

THE CITY OF TORONTO

City Clerk's Division

Minutes of the North Community Council

Meeting No. 3

Wednesday, January 17, 2001.

The North Community Council met on Wednesday, January 17, 2001, in the Council Chamber, North York Civic Centre, commencing at 10:00 a.m.

Attendance:

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

	10:00 a.m. to 1:00 p.m.	2:10 p.m. to 3:00 p.m.
Councillor, Li Preti, Chair	x	x
Councillor Augimeri	x	x
Councillor Filion	x	x
Councillor Feldman	x	x
Councillor Mammoliti	x	x
Councillor Shiner	x	x
Councillor Sutherland	x	x

Declarations of Interest:

Councillor	Minute #	Reason for Declaration
Councillor Li Preti, Ward 8 – York West	1.2	In that the applicant is a business associate.

Confirmation of Minutes:

On motion by Councillor xxxxxx, the minutes of the meeting of the North Community Council held on January 17, 2001, were confirmed.

1.1 Tree Removal Request – 39 Bartel Drive – Ward 7 – York West.

The North Community Council had before it a report (December 1, 2000) from the Commissioner of Economic Development, Culture and Tourism, reporting on an appeal to the Community Council from the owner of 39 Bartel Drive, Mr. Balacio, to permit the removal of a City owned 25 cm diameter Norway Maple tree from the boulevard adjacent to their house; and recommending that this request to remove the tree without compensation for the amenity value and cost of removal be denied.

Mr. Luigi Balacio, appeared before the North Community Council in connection with the foregoing matter.

On motion by Councillor Mammoliti, Ward 7 – York West, the North Community Council recommended to City Council that:

- (1) the report (December 1, 2000) from the Commissioner of Economic Development, Culture and Tourism, not be adopted;
- (2) the property owner be allowed to remove the City owned Norway Maple tree from the boulevard adjacent to the dwelling at 39 Bartel Drive;
- (3) the property owner reimburse the City \$200.00 for the cost of removing the tree; and
- (4) a replacement tree, to the satisfaction of the City Urban Forestry staff, be planted on the boulevard to the left of the driveway entrance at 39 Bartel Drive.

(Report No. 1 – Clause No. 1)

1.2 Tree Removal Request – 93 Newton Drive – Ward 24 – Willowdale.

The North Community Council had before it a report (December 1, 2000) from the Commissioner of Economic Development, Culture and Tourism, reporting on an appeal to the Community Council from the owner of 93 Newton Drive, Mr. Ian Pickup, to permit the removal of a 45 cm diameter Norway Spruce tree from the lawn adjacent to their house; and recommending that this request to remove the tree be denied.

Mrs. Carol Pickup appeared before the North Community Council in connection with the foregoing matter and indicated that in light of the deferral request by the Ward Councillor, that she would prefer to make her deputation at the next meeting scheduled for February 14, 2001.

On motion by Councillor Feldman, Ward 10 – York Centre, on behalf of Councillor Shiner, Ward 24 – Willowdale, the North Community Council:

- (1) deferred consideration of the foregoing report to its next meeting scheduled for February 14, 2001, in order to allow the Ward Councillor an opportunity to meet with the applicant and appropriate City officials; and
- (2) concurred with the request by Mrs. Carol Pickup to make a deputation to the North Community Council at that time.

(Report No. 1 – Clause No. 12(a))

1.3 Request for Exemption to the Sign By-Law – Variance for Proposed Roof Sign – 3492 Weston Road – Ward 7 – York West.

The North Community Council had before it a report (November 29, 2000) from the Director and Deputy Chief Building Official, reporting on a request for a variance from the sign by-law by Mr. Greg Ellis of Mediacom Inc., on behalf of the owners, to permit the erection of an illuminated 10 foot by 23 foot billboard sign on the roof of an existing building; and recommending that the request for a minor variance from the sign by-law be refused.

The North Community Council also had before it a communication (January 15, 2001) from Mr. Greg Ellis, Real Estate Representative, Mediacom, requesting a deferral of the matter to the next meeting of the North Community Council.

On motion by Councillor Mammoliti, Ward 7 – York West, the North Community Council deferred consideration of the foregoing report to its next meeting scheduled for February 14, 2001, in order to allow the Director and Deputy Chief Building Official, North District, an opportunity to arrange an on-site meeting with staff, the Ward Councillor and the applicant.

(Report No. 1 – Clause No. 12(b))

1.4 Request for Exemption to the Sign By-Law – Variance for Proposed Ground Sign – 1600 Finch Avenue West – Ward 8 – York West.

The North Community Council had before it a report (December 19, 2000) from the Director and Deputy Chief Building Official, reporting on a request for a variance from the sign by-law by Mr. Leroy Cassanova of Omni Outdoor Ltd., on behalf of the owners, to permit the erection of an illuminated third party 10 foot by 20 foot ground sign; and recommending that the request for a minor variance from the sign by-law be refused.

Mr. Leroy Cassanova, appeared before the North Community Council in connection with the foregoing matter.

Councillor Mammoliti, Vice-Chair, assumed the Chair.

- A. Councillor Augimeri, Ward 9 – York Centre, moved that the North Community Council recommend to City Council, the adoption of the foregoing report.

Councillor Feldman, assumed the Chair.

- B. Councillor Mammoliti, Ward 7 – York West, moved that the North Community Council defer consideration of the foregoing report to its next meeting scheduled for February 14, 2001, in order to allow the Director and Deputy Chief Building Official, North District, an opportunity to arrange an on-site meeting with staff, the applicant, the Ward Councillor and any other interested members of the North Community Council.

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

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

carried.

(Councillor Li Preti, Ward 8 - York West, declared an interest in the foregoing matter, in that the applicant is a business associate).

Councillor Li Preti, assumed the Chair.

(Report No. 1 – Clause No. 2)

1.5 Request for Exemption to the Sign By-Law – Variance for Proposed Roof Sign – Sign Permit Application No. 00-336741 – 355 Wilson Avenue – Ward 10 – York Centre.

The North Community Council had before it a report (December 27, 2000) from the Director and Deputy Chief Building Official, reporting on a request for a variance from the sign by-law by Mr. Willy Tencer of Moondance Capital Corporation, the owners, to permit the erection of an additional 10 foot by 20 foot illuminated third party sign on the roof of an existing building with existing signs already in place; and recommending that the request for a minor variance from the sign by-law be refused.

On motion by Councillor Feldman, Ward 10 – York Centre, the North Community Council deferred consideration of the foregoing report to its next meeting scheduled for February 14, 2001, in order to allow the Ward Councillor an opportunity to hold an on-site meeting with the applicant and the Director and Deputy Chief Building Official, North District.

(Report No. 1 – Clause No. 12(c))

1.6 Request for Exemption to the Sign By-Law - Variance for Proposed Ground Sign – 726 Wilson Avenue – Ward 9 – York Centre.

The North Community Council had before it a report (December 19, 2000) from the Director and Deputy Chief Building Official, reporting on a request for a variance from the sign by-law by Mr. Andy Lee, to permit the erection of a first party illuminated ground sign with a sign area of 50 square feet and a total height of 15 feet from grade; and recommending that the request for a minor variance from the sign by-law be modified to permit a ground sign with a sign area of 30 square feet, and as modified approved.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North Community Council deferred consideration of the foregoing report, to its next meeting scheduled for February 14, 2001.

(Report No. 1 – Clause No. 12(d))

1.7 Special Occasion Permit Request – Milestone’s Grill and Bar – 5095 Yonge Street – Toronto Winterfest 2001 - February 9, 10 And 11, 2001.

The North Community Council had before it a communication (undated) from Ms. Melissa Jolivet, Milestone’s Grill and Bar, requesting a special occasion permit for Toronto Winterfest 2001 to be held on Friday February 9 from 11:00 a.m. to 2:00 a.m., Saturday, February 10 from 10:00 a.m. to 2:00 a.m. and Sunday, February 11 from 10:00 a.m. to 12:00 p.m.

On motion by Councillor Filion, Ward 23 – Willowdale, the North Community Council recommended to City Council, that for liquor licensing purposes, the Toronto Winterfest 2001 to be held on February 9 to 11, 2001, be declared an event of municipal and/or community significance; that it has no objection to the event taking place; has no objection to the issuance of an Extension of Premises Permit to Milestones Grill and Bar for this event; and that the Alcohol and Gaming Commission of Ontario be so advised.

(Report No. 1 – Clause No. 3)

1.8 Designation Under Part IV of The Ontario Heritage Act – 5365 Leslie Street (Green Meadows/The McDougald Estate) – Ward 33 – Don Valley East.

The North Community Council had before it a communication (November 28, 2000) from the City Clerk, reporting on the designation of the property at 5365 Leslie Street for architectural and historical reasons under Part IV of the Ontario Heritage Act; and recommending that:

- (1) Council authority be granted for the introduction of the necessary Bill in Council to designate 5365 Leslie Street for architectural and historical reasons under Part IV of the Ontario Heritage Act; and

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- (2) The appropriate City Officials be directed to take whatever action may be necessary to comply with the provisions of the said Act in respect to such designation.

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

(Report No. 1 – Clause No. 4)

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

The North Community Council had before it a communication (December 20, 2000) from the City Clerk, recommending that:

- (1) the North Community Council give consideration to Members' preferences outlined in Schedule 1, and recommend to City Council the appointment of Members of Council to:
- (i) North Community LACAC Panel; and
 - (ii) Gibson House / Zion Schoolhouse Community Museum Management Board
- for a term of office expiring May 31, 2002, and until their successors are appointed; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Feldman, Ward 10 – York Centre, the North Community Council recommended to City Council that:

- (1) Councillor Filion be appointed to the North Community LACAC Panel for a term of office expiring May 31, 2002 and until his successor is appointed;
- (2) Councillor Shiner be appointed to the Gibson House/Zion Schoolhouse Community Museum Management Board for a term of office expiring May 31, 2002 and until his successor is appointed; and

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

(Report No. 1 – Clause No. 5)

1.10 Naming of Proposed Private Roads at Spring Garden Avenue and Doris Avenue – Ward 23 – Willowdale.

The North Community Council had before it a report (December 22, 2000) from the City Surveyor, Works and Emergency Services, reporting on the naming of the proposed private roads at the development located south of Spring Garden Avenue and east of Doris Avenue, as "William Poole Way" and "Jonathan Dunn Way"; and recommending that:

- (1) the proposed private roads located south of Spring Garden Avenue and east of Doris Avenue, illustrated on Attachment No. 1, be named "William Poole Way" and "Jonathan Dunn Way";
- (2) Thornridge Homes be required to pay the costs, estimated to be in the amount of \$600, for the fabrication and installation of a street name sign; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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

(Report No. 1 – Clause No. 6)

1.11 Exemption to Driveway Entrance Policy for Residential Properties within District 3 – 54 Glendora Avenue – North York Centre.

The North Community Council had before it a communication (October 26, 2000) from the City Clerk, North York Community Council, forwarding Council's action respecting Clause No. 60 contained in Report No. 10 of the North York Community Council, headed "Exemption to Driveway Entrance Policy for Residential Properties within District 3 – 54 Glendora Avenue – North York Centre, which was struck out and referred to the appropriate Community Council for resubmission in the new term of Council.

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- A. Councillor Filion, Ward 23 – Willowdale, moved that the North Community Council:
- (1) receive and take no action respecting Clause No. 60 of Report No. 10 of the North York Community Council, embodied in the communication (October 26, 2000) from the City Clerk; and
 - (2) direct that upon receipt of confirmation by the property owner that a disabled person resides at 54 Glendora Avenue, that the request for an exemption to the driveway entrance policy be reconsidered by the North Community Council.
- B. Councillor Feldman, Ward 10 – York Centre, moved that the North Community Council defer consideration of this matter to its next meeting scheduled for February 14, 2001 in order to allow the appropriate City officials an opportunity to determine whether a “handicapped sticker” has been issued to a disabled person residing at 54 Glendora Avenue.

Upon the question of the adoption of Motion B., moved by Councillor Feldman, it was lost.

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

(Report No. 1 – Clause No. 12(e))

1.12 Parking Prohibitions – Garthdale Court – Ward 10 – York Centre.

The North Community Council had before it a report (December 27, 2000) from the Director, Transportation Services, District 3, recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at any time on the north side of Garthdale Court, from the westerly limit of Purdon Drive to a point 112 metres westerly thereof.

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

(Report No. 1 – Clause No. 7)

1.13 Ontario Municipal Board Hearing – Appeal of Committee of Adjustment Grant of a Provisional Consent and Minor Variances – 291 Parkview Avenue – Ward 23 – Willowdale.

The North Community Council had before it a report (November 23, 2000) from the City Solicitor, advising of the outcome of the July 26, 2000 Ontario Municipal Board Hearing with respect to 291 Parkview Avenue; and recommending that this report be received for information.

The North Community Council received the foregoing report.

(Report No. 1 – Clause No. 12(f))

1.14 Appeal of Official Plan Amendment No. 495 – Davies Howe Partners on Behalf of Rosedale Developments Inc. – 4917-4995 Yonge Street, 11-27 Hollywood Avenue and 8-18 Spring Garden Avenue; and 576807 Ontario Inc. Owners of 35-49 Bales Avenue – Ward 23 – Willowdale.

- and -

Appeal of Official Plan Amendment No. 495 – Aird & Berlis on behalf of The Metrontario Group and Kenneth-Sheppard Limited, Owners of Land at 160 Greenfield Avenue, 150 and 163 Maplehurst Avenue and 120 and 166 Sheppard Avenue East – Ward 23 – Willowdale.

The North Community Council had before it a report (December 19, 2000) from the Director, Community Planning, North District, Urban Development Services, providing information with respect to site-specific appeals of Official Plan Amendment 495, which makes changes to the height policies within the North York Centre; and recommending that this report be received for information.

The North Community Council also had before it a communication from Mr. William S. Hollo, GSI Real Estate and Planning Advisors Inc., on behalf of Branch 66, Royal Canadian Legion, requesting, at this time, that Community Council make the determination that Branch 66 of the Royal Canadian Legion is a “social facility” for the purposes of section 3.3 of OPA 447, which deals with density incentives; that the City support the Legion in its efforts to obtain a modest amount of surface parking, and access, along the east and north walls of the Legion’s building; and further outlining the current situation and

the reasons for this request.

The North Community Council received the foregoing report.

(Report No. 1 – Clause No. 12(g))

1.15 Report – Site Specific Appeal of Application for Zoning By-Law Amendment Application UDZ-99-41 and Site Plan Approval Application UDSP-99-154 – 4917-4995 Yonge Street, 11-27 Hollywood and 8-18 Spring Garden Avenue --Ward 23 – Willowdale.

The North Community Council had before it a report (December 21, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on an appeal of Zoning By-law Amendment application UDZ-99-41 and Site Plan application UDSP-99-154 filed by John C.T. Inglis, solicitor for the applicant, Rosedale Developments Inc.; and recommending that:

- (1) this report be received for information; and
- (2) Staff be authorized to continue processing the applications;

The North Community Council approved the foregoing report.

(Report No. 1 – Clause No. 12(h))

1.16 Preliminary Report – Zoning By-Law Amendment Application UDZ-00-19 and UDSP-00-92 – Tony Nicoletti – 3 Wallasey Avenue – Ward 7 – York West (Formerly North York Humber).

The North Community Council had before it a report (September 1, 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 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.

On motion by Councillor Mammoliti, Ward 7 – York West, the North Community Council deferred consideration of the foregoing report, to its next meeting scheduled for February 14, 2001, to allow the Ward Councillor an opportunity to meet with the local Ratepayer Association and the applicant in order to discuss possible revisions to the application.

(Report No. 1 – Clause No. 12(i))

1.17 Preliminary Report – Application to Amend the Zoning By-Law – UDZ-00-06 - Bayview Summit Development Limited and Martin Hy Holdings – 4430 Bathurst Street – Ward 10 – York Centre.

The North Community Council had before it a report (December 8, 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.
- (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 Community Council approved the foregoing report.

(Report No. 1 – Clause No. 12(j))

1.18 Preliminary Report – Application to Amend the Official Plan and Zoning By-Law – TB CMB 2000 0001– Nick Sampogna – 886-896 Sheppard Avenue West – Ward 10 – York Centre.

The North Community Council had before it a report (December 28, 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 applications and on the community consultation process; and recommending that:

- (1) Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
- (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 Community Council approved the foregoing report.

(Report No. 1 – Report No. 12(k))

1.19 Preliminary Report – Application for Official Plan and Zoning By-Law Amendments – TB CMB 2000 0002 – Menkes 5000 Yonge Development Ltd. – 5000 Yonge Street – Ward 23 – Willowdale.

The North Community Council had before it a report (December 30, 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.
- (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.

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

On motion by Councillor Filion, Ward 23 – Willowdale, the North Community Council allowed the applicant’s representative an opportunity to make a deputation.

Mr. Adam Brown, Solicitor, representing the applicant, appeared before the North Community Council in connection with the foregoing matter.

On motion by Councillor Filion, Ward 23 – Willowdale, the North Community Council approved the foregoing report (December 30, 2000) from the Director, Community Planning, North District, Urban Development Services, subject to:

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

“(2) Staff in consultation with the Ward Councillor be directed to:

- (a) expand the area of notification an appropriate distance, taking into consideration the properties in the stable residential areas;
- (b) include all property owners and condominium owners within the expanded radius; and
- (c) submit a further report to the North Community Council if there is a disagreement on the notification area.”

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

“(3) Notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act and to all those individuals in the expanded notification area referred to in Recommendation No. (2) above.”

(Report No. 1 – Clause 12(l))

1.20 Preliminary Report – Applications to Amend the Official Plan and Zoning By-Law UDOZ 00-21 and UDSP 00-127 – Brown Dryer Karol for Elm Bayview Residences Limited - 3336, 3338 and 3340 Bayview Avenue – Ward 24 – Willowdale.

The North Community Council had before it a report (December 27, 2000) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted applications and to seek Community Council's directions on further processing of the applications and on the community consultation process; and recommending that:

- (1) Staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site; and
- (3) Notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

The North Community Council approved the foregoing report.

(Report No. 1 – Clause No. 12(m))

1.21 Final Report – Proposed Comprehensive Zoning By-Law Amendment for Regulating Rooftop Mechanical Area in the North York Centre Secondary Plan Area – UD03 HEI - Ward 23 – Willowdale.

The North Community Council had before it a report (December 19, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on proposed regulations for rooftop mechanical areas within the North York Centre Secondary Plan area; and recommending that:

- (1) Notice for the Public Meeting under the Planning Act be given for a proposed Zoning Amendment according to the regulations under the Planning Act to consider proposed regulations to limit the structural height and extent of mechanical areas within the North York Secondary Plan area and that staff be directed to prepare a by-law giving effect to the following:

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- (a) the maximum height of 5 metres for rooftop mechanical structures;
- (b) the maximum rooftop coverage be limited to 30%;
- (c) rooftop mechanical structures shall not exceed 20% of the width of the main wall when the main wall faces a street;
- (d) Rooftop mechanical structures shall be set back 2 metres from the parapet walls when the parapet wall fronts onto Yonge Street.

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

(Report No. 1 – Clause No. 8)

1.22 Report – Referral of Official Plan and Zoning By-Law Amendment Application UDOZ-96-36 – Marklib Investments II-A Limited – 35 Cedarcroft Boulevard – Ward 10 – York Centre.

The North Community Council had before it the following:

- (i) preliminary report (January 28, 2000), from the Director, Community Planning, North District, Urban Development Services, seeking Community Council's directions on further processing of the application;
- (ii) Clause 35 of Report No. 3 of the North York Community Council, which was received, for information by City Council at its meeting held on February 29, March 1 and 2, 2000; and
- (iii) preliminary report (December 30, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on appeals of the Official Plan and Zoning By-law Amendment application UDOZ-96-36 filed by Davies Howe Partners, solicitor for the applicant, Marklib Investments II-A Limited; and recommending that:
 - (1) Staff be directed to schedule a community consultation meeting together with the Ward Councillor;

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- (2) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site;
- (3) A Final Report be prepared for consideration by Community Council as a Deputation item for which notice be given to landowners and residents within 120 metres of the site; and
- (4) Staff be authorized to continue processing the application.

On motion by Councillor Feldman, Ward 10 – York Centre, the North Community Council:

- (1) received the report (January 28, 2000) from the Director, Community Planning, North District, Urban Development Services; and
- (2) approved the report (December 30, 2000) from the Director, Community Planning North District, Urban Development Services.

(Report No. 1 – Clause No. 12(n))

1.23 Ontario Municipal Board Hearing – Committee of Adjustment Application – Bowan Court – Ward 24 – Willowdale.

The North Community Council had before it a communication (October 25, 2000) from the City Clerk, forwarding the following motion which City Council at its regular meeting held on October 3, 4 and 5, 2000, and its Special Meetings held on October 6, 2000, October 10 and 11, 2000, and October 12, 2000, referred to the North Community Council for subsequent report to the first regular meeting of City Council in 2001:

Moved by: Councillor King

Seconded by: Councillor Adams

“WHEREAS the Committee of Adjustment (North District) approved an application to sever Block 64 from the Bowan Court Subdivision Agreement and recommended the conveyance of the part thereof to the adjoining landowners of lots 26, 27 and 28, despite the objection of the Toronto and Region Conservation Authority (TRCA); and

WHEREAS the Bowan Court Subdivision Agreement was carefully drafted with the

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assistance of the TRCA to ensure that the principles of the Valley and Stream Corridor Management Program of the TRCA were respected; and

WHEREAS the City of Toronto will have to consider amending the Bowan Court Subdivision Agreement, prior to the implementation of the Committee of Adjustment decision; and

WHEREAS the TRCA has directed it's staff to appeal the decision of the Committee of Adjustment to the Ontario Municipal Board (OMB); and

WHEREAS the OMB hearing will be expensive for the TRCA and redundant if the City were to decide to not amend the Subdivision Agreement;

NOW THEREFORE BE IT RESOLVED THAT Toronto City Council request the North York Community Council to review the Committee of Adjustment decision (attached), which is premised on City Council amending the Subdivision Agreement, at its September meeting;

AND BE IT FURTHER RESOLVED THAT the North York Community Council make a recommendation to the October 3, 2000, City Council meeting regarding amending the Subdivision Agreement.”

The North Community Council also had before it a report (December 20, 2000) from the Director, Community Planning, North District, Urban Development Services, advising Council of an upcoming Ontario Municipal Board hearing regarding appeals to a Committee of Adjustment decision made with respect to the Bowan Court subdivision, and recommending that:

- (1) The Ontario Municipal Board be advised that if it upholds the decision of the Committee of Adjustment's recommendations with respect to B030/OONY, Council will amend its subdivision agreement as appropriate;
- (2) Clause I.7.6 be revised to “The OWNER shall convey unencumbered, the remaining portion of Block 64, to the Toronto and Region Conservation Authority immediately;
- (3) The Ontario Municipal Board be advised that if the appeals against the Decision of the Committee of Adjustment are granted, Council will seek enforcement of the existing subdivision agreement conveyances; and

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

The North Community Council also had before it a communication (January 16, 2001) from Mr. Mitchell D. Goldberg of Birenbaum Steinberg Landau, Savin and Colrairie, Barristers and Solicitors, advising that their clients, Dr. and Mrs. Price, would be unable to attend the meeting of January 17, 2001 due to lack of notice; but wished to advise that they strongly object to any amendment to the Subdivision Agreement or to any matter being dealt with by the Community Council prior to the receipt of a decision by the Ontario Municipal Board.

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Ms. Jane Clohec, Toronto and Region Conservation Authority appeared before the North Community Council in connection with the foregoing matter.

- A. Councillor Feldman, Ward 10 – York Centre, moved that the North Community Council defer consideration of this matter to its next meeting scheduled for February 14, 2001.

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

Later in the meeting the following motions were made:

- B. Councillor Shiner, Ward 24 – Willowdale, moved that the North Community Council re-open consideration of this matter.

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

- C. Councillor Shiner, Ward 24 – Willowdale, moved that the North Community Council:

- (1) forward this matter to City Council without recommendation; and
- (2) request the Commissioner of Urban Development Services to consult further with the staff of the Toronto and Region Conservation Authority and to submit a report directly to City Council for its meeting scheduled for January 30 and 31, 2001, on any possible resolution of these matters

which can be recommended to the Ontario Municipal Board.

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

(Report No. 1 – Clause No. 9)

1.24 Final Report – Application to Amend the Official Plan and Zoning By-Law 7625 – UDOZ-97-04 – 436-438 Sheppard Avenue East & 6 Clairtrell Road – 438 Sheppard Avenue East Limited – Ward 23 – Willowdale.

and

Application to Amend the Official Plan and Zoning By-Law 7625 – UDOZ-97-05 – Walter Kimmerle – 442-446 Sheppard Avenue East & 7 Clairtrell Road – Ward 23 – Willowdale.

The North Community Council had before it a report (December 27, 2000) from the Director, Community Planning, North District, Urban Development Services, reporting on two applications to amend the Official Plan and the Zoning By-law for a total of 300 residential units at the corners of Sheppard Avenue East and Clairtrell Road, northwest of the Bayview/Sheppard intersection; and recommending that City Council:

- (1) Refuse Amendment Applications UDOZ-97-04 and UDOZ-97-05 in their current form;
- (2) Authorize the City Solicitor and City staff to appear before the Ontario Municipal Board to defend the refusal of these applications in their current form; and
- (3) Refuse the applicant's requests for a partial refund of application fees.

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

- (January 16, 2001) from H. Thomas Tucker, Secretary, Bayview Willowdale Home Owners Association, in opposition to the application;
- (January 17, 2001) from Ms. Fran Moscall, SOS Preservation Group, in opposition to the proposed development.

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- A. Councillor Filion, Ward 23 – Willowdale, moved that the North Community Council recommend to City Council, the adoption of the foregoing report.

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

Later in the meeting the following motions were made:

- B. Councillor Sutherland, Ward 33 – Don Valley East, moved that Mr. M. Chusid, Solicitor, on behalf of the applicant, be allowed an opportunity to address the North Community Council for no more than five minutes.

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

Mr. M. Chusid, addressed the North Community Council and indicated that he was not in attendance during the Community Council's consideration of this matter because he was advised that this application would not be heard until 2:00 p.m.

- C. Councillor Sutherland, Ward 33 – Don Valley East, moved that consideration of this matter be re-opened.

Upon the question of the adoption of the foregoing Motion C., moved by Councillor Sutherland, it was lost.

(Report No. 1 – Clause No. 10)

1.25 Timing of Payment of Development Charges – UDSB-1248 – NY Towers Inc. – 2-47 Sheppard Square, 1-5 Rean Drive and Parts of 17 & 19 Barberry Place – Ward 24 – Willowdale.

The North Community Council had before it a report (January 3, 2001) from the Director, Community Planning, North District, Urban Development Services, requesting Council's direction in response to a request from the solicitors for NY Towers Inc., concerning the timing for the payment of the development charges for the above-noted development; and recommending that City Council determine whether the hard service component of the development charges should be deferred until building permit issuance.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North Community

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Council recommended to City Council:

- (1) that the report (January 3, 2001) from the Director, Community Planning, North District, Urban Development Services, be received; and
- (2) the adoption of the following Resolution submitted by Councillor Shiner, Willowdale:

“WHEREAS section 20(a) of City of Toronto By-law No. 476-1999, being a by-law respecting development charges, states that “...the development charge with respect to water works, sanitary sewerage and roads...shall be payable, with respect to an approval of a plan of subdivision pursuant to section 51 or a consent pursuant to section 54 of the Planning Act, immediately upon the parties entering into a subdivision agreement or a consent agreement”, and;

WHEREAS the primary rationale for requiring payment of development charges up front is to cover the costs of any necessary offsite infrastructure improvements required to accommodate the development, and;

WHEREAS no such offsite improvements will be funded from this development, and;

WHEREAS the request for letters of credit with respect to the on-site improvements are being provided;

NOW THEREFORE BE IT RESOLVED THAT a deferral be granted to NY Towers Inc. for the payment of the development charges related to UDSB-1248 until (the earlier of:)

- (i) sixty (60) days after the registration of the respective subdivision agreement

OR

- (ii) May 31, 2001.”

(Report No. 1 – Clause No. 11)

1.26 Revised Organizational Structure for the Committee of Adjustment (All Wards).

The North Community Council had before it a communication (January 10, 2001) from the City Clerk, Planning and Transportation Committee, forwarding, for the information of all Community Councils, a report (December 11, 2000) from the Commissioner of Urban Development Services regarding an organizational structure for the Committee of Adjustment, corresponding with the boundaries of the six Community Councils, together with the action taken by the Planning and Transportation Committee at its meeting held on January 8, 2001 in this regard; and requesting the Community Councils to forward any comments directly to City Council for its meeting to be held on January 30, 2001.

- A. Councillor Mammoliti, Ward 7 – York West, moved that the following motion be referred to the Office Consolidation Sub-Committee of the Administration Committee:

“That Recommendation A.(1)(c) adopted by the Planning and Transportation Committee be further amended to provide that all hearings of the Committee of Adjustment be held in a more central location of their respective Community Council, such location to be determined by staff”.

- B. Councillor Feldman, Ward 10 – York Centre, moved that the recommendations of the Planning and Transportation Committee be adopted, subject to Recommendation A.(1)(c) being amended to read as follows:

“(6) City Council recommend the Secretary-Treasurer schedule all Committee of Adjustment Hearings to start at 2:00 p.m. and meetings to be held in the civic centre headquarters of their respective Community Council; and report back in one year on stakeholder satisfaction.”

- C. Councillor Filion, Ward 23 – Willowdale, moved that Recommendation A.(1)(c) of the Planning and Transportation Committee be amended to read as follows:

“(6) City Council recommend the Secretary-Treasurer schedule all Committee of Adjustment Hearings to start at 2:00 p.m. but that the Committee of Adjustment, at the request of the Ward Councillor, hold a late afternoon or evening meeting such meeting to be considered an extension of the daytime hearing,

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on a particular application within his/her Ward, and meetings be held in the civic centre headquarters of their respective Community Council; and report back in six months on stakeholder satisfaction.”

- D. Councillor Augimeri, Ward 9 – York Centre, moved that Recommendation A.(1)(c) of the Planning and Transportation Committee be amended to read as follows:

“(6) City Council recommend the Secretary-Treasurer schedule all Committee of Adjustment Hearings to start at 2:00 p.m. but that the Committee of Adjustment, at the request of the Ward Councillor, hold a late afternoon or evening meeting on a particular application within his/her Ward, and meetings be held in the civic centre headquarters of their respective Community Council; and report back in six months on stakeholder satisfaction.”

- E. Councillor Feldman, Ward 10 – York Centre, moved in amendment to his previous motion that the North Community Council recommend to City Council, when considering Clause No. 1 of Report No. 1 of the Planning and Transportation Committee, headed “Revised Organizational Structure for the Committee of Adjustment”, that the recommendations of the Planning and Transportation Committee be adopted, subject to Recommendation A.(1)(c) being amended by deleting the words “hold an evening meeting on a particular application within his/her Ward” and inserting in lieu thereof, the words “schedule a specific application within his/her Ward, as the last item on the Committee of Adjustment agenda”, so that Recommendation A.(1)(c) shall now read as follows:

“(6) City Council recommend the Secretary-Treasurer schedule all Committee of Adjustment Hearings to start at 2:00 p.m. but that the Committee of Adjustment, at the request of the Ward Councillor, schedule a specific application within his/her Ward, as the last item on the Committee of Adjustment agenda, and meetings be held in the civic centre headquarters of their respective Community Council; and report back in six months on stakeholder satisfaction.”

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

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

Having regard to the foregoing decision of the North Community Council, Motion B., moved by Councillor Feldman, Motion C., moved by Councillor Filion and Motion D., moved by Councillor Augimeri, was not put and therefore not voted upon.

(Report No. 1 – Clause No. 12(o))

1.27 Community Consultation Notification Area – 10 Elmwood Avenue – UDZ-00-05 – Ward 23 – Willowdale.

The North Community Council had before it the following Resolution (January 17, 2001) submitted by Councillor Filion, Ward 23 - Willowdale:

“WHEREAS the consultation process previously approved by Council (Other Items Clause No. 25, North York Community Council Report No. 7) limited the notification area to 120 metres;

WHEREAS the 120 metre limit for 10 Elmwood provides for no notification of properties outside of the redevelopment area;

WHEREAS notification within the 120 metre area does not include notification to individual condominium owners;

THEREFORE BE IT RESOLVED that the notification area be expanded to include properties on Elmwood Avenue between Doris Avenue and Kenneth Avenue; and

THEREFORE BE IT FURTHER RESOLVED that notification within the 120 metres be to all property owners, including individual condominium owners.”

On motion by Councillor Filion, Ward 23 – Willowdale, the North Community Council, in accordance with Subsection 123(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

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affirmative.

On motion by Councillor Filion, Ward 23 – Willowdale, the North Community Council endorsed the foregoing Resolution.

(Report No. 1 – Clause No. 12(p))

Waiving of the provisions of the Procedural By-law related to meeting times:

Councillor Feldman, at 12:25 p.m., moved that, in accordance with subsection 11(6) of the Council Procedural By-law, the North Community Council, waive the requirement of the 12:30 p.m. recess, in order to complete consideration of the remaining items on the agenda, which was carried, more than two-thirds of members present having voted in the affirmative.

Councillor Filion, at 1:00 p.m., moved that, in accordance with subsection 11(6) of the Council Procedural By-law, the North Community Council, in light of the number of items remaining on the agenda, waive its previous decision to complete consideration of those items, in order to recess and reconvene at 2:00 p.m., which was carried, more than two-thirds of members having voted in the affirmative.

Adjournment:

The North Community Council adjourned its meeting at 3:00 p.m., Wednesday, January 17, 2001.

Chair.