 the hours of 8:00 a.m. and 4:30 p.m., Monday to Friday, on the south side of Queen’s Drive, from the westerly limit of Venice Drive to the easterly limit of the Black Creek Drive Overpass.

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

(Report No. 8 – Clause No. 6)

8.11 Neighbourhood Traffic Management Plan – Newbury Lane, Romney Road, Raeburn Avenue and Lyonsgate Drive – North York Centre South.

The North York Community Council had before it a report (June 5, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that:

- (1) By-law No. 31878, of the former City of North York, be amended to designate Newbury Lane, from Bathurst Street to Armour Boulevard, as a 40 km/h speed zone;
- (2) By-law No. 31878, of the former City of North York, be amended to designate Romney Road, from Bathurst Street to Armour Boulevard, as a 40 km/h speed zone;
- (3) By-law No. 31878, of the former City of North York, be amended to designate Raeburn Avenue, from Bathurst Street to Armour Boulevard, as a 40 km/h speed zone; and
- (4) By-law No. 31878, of the former City of North York, be amended to designate Lyonsgate Drive, from Bathurst Street to Armour Boulevard, as a 40 km/h speed zone.

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

(Report No. 8 – Clause No. 7)

8.12 Stopping Prohibitions – Firgrove Crescent – Black Creek.

The North York Community Council had before it a report (June 5, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the existing stopping regulations and reduce the limits of the existing school bus loading zone on the south side of Firgrove Crescent, in order to increase the level of safety during pick-up/drop-off activities in front of Firgrove Public School, and recommending that:

- (1) Schedule IX of By-law No. 31001, of the former City of North York, be amended to delete the No Stopping, 8:00 a.m. to 6:00 p.m., Monday to Friday, regulations on the south side of Firgrove Crescent, between the westerly limit of Petiole Road and a point 45.75 metres east of the easterly limit of Picaro Drive;
- (2) By-law No. 32759, of the former City of North York, be amended to delete the existing school bus loading zone on the south side of Firgrove Crescent (north leg), from a point 15 metres east of a point opposite the easterly limit of Petiole Road to a point 106.7 metres easterly thereof; and
- (3) By-law No. 32759, of the former City of North York, be amended to add a school bus loading zone on the south side of Firgrove Crescent, from a point opposite the westerly limit of Picaro Drive to a point 30 metres easterly thereof.

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

(Report No. 8 – Clause No. 8)

8.13 Parking Prohibitions – Ruthmar Crescent – Black Creek.

The North York Community Council had before it a report (June 5, 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 south side of Ruthmar Crescent (north leg), from the westerly limit of Hullmar Drive to a point 75 metres westerly thereof.

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

(Report No. 8 – Clause No. 9)

8.14 Installation of Pedestrian Crossover - Grandravine Drive – Black Creek.

The North York Community Council had before it a report (June 7, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of a pedestrian crossover (PXO) on Grandravine Drive, approximately 220 metres east of Jane Street and recommending that Schedule A of By-law No. 30518, of the former City of North York, be amended to include a pedestrian crossover on Grandravine Drive, at a point 220 metres east of Jane Street.

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

(Report No. 8 – Clause No. 10)

8.15 Neighbourhood Traffic Management Plan – Risa Boulevard, Dufferin Street to Locksley Avenue – North York Spadina.

The North York Community Council had before it a report (June 5, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of traffic calming measures, consisting of two speed humps, and a 40 km/h speed limit on Risa Boulevard, between Dufferin Street and Locksley Avenue and recommending that:

- (1) Two speed humps be installed on Risa Boulevard in the vicinity of 40 and 27 Risa Boulevard, for a six month trial period; and
- (2) By-law No. 31878, of the former City of North York, be amended to designate Risa Boulevard, from the easterly limit of Dufferin Street to Locksley Avenue, as a 40 km/h speed zone.

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

(Report No. 8 – Clause No. 11)

8.16 Stopping Prohibition Amendment – Wilson Avenue – North York Spadina.

The North York Community Council had before it a report (June 7, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that:

- (1) the existing “No Stopping, 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., except Saturdays, Sundays and Public Holidays” regulation, on the south side of Wilson Avenue, between Murray Road and Ancaster Road, be rescinded;
- (2) “No Stopping, 7:00 a.m. to 9:00 a.m. and 3:00 p.m. to 6:00 p.m., except Saturdays, Sundays and Public Holidays” regulation, on the south side Wilson Avenue, between Murray Road and Ancaster Road, be adopted;
- (3) the Toronto City Solicitor be directed to prepare the appropriate Bills for the installation of metered parking spaces on the south side of Wilson Avenue, between Murray Road and Ancaster Road; and
- (4) the appropriate by-law(s) be amended.

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

(Report No. 8 – Clause No. 12)

8.17 Traffic Management Plan – Whitley Avenue – North York Spadina.

The North York Community Council had before it a report (June 7, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that:

- (1) three speed humps be installed on Whitley Avenue;
- (2) by-law No. 31878, of the former City of North York, be amended to designate Whitley Avenue, from Dufferin Street to the westerly limit of Whitley Avenue, as a 40 km/h speed zone; and
- (3) staff of the Transportation Services Division report back to Council at the completion of the six month trial period.

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

(Report No. 8 – Clause No. 13)

8.18 Proposed All Way Stop Control – Donnalyn Drive at Peckham Avenue – North York Centre.

The North York Community Council had before it a report (June 8, 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 Donnalyn Drive and Peckham Avenue.

The North York Community Council also had before it a communication (May 19, 2000) from James and Elsie Reid, expressing concerns with respect to traffic along Chelmsford Avenue and indicating that the introduction of an all way stop at the intersection of Donnalyn Drive and Peckham Avenue would not really help in alleviating the traffic problems in the area.

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

(Report No. 8 – Clause No. 14)

8.19 Driveway Entrance Policy for Residential Properties – District 3 – All Wards.

The North York Community Council had before it a joint report (June 5, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services and the Director, Community Planning, North District, Urban Development Services, reporting on revised policies for residential driveway entrances in the former City of North York that clarify and consolidate existing curb cut policies, and recommending that the guidelines outlined in the report respecting driveway entrances for residential properties in the former City of North York, be adopted.

- A. Councillor Berger, North York Centre South, moved that the North York Community Council defer consideration of the foregoing joint report, to its next meeting scheduled for July 18, 2000.

- B. Councillor Shiner, Seneca Heights, moved that the Director, Transportation Services, District 3, Works and Emergency Services be requested to report on ways to allow 6.0 metre driveways on lots of 50 feet to 59.9 feet where the home is far enough back from the property line to facilitate parking on private property.

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 Shiner, Seneca Heights, it was carried.

(Report No. 8 – Clause No. 35(e))

8.20 Encroachment – Menkes Developments Inc. – UDSP-96-035 and UDOZ-96-04 - 5095 Yonge Street – North York Centre.

The North York Community Council had before it a report (June 6, 2000) from the Director, Engineering Services, Works and Emergency Services, reporting on a request by the applicant to permit various encroachments within the boulevard portion of the road allowances of Empress Avenue and Yonge Street and recommending that:

- (1) the encroachments be approved by the City, subject to the condition that the Owner(s) enter into an encroachment agreement with the City, with terms as stated in the body of this report and to the satisfaction of the Commissioner of Works and Emergency Services and the City Solicitor; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended to City Council, the adoption of the foregoing report, subject to an appropriate rental rate for the subject encroachments.

(Report No. 8 – Clause No. 15)

8.21 Encroachment – Menkes Developments Inc. – 5075 Yonge Street – UDSP-97-220 - North York Centre.

The North York Community Council had before it a report (June 6, 2000) from the Director, Engineering Services, Works and Emergency Services, reporting on a request by the applicant to permit encroachments of an architectural canopy and sunshade over the Yonge Street and Hillcrest Avenue road allowances and an air shaft and underground parking structure within the Hillcrest Avenue road allowance and recommending that:

- (1) the encroachments be approved by the City, subject to the condition that the Owners(s) enter into an encroachment agreement with the City, with the terms as stated in the body of this report and to the satisfaction of the Commissioner of Works & Emergency Services and the City Solicitor; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended to City Council, the adoption of the foregoing report, subject to an appropriate rental rate for the subject encroachments.

(Report No. 8 – Clause No. 16)

8.22 Encroachment – 1436, 1440, 1442, 1444, 1446, 1450, 1454, 1458, 1460, 1462, 1466, 1470, 1472, 1484, 1488, 1492, 1494 Avenue Road – North York Centre South.

The North York Community Council had before it a report (June 6, 2000) from the Director, Engineering Services, Works and Emergency Services, reporting on a request by the applicant to permit encroachments of concrete steps and concrete retaining walls within the road allowance of Avenue Road at the above locations and recommending that:

- (1) the encroachments be approved by the City, subject to the condition that the Owner(s) enter into an encroachment agreement with the City, with terms as stated in the body of this report and to the satisfaction of the Commissioner of Works and Emergency Services and the City Solicitor; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended to City Council, the adoption of the foregoing report, subject to an appropriate rental rate for the subject encroachments.

(Report No. 8 – Clause No. 16)

8.23 Official Plan and Zoning Amendment UDOP-96-32 – The Spring Garden Group – 99, 105, 109, 113, 119 Spring Garden Avenue – North York Centre.

The North York Community Council had before it a report (June 5, 2000) from the Director, Engineering Services, Works and Emergency Services, requesting Council's authorization to allocate the necessary monies from the City's Yonge Centre Development Charges Fund toward funding the construction of a 300 mm diameter watermain on Spring Garden Avenue from Doris Avenue to Kenneth Avenue and open the road connection from Spring Garden Avenue to Doris Avenue and recommending that:

- (1) Council authorize a \$150,000.00 expenditure from the Yonge Centre Development Charges Fund for the Commissioner of Works & Emergency Services to tender and construct a 300 mm diameter watermain on Spring Garden Avenue from Doris Avenue to Kenneth Avenue and open the road connection from Spring Garden Avenue to Doris Avenue, estimated to cost \$150,000.00; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Filion, North York Centre, the North York Community Council recommended to City Council, the adoption of the foregoing report, subject to the road opening at Doris Avenue and the road closing at Kenneth Avenue occurring simultaneously.

(Report No. 8 – Clause No. 18)

8.24 Parkland Encroachment Policy and Procedures – All Wards.

The North York Community Council had before it a report (June 6, 2000) from the Commissioner, Economic Development, Culture and Tourism, reporting on a City-wide parkland encroachment policy and associated procedures and recommending that:

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- (1) the parkland encroachment policy and procedures set out in Attachment Nos. 1 and 2 be considered and report thereon to the Economic Development and Parks Committee meeting of July 12, 2000;
- (2) if the Encroachment Review Committee outlined in this report is approved, Parks and Recreation Division staff be authorized to charge a fee of \$300.00 to process applications to the Encroachment Review Committee;
- (3) the Uniform Parks By-law be revised to state that where the City directs that an encroachment be removed pursuant to the Uniform Parks By-law and the encroachment is not removed as directed, the City may remove the encroachment and install fencing and recover the expense thereof in like manner as municipal taxes, as authorized pursuant to section 326 of the *Municipal Act*;
- (4) this report and Council's actions thereon be forwarded to the Toronto and Region Conservation Authority for information; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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

- (1) the following recommendation be referred to the Economic Development and Parks Committee:

“the report (June 6, 2000) from the Commissioner, Economic Development, Culture and Tourism, be adopted, subject to the deletion of the \$300.00 renewal fee for an encroachment following the first five years.”
- (2) the Commissioner, Economic Development, Culture and Tourism be requested to submit a report to the Economic Development and Parks Committee, for its meeting scheduled for July 12, 2000 on the feasibility of applying the Encroachment Policy to the encroachments on other City properties including boulevards.

B. Councillor Flint, North York Centre South, moved that the following recommendations be referred to the Economic Development and Parks Committee:

- (1) that there be a one-time charge of \$500.00 to cover all costs in processing and registering encroachment agreements;

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- (2) encroachments not be allowed unless there are extraordinary circumstances; and
- (3) the Commissioner, Economic Development, Culture and Tourism be encouraged to provide funds in the budget for the fencing of City parkland.

A recorded vote on Part (1) of Motion B., moved by Councillor Flint, North York Centre South, was as follows:

FOR: Councillors Flint, Filion

AGAINST: Councillors Moscoe, Feldman, Gardner, Minnan-Wong, Shiner

ABSENT: Councillors Mammoliti, Valenti, Li Preti, Augimeri, Berger, Chong, King

Lost

A recorded vote on Part (2) of Motion B., moved by Councillor Flint, North York Centre South, was as follows:

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

AGAINST: Councillor Shiner

ABSENT: Councillors Mammoliti, Valenti, Li Preti, Augimeri, Berger, Chong, King

Carried

A recorded vote on Part (3) of Motion B., moved by Councillor Flint, North York Centre South, was as follows:

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

AGAINST: Councillor Shiner

ABSENT: Councillors Mammoliti, Valenti, Li Preti, Augimeri, Berger, Chong, King

Carried

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

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

AGAINST: Nil

ABSENT: Councillors Mammoliti, Valenti, Li Preti, Augimeri, Berger, Chong, King

Carried

(Report No. 8 – Clause No. 35(f))

8.25 Procedure for Eliminating Duplicate Street Names.

The North York Community Council had before it a report (May 17, 2000) from the City Clerk, advising that the Works Committee at its meeting held on May 17, 2000, referred the communication dated April 3, 2000 from the City Clerk and report dated May 8, 2000, from the Commissioner of Works and Emergency Services, and related communications respecting the procedure for eliminating duplicate street names, to the Community Councils for consideration.

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

- (1) the North York Community Council defer consideration of the foregoing report to its next meeting scheduled for July 18, 2000; and
- (2) the following motion be tabled for consideration, at the July 18, 2000 meeting:

“That the following recommendations be referred to the Works Committee, for its consideration:

- (a) the City negotiate an agreement with Canada Post Corporation to provide free mailing notification cards, in a standard format, for residents and businesses on streets that are re-named;
- (b) the City establish a compensation fund for residents and businesses that incur extraordinary costs resulting from the City changing a street name;
- (c) the Policy and Finance Committee be requested to draft a policy regarding the aforementioned compensation fund; and

- (d) the Commissioner, Works and Emergency Services be requested to prepare a report commenting on each of the streets being considered, including the history of the name(s) and the possible effect the name change may have on each street.”

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

(Report No. 8 – Clause No. 35(g))

8.26 Harmonization of By-Laws Passed Under Section 210 of The Municipal Act Respecting the Keeping of Lands in a Clean Condition.

The North York Community Council had before it a report (May 24, 2000) from the City Clerk, Planning and Transportation Committee, advising that the Planning and Transportation Committee at its meeting held on May 16, 2000, forwarded the report (March 27, 2000) from the Commissioner of Urban Development Services to all Community Councils for their review and comment back to the Planning and Transportation Committee.

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

- (1) advised the Planning and Transportation Committee of its endorsement of the recommendations embodied in the report (March 27, 2000) from the Commissioner, Urban Development Services; and
- (2) referred the following further recommendation to the Planning and Transportation Committee for its consideration:

“that the City establish a road boulevard maintenance program, similar to the program established by the former City of North York, that creates a list of “orphaned” public properties for which the City accepts the responsibility to maintain.”

(Report No. 8 – Clause No. 35(h))

8.27 Preliminary Report – Application to Amend the Official Plan and Zoning By-Law UDOZ-99-36 – Ledbury Investments Limited – 47-51 Farrell Avenue, 500 Ellerslie Avenue – North York Centre.

The North York Community Council had before it a report (June 6, 2000) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted 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 consultation meeting together with the Ward Councillor(s).
- (2) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- (3) Notice 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. 8 – Clause No. 35(i))

8.28 Preliminary Report – Application to Amend Zoning By-Law No. 7625 – Yeshiva Gedolah of Toronto – UDZ-00-01 – 567 Lawrence Avenue West, 70, 72 And 74 Fairholme Avenue – North York Spadina.

The North York Community Council had before it a report (May 31, 2000) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and to seek Community Council's direction 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) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.

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- (3) Notice for the Public Meeting under the Planning Act be given according to the Regulations under the Planning Act.
- (4) Prior to the publication of a Final Report on the application, the applicant submit revisions to Site Plan Approval Application SPC-90-097 and pay applicable fees.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council approved the report (May 31, 2000) from the Director, Community Planning, North District, Urban Development Services, subject to:

- (1) Recommendation No. (2) being amended to read as follows:

“(2) Notice for the community consultation meeting be given to landowners and residents in an area bounded by Lawrence Avenue on the north, Madoc Drive on the south between Englemount and Glenmount; distribution to be at the applicant’s expense;” and

- (2) Recommendation No. (3) being amended to read as follows:

“(3) Notice for the Public meeting under the Planning Act be given to landowners and residents in an area bounded by Lawrence Avenue on the north, Madoc Drive on the south, between Englemount and Glenmount, with any distribution costs to be at the applicant’s expense.”

(Report No. 8 – Clause No. 35(j))

8.29 Clarification of Technical Matters in Zoning By-Law 302-2000 - William Holman – Zoning Amendment Application No. Udz-99-13 – 74 to 78 Finch Avenue West – North York Centre.

The North York Community Council had before it a report (June 13, 2000) from the Director, Community Planning, North District, Urban Development Services, forwarding recommendations to implement the proposal approved by North York Community Council on January 18, 2000 and clarifying a number of minor technical matters in By-law 302-2000 which was enacted by City of Toronto Council on May 11, 2000, and recommending that:

- (1) the attached draft by-law be enacted; and
- (2) Council determine that no further notice is to be given in respect of the proposed by-law.

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

(Report No. 8 – Clause No. 19)

8.30 Condominium Application UDYC-348 (55CDM-99-508) – Symphony Square Limited – 23 Lorraine Drive, East Side of Lorraine Drive, South of Finch Avenue West – North York Centre.

The North York Community Council had before it a joint report (June 8, 2000) from the Director, Community Planning, North District, Urban Development Services and the Director and Deputy Chief Building Official, North District, advising North York Community Council, as directed, of the conditions of draft approval for the condominium for Symphony Square, a 317 residential unit building at 23 Lorraine Drive; further advising that condominium application UDYC-348 (55CDM-99-508) will be released for final approval and registration by the Executive Director and Chief Planner at such time as conditions of draft plan approval described in this report have been fulfilled and recommending that the report be received for information.

The North York Community Council also had before it a joint communication (June 15, 2000) from J. Tully, B. Fung, L. Fullerton, C. Chang, D. Ng and O. George, Members of the Steering Committee, Symphony Square, addressed to the Director, Community Planning, North District, Urban Development Services, expressing their concerns regarding delays in completion of condominium registration for this project and requesting that the process be expedited with a sense of urgency.

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

- “1. that the June 8, 2000 staff report from the Director, Community Planning, North District, Urban Development Services and the Director and Chief Building Official, North District, Urban Development Services, concerning Condominium Application UDYC-348 (55CDM-99-508) Symphony Square Limited be received for information as recommended therein;
2. that the Executive Director and Chief Planner, City Planning Division, Urban Development Services, issue condominium draft plan approval as soon as

possible subject to the staff conditions being satisfied prior to final approval and registration of the condominium description, and subject to the following:

- (a) that prior to final approval and registration of this plan of condominium, the Owner be required to remove and reclaim with landscaping the overbuild of 11 parking spaces illegally constructed on the site, in accordance with the Ontario Municipal Board's decision dated December 21, 1999, or submit a cost estimate and irrevocable standby letter of credit or certified cheque in a form satisfactory to the Director of Community Planning, North District, Urban Development Services and the Chief Financial Officer and Treasurer to secure completion of this work;
 - (b) that the amendment to the Site Plan Agreement in staff condition "(2)" cover completion of the work referred to in all the conditions, including condition "a)" herein, and be made available to the local Councillor in draft form for review prior to execution; and
 - (c) that the "entrance canopy" in staff condition "(3)" refer to the glass/metal canopy shown on the site plan drawings.
3. that staff provide the local Councillors with copies of the agreements referred to in their report, plus a comprehensive list of site plan, zoning and building deficiencies together with expected remedial completion dates, prior to next month's Community Council Agenda Closing.
 4. that at the next Community Council meeting staff report on the actual number of visitor parking spaces currently provided on the site, both below grade and surface, relative to present zoning requirements, verifying that each visitor parking space is actually available for visitor use.
 5. that the City Solicitor be instructed to do all things necessary to oppose any further variance application that is contrary to Council's position and the Ontario Municipal Board's decision disallowing the 11 illegally constructed surface parking spaces currently on the site, that would delay their expeditious reclamation with landscaping, or that would permit a reduction in the required minimum total number of visitor parking spaces."

(Report No. 8 – Clause No. 20)

8.31 Final Report – Official Plan And Zoning Amendment – Site Plan Approval Application Nos. UDOZ-99-18 and UDSP-99-083 – Options For Homes – 650 Lawrence Avenue West – North York Centre.

The North York Community Council had before it a report (March 3, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on applications to amend the Official Plan and Zoning By-law 7625 of the former City of North York and for site plan approval to permit a 393 unit apartment dwelling and 51 townhouse units, and submitting recommendations with respect thereto.

The North York Community Council also had before it, for information, a copy of a communication (June 14, 2000) from the City Clerk, Planning and Transportation Committee, addressed to the Policy and Finance Committee, forwarding the Committee's actions regarding the deferral of Planning Applications Fees, Building Permit Application and Parkland Dedication Payment Requirements and Development Charges for 650 Lawrence Avenue West.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council deferred consideration of the foregoing report (March 3, 2000) from the Director, Community Planning, North District, Urban Development Services, to its next meeting scheduled for July 18, 2000.

(Report No. 8 – Clause No. 35(k))

8.32 Final Report – Draft Plan of Subdivision Application No. UDSB-1244 & Zoning Amendment Application No. UDZ-00-09 – Bethesda United Church – 69 Larkfield Drive – North York Centre South.

As directed by the North York Community Council at its meeting held on December 2, 1999, appropriate notice of the statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (May 17, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on draft plan of subdivision approval for 69 Larkfield Drive, to set out zoning by-law changes for two of the lots; and to permit the development of this 0.8 hectare site with 8 new single detached dwelling residential lots and a new public road; and submitting recommendations with respect thereto.

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

- (June 7, 2000) from Michaela, Alex, Marc & Philip Weiner, advising that they are in support of the proposed development, provided that the trees on the subject property are preserved; and that the developer maintains an orderly site;
- (June 7, 2000) from Ms. Libby Wong, advising that she does not object to the proposed development, provided that the trees and character of the neighbourhood are preserved; and
- (June 20, 2000) from Dr. Patricia Kazan, outlining her reasons for opposing the application, which in her opinion, deprives residents of valuable community space, in so doing, undercuts the integrity of the community of Don Mills as a whole.

A staff presentation was made by Nimrod Salamon, Senior Planner, Community Planning, North District, Urban Development Services.

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

- Mr. Peter Smith, on behalf of the applicant, who commented on the merits of the application. During his submission he indicated that the applicant was in general agreement with the terms and conditions outlined in the staff report with the exception of the requirement to provide sidewalks on Rippleton Road and on the proposed cul-de-sac. He further advised that he endorsed the requirement to preserve as many trees as possible on the subject lands;
- Mr. Bob Zavislake, on behalf of Bethesda United Church, who indicated that the only issue of concern was the requirement respecting the provision of sidewalks as outlined by the previous speaker. He further advised that Bethesda United Church will be creating an endowment fund for youth groups and outreach groups, within the community, and such contributions shall be administered by members within the local community, on an annual basis;
- Mr. Erland Gustev, Architect, who expressed his support for the proposed development. He also advised that he was satisfied that the architectural features and treatments to the proposed dwelling units will be compatible with the surrounding neighbourhood;

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- Ms. Debbie Godfrey, who spoke in support of the development and who indicated she was satisfied with the manner in which the new dwelling units complimented the neighbourhood;
 - Ms. Sandy Woodcock, Principal, Rippleton Public School, who indicated that as a resident she supported the overall proposal. However, as a school person and educator, her first concern was the safety of the children. She expressed her opposition to the proposed development insofar as the impact the proposal would have on the Rippleton Public School property situated across from the proposed development. She expressed concerns that the entrance to the cul-de-sac road will be located directly opposite the school entrance, and will create a hazard for children crossing Rippleton Road. She further advised that parents will use the cul-de-sac as a drop-off location and create a further safety hazard for the children. In concluding she requested that the entrance to the cul-de-sac road be relocated.
- A. Councillor Flint, North York Centre South, moved that the North York Community Council, after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (May 17, 2000) from the Director, Community Planning, North District, Urban Development Services, and for the reasons that the proposal is an appropriate use of lands, recommend to City Council that the application submitted by Bethesda United Church, regarding Zoning Amendment Application UDSB-1244 and UDZ-00-09, be approved, subject to the conditions outlined in the referenced report; and subject to the deletion of the requirement to construct a sidewalk on the north side of Rippleton Road and on both sides of the cul-de-sac proposed within the plan of subdivision.
- B. Councillor Mammoliti, North York Humber, moved that the applicant be required to provide a sidewalk on the north-east side of Lot 5 in the proposed plan of subdivision.

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

FOR: Councillors Mammoliti, Li Preti, Gardner, Shiner

AGAINST: Councillors Feldman, Flint, Fillion, Minnan-Wong

ABSENT: Councillors Valenti, Moscoe, Augimeri, Berger, Chong, King

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

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

AGAINST: Nil

ABSENT: Councillors Valenti, Moscoe, Augimeri, Berger, Chong, King

Carried

(Report No. 8 – Clause No. 21)

8.33 Draft By-Law – Alteration of Beecroft Road between Basil Hall Court and Ellerslie Avenue and Ellerslie Avenue between Tamworth Road and Canterbury Place by Relocating a Cul-De-Sac Providing Temporary Restricted Access to Three Driveways and Making Modifications to the Boulevard.

Pursuant to Clause No. 23 of North York Community Council Report No. 7, as adopted by Council on June 7, 8 and 9, 2000, notice of the public hearing with respect to the draft by-law to authorize the alteration of Beecroft Road between Basil Hall Court and Ellerslie Avenue and Ellerslie Avenue between Tamworth Road and Canterbury Place was published in the daily newspaper on May 29, June 5, 12 and 19, 2000.

The North York Community Council had before it a draft by-law from the City Solicitor, respecting the Alteration of Beecroft Road between Basil Hall Court and Ellerslie Avenue and Ellerslie Avenue between Tamworth Road and Canterbury Place by relocating a cul-de-sac providing temporary restricted access to three driveways and making modifications to the boulevard.

The North York Community Council also had before it a communication (undated) from Ms. Carol Gold.

The following persons appeared at the public hearing on June 21, 2000, to address the North York Community Council:

- Mr. Peter Cheatley, on behalf of 1205373 Ontario Limited, who spoke in support of the proposed road alteration. During his submission he indicated that on November

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4, 1999, the Ontario Municipal Board issued an interim decision concerning the development located on 80 to 102 Ellerslie Avenue and in this decision the Board found that interim access to the Downtown Service Road for this development and the two properties known as 72 and 78 Ellerslie Avenue was appropriate as a temporary measure. He concluded by requesting approval of the draft by-law.

- Ms. Carol Gold, who spoke in opposition to proposed road realignment and submitted a copy of her presentation.
- Ms. Carol Gold, who also spoke on behalf of Mr. Gary Lang, the property owner of 78 Ellerslie Avenue, who was requesting that the City pay for the clearing of snow from the driveways being affected by the proposed road alterations.

On motion by Councillor Filion, North York Centre, the North York Community Council recommended to City Council that as the requirements of the Municipal Act have been fulfilled and no evidence has been presented to the North York Community Council to persuade it that the proposed by-law should not be enacted, that:

- (1) the following by-law to authorize the alteration of Beecroft Road between Basil Hall Court and Ellerslie Avenue and Ellerslie Avenue between Tamworth Road and Canterbury Place by relocating a cul-de-sac providing temporary restricted access to three driveways and making modifications to the boulevard, be enacted by Council; and
- (2) the developer for the lands at 80 to 102 Ellerslie Avenue be responsible for plowing the driveway of the residents at 72 and 78 Ellerslie Avenue until such time as the driveways are no longer required by the City.

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

FOR: Councillors Mammoliti, Li Preti, Berger, Feldman, Gardner, Filion, Shiner

AGAINST: Nil

ABSENT: Councillors Valenti, Moscoe, Augimeri, Flint, Chong, Minnan-Wong, King

Carried

(Report No. 8 – Clause No. 22)

8.34 Final Report – Zoning and Official Plan Amendments UDOZ-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 (May 30, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on applications for site plan and to amend the Zoning By-law and Official Plan to permit a 16 unit condominium townhouse development and submitting recommendations with respect thereto.

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

- (June 1, 2000) from Mr. Murray Chusid, Blaney, McMurtry, on behalf of the applicant, advising that the applicant has instructed him that the applications be withdrawn; and further requesting that the files be closed and consideration be given to either a return of a portion of the filing fees paid, or in the alternative; consideration of a credit towards such filing fees as may be applicable to a new application; and
- (June 6, 2000) from the Director, Community Planning, North District, Urban Development Services, addressed to Mr. Murray Chusid, Blaney, McMurtry, advising the applicant's solicitor of the normal administrative practice for withdrawing an application.

A staff presentation was made by Ms. Naomi Faulkner, Community Planning, North District, Urban Development Services.

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

- (1) the report (May 30, 2000) from the Director, Community Planning, North District, Urban Development Services, be adopted;
- (2) the applications for Site Plan and to amend the Zoning By-law and Official Plan (UDOZ-99-37 and UDSP-99-149) – Baghai Developments Limited – 2425 and 2427 Bayview Avenue, be considered fully withdrawn;
- (3) the aforementioned files be closed; and

- (4) the applicant be reimbursed only \$1,500.00 of the filing fees paid in connection with these applications.

(Report No. 8 – Clause No. 23)

8.35 Final Report – Zoning Amendment Applications UDZ-99-33 and UDZ-99-34 – 1153345 and 1383030 Ontario Inc. – 5575 Yonge Street and 7, 11 & 15 to 25 Finch Avenue East and 16 to 30 Olive Avenue – North York Centre.

Roll Call was taken at the commencement of this item and the following members were in attendance:

Councillors Moscoe, Minnan Wong, Feldman, Flint, Gardner and Filion.

As directed by the North York Community Council at its meeting held on February 15, 2000, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (May 29, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on two applications to amend the zoning by-law to permit a total of 824 units within four apartment towers, townhouse units and multiple attached dwellings as well as a public park; and submitting recommendations with respect thereto.

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

- (June 6, 2000) from Mr. J. Morwood, expressing his concerns with respect to the proposed development;
- (June 18, 2000) from Mr. George Belza, on behalf of the Yonge Street Area Ratepayer Associations and the Edithvale-Yonge Community Association, indicating that the Associations have a number of concerns with respect to certain aspects of the current draft of the zoning by-law contemplated for the proposed project dealing with bicycle storage, building height, landscaping surface parking, the indoor recreational amenity area, and that the issues regarding the artificially restricted development potential of the remaining Yonge Street frontage on the block entailed by approval of the proposed project in its current form as well as the timeliness issues relative to lack of the concurrent provision of the east side service road not being adequately

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addressed in the staff materials; requesting that the Ward Councillors arrange for discussions with staff and the applicant to resolve the by-law issues prior to Council consideration of the proposed project; and requesting that the statutory notice of enactment of any zoning by-law pertaining to the site be sent to himself as well as Mrs. Sharolyn Vettese Chair of the Yonge Street Area Ratepayer Associations, and to Mr. William deBacker, President of the Edithvale-Yonge Community Association.

- (June 19, 2000) from A. Fogels, President, Willowdale North Residents' Association, a member of the Yonge Street Area Ratepayer Associations, requesting that certain aspects of the draft by-law such as building height and parking be clarified and strengthened to avoid interpretation of the intended meaning at a later date; advising that the Association supports the Yonge Street Area Ratepayer Associations' position on these matters as outlined by Mr. Belza and requesting notification of the enactment of the by-law.
- (June 21, 2000) from Ernest and Lois Thorn, expressing their opposition to the proposed development.

A staff presentation was made by Mr. Dennis Glasgow, Senior Planner, Community Planning, North District, Urban Development Services.

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

- Mr. Patrick Berne, who spoke on behalf of both applicants and advised that he was in favour of the recommendations and conditions contained in the staff report. He also indicated that having had an opportunity to review the notice of motion which Councillor Filion intended to put forward, the applicants would not have any particular problems with the recommendations outlined therein.
- Mr. Jim Morwood, who spoke in opposition to the application. His primary objections were with respect to increased traffic in the area as a result of new development within the last few years and the fact that the ring road which was supposed to have been built in tandem with future development, in order to protect the surrounding residential areas, has not yet been provided. In concluding he stated that he was opposed to any further amendments or development until the proper roads are in place;
- Mr. Ernest Thorn, who spoke in opposition to the application. During his submission he expressed his objections with respect to the intrusiveness of the project on the stable residential neighbourhood; the use of Olive Avenue as a means of egress and

ingress from the subject site; the incompatibility of this development with the residential homes in the area; and the amount of visitor parking being provided by the applicant, which in his opinion, was inadequate. He also requested that the widening of Finch Avenue East from Yonge Street to Kenneth Avenue be undertaken immediately to accommodate the traffic generated by this development and other developments in the area and that at Olive Avenue and the public lane, there be some physical restriction and signage stating "No Left Turn" onto Olive Avenue. In concluding he requested that the residents be given some assurances from the City that the Service Road will or will not be built and completed to Bishop Avenue to the north of Finch Avenue East, from Norton Avenue to the south.

- Mr. George Belza, who spoke on behalf of the Yonge Street Area Ratepayer's Associations and the Edithvale-Yonge Community Association. During his submission he indicated that the Associations' concerns and objections are outlined in his communication dated June 18, 2000 distributed to the North York Community Council Members. He also indicated that meetings have been held between the applicant, the Ward Councillor and himself to discuss these issues and that the notice of motion which Councillor Filion intended to put forward would sufficiently resolve their concerns.

- A. Councillor Filion, North York Centre, moved that the North York Community Council, after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (May 29, 2000) from the Director, Community Planning, North District, Urban Development Services, and for reasons that the proposal is an appropriate use of the lands, recommend to City Council that the applications submitted by 1153345 and 1383030 Ontario Inc. regarding Zoning By-law Amendment Applications UDZ-99-33 and UDZ-99-34, be approved subject to the conditions outlined in the referenced report and subject to the following:
 - (1) Recommendation No. (1) be deleted and replaced with the following:

"That subject to the applicant entering into a Section 37 Agreement, the C1(41) exception be deleted and replaced with an O1(22) exception zone as shown on Schedule 1 attached to the draft by-law, to permit a park on the property known municipally as 5575 Yonge Street, with the following exceptions:

 - (a) The only permitted uses shall be a public park, a public playground, and a play lot."

- (2) Recommendation No. (2)(f) be amended to read as follows:

“In calculating the maximum height of the building, any penthouse, tower, cupola, steeple or other roof structure used only as an ornament upon or to house the mechanical equipment of the building shall be included.

The maximum building heights, thus calculated, shall be:

- (i) Building A – 18 storeys plus any mechanical space or any roof structure or 60 metres whichever is less;
- (ii) Building B – 16 storeys plus any mechanical space or any roof structure or 55 metres whichever is less;
- (iii) Building C – 26 storeys plus any mechanical space or any roof structure or 81 metres whichever is less;
- (iv) Building D – 19 storeys plus any mechanical space or any roof structure or 63 metres whichever is less;
- (v) Multiple attached dwellings – 3 storeys plus any mechanical space or any roof structure or 11 metres whichever is less;

As shown on Schedule RM6(100) attached.”

- (3) Recommendation No. (2)(g) be amended to permit a maximum of 12 visitor surface parking spaces for short term parking and delivery only;
- (4) Recommendation No. (2)(j) be deleted and replaced with the following:

“Indoor Recreational Amenity Area

a maximum gross floor area of 1.5 m² per dwelling unit or 1236m², whichever is the lesser, shall be permitted provided such gross floor area is used exclusively for indoor recreational amenity area;”

- (5) Recommendation No. (3)(a)(2) be deleted and replaced with the following:

“Approximately 5.1 metres across the entire Finch Avenue frontage of site B

for road widening, described as Parts 11, 12, 14 and 15 of Reference Plan 64R – 1458 and Part 1 of Reference Plan 64R-16661.”

- (6) Recommendation No. (2) be amended to add section (m):

“(m) Bicycle Storage Space

For the purpose of this exception only, “bicycle storage space” shall mean an area that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles, but is not intended for general storage use.

a maximum gross floor area of 1.5m² per dwelling unit or 1236m², whichever is the lesser, shall be permitted for bicycle storage space, provided such gross floor area is used exclusively for bicycle storage space and is additional to general storage space otherwise provided;”

- (7) Recommendation No. (2) be amended to add section (n):

“(n) Landscaping

a minimum landscaped area of 2780m² shall be provided.”

- (8) Recommendation No. (2)(o) be added to permit a vehicle security kiosk with a gross floor area not exceeding 15 m²; and

- (9) The draft by-law reflect these modifications and any technical refinements warranted and be made available to representatives of both the applicant and the ratepayers for review prior to enactment.

- B. Councillor Moscoe, North York Spadina, moved that the Commissioner, Urban Development Services be requested to report to the Planning and Transportation Committee, on school accommodation as it applies to development applications and in doing so, recommend a policy, in consultation with the Toronto Catholic District School Board and the Toronto District School Board, for notifying potential purchasers of units within a proposed development with respect to available school accommodation.

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

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

FOR: Councillors Moscoe, Feldman, Flint, Gardner, Filion, King

AGAINST: Councillor Berger

ABSENT: Councillors Mammoliti, Valenti, Li Preti, Augimeri, Chong, Minnan-Wong, Shiner

Carried.

(Report No. 8 – Clause No. 24)

8.36 Final Report – Applications to Amend the Official Plan and Zoning By-Law and Draft Plan of Subdivision UDOZ-99-20 & UDSB-1248 – McCarthy Tetrault for Ny Towers Inc. – 2-47 Sheppard Square, 1-5 Rean Drive and Parts of 17 & 19 Barberrry Place – North York Centre South.

As directed by the North York Community Council at its meeting held on October 12, 1999, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (June 1, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on applications to amend the Official Plan and Zoning By-law and a Draft Plan of Subdivision to permit four condominium apartment buildings with grade related townhouses, with a total of 1,164 units, and the relocation of Sheppard Square Parkette; and submitting recommendations with respect thereto.

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

- (June 6, 2000) from Mr. Murray H. Chusid, Blaney, McMurtry, on behalf of 438 Sheppard Avenue East Limited and Berkim Holdings Limited, expressing his clients' concerns with respect to the proposed development;
- (June 6, 2000) from Mr. Murray H. Chusid, Blaney, McMurtry, on behalf of 438 Sheppard Avenue East Limited and Berkim Holdings Limited, requesting to be notified of the adoption of the proposed Official Plan Amendment;

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- (June 13, 2000) from the City Clerk, Administration Committee, advising that the Administration Committee at its meeting held on June 13, 2000, recommended to Council, the adoption of the report (June 8, 2000) from the Commissioner of Corporate Services respecting Declaration of Surplus – Part of Sheppard Square Parkette as Per Official Plan and Zoning By-law amendment UD0Z-99-20 and draft Plan of Subdivision UDSB-1248 for 2-47 Sheppard Square, 1-5 Rean Drive and Part of 17 and 19 Barberry Place (Ward 9 – North York Centre South), recommending that:
 - (1) part of the Sheppard Square Parkette identified as Part of Block B on Registered Plan 3440 be declared surplus to the City's requirements and all steps necessary to comply with By-law No. 551-1998 be taken; and
 - (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

A staff presentation was made by Ms. Ruth Lambe, Senior Planner, Community Planning, North District, Urban Development Services.

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

- Mr. Stephen Diamond, McCarthy, Tetrault, on behalf of the applicant, who commented on the merits of the application, which in his opinion, implements the goals of the Official Plan and the Sheppard Context Plan. He also indicated that the height of the proposed buildings is below the maximum allowed in order to be sensitive to the height issues expressed by the residents and Ward Councillors. In concluding he stated that the applicant is in agreement with the recommendations and conditions outlined in the staff report; that an extensive community consultation process had been undertaken and that the applicant is ready to proceed to the construction phase of the proposed development;
- Mr. Claudio Brutto, Brutto Consulting Ltd., on behalf of Mr. Murray H. Chusid, Solicitor for Berkim Holdings Limited, expressing concerns relating to a lack of comprehensiveness with respect to the planning of the four quadrants of Bayview and Sheppard, particularly in light of the heavy public financial outlay for the subway infrastructure, that is now ongoing. He also indicated that it would be inappropriate for any development proposal to be finalized in any of these quadrants without due and equitable consideration being given to the other quadrants. He further advised that the density, height and other standards are dramatically different from one

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quadrant to the other, without apparent planning basis for doing so. He stated that his clients' have no choice other than to object to the proposed development. In addition, he requested to be notified of the adoption of the proposed Official Plan Amendment;

- Ms. Ida Ellenberg, advising that the proposed development would have an adverse impact on her property. She expressed concerns with regard to the close proximity of the townhouse development to her property, and the lack of privacy in her backyard. She also advised that she is not in favour of the proposed location of the walkway and requested that a tall privacy fence be installed;
- Mr. Harvey Cracknell, advising that he is in favour of the proposed development and is completely satisfied with the work done by the Planning Division;
- Mr. Domenic Rotundo, expressing his concern with regard to the close proximity of the townhouse portion of the development which would create a lack of privacy in his backyard; and
- Mr. Barry McMonagle, on behalf of the Bayview Willowdale Homeowners Association, expressing his support for the proposed development.

A. Councillor Flint, North York Centre South, moved that the North York Community Council, after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (June 1, 2000) from the Director, Community Planning, North District, Urban Development Services, and for the reasons that the proposal is an appropriate use of lands, recommend to City Council that the application submitted by McCarthy, Tetrault for NY Towers Inc., regarding Applications to Amend the Official Plan and Zoning By-law and Draft Plan of Subdivision UDOZ-99-20 and UDSB-1248 be approved, subject to the conditions outlined in the referenced report, and subject to the following further conditions:

(1) Recommendation No. (6)(d) be amended to read as follows:

“(6)(d) That prior to final approval and registration of this plan of subdivision, the City draft plan approve the amendment of the boundary survey by the Owner to include those lands described as Parts 2, 3, 18 and 20 on the draft Reference Plan prepared by Vladimir Kremar Ltd., dated April 6, 2000 (Drawing Name 99107R2), and Block 4 and part of Block 2 be dedicated to the City as public parkland free and

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clear of all encumbrances, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism”;

- (2) Recommendation No. (6)(e) be amended to read as follows:
- “(6)(e) That prior to final approval and registration of this plan of subdivision, the Owner shall have acquired registered title in fee simple to all of the lands laid out in the draft plan of subdivision referred to in Recommendation (6)(a) above and to the lands designated as Parts 2, 3, 18 and 20 on the draft Reference Plan prepared by Vladimir Kremar Ltd., dated April 6, 2000 (Drawing Name 99107R2)”;
- (3) The land dimensions shown on Schedule 1 and Schedule RM6(102) of the draft zoning by-law be amended to reflect the inclusion of Part 18 in the land exchange for Sheppard Square Parkette and the increase in area of the O1 lands on the west side of Rean Park;
- (4) Schedule RM6(102) of the draft zoning by-law be amended to require a 7.2 m below grade west side yard setback south of the proposed road;
- (5) The following new provisions be added to the draft zoning by-law, with the sections of the by-law renumbered accordingly:
- “For the purposes of this exception, “underground” is defined as below established grade.”
- “The provisions of Section 6(9)(c) for permitted projections into one minimum side yard setback only shall not apply.”
- “Exterior stairways, wheelchair ramps, canopies, and porches and decks 2.5 m² or less in area per dwelling unit, shall be permitted to project into one minimum side yard setback only, not more than 1.6 m.”
- “The provisions of Section 20-A.2.4.1 for distance between buildings and/or portions of buildings forming courts shall not apply”;
- (6) That in accordance with Appendix 6, Southeast Bayview Node Transportation Options, the appropriate City officials initiate the public process to stop up Dervock Crescent at Rean Drive, and create a cul-de-sac with access at Rean Drive only for emergency vehicles;

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- B. Councillor Shiner, Seneca Heights, moved the adoption of the following further recommendations:
- (1) No habitable space be permitted above the height of 51.5 metres measured from the established grade for the north buildings and above the height of 77.9 metres, measured from the established grade for the south buildings; and
 - (2) No cell phone receivers, transmitters, or other broadcasting/receiving devices be allowed on any of the buildings except for the exclusive internal use of the residents within the proposed development.
- C. Councillor Moscoe, North York Spadina, moved that the Director, Community Planning, North District, Urban Development Services, be requested to review the close proximity of the townhouses backing on Kenaston Gardens and provide enhanced rear setbacks through the site plan process, in consultation with the residents and Ward Councillors.

A recorded vote on Motion A., moved by Councillor Flint, North York Centre South; Motion B., moved by Councillor Shiner, Seneca Heights and Motion C., moved by Councillor Moscoe, North York Spadina, was as follows:

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

AGAINST: Nil

ABSENT: Councillors Mammoliti, Valenti, Li Preti, Augimeri, Gardner, Chong, Minnan-Wong, King

ABSTAINED: Councillor King

Carried

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

(Report No. 8 – Clause No. 25)

8.37 Draft By-Law to Stop Up and Close a Portion of the Public Highway Sheppard Square and to Authorize the Sale Thereof.

Pursuant to Clause 23 of North York Community Council Report No. 3 as adopted by Council on February 29, March 1, and 2, 2000, notice of the public hearing with respect to the proposed by-law to stop and close the said portion of public highway Sheppard Square and to authorize the sale thereof was published in The Toronto Sun on May 30, June 6, 13 and 20, 2000.

The North York Community Council had before it a Draft By-law from the City Solicitor, to stop up and close a portion of the Public Highway Sheppard Square and to authorize the sale thereof.

No one appeared at the public hearing on June 21, 2000, to address the North York Community Council.

On motion by Councillor Flint, North York Centre South, the North York Community Council recommended to City Council that as the requirements of the Municipal Act have been fulfilled and no evidence has been presented to the North York Community Council to persuade it that the proposed by-law should not be enacted, that the by-law to stop and close the said portion of public highway Sheppard Square and to authorize the sale thereof, be enacted by Council.

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

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

AGAINST: Nil

ABSENT: Councillors Mammoliti, Valenti, Li Preti, Augimeri, Gardner, Chong, Minnan-Wong, King

ABSTAINED: Councillor King

Carried

(Councillor King declared an interest in the foregoing Clause, insofar as it pertains to Thomas Clarke House at 9 Barberry Place, in that a member of her extended family is the owner of this Property.)

(Report No. 8 – Clause No. 26)**8.38 Ontario Municipal Board Hearing – Committee of Adjustment Application UDL-99-107, A106/OONY and A107/OONY – 1336763 Ontario Limited - 75-79 Sheffield Street – North York Humber.**

The North York Community Council had before it a Resolution (undated) from Councillor Valenti, for consideration by the North York Community Council requesting that the City of Toronto instruct legal and planning staff to attend the hearing of the appeal to defend the Committee of Adjustment's Decision and uphold the by-law.

On motion by Councillor Shiner, Seneca Heights, on behalf of Councillor Mammoliti, North York Humber, the North York Community Council recommended to City Council, the adoption of the foregoing Resolution by Councillor Valenti, North York Humber.

(Report No. 8 – Clause No. 27)**8.39 Designation of Weston Road between Sheppard and Finch Avenues as a Community Safety Zone – North York Humber.**

The North York Community Council had before it a Resolution (May 17, 2000) from Councillor Mammoliti, for consideration by the North York Community Council, requesting that this issue go before the Works Committee with a report from staff proving all the necessary information to designate Weston Road between Sheppard and Finch Avenue as a Community Safety Zone.

On motion by Councillor Berger, North York Centre South, on behalf of Councillor Mammoliti, North York Humber, the North York Community Council endorsed the foregoing Resolution by Councillor Mammoliti, North York Humber.

(Report No. 8 – Clause No. 35(1))**8.40 Community Festival Event – Annual Celebration – The Association Cultural Colombo-Canadiense (Formerly Club Social, Cultural Deporivo Colombia) – Caledonia/Lawrence Park – July 22 and July 23, 2000 – North York Spadina.**

The North York Community Council had before it a communication (June 6, 2000) from Sonia Castano, President, Asociacion Cultural Colombo Canadiense, requesting endorsement of

event for liquor licensing purposes for the annual celebration of The Association Cultural Colombo-Canadiens to be held on July 22 and July 23, 2000, at the Caledonia/Lawrence Park.

On motion by Councillor Moscoe, North York Spadina, the North York Community Council recommended that City Council that for liquor licensing purposes, the annual celebration by the Association Cultural Colombo-Canadiense to be held on July 22 and 23, 2000, at the Caledonia/Lawrence Park, be declared to be an event of municipal and/or community significance; that it has no objection to the event taking place and that the Alcohol and Gaming Commission of Ontario be so advised.

(Report No. 8 – Clause No. 28)

8.41 Neighbourhood Traffic Management Plan – Sandringham Drive, Armour Boulevard to Bathurst Street – North York Centre South.

The North York Community Council had before it a report (June 5, 2000) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of traffic calming measures (speed humps) on Sandringham Drive from Armour Boulevard to Bathurst Street, and recommending that:

- (1) Two speed humps be installed on Sandringham Drive from Armour Boulevard to Bathurst Street; and
- (2) By-law No. 31878, of the former City of North York, be amended to designate Sandringham Drive, from the westerly limit of Armour Boulevard to the easterly limit of Bathurst Street as a 40 km/h speed zone.

On motion by Councillor Berger, North York Centre South, 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.

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. 8 – Clause No. 29)

8.42 Final Report – Application for Part Lot Control Exemption – UD54-00-01REL – Laredo Construction Inc. – 665 Trethewey Drive – North York Humber.

The North York Community Council had before it a report (June 16, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on a request for exemption from part lot control in order that 65 semi-detached 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.

On motion by Councillor Mammoliti, North York Humber, 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.

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

(Report No. 8 – Clause No. 30)

8.43 Request for Special Occasion Permit – Community Festival – San Lorenzo Parish – Equadorian Latino Festival – Use of Lawrence/Dufferin Park – August 5, 6 and 7, 2000 – North York Spadina.

(ITEM WITHDRAWN)

8.44 Study – Suitability of Zones and Zoning Provisions in Ridley Neighbourhood West of Yonge Boulevard – North York Centre South.

The North York Community Council had before it the following Resolution by Councillor Berger, North York Centre South:

“WHEREAS the Ridley Neighbourhood, according to Schedule “Q” in the zoning by-law of the former City of North York, has a maximum lot coverage of 35% for single-detached houses;

AND WHEREAS the North York zoning by-law sets a maximum lot coverage of 30% for single-detached houses in most neighbourhoods covered by this Schedule “Q”;

AND WHEREAS a Planning Department report in 1993 recommended the maximum lot coverage should be 30% in parts of the Ridley Neighbourhood;

AND WHEREAS there has been more experience with development of replacement houses in this neighbourhood since 1993, some of which are much larger than existing houses and seem to overpower the existing houses in the part of Ridley Neighbourhood west of Yonge Boulevard, which is known as South Armour Heights;

BE IT THEREFORE RESOLVED that the Director of Community Planning, North District, be directed to study and report on the suitability of the zones and the zoning provisions, with particular focus on lot coverage, for the lands currently zoned R3, R6 and R7 in the Ridley Neighbourhood west of Yonge Boulevard shown on the attached map;

AND BE IT FURTHER RESOLVED that this report be on the Agenda for the first Community meeting in 2001, and if zoning changes are recommended, a final report be considered at a statutory public meeting, with notice issued according to regulations under the Planning Act.”

On motion by Councillor Berger, North York Centre South, 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.

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

(Report No. 8 – Clause No. 31)

8.45 Request for Liquor License – Henry’s Restaurant and Sports Bar – North York Spadina.

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

“WHEREAS Henry’s Restaurant and Sports Bar has applied for a liquor license; and

WHEREAS residents in the neighbourhood are upset about the deterioration of the strip plazas along Wilson Avenue; and

WHEREAS conditions are such in this plaza that it has become an annoyance to neighbouring residents; and

WHEREAS Council is in receipt of petitions in opposition of the granting of a liquor license to this location from residents of Ingleside Drive; and

WHEREAS the owner of Henry’s Restaurant and Sports Bar has declined an opportunity to meet with residents to discuss the details of this application;

THEREFORE BE IT RESOLVED that North York Community Council and Toronto City Council oppose the granting of a liquor license to this establishment and so advise the Alcohol and Gaming Commission.”

On motion by Councillor Moscoe, 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.

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. 8 – Clause No. 32)

8.46 Ontario Municipal Board Hearing – Committee of Adjustment Application Nos. A072/OONY & A073/OONY – Jacob Goldstein in Trust – 291 Parkview Avenue – North York Centre.

The North York Community Council had before it the following Resolution by Councillor Filion, North York Centre:

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“WHEREAS North York Council approved a by-law which prohibits below-grade garages on lots with a frontage under 45 feet that have been created by severance; and

WHEREAS an application was made to the Committee of Adjustment by Jacob Goldstein in Trust to create two below-grade garages at 291 Parkview Avenue; and

WHEREAS the staff report on this application reads as follows: “With respect to the variances requested, there are six variances required for each of the two proposed properties in order to accommodate the proposed dwellings on the proposed 10.6m (35’) lots. Furthermore, staff believe that the proposed smaller lots could be developed in a perspective more in keeping with the requirements of the by-law. Accordingly, the variances as requested would not be appropriate in this instance”; and

WHEREAS, on March 23, 2000, the Committee of Adjustment nevertheless approved the variance to allow the elevation of the entrance of the floor of the garage to be located below the elevation of the centre of the street; and

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

WHEREAS the area residents have appealed the Committee of Adjustment Decision;

THEREFORE BE IT RESOLVED THAT City staff appear at the Ontario Municipal Board Hearing on July 26, 2000 on the appeal to the Committee of Adjustment decision and in support of the City’s by-law.”

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.

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

FOR: Councillors Moscoe, Flint, Filion, Shiner, King

AGAINST: Councillors Berger, Feldman

ABSENT: Councillors Mammoliti, Valenti, Li Preti, Augimeri, Gardner, Chong,
Minnan-Wong

Carried.

(Report No. 8 – Clause No. 33)

8.47 Ontario Municipal Board Hearing – Committee of Adjustment Application No. A058/OONY – Hassan A. Ibrahim – 397 Hillcrest Avenue – North York Centre.

The North York Community Council had before it the following Resolution by Councillor Filion, North York Centre:

“WHEREAS an application for variances was made to the Committee of Adjustment by Hassan A. Ibrahim for 397 Hillcrest Avenue; and

WHEREAS the staff report on this application reads as follows: “this application represents new construction on a lot which more than complies with the by-law requirements for the R6 zone and there should be no undue hardship on the applicant to comply more closely with the by-law”; and

WHEREAS, on March 23, 2000, the Committee of Adjustment gave a modified approval and allowed the variance to permit the east side yard setback of approximately 1.2m to the proposed two storey dwelling only; and

WHEREAS the applicant has appealed the Committee of Adjustment Decision;

THEREFORE BE IT RESOLVED THAT City staff appear at the Ontario Municipal Board Hearing to support the Committee of Adjustment’s decision and in support of the City’s by-laws.

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.

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- 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 King, Seneca Heights, moved that the Director, Community Planning, North District, Urban Development Services, be requested to report on Decisions of the Ontario Municipal Board with respect to appeals against the Decisions of the City of Toronto Committee of Adjustment (North District) and in particular with respect to the Decisions of the Ontario Municipal Board when City of Toronto legal and planning staff do not attend.

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

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

(Report No. 8 – Clause No. 34)

Adjournment.

On motion by Councillor Shiner, Seneca Heights, the North York Community Council adjourned its meeting at 6:30 p.m., Wednesday, June 21, 2000.

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

FOR: Councillors Moscoe, Berger, Feldman, Flint, Filion, Shiner, King

AGAINST: Nil

ABSENT: Councillors Mammoliti, Valenti, Li Preti, Augimeri, Gardner, Chong, Minnan Wong

Carried.

Chair.