

THE CITY OF TORONTO

City Clerk's Division

Minutes of the North Community Council

Meeting No. 4

Wednesday, April 4, 2001.

The North Community Council met on Wednesday, April 4, 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.

	10:10 a.m. to 12:30 p.m.	2:10 p.m. to 7:45 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 Shiner, Ward 24 – Willowdale,	3.34	A member of his family has an interest in a property in this area.

Confirmation of Minutes:

On motion by Councillor Feldman, Ward 10 – York Centre, the minutes of the meeting of the North Community Council held on February 14, 2001, were confirmed.

3.1 Naming of Proposed Public Street Extending between Wilson Avenue and Dufferin Street – Ward 9 – York Centre.

The North Community Council had before it a report (March 14, 2001) from the City Surveyor, Works and Emergency Services, reporting on the naming of the proposed public street extending between Wilson Avenue and Dufferin Street as “Billy Bishop Way”, and recommending that:

- (1) the proposed public street extending between Wilson Avenue and Dufferin Street, illustrated on Attachment No. 1, be named “Billy Bishop Way”; and
- (2) 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. 3 – Clause No. 1)

3.2 Special Occasion Permit – Community Event – Armenian Community Centre Summer Fest 2001 – 45 Hallcrown Place – Ward 33 – Don Valley East.

The North Community Council had before it a communication (February 7, 2001) from Ani Tuysusian, Manager, Armenian Community Centre, requesting permission to apply for a liquor license for the 3rd annual Armenian Community Centre Summer Fest 2001, to be held on Friday, July 6, 2001 – 5:00 p.m. to 2:00 a.m., Saturday, July 7, 2001 – 4:00 p.m. to 2:00 a.m. and Sunday, July 8, 2001 – 5:00 p.m. to 1:00 a.m. at the Armenian Community Centre, 45 Hallcrown Place.

The North Community Council recommended that City Council, for liquor licensing

purposes, declare the third annual Armenian Community Centre Summer Fest 2001 being held on July 6 to 8, 2001, by the Armenian Community Centre, 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. 3 – Clause No. 2)

3.3 Appointment of Member to the Don Watershed Regeneration Council of the Toronto and Region Conservation Authority.

The North Community Council had before it a communication (March 20, 2001) from the City Clerk, providing Members of Council with a list of Members' preferences for appointment to the Don Watershed Regeneration Council of the Toronto and Region Conservation Authority on recommendation of the North Community Council and recommending that:

- (1) the North Community Council give consideration to Members' preferences outlined in Schedule 1, and recommend to City Council the appointment of a Member of Council to the Don Watershed Regeneration Council of the Toronto and Region Conservation Authority for a term of office expiring May 31, 2002, and until his or her successor is appointed; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Sutherland, Ward 33 – Don Valley East, the North Community Council recommended to City Council that:

- (1) Councillor Mammoliti, Ward 7 – York West, be appointed to the Don Watershed Regeneration Council of the Toronto and Region Conservation Authority for a term of office expiring May 31, 2002 and until his successor is appointed; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

(Clause No. 3 – Report No. 3)

3.4 Request for Exemption to the Sign By-Law – Variance for Ground Sign – 4601 Steeles Avenue West – Ward 7 – York West.

The North Community Council had before it a report (March 14, 2001) from the Director and Deputy Chief Building Official, Urban Development Services, reporting on a request for a variance from the sign by-law by Mr. Ryan Gual, to permit the erection of an illuminated 20 foot high first party ground sign with an advertising face of 6 feet by 9 feet, and recommending that the request for a minor variance from the sign by-law be approved.

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

(Report No. 3 – Clause No. 4)

3.5 Removal of Reduced Speed Limit – Stafford Road – Ward 23 – Willowdale.

The North Community Council had before it a report (March 15, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that By-law No. 31878, of the former City of North York, be amended to delete the 40 km/h speed limit on Stafford Road, from the southerly limit of Eglinton Avenue to the northerly limit of Betty Ann Drive.

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

(Report No. 3 – Clause No. 5)

3.6 All Way Stop Control – Niska Road and Tobermory Drive – Ward 8 – York West.

The North Community Council had before it a report (March 16, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of an all way stop control at the intersection of Niska Road and Tobermory Drive and 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 Niska Road and Tobermory Drive.

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

(Report No. 3 - Clause No. 6)

3.7 All Way Stop Control – Codsell Avenue and Goddard Street – Ward 10 – York Centre.

The North Community Council had before it a report (March 15, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of an all way stop control at the intersection of Codsell Avenue and Goddard Street and recommending that Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop at all approaches to the intersection of Codsell Avenue and Goddard Street.

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

(Report No. 3 – Clause No. 7)

3.8 Traffic Control Signal Installation – Keele Street at The Pond Road – Ward 8 – York West.

The North Community Council had before it a report (February 16, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of traffic control signals at the intersection of Keele Street and The Pond Road and construction of the fourth leg of the intersection and recommending that:

- (1) traffic control signals be installed at the intersection of Keele Street and The Pond Road;
- (2) coincidental with the activation of the signals referenced in recommendation no. (1):
 - (i) The Pond Road be extended east of Keele Street, to form the fourth leg of the intersection;

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- (ii) Keele Street be widened to incorporate a northbound right turn lane at the intersection of Keele Street and The Pond Road;
 - (iii) a channelized southbound left turn lane and modifications to the existing northbound channelized left turn lane be constructed, at the Keele Street/The Pond Road intersection; and
 - (iv) a bus lay-by be constructed on the east side of Keele Street, north of The Pond Road
- (3) the easterly northbound curb lane on Keele Street at The Pond Road be designated for right turning vehicles only, between The Pond Road and a point 70 metres southerly thereof; and
 - (4) the appropriate by-law(s) be amended accordingly.

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

(Report No. 3 – Clause No. 8)

3.9 Parking Prohibitions – Pearldale Avenue – Ward 7 – York West.

The North Community Council had before it a report (March 16, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amendments to the existing parking regulations on the west side of Pearldale Avenue and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, prohibiting parking on the west side of Pearldale Avenue, between the northerly limit of Finch Avenue West and the southerly limit of Duncanwoods Drive, from 2:00 a.m. to 6:00 a.m., be deleted; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the west side of Pearldale Avenue, between the northerly limit of Finch Avenue West and the southerly limit of Duncanwoods Drive, from 2:00 p.m. to 6:00 a.m.

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

(Report No. 3 – Clause No. 9)

3.10 Parking Prohibitions – Claywood Road (Churchill Public School) – Ward 23 – Willowdale

The North Community Council had before it a report (March 12, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amendments to the parking and stopping prohibitions on Claywood Road, between Horsham Avenue and Churchill Avenue 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” prohibition on the west side of Claywood Road, from Churchill Avenue to a point 91.5 metres northerly thereof;
- (2) Schedule X of By-law No. 31001, of the former City of North York, be amended to install 15 minute permitted parking between 8:00 a.m. and 6:00 p.m., Monday to Friday, on the west side of Claywood Road, from Horsham Avenue to Churchill Avenue;
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking between 8:00 a.m. and 6:00 p.m., Monday to Friday, on the east side of Claywood Road, from Horsham Avenue to Churchill Avenue.

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

(Report No. 3 – Clause No. 10)

3.11 Parking Prohibitions – Ward 7 – York West and Ward 23 – Willowdale.

The North Community Council had before it a report (March 15, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on modifying/amending the existing traffic by-law entries to match the posted restrictions and

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recommending that Schedule VIII of By-law No. 31001 and Schedules A and B of By-law No. 30662, of the former City of North York, be amended accordingly, as per Attachment 1 to the report.

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

(Report No. 3 – Clause No. 11)

3.12 Turn Restrictions – Garratt Boulevard and Murray Road – Ward 9 – York Centre.

The North Community Council had before it a report (March 15, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amendments to the existing entry and turn regulations on Garratt Boulevard and Murray Road, to reduce traffic infiltration and recommending that:

- (1) Schedule XV of By-law No. 31001, of the former City of North York, be amended by deleting the southbound left turn prohibition on Murray Road at the intersection of Regent Road, between the hours of 3:30 p.m. and 4:30 p.m., Monday to Friday;
- (2) Schedule XV of By-law No. 31001, of the former City of North York, be amended by deleting the southbound left turn prohibition on Murray Road at the intersection of Katherine Road, between the hours of 3:30 p.m. and 4:30 p.m., Monday to Friday;
- (3) Schedule XV of By-law No. 31001, of the former City of North York, be amended by deleting the southbound left turn prohibition on Murray Road at the intersection of Spalding Road, between the hours of 3:30 p.m. and 4:30 p.m., Monday to Friday;
- (4) Schedule XV of By-law No. 31001, of the former City of North York, be amended by deleting the southbound left turn prohibition on Garratt Boulevard at the intersection of Regent Road, between the hours of 3:30 p.m. and 4:30 p.m., Monday to Friday;
- (5) Schedule XV of By-law No. 31001, of the former City of North York, be amended by deleting the southbound left turn prohibition on Garratt Boulevard at the intersection of Katherine Road, between the hours of 3:30 p.m. and 4:30

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p.m. Monday to Friday;

- (6) Schedule XVII of By-law No. 31001, of the former City of North York, be amended by deleting the prohibited entry prohibition on Spalding Road east of Garratt Boulevard, between the hours of 3:30 p.m. and 4:30 p.m., Monday to Friday;
- (7) Schedule XVII of By-law No. 31001, of the former City of North York, be amended by deleting the prohibited entry prohibition on Plewes Road east of Garratt Boulevard, between the hours of 3:30 p.m. and 4:30 p.m., Monday to Friday;
- (8) Schedule XVII of By-law No. 31001, of the former City of North York, be amended by deleting the prohibited entry prohibition on Gilley Road east of Garratt Boulevard, between the hours of 3:30 p.m. and 4:30 p.m., Monday to Friday;
- (9) Schedule XV of By-law No. 31001, of the former City of North York, be amended by adding southbound left turn prohibitions on Murray Road at the intersection of Regent Road, between the hours of 3:00 p.m. and 4:30 p.m., Monday to Friday;
- (10) Schedule XV of By-law No. 31001, of the former City of North York, be amended by adding southbound left turn prohibitions on Murray Road at the intersection of Katherine Road, between the hours of 3:00 p.m. and 4:30 p.m., Monday to Friday;
- (11) Schedule XV of By-law No. 31001, of the former City of North York, be amended by adding southbound left turn prohibitions on Murray Road at the intersection of Spalding Road, between the hours of 3:00 p.m. and 4:30 p.m., Monday to Friday;
- (12) Schedule XV of By-law No. 31001, of the former City of North York, be amended by adding southbound left turn prohibitions on Garratt Boulevard at the intersection of Regent Road, between the hours of 3:00 p.m. and 4:30 p.m., Monday to Friday;
- (13) Schedule XV of By-law No. 31001, of the former City of North York, be amended by adding southbound left turn prohibitions on Garratt Boulevard at the intersection of Katherine Road, between the hours of 3:00 p.m. and 4:30 p.m.,

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- Monday to Friday;
- (14) Schedule XV of By-law No. 31001, of the former City of North York, be amended by adding southbound left turn prohibitions on Spalding Road east of Garratt Boulevard, between the hours of 3:00 p.m. and 4:30 p.m., Monday to Friday;
- (15) Schedule XV of By-law No. 31001, of the former City of North York, be amended by adding southbound left turn prohibitions on Plewes Road east of Garratt Boulevard, between the hours of 3:00 p.m. and 4:30 p.m., Monday to Friday;
- (16) Schedule XV of By-law No. 31001, of the former City of North York, be amended by adding southbound left turn prohibitions on Gilley Road east of Garratt Boulevard, between the hours of 3:00 p.m. and 4:30 p.m., Monday to Friday;
- (17) Schedule XVI of By-law No. 31001, of the former City of North York, be amended by adding turn prohibitions on Gilley Road east of Garratt Boulevard, between the hours of 3:00 p.m. and 4:30 p.m., Monday to Friday;
- (18) Schedule XVI of By-law No. 31001, of the former City of North York, be amended by adding through prohibitions on Plewes Road east of Garratt Boulevard, between the hours of 3:00 p.m. and 4:30 p.m., Monday to Friday; and
- (19) Schedule XVI of By-law No. 31001, of the former City of North York, be amended by adding through prohibitions on Plewes Road east of Garratt Boulevard, between the hours of 3:00 p.m. and 4:30 p.m., Monday to Friday.

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

(Report No. 3 – Clause No. 12)

3.13 Committee of Adjustment Application – Proposed Development at 380 and 382 Empress Avenue – Ward 23 – Willowdale.

The North Community Council had before it a communication (March 20, 2001) from the City Clerk, advising that City Council, at its meeting held on March 6, 7 and 8, 2001, adopted the following Notice of Motion, subject to striking out the Operative Paragraph

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and inserting in lieu thereof the following new Operative Paragraph:

“NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be instructed to file an appeal in this matter and this Motion be forwarded to the North Community Council for consideration.”

“Proposed Development at 380 and 382 Empress Avenue

Moved by: Councillor Filion

Seconded by: Councillor Sutherland

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) at its meeting of March 1, 2001, approved an application by the owner of 380 and 382 Empress Avenue for the consent to sever two residential properties fronting onto Empress Avenue into three residential properties fronting onto Highgate Avenue; and

WHEREAS the Committee of Adjustment for the City of Toronto (North District) at the same meeting, approved three associated variance applications requesting variances for lot frontage and width, lot area, north and south side yard setbacks, lot coverage and below grade garages and

WHEREAS Planning staff did not oppose this application and did not prepare a staff report on this matter; and

WHEREAS below grade garages are explicitly prohibited by the By-law when such lots are created by consent; and

WHEREAS Council should consider this land division precedent setting for this area; and

WHEREAS the decision will be forthcoming by mail on Friday March 9, 2001; and

WHEREAS the last day to appeal the consent application is Wednesday March 28, 2001;

WHEREAS the last day to appeal the minor variance applications is Tuesday March 20, 2001;

NOW THEREFORE BE IT RESOLVED THAT Council direct the City Solicitor to appeal the application to the Ontario Municipal Board and that the Solicitor also be directed to

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retain an outside planning consultant to attend the Ontario Municipal Board hearing to uphold the City's By-law and to oppose the land division;"

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

“WHEREAS City Council, at its meeting held on March 6, 7 and 8, 2001, adopted the Notice of Motion moved by Councillor Filion, seconded by Councillor Sutherland, embodied in the communication (March 20, 2001) from the City Clerk, subject to striking out the Operative Paragraph and inserting in lieu thereof the following new Operative Paragraph:

“NOW THEREFORE BE IT RESOLVED that the City Solicitor be instructed to file an appeal on this matter and this Motion be forwarded to the North Community Council for consideration”; and

WHEREAS the City Solicitor has appealed the consent application and minor variance applications respecting 380 and 382 Empress Avenue to the Ontario Municipal Board, as directed by Council, at its meeting held on March 6, 7 and 8, 2001;

THEREFORE BE IT RESOLVED THAT the City Solicitor be instructed to pursue the appeal at the Ontario Municipal Board; and

BE IT FURTHER RESOLVED THAT the City Solicitor be authorized to retain an outside planning consultant to attend the Ontario Municipal Board hearing to uphold the City's By-law and oppose the land division application”.

- B. Councillor Shiner, Ward 24 – Willowdale, moved that the City Solicitor be requested to report to the North Community Council on specific appeals to the Ontario Municipal Board respecting planning applications within the North Community Council boundary area, wherein outside consultants are required to uphold the City's By-laws and the costs associated therewith are excessive.

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

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

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(Report No. 3 – Clause No. 13)

3.14 Final Report – Application for Part Lot Control Exemption – TB PLC 01 03 – 1407781 Ontario Limited – 127, 129, and 131 Doris Avenue, 68 Spring Garden Avenue – Part of Lot 423, Plan M-372 – Parts 1-11 Inclusive on 66R-19020 – Ward 23 – Willowdale.

The North Community Council had before it a report (March 20, 2001) from the Director, Community Planning, North District, Urban Development Services, reporting on a request for exemption from part lot control in order that 4 street townhouse 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;
- (3) the by-law shall expire one year from the date of its enactment; and
- (4) the appropriate City Officials be authorized and directed to register the By-law on title.

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

(Report No. 3 – Clause No. 14)

3.15 Final Report – Application for Part Lot Control Exemption – TB PLC 01 04 – 1407782 Ontario Limited – 278 Estelle Avenue, 265, 267 and 269 Finch Avenue East – Part of Lot 6, Plan 3691 – Parts 1-15 Inclusive on 64R-16913 – Ward 23 – Willowdale.

The North Community Council had before it a report (March 20, 2001) from the Director, Community Planning, North District, Urban Development Services, reporting on a request for an exemption from part lot control in order that 4 street townhouse 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;
- (3) the by-law shall expire one year from the date of its enactment; and
- (4) the appropriate City Officials be authorized and directed to register the By-law on title.

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

(Report No. 3 – Clause No. 15)

3.16 Preliminary Report – Application to Amend the Official Plan and Zoning By-Law – TB CMB 2001 004 & TB SPC 2001 0019 – Terraventure Group – 866-868 Sheppard Avenue West – Ward 10 – York Centre.

The North Community Council had before it a report (March 19, 2001) 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. 3 – Clause No. 26(a))

3.17 Preliminary Report – Application to Amend the Zoning By-Law – TB ZBL 2001 0008 – Greenfield Quality Builders Inc. – 130, 132, 134 Finch Avenue East – Ward 24 – Willowdale.

The North Community Council had before it a report (March 13, 2001) 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; 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. 3 – Clause No. 26(b))

3.18 Preliminary Report – Application to Amend the Zoning By-Law – TB ZBL 2001 0006 – Wittington Properties Limited – South East Corner Yonge Street and Avondale Avenue – Blocks 4 and 5, Plan 66M-2354 – Ward 23 – Willowdale.

The North Community Council had before it a report (March 15, 2001) 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 (Plan 66M-2354); and
- (3) Notice for the Public Meeting under the Planning Act be given according to regulations under the Planning Act.

On motion by Councillor Sutherland, Ward 33 – Don Valley East, the North Community Council approved the foregoing report (March 15, 2001) 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 within 120 metres of the site (Plan 66M-2354) and all those individuals within the expanded notification area; such expanded area to be determined by the Director, Community Planning, North District, Urban Development Services, in consultation with the Ward Councillor”; and

(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 within the expanded notification area referred to in Recommendation No. (2) above.”

(Report No. 3 – Clause No. 26(c))

3.19 Preliminary Report – Application to Amend the Zoning By-Law – TB ZBL 2001 0003 – Sung Kee Chae and Mi Rea Chae – 24 Drewry Avenue – Ward 23 – Willowdale.

The North Community Council had before it a report (March 12, 2001) 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.

On motion by Councillor Sutherland, Ward 33 – Don Valley East, the North Community Council approved the foregoing report (March 12, 2001) 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 within 120 metres of the site (Plan 66M-2354) and all those individuals within the expanded notification area; such expanded area to be determined by the Director, Community Planning, North District, Urban Development Services, in consultation with the Ward Councillor”; and

(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 within the expanded notification area referred to in Recommendation No. (2) above.”

(Report No. 3 – Clause No. 26(d))

3.20 Preliminary Report – Application to Amend the Zoning By-Law – TB ZBL 2001 0004 – The Cadillac Fairview Corporation Limited – Fairview Mall – 1800 Sheppard Avenue East – Ward 33 – Don Valley East.

The North Community Council had before it a report (March 16, 2001) 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.

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

- (March 29, 2001) from Mr. Mark G. Bales, Senior Planner, Walker, Nott, Dragicevic Associates Limited, on behalf of the applicant, Cadillac Fairview Corporation, commenting on the application and on specific comments and recommendations contained in the staff report and requesting an opportunity to address the North Community Council on April 4, 2001 regarding their issues of concern;
- a copy of a communication (April 2, 2001) addressed to Mr. Mark G. Bales, Senior Planner, Walker, Nott, Dragicevic Associates Limited, from Mr. Rob Dolan, Director, Community Planning, North District, clarifying the intent of the staff comments contained in the preliminary report dated March 16, 2001; indicating that staff is prepared to discuss and reach consensus on the terms of reference for the market impact study and further indicating that a peer review would not be required and that the information provided by the applicant would be reviewed by City staff; and
- (April 4, 2001) from Mr. Stephen H. Diamond, Solicitor, of the law firm of McCarthy Tetrault, representing the applicant, Cadillac Fairview Corporation, advising that they had an opportunity to meet with representatives of the Planning Department earlier that day and as a result of the clarification received at that meeting their request to speak at the North Community Council's meeting of April 4, 2001 be withdrawn, and that the Preliminary Report prepared by the Planning Department be adopted.

On motion by Councillor Sutherland, Ward 33 – Don Valley East, the North Community Council approved the foregoing report (March 16, 2001) 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 within 120 metres of the site and the area Ratepayers Associations, including the Muirhead Ratepayers Association and the Henry Farm Community Interest Association;”
and

(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 the Ratepayers Associations referred to in Recommendation No. (2) above.”

(Report No. 3 – Clause No. 26(e))

3.21 Preliminary Report – Applications to Amend the Official Plan and Zoning By-Law – TB CMB 2001 0005 and TB SPC 2001 0025 – City of Toronto – 2350 Finch Avenue West – Ward 7 – York West.

The North Community Council had before it a report (March 16, 2001) 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.
- (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 approved the foregoing report.

(Report No. 3 – Clause No. 26(f))

3.22 Preliminary Report – Application to Amend the Official Plan – TB OPA 2001 0001 – Weston Consulting Group for Elk Island Developments Inc. and Application to Amend the Official Plan – TB OPA 2001 0002 – Borden, Ladner, Gervais for All Souls Anglican Church – 8-23 Clairtrell Road, 391-403 Spring Garden Avenue, 2-16 Teagarden Court, 2880 & 2890 Bayview Avenue, 2-22 Mallingham Court, 500

Sheppard Avenue East – Ward 23 – Willowdale.

The North Community Council had before it a report (March 16, 2001) 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 recommending that:

- (1) Staff be directed to contact all of the affected owners of the lands to ascertain their consent/authorization for these two applications and report back to the May 16 meeting of Community Council.
- (2) Staff be directed to report back to the May 16 meeting of Community Council on the status of development applications in the Sheppard Corridor.

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

- (March 22, 2001) from Mr. Jack Dougan, Land Use Planner, Borden, Ladner Gervais, on behalf of All Souls Anglican Church, advising that the Church wishes to continue serving the community within the northwest quadrant; requesting that the Church lands centrally located within the northwest quadrant be considered in the plans being brought forward for this area; and urging Council's support and expeditious processing of the application;
- (March 28, 2001) from Mr. Christopher Lee, advocating a comprehensive integrated development of the north-west quadrant of the Sheppard/Bayview Node and forwarding a copy of his "Participant Statement of Concerns" addressed to the Ontario Municipal Board and a copy of his proposal to the City of Toronto, dated December 22, 1998, entitled "Zoning of Clairtrell Core on the Sheppard Subway Corridor";
- seven form letters (March 28, 2001) from area residents; Mr. W.G. Deuel, Ms. Patricia Sobiel, Ms. Maureen Ann Harquail, Mr. Raymond Gary Thwaites, Mr. Gerald M. Harquail, Mr. Martin Nash, Andrew and Gertrude King and Mr. Michael Dennis Lim, authorizing Elk Island Developments Inc. represented by Gerald M. Harquail, its President, to file applications with the City of Toronto and make representations at the Ontario Municipal Board on their behalf regarding their interests in O.P.A. No. 392 and Site Specific Development Applications in the area of their property; the development potential of their property; and in the creation of a key development node in the north-west

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quadrant of Bayview Avenue and Sheppard Avenue; and further authorizing the retention of services of Barry A. Horosko of Bratty and Partners, L.L.P., as legal counsel and Weston Consulting Group as planners to represent them;

- (March 30, 2001) from Mr. John M. Alati, Davies Howe Partners, commenting on Recommendation No. (1) contained in the staff report and advising that in general terms, their clients, Ken and Frances Dobbs, are supportive of the applications for redesignation to a higher density of the northwest quadrant of the Sheppard/Bayview Area as such redesignations would make a more efficient use of the intended public infrastructure planned for the Sheppard Avenue Corridor; and

- (April 2, 2001) from Mr. Thomas Choy, Mr. John Liotta, Mr. Jason Wu, Mr. Sam Yesil, Mr. Henry Lai, Mr. Thomas Tam and Ms. Carolin Michaels, expressing their support to the principles in both applications by Elk Island Developments Inc. and All Souls Anglican Church; agreeing with the viewpoints of Ms. Rosemarie Humphries representing Weston Consulting Group Inc., in terms of density transition, with the higher F.S.I.'s focused towards Sheppard and Bayview.

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 Community Council in connection with the foregoing matter:

- Ms. Rosemarie Humphries, on behalf of the Weston Consulting Group, for Elk Island Developments Inc.; and

- Mr. Jack Dougan, B. Arch., Land Use Planner Borden Ladner Gervais, on behalf of All Souls Anglican Church.

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

(Report No. 3 – Clause No. 26(g))

3.23 Preliminary Report – Application to Receive Density Incentive – TB ZBL 2001 0007 – GSI Real Estate & Planning Advisors – 6 Spring Garden Avenue – Ward 23 – Willowdale

The North Community Council had before it a report (March 20, 2001) from Director, Community Planning, North District, Urban Development Services, providing information on the above-noted application and to seek Community Council's directions on further processing of the application, and recommending that:

- (1) Staff be directed to continue community consultation in conjunction with the application submitted by Rosedale Developments Inc.
- (2) The applicant be advised that the Royal Canadian Legion building at 6 Spring Garden Avenue is not considered a Social Facility and not eligible for a four times density incentive under Section 3.3 of the North York Centre Secondary Plan (OPA 447).
- (3) That the applicant be advised that for any density to be assigned to the Rosedale site, both applications will need to be considered concurrently as part of a comprehensive rezoning of both sites, with the consent of both parties.

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

- (April 2, 2001) from Mr. William S. Hollo, MCIP, RPP, GSI Real Estate and Planning Advisors Inc.; requesting an opportunity to address Community Council regarding the staff recommendation that the Legion not be considered a social facility, as provided for in Amendment 447, Section 3.3, Figure 3.3.1; and requesting that the Community Council refer the recommendation back to staff for further consideration.
- (April 2, 2001) from Mr. Robert Scott, President, The Royal Canadian Legion, Branch 66 (North York) commenting on the staff report of March 20, 2001 which indicates that the Legion building at 6 Spring Garden Avenue not be considered a social facility and outlining various reasons why the recommendation is inappropriate and requesting that the North Community Council refer recommendation (2) of the March 20, 2001 staff report back to staff for further consideration as part of the consideration of the requested by-law amendment and community consultation process; and

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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 Community Council in connection with the foregoing matter:

- Mr. Bill Hollo, MCIP, RPP, GSI Real Estate and Planning Advisors Inc., applicant on behalf of Branch 66, Royal Canadian Legion; and
- Mr. Jim McGuffin, on behalf of Branch 66, Royal Canadian Legion.

Councillor Mammoliti, Vice-Chair, assumed the Chair.

A. Councillor Filion, Ward 23 – Willowdale, moved that the report (March 20, 2001) from the Director, Community Planning, North District, Urban Development Services, be approved.

B. Councillor Sutherland, Ward 33 – Don Valley East, moved in amendment to Councillor Filion’s motion that the North Community Council approve the foregoing report (March 20, 2001) from the Director, Community Planning, North District, Urban Development Services, subject to amending Recommendation No. (2) to read as follows:

“(2) The applicant be advised that the Royal Canadian Legion building at 6 Spring Garden Avenue is to be considered a social facility under Section 3.3 of the North York Centre Secondary Plan (OPA 447)”.

C. Councillor Filion, Ward 33 – Willowdale, moved that the following new Recommendation No. (4) be added:

“(4) The application (UDZ-99-41) submitted by Rosedale Developments Inc. and the application (TB ZBL 2001 0007) submitted by GSI Real Estate & Planning Advisors on behalf of Branch 66, Royal Canadian Legion be processed concurrently, and be listed on the agenda for consideration by the North Community Council on the same meeting date.”

Upon the question of the adoption of Motion B., moved by Councillor Sutherland, in amendment to Motion A., moved by Councillor Filion, it was carried.

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

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

(Report No. 3 – Clause No. 26(h))

Councillor Li Preti, resumed the Chair.

3.24 Draft By-Law – Alteration of Derrydown Road between Broadoaks Drive and Romfield Drive – Installation of Speed Humps – Ward 8 – York West.

The North Community Council had before it a Draft By-law from the City Solicitor, respecting the alteration of Derrydown Road between Broadoaks Drive and Romfield Drive – Installation of Speed Humps; and Clause No. 10 of the North Community Council Report No. 2, titled “Traffic Management Plan – Derrydown Road – Ward 8 – York West, which was adopted, without amendment, by the Council of the City of Toronto at its meeting held on March 6, 7, and 8, 2001.

Pursuant to the Municipal Act, notice with respect to the proposed enactment of the draft by-law was advertised in a daily newspaper on March 13, 19, and 26, 2001 and April 2, 2001, and no one addressed the North Community Council.

On motion by Councillor Feldman, Ward 10 – York Centre, the North Community Council recommended to City Council that a by-law in the form of the draft by-law be enacted.

(Report No. 3 – Clause No. 16)

3.25 Draft By-Law – Alteration of Ollerton Road and Derrydown Road between Grandravine Drive and Lamberton Boulevard – Installation of Speed Humps – Ward 8 – York West.

The North Community Council had before it a Draft By-law from the City Solicitor respecting the alteration of Ollerton Road and Derrydown Road between Grandravine Drive and Lamberton Boulevard – Installation of Speed Humps; and Clause No. 14 of the North Community Council Report No. 2, titled “Traffic Management Plan – Ollerton Road/Derrydown Road – Ward 8 – York West, which was adopted, without amendment,

by the Council of the City of Toronto at its meeting held on March 6, 7, and 8, 2001.

Pursuant to the Municipal Act, notice with respect to the proposed enactment of the draft by-law was advertised in a daily newspaper on March 13, 19, and 26, 2001 and April 2, 2001, and no one addressed the North Community Council.

On motion by Councillor Feldman, Ward 10 – York Centre, the North Community Council recommended to City Council that a by-law in the form of the draft by-law be enacted.

(Report No. 3 – Clause No. 17)

3.26 Draft By-Law – Alteration of Maxwell Street between Elder Street and Overbrook Place – Installation of Speed Humps – Ward 10 – York Centre.

The North Community Council had before it a Draft By-law from the City Solicitor respecting the alteration of Maxwell Street between Elder Street and Overbrook Place – Installation of Speed Humps; and Clause No. 7 of the North Community Council Report No. 2, titled “Traffic Management Plan – Maxwell Street – Ward 10 – York Centre, which was adopted, without amendment, by the Council of the City of Toronto at its meeting held on March 6, 7, and 8, 2001.

Pursuant to the Municipal Act, notice with respect to the proposed enactment of the draft by-law was advertised in a daily newspaper on March 13, 19, and 26, 2001 and April 2, 2001, and no one addressed the North Community Council.

On motion by Councillor Feldman, Ward 10 – York Centre, the North Community Council recommended to City Council that a by-law in the form of the draft by-law be enacted.

(Report No. 3 – Clause No. 18)

3.27 Presentation to Recipients of Poster Art Competition to mark the International Day for the Elimination of Racism.

Councillor Li Preti, on behalf of the North Community Council, welcomed the following recipients of the Poster Art Competition to mark March 21, 2001, the International Day for the Elimination of Racism:

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Sam Phrakaysone
Mark Della Rossa
Alice Ma
Karen Don
Sylvie Thamsir Fong
Christina Kim
Ja-Won Kung
Alex Levit
Joyce Zhang
Chao Zhu

Councillor Feldman, assisted by Mr. Richard Gosling, Chair, Community Police Liaison Committee, congratulated these winners and presented them with the prizes.

Councillor Feldman and Mr. Richard Gosling also presented a special award, “Jay for a Day”, from the City of Toronto, Community Partnerships, Economic Development, Culture and Tourism to Stacey Lymer, winner of the March 21 poetry contest that was held throughout 114 secondary schools across Toronto; and presented the framed winning poster from the Community Police Liaison Committee to Superintendent John Mellor, which poster will be displayed in the 32 Division Police Liaison Committee meeting room.

(Report No. 3 – Clause No. 26(i))

3.28 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, Urban Development Services, reporting on a request for a variance from the sign by-law by Mr. Andy Le, 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 be approved.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North Community Council recommended to City Council:

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- (1) that the report (December 19, 2000) from the Director and Deputy Chief Building Official, Urban Development Services, be received; and
- (2) that the request for a minor variance from the Sign By-law be approved subject to the following conditions:
 - (a) that the sign's advertising area not exceed a maximum of 45 sq. ft., bearing maximum dimensions of 5 ft. wide and 9 ft. high, and that it be located a minimum of 8 ft. above the adjacent grade;
 - (b) the sign be supported by a single column or post;
 - (c) the sign column or post not obstruct any existing parking and be located a minimum 9 ft. north of the existing sidewalk;
 - (d) the existing parking curbs at the west property line be removed at the owners' expense immediately;
 - (e) the current owner, and/or subsequent owners, will not obstruct or cause to be obstructed in any way, the area between the sidewalk and the column supporting the sign; and
 - (f) that the local Councillor review the plan for the sign permit with Building Division staff prior to issuance of a permit.

(Report No. 3 – Clause No. 19)

3.29 Request for Exemption to the Sign By-Law – Variance for Proposed Roof Sign – 4140 Bathurst Street – Ward 10 – York Centre.

The North Community Council had before it a report (March 19, 2001) from the Director and Deputy Chief Building Official, Urban Development Services, reporting on a request for a variance from the sign by-law by Mr. S. Wolowich of Skye Media, to permit the erection of a third party illuminated 10 foot by 20 foot billboard sign on the roof of an existing 3 storey 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 (April 2, 2001) from Mr. Dave Meslin, requesting that the variance to the Sign By-law be refused.

Mr. Steve Wolowich, Skye Media, appeared before the North Community Council in connection with the foregoing matter.

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

- (1) the report (March 19, 2001) from the Director and Deputy Chief Building Official, not be adopted; and
- (2) the request for a variance from the sign by-law to permit the erection of a third party illuminated 10 foot by 20 foot billboard sign on the roof of an existing 3 storey building be approved with the provision that the sign illumination be turned off between the hours of 11:00 p.m. to 6:00 a.m.

(Report No. 3 – Clause No. 20)

3.30 Refusal Report - Applications to Amend the Official Plan and Zoning By-Law and Subdivision Approval - TB CMB 2001 0001 - 1250804 Ontario Limited - Block R Plan 8830 - Toryork Drive and Milvan Drive - Ward 7 - York West.

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

- report (January 24, 2001) from the Director, Community Planning North District, Urban Development Services, reporting on an application for Official Plan and Zoning By-law Amendments and subdivision approval for an 82 unit subdivision of semi-detached dwellings at Milvan Drive and Toryork Drive; and recommending that:
 - (1) City Council refuse the Official Plan and Zoning Amendment applications and application for subdivision approval for the property located at Block R Plan 8830 located at Milvan Drive and Toryork Drive File No: TB CBM 2001 0001 and SUB 01 01.
 - (2) Should this application be appealed to the Ontario Municipal Board, the City Solicitor and City Staff be authorized to appear before the Ontario Municipal Board to defend the refusal of this application.

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- further report (March 19, 2001) from the Director, Community Planning, North District, Urban Development Services, recommending that the report be received for information.
- communication (April 4, 2001) from Mario Sergio, M.P.P., York West, commenting on an informal meeting that was held on March 30, 2001 exclusively for the residents on Cabana Drive; requesting a copy of the most recent report on this project; expressing concerns about the process that has been followed in regard to these applications; and requesting that he be informed about any meeting that is being planned in the community, at the Community Council or at Toronto City Council.
- petition (April 3, 2001) signed by fifteen residents on Cabana Drive, (a copy of which is on file in the office of the City Clerk, North York Civic Centre), indicating support for the proposed development.

Mr. Adam Brown, Solicitor, of the law firm of Brown Dryer Karol, appeared before the North Community Council in connection with the foregoing matter, on behalf of the applicant.

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

- (1) received the further report (March 19, 2001) from the Director, Community Planning, North District, Urban Development Services; and
- (2) endorsed the following Resolution submitted by Councillor Mammoliti, Ward 7 - York West:

“WHEREAS a Preliminary Report recommending refusal on the application to amend the Official Plan and Zoning By-law and for subdivision approval for 82 semi-detached units for the property at Toryork Drive and Milvan Drive was deferred by North Community Council at its meeting of February 14, 2001;

AND WHEREAS City Council at its meeting of March 6, 7 and 8, 2001, directed that staff report further on the comments received from the circulation to the relevant Boards, Agencies and Departments;

NOW THEREFORE BE IT RESOLVED THAT the recommendation to refuse the Official Plan, rezoning and subdivision approval application continue to be deferred; and

AND FURTHER BE IT RESOLVED THAT the further report dated March 19, 2001 from the Director of Community Planning, North District, be received and that Notice of a Statutory Public meeting to be held on June 13, 2001, be given to landowners and residents within 120 metres of the site;

AND FURTHER BE IT RESOLVED THAT comments outstanding from the School Boards and the Canadian Pacific Railway be requested prior to the Statutory Public Meeting.”

(Report No. 3 – Clause No. 26(j))

3.31 Final Report – Application to Amend the Official Plan and Zoning By-Law 7625 – TB CMB 2000 0004 and TB SPC 2000 0004 - Majid Osman (c/o Ms. Carmella Fallico) – 2710 Victoria Park Avenue – Ward 33 – Don Valley East.

The North Community Council had before it the following reports:

- (January 31, 2001) from the Director, Community Planning, North District, Urban Development Services, reporting on Official Plan and Zoning By-law amendment application to permit the construction of a new two storey building containing a personal service shop (hair salon) and a dwelling unit; and recommending that:
 - (1) City Council refuse Official Plan and Zoning By-law Amendment Application No. TB CMB 2000 0004 and TB SPC 2000 0004 in its current form; and
 - (2) Should this application be appealed to the Ontario Municipal Board, the City Solicitor and City Staff be authorized to appear before the Ontario Municipal Board to defend the refusal of this application in its current form.

- (March 20, 2001) from the Director, Community Planning, North District, Urban Development Services, advising Community Council that the applicant has submitted two preliminary proposals to permit a personal service shop (hair salon) within a newly constructed two storey dwelling and recommending that this report be received for information.

On motion by Councillor Sutherland, Ward 33 – Don Valley East, the North Community Council:

- (1) received the information report (March 20, 2001) from the Director, Community Planning, North District, Urban Development Services; and
- (2) endorsed the following Resolution submitted by Councillor Sutherland, Ward 33 – Don Valley East:

“WHEREAS Majid Osman on behalf of C. Fallico, has made an application to amend the Official Plan and Zoning By-law No. 7625 on the lands known municipally as 2710 Victoria Park Avenue in order to permit the construction of a two storey commercial building with a personal service shop and dwelling unit;

WHEREAS the property currently maintains a R4 zoning exception permitting a hair salon with a maximum g.f.a. of 69m² within the existing dwelling;

WHEREAS the applicant has revised the proposal to permit the construction of a new two storey dwelling with a personal service shop (hair salon) having a maximum g.f.a. of 69m²;

THEREFORE BE IT RESOLVED THAT:

- (a) the Director of Community Planning, North District, Urban Development Services, report further on the revised proposal; and
- (b) the Director of Community Planning, North District, Urban Development Services, be directed to give Notice of a statutory public meeting in order to deal with the revised application”.

(Report No. 3 – Clause No. 26(k))

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

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The North Community Council had before it a report (March 26, 2001) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend both the Official Plan and Zoning By-law to permit 56 stacked townhouses on the lands at 35 Cedarcroft Boulevard, and recommending that:

- (1) The Official Plan and Zoning By-law Amendment application for 56 stacked townhouse units with the retention of the existing 13-storey apartment building at a density of 1.96 be refused in its present form for reasons outlined in this application.
- (2) The City Solicitor and City staff be requested to appear before the Ontario Municipal Board to defend the refusal of this application.
- (3) City staff be authorized to resolve any issues or improve the application as necessary.

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

- (March 29, 2001) from Mr. & Mrs. Mark Baker, in opposition to the proposed Official Plan and Zoning By-law Amendment;
- (April 3, 2001) from Ms. Diana K. Hooper, outlining numerous reasons for her opposition to the construction of the proposed condominium units; and
- (April 4, 2001) from Mr. John Inglis, Davies Howe Partners, on behalf of the applicant, Marklib Investments II-A Limited, expressing their client's disagreement with the principal reason for refusal presented in the March 26, 2001 staff report which was that the application does not create an opportunity for intensification that conforms to the "Residential Intensification Policies" in the City's Official Plan for North York; that since December 1966 their client has worked with City staff and has responded to requests of City planning staff and believes that the proposal represents good planning for the area; and further indicating that despite the differences noted above, should Council direct staff to continue to work to narrow and resolve any issues respecting the application, their client is prepared to work with staff in this regard.

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

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The following persons appeared before the North Community Council in connection with the foregoing matter and they spoke in opposition to the application:

- Ms. Emma Tsimerman;
- Ms. Polly Silverhart;
- Ms. Norma Kulbak;
- Ms. Carol Lucas;
- Ms. Jessie Silver; and
- Ms. Rhoda Moldofsky

On motion by Councillor Feldman, Ward 10 – York Centre, the North Community Council recommended to City Council, the adoption of the report (March 26, 2001) from the Director, Community Planning, North District, Urban Development Services.

(Report No. 3 – Clause No. 21)

3.33 Final Report – Application to Amend the Zoning By-Law – TB ZBL 2001 0002 – The Learning Centre for Children with Autism – 250 Beecroft Road – Ward 23 – Willowdale.

The North Community Council held a statutory public meeting in accordance with the Planning Act with appropriate notice of this meeting having been given in accordance with the Planning Act and the regulations thereunder.

The North Community Council had before it a report (March 9, 2001) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law to permit a day nursery for children with special needs and an accessory resource centre in a city-owned heritage building in the park on the west side of Beecroft Road, south of Ellerslie Avenue and recommending that City Council:

- (1) Amend site-specific Zoning Bylaw No. 31237 for the former City of North York substantially in accordance with the draft Zoning Bylaw Amendment attached as Attachment No. 6.
- (2) Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning Bylaw Amendment as may be required.

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- (3) Before introducing the necessary Bills to City Council for enactment, the applicant shall satisfy the conditions of the Commissioner of Economic Development, Culture and Tourism with respect to any alterations and modifications to the historic structure, and with respect to the location, size and design of an accessory play area in the park, as set out in the comments in Attachment No. 5.

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

- (March 19, 2001) from Ms. Lilian Jardine, expressing her opposition to the rezoning of the Dempsey Brothers Store for the use as a day nursery for children with autism;
- (March 20, 2001) from Ms. Esther Axelrod, expressing her support for the proposed use and indicating that the subject site is an ideal building and location for such a school;
- (March 22, 2001) from Naima and Elvi Aer, expressing their concern and objection to the proposed plan to rezone part of Dempsey Park in order to accommodate a school for Autism;
- (March 22, 2001) from Mr. Raymond Wares, expressing his opposition to the proposed rezoning of Dempsey House;
- (March 22, 2001) from Ms. Lavina E. Lanty, expressing her opposition to the proposed rezoning application;
- (March 21, 2001) from the North York Seniors' Centre, submitting a petition by 28 members of the North York Seniors' Centre, in opposition to the proposed rezoning of the Dempsey Store and Park;
- (March 20, 2001) from Mr. Sam Vella, expressing opposition to the proposed rezoning of the Dempsey Store and Park on behalf of 333 owners of the condominium building directly across from 233 Beecroft Road;
- (March 22, 2001) from Ms. Betty L. Crossley, expressing her opposition to the proposed rezoning of the Dempsey Store for use as a school for Autistic children;

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- (March 23, 2001) from Ms. Jeanette Vyhna, expressing her objection to the proposed rezoning application;
- (March 23, 2001) from Marilyn & Fred Dyke, recommending that the Dempsey Store remain as a community building for which it was intended at the time of its move from Sheppard and Yonge;
- (March 25, 2001) from Mr. Tony Stapells, indicating that the proposed use is not appropriate for the site and requesting that the rezoning application be refused;
- (March 26, 2001) from Ms. Thelma Cairney and Mr. Max Jenkinson, expressing their opposition to the rezoning application and suggesting that the City find a suitable alternative site for the Learning Centre for Children with Autism;
- (March 25, 2001) from Mr. Ronald E. Winter, submitting a petition signed by 6 area residents in opposition to the rezoning application;
- (March 26, 2001) from Ms. Anita M. Windisman, expressing her opposition to the rezoning application and requesting that the Dempsey Store remain in tact and be used for its intended purpose as a heritage site;
- (March 26, 2001) from John & Mary Windisman, expressing their opposition to the rezoning application and requesting that the Dempsey Store remain in tact and be used for its intended purpose as a heritage site;
- (March 23, 2001) Submitting a petition signed by eight area residents, expressing their opposition to the rezoning application and requesting that a more suitable location be found for the Learning Centre for Children with Autism;
- (March 28, 2001) from Mr. Robin Collyer, expressing his opposition to the rezoning application; and requesting that the City find an appropriate home for this hard working group;
- (March 27, 2001) from Mr. Louis Badone, The Elihu Pease House – 1834, expressing opposition to the proposed rezoning of the Dempsey Store; and requesting that the Members of Council reject the rezoning application and consider the “Elihu Pease House” as an alternative site for the Learning Centre for Children with Autism;
- (March 27, 2001) from Ms. Ann Rowan, President, Toronto Historical

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Association, expressing their opposition to the proposed rezoning of the Dempsey Store and Park; and requesting that the North Community Council reject the rezoning application and direct staff to find an appropriate location for the Training Centre;

- (March 27, 2001) from T.M. Russell, expressing opposition to the rezoning application;
- (March 26, 2001) from Edmund and Judith McCabe, requesting that the subject lands remain zoned as parkland in light of the need for parkland in this area; and requesting that the Dempsey Store building be saved for public access;
- (March 26, 2001) from Ms. Ronda Margolese, expressing her opposition to the proposed rezoning of the Dempsey Store and Park; and requesting that the site remain in public hands for use by the community;
- (March 27, 2001) from E.M. Anne Galilee, expressing her opposition to the proposed rezoning of the Dempsey House property for use as daycare space; and suggesting that the Dempsey House be retained for historical purposes and community use; and that the rezoning for daycare use be denied;
- (March 27, 2001) from Mr. Jack Cameron, expressing his objection to the rezoning application on three grounds; namely, absence of due process, lack of principle and precedent; and requesting that the North Community Council reject this application and take steps to secure an alternative site for the Autistic Children Centre;
- (March 23, 2001) from Naima and Elvi Aer, expressing their opposition to the rezoning application of Dempsey Park;
- (March 28, 2001) from Mr. Douglas Dempsey, commenting on the lack of “home-like” atmosphere in the existing structure and indicating that the Dempsey Store building and Dempsey Park should remain as a historic facility and used as such;
- (March 25, 2001) from L.M. Methren, expressing opposition to the rezoning application;

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- (March 26, 2001) from Mr. Robert G. Wilson, expressing his opposition to the rezoning application and suggesting that the Dempsey Store be retained as a Heritage use building, open to all, and not be converted to a single use building available to the few who have access to the proposed Learning Centre;
- (March 27, 2001) from Ms. Lena Davids, expressing her opposition to the proposed rezoning of the Dempsey House;
- (March 28, 2001) Mr. Steve Pitt, Past President, Oakdale Acres Ratepayers Association, expressing his objection to the proposed rezoning of the Dempsey Store site; and expressing concern with the possibility that any public land anywhere in the City may be equally vulnerable to rezoning at any time should this rezoning be allowed to take place;
- (March 25, 2001) from Ian MacF. Rogers, Q.C., outlining the reasons for his objections to the proposal of the Learning Centre for Children with Autism to rezone Dempsey Park and the former Dempsey Store to allow a private nursery school;
- (March 26, 2001) from Gunild Spiess, Executive Director, Friends of Dempsey Store (Committee of North York Historical Society), objecting to the proposed rezoning of the Dempsey Store and Park, on behalf of the Friends of Dempsey Store, a Committee of the North York Historical Society and stating that the rezoning of this land would be contrary to the original intent of the City of North York planning;
- (March 1, 2001) from Lavina E. Lanty, requesting that this matter be reintroduced at the Council level and carefully scrutinized with a view to cancellation of the Lease between the City and Learning Centre as there are grounds for cancellation of the Lease;
- (March 28, 2001) from Ms. Carol Christie, expressing her concerns with the rezoning application and the suitability of this site for the proposed use; and recommending that the group find a site that would better meet the needs of their children;
- (March 27, 2001) from Dr. Quentin Chiotti, commenting on the Dempsey House, which in his opinion, remains one of the few, if not finest, heritage buildings in North York and any change in use would lead to substantial or even minor alterations to the building which would compromise its historical integrity and

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further indicating that he could not support the application for a change in land use;

- (March 28, 2001) from Mr. James G. McGuffin, outlining his reasons for opposing the rezoning application to permit the use of the site for a private school for Autistic children;
- (March 27, 2001) from Ms. Ann Parry, expressing her opposition to the rezoning application and suggesting that the Dempsey Store remain a heritage building and be used as such;
- (March 28, 2001) from Ms. Edith E. Geduld, expressing her objection to the building being changed from public use to private institutional and commercial (private day nursery and ancillary resource and information centre); expressing her objection to the parkland being turned over to private use; indicating that under the Provincial Government initiative six treatment centres and a resource and information centre already exist in the Toronto area for children with Autism; and requesting the North Community Council to seek an alternative solution to this situation;
- (March 28, 2001) from Bob Nesbitt, outlining his reasons for objecting to the rezoning request by the Learning Centre for Children with Autism;
- (March 28, 2001) from Mr. Geoffrey E. Geduld, President, North York Historical Society, expressing the North York Historical Society's objection to the rezoning of the Dempsey Store and Dempsey Park to permit a private day nursery; urging the North Community Council to deny the rezoning request and request that a search be made for appropriate City-owned facilities to be used as a Learning Centre for Children with Autism; and attaching a copy of their submission made to the Administration Committee;
- (March 27, 2001) from Ms. Mary Ann Cross, expressing her objection to the proposed rezoning of the Dempsey Store and Dempsey Park and urging Council members to seek a compromise that would provide an alternative site for The Learning Centre for Children with Autism and lease the Dempsey Store to historical groups that would allow public access to this building;
- (March 28, 2001) from Ross M. Cross & Mary Cross, expressing their objection to the rezoning of the Dempsey Store and Dempsey Park to permit a day nursery for children with special needs, and an accessory resource centre providing

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information and support; and suggesting that the Dempsey Store be kept historic and made available for use by the public and the Dempsey Park be left intact;

- (March 28, 2001) from Ms. Carolyn Cross, expressing her objection to the proposed rezoning of the Dempsey Store and Dempsey Park; and suggesting that the City find an alternative and more suitable site for The Learning Centre for Children with Autism and that the building be leased to tenants who can work within the original usage guidelines of the building and are willing to allow public access and pay reasonable rent;
- (March 16, 2001) from C. Kriss, expressing opposition to the rezoning application and suggesting that a vacant or partially vacant school be used by The Learning Centre for Children with Autism, especially in light of the number of schools in North York being closed by the Toronto District School Board;
- (March 22, 2001) from John A. and Virginia Sawyer, indicating that the Dempsey Park and the former Dempsey Brothers Store should be available to all residents of North York; that all heritage sites should be retained as close to their original conditions as possible; and that both the Gibson House and Dempsey Brothers Store should be available to students to learn about our history;
- (March 28, 2001) from Mr. Nelson Santos, expressing his opposition to the rezoning application and stating that the site was developed for cultural purposes, and was moved at great expense for a vision of preserving North York history;
- (March 28, 2001) from Mr. William Greer, Chair, Advocacy Committee, Heritage Toronto, expressing Heritage Toronto's concerns with respect to the pending alienation of the Dempsey Store from the heritage community; and requesting that North Community Council ensure that the heritage integrity of the structure be preserved with no permanent alterations or additions permitted at any time and further requesting that Council adopt a position of ensuring that when the current proposed use of the facility has ended, that the building be returned to heritage use;
- (March 28, 2001) from Ms. Erla Juravsky, Executive Director, The Learning Centre for Children with Autism, providing the North Community Council with additional information regarding the application including a Program Description prepared by Erla Juravsky, Executive Director, The Learning Centre for Children with Autism; a Parking Analysis for Rezoning prepared by Read, Voorhees & Associates; and letters submitted to the North York Committee of Adjustment,

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supporting the City of Toronto's application for minor zoning variances on behalf of The Learning Centre for Children with Autism, September 21, 2000;

- (March 28, 2001) from Mr. Ian Murray, expressing his objection to the proposed rezoning of the Dempsey Store and suggesting that the City find an alternative and more suitable site for The Learning Centre for Children with Autism and preserve the Dempsey Store as an important public heritage building;
- (March 26, 2001) from Mr. Earl D. Allen, expressing his opposition to the rezoning application; requesting that an alternative location be found for The Learning Centre and that the Dempsey Store and Dempsey Park continue to be available for public use;
- (undated – received March 29, 2001) from Ms. Christina Ferguson, objecting to the proposed private use of the Dempsey Store and advising that her family would like to use Dempsey Park and study the local history from time to time;
- (March 26, 2001) from Ms. Gloria Thomas, expressing her objection to the proposed rezoning of the Dempsey Store to provide for a future home for The Learning Centre, and take away land from a park that was intended for use by community residents;
- (March 29, 2001) from Mr. Ronald Hanson and Alison Hanson, expressing their objection to the proposed rezoning of the Dempsey Store and the surrounding parkland; requesting that the Dempsey Store remain an historical site where future generations can learn of our past; and requesting that the parkland not be reduced by paving it for a parking lot;
- (March 27, 2001) from Ms. Hannelore R. Werner, objecting to the rezoning application for 250 Beecroft Road; and urging the City to find a suitable alternative site for The Learning Centre for Children with Autism;
- (March 28, 2001) from Mrs. Betty Anne Moyer, expressing opposition to the rezoning application and any physical alteration to the building or surrounding parkland; and requesting that the Dempsey House remain as an historic site;
- (April 2, 2001) from Ms. Shelley Zane and Mr. Chuck Goelman, expressing their support for the leasing of the City-owned building at 250 Beecroft Road;

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- (April 2, 2001) from Mr. William deBacker, President, Edithvale-Yonge Community Association, objecting to the proposed rezoning of Dempsey Store and Dempsey Park to permit a private day nursery for children with special needs and an accessory resource centre; expressing the concerns that the use of public parkland by a private institution sets a precedent that could lead to the private use of other parks in the area; that modifications to Dempsey Park will undermine the well-laid-out plan to reflect the rural historical nature of early North York; that the proposed day nursery tenants will be leasing the site for \$1.00 per year whereas the Archives Association of Ontario was willing to pay \$7,000.00 per year and still allow public access to the building; and in addition requesting that public access to the Dempsey Store be retained for school programming;
- (March 28, 2001) from Mr. and Mrs. Arthur F. Waine, objecting to the rezoning of Dempsey Park and the Dempsey Brothers Store, and requesting that the property be preserved as a repository for essential archival material only;
- (April 2, 2001) from Mr. S. Blair Fearon, objecting to the rezoning of the Dempsey heritage building and park which would restrict the right to access and use the site that taxpayers have invested in;
- (April 2, 2001) from Ms. Tessie Wee, a parent of a three year old autistic boy, expressing her support of The Learning Centre for Children with Autism and the proposed rezoning;
- (April 3, 2001) from Ms. Mona R. Taylor, Mr. Ari Zaaretsky, Ms. Kinda Orreill, and Mr. Todd Greenbloom, expressing their support for the rezoning that is required for The Learning Centre to open, and advising that further delay is unnecessarily denying well deserving children access to the programs offered by The Learning Centre;
- (August 30, 2000) from Mr. Robert J. Gemmell, expressing support of the application for minor variances to allow The Learning Centre to lease the Dempsey Store at 250 Beecroft Road;
- (April 3, 2001) from Ms. Carol Montgomery, expressing her support for The Learning Centre for Children with Autism and its outstanding effort to increase access to vital services for the families in the community that are living with autism;

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- (March 26, 2001) from Ms. Helen Pickering, expressing her objection to the use of the Dempsey Store as a day nursery; suggesting that a suitable alternative site be found for The Learning Centre for Children with Autism; and requesting that the Dempsey Store and Dempsey Park continue to be used for the enjoyment of the area residents and visitors;
- (March 26, 2001) from Ms. Florence Lankin, expressing her objection to the use of the Dempsey Store by The Learning Centre for Children with Autism and the fencing of a part of Dempsey Park to provide a play area for a few people;
- (March 27, 2001) from Mr. J.T. (Jim) Cleary, P.Eng., outlining numerous reasons for his objections to the proposed rezoning of the Dempsey Store from its existing open space and public use to an institutional use;
- (April 3, 2001) from Mr. Bruce J. Leboff, Gluskin Sheff & Associates Inc., expressing his support for the application by The Learning Centre for Children with Autism;
- (April 3, 2001) from Mr. John Hasyn, Gluskin Sheff & Associates Inc., expressing his support for the application by The Learning Centre for Children with Autism;
- (April 3, 2001) from Mrs. Wendy Sugimura, Kids Oasis Daycare Inc., expressing her support for the application by The Learning Centre for Children with Autism;
- (April 3, 2001) from Mr. Doug Dawson, expressing his support for the application by The Learning Centre for Children with Autism;
- (April 3, 2001) from Ms. Jeannine LiChong, Gluskin Sheff & Associates Inc., expressing her support for the application by The Learning Centre for Children with Autism;
- (April 3, 2001) from Mr. Shaen Ramsay, Gluskin Sheff & Associates Inc., expressing his support for the application by The Learning Centre for Children with Autism;
- (April 3, 2001) from Ms. Karen Milks, expressing her support for The Learning Centre for Children with Autism and urging the North Community Councillors to approve the rezoning required for The Learning Centre for Children with Autism to acquire the city-owned building at 250 Beecroft Road;

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- (April 3, 2001) from Ms. Tanya Kopman, expressing her support for The Learning Centre for Children with Autism and urging the North Community Councillors to amend the zoning by-laws to allow the Centre to open and provide the early intervention so critically needed;
- (April 3, 2001) from Mr. Daniel Edde, Gluskin Sheff & Associates Inc., expressing his support for the application by The Learning Centre for Children with Autism;
- (April 3, 2001) from Mr. Alex M. Grenzebach, expressing his opposition to the proposed rezoning of the land and building at 250 Beecroft Road to allow institutional use instead of open space and public use; advising that the building and park should be allowed to serve the needs of the community as originally proposed; and suggesting that the City find an alternative site for The Learning Centre for Children with Autism;
- (April 3, 2001) from Mr. Ira Gluskin, Gluskin Sheff & Associates Inc., expressing his support for the application by The Learning Centre for Children with Autism;
- (April 3, 2001) from Ms. Brenda Fox, expressing her support for the Centre for Children with Autism and advising that as a speech-language pathologist, she is constantly requested for services for children with autism and urging that access to the site at 250 Beecroft Road for the purpose of the Centre be facilitated;
- (March 28, 2001) Copy of letter from Ms. Erla Juravsky, Executive Director, The Learning Centre for Children with Autism, addressed to Alex Norlen, Early Interventionist, Community Services and Housing Department, Family and Children's Services Division, indicating that Regulation 262, Section 21 of the Day Nursery Act, states that day programs operating for less than six hours per day do not require a fenced in play area;
- (April 3, 2001) from Mr. Jeremy Freedman Gluskin Sheff & Associates Inc., expressing his support for the application by The Learning Centre for Children with Autism;
- (April 3, 2001) from Ms. Trish Pappas, Gluskin Sheff & Associates Inc., expressing her support for the application by The Learning Centre for Children with Autism;

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- (April 3, 2001) from Mr. Brad Dunkley, Gluskin Sheff & Associates Inc., expressing his support for the application by The Learning Centre for Children with Autism;
- (April 3, 2001) from Mr. Anthony Spagnolo, Gluskin Sheff & Associates Inc., expressing his support for the application by The Learning Centre for Children with Autism;
- (April 3, 2001) from Ms. Joyce Presinal, Gluskin Sheff & Associates Inc., expressing her support for the application by The Learning Centre for Children with Autism;
- (April 4, 2001) from Ms. Erla Juravsky, Executive Director, The Learning Centre for Children with Autism, submitting seven additional letters in support of the application from: Mr. Richard B. Wengle, Richard Wengle Architect Inc. (September 21, 2000); Ms. Joan L. Dolgin, Learning Needs Advisor, Temple Sinai Cong of Toronto, Board Member, Reena Foundation, (March 27, 2000); Ms. Valerie Elliott Hyman, Chief Executive Officer, Ontario Association of Children's Rehabilitation Services (April 3, 2001); Brenda Rothenberg, Community Outreach Manager, Reena Foundation (April 3, 2001); Dr. Russell Tanzer, M.D., President, Metro Toronto Chapter, Autism Society of Ontario (April 3, 2001) and Ms. Esther Axelrod (May 15, 2000); and in addition, advising that Neil Smiley, Erla Juravsky and John Crean would like to address Council in support of the Centre's application for a zoning by-law amendment;
- (April 4, 2001) from Mr. Steven Sutherland, President, Manitoba Families for Effective Autism Treatment Inc., expressing disappointment in the delays that have prevented The Learning Centre from opening up their Centre at 250 Beecroft Road;
- (April 3, 2001) from Ms. Joyce Thompson, Executive Director, Rotary Cheshire Homes, advising that they look forward to welcoming The Learning Centre for Children with Autism to the North York community in the 250 Beecroft Road location;
- (April 4, 2001) from Mr. Neil Smiley, Fasken Martineau DuMoulin, on behalf of The Learning Centre for Children with Autism, advising that no accessory outdoor play area will be required in accordance with Section 21 (1) of Regulation 262 of the Day Nurseries Act, which states that an outdoor play space is not required for a day nursery program running for less than six hours and that

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The Learning Centre for Children with Autism will gear the hours of its day nursery so that the fencing will not be required, or as an alternative, obtain a Ministry waiver of the fence requirement should a six hour program be considered appropriate; and further indicating that there will be no need for an outdoor play space, fenced in or otherwise;

- (April 3, 2001) from Ms. Joanne Lauria, Gluskin Sheff & Associates Inc., expressing her support for the application by The Learning Centre for Children with Autism;
- (April 3, 2001) from Mr. Doug Pospisil, Gluskin Sheff & Associates Inc., expressing his support for the application by The Learning Centre for Children with Autism;
- (April 3, 2001) from Mr. Mike Foley, Gluskin Sheff & Associates Inc., expressing his support for the application by The Learning Centre for Children with Autism;
- (April 3, 2001) from Mr. Brandon Snow, Gluskin Sheff & Associates Inc., expressing his support for the application by The Learning Centre for Children with Autism;
- (April 2, 2001) from G. Ferguson, urging Council to keep the Dempsey Store as an historical building;
- (April 4, 2001) from Andrew Sheiner and Liza Mauer, expressing their support for The Learning Centre for Children with Autism and the families who have been working to secure a home for it at 250 Beecroft Road; and encouraging the North Community Council and the City Council to open their hearts and allow the project to proceed;
- (undated) from Ms. Sandy Klein, expressing her support for The Learning Centre for Children with Autism, a school that will not only help many children in immediate need, but also serve the entire community for years to come;
- (April 4, 2001) from Mr. Steven D. Klein, expressing his support for The Learning Centre for Children with Autism; and
- (April 4, 2001) from Mr. George K. Wong, expressing his objection for the use of the Dempsey Store for any purpose that does not involve the word "historical";

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and advising that the essence of historical preservation will be lost and the intent and cost behind moving the building from Yonge and Sheppard would be totally wasted.

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

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

- Dr. Jack Cameron, on behalf of the North York Historical Society, who expressed his opposition to the rezoning of the property at 250 Beecroft Road and gave a brief outline of the historical importance of the Dempsey store and the need to keep the Park for the use of the area residents. In addition he expressed an objection to the reduced rent and stated that the applicant should find alternative accommodation for the Learning Centre;
- Ms. Mary Ann Cross, who expressed her opposition to the rezoning of the Dempsey Store and Dempsey Park for the use of the Learning Centre for Children with Autism. She expressed concern that school children and the general public would lose the access they now have to the Store and its displays. In addition she felt that if an outdoor playground is required by The Learning Centre in the future, public access to the Park would also be restricted. It was also pointed out that during this period of budget concerns, a lease of \$1.00 per year for 10 years is not acceptable. She felt the decision to rezone the property was being made without conducting a search for a more appropriate site and that the Dempsey Store and Dempsey Park should remain as is, with full public access;
- Ms. Betty Crossley, who expressed her opposition to the use of the Dempsey Store for a private day nursery and expressed her disappointment that the residents had not been involved earlier in the decision making process;
- Mr. T. M. Russell, a Board member of Heritage Toronto and Todmorden Mills, East York, who expressed his opposition to the rezoning of the Dempsey Store and Dempsey Park for the use of The Learning Centre for Children with Autism. He pointed out that the Dempsey Store was a public asset, administered in trust by Council; adding that although it may be necessary from time to time for Council to dispose of a public asset, he felt that to take an asset out of public use and designate it for private use should be done with thorough public consultation

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and discussion regarding possible alternatives. He further advised that a lease of \$1.00 per year is unsatisfactory considering the City's current budget situation and that fact that the Dempsey Store is a valuable heritage building, as a result of the efforts of a large number of citizens who recognized its importance and worked to have it restored and preserved. He then added that he hoped a similar fate would not happen to other heritage properties;

- Mr. Robin Collyer, who expressed his objection to the proposed use of the Dempsey Store as a day nursery for children with special needs, submitted photographs of the interior and exterior of the building and advised that it should be kept as a public historical building. He pointed out that the building does not have a home-like setting and would not be suitable for a nursery school. He also advised that approximately \$1.5 million has been spent to move the building to its present site, \$2.8 million has been spent on the parkland and approximately \$43,200 will be lost in potential rent, in addition to the lost taxes resulting from the application for the building's tax-free status. He felt that the City should have a return on its previous investments and expressed disappointment that the opportunity for public input to date has been minimal and that the Dempsey family has been left out of the loop altogether;
- Mr. Charles Harnick, who spoke in support of the rezoning application, advised that the building would be put to better use as a day nursery for children with autism, considering the benefits The Learning Centre would be providing to the children. He added that The Learning Centre would not be fencing Dempsey Park and therefore it would still be available to the residents. He felt that in the end, the neighbourhood and members of the Historical Board would be proud that the use of the building is helping to improve the lives and futures of young people;
- Mr. Barry McMonagle, President, Bayview Willowdale Homeowners' Association, who spoke in opposition to the proposed use and who suggested that a more suitable location should be found;
- Ms. Penelope Potter, who spoke in opposition to the proposed use and suggested that a compromise be found. She also indicated that she did not agree with the use of an historical building as a day nursery;
- Mr. Louis Badone, who spoke in opposition to the rezoning application, presented a brief history of the Dempsey Store and pointed out that private use of the Store would deprive the public of the use that is currently enjoyed. In addition he

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pointed out that the Store would not provide the home setting that is required by children with autism and suggested that the Elihu Pease House would be a more suitable location and is already zoned residential;

- Ms. Erla Juravsky, Executive Director, on behalf of the applicant, The Learning Centre for Children with Autism, advised that the Centre has not received any government funding and does not have a home. She pointed out that the staff reports support the use of the Dempsey site and that the impact on the area will be negligible or non-existent. She further added that parking would not be a problem and that they would not require a fenced-in play area. In addition, she indicated that it has been confirmed that the heat and vents are more than adequate and that although the rent is \$1.00 per year, they will also be paying \$36,000.00 per year towards the upkeep of the Dempsey Store. In addition, she stated that The Learning Centre has been in contact with the Mayor's office to find an alternative solution, without success. A petition containing the names of all the people in support of the rezoning application was then shown to Members of the North Community Council and she advised that The Learning Centre for Children with Autism is desperately needed;
- Mr. Neil Smiley, Fasken, Martineau DuMoulin, Solicitor on behalf of the applicant, The Learning Centre for Children with Autism, who commented on the merits of the application. During his submission he advised that detailed comments have been provided by four City Commissioners, and a variance has been obtained to permit The Learning Centre and to no parking on the site. He pointed out that City staff are satisfied that there is compliance with the Official Plan, they are satisfied with the parking and with the traffic, fencing is not required for a day nursery of this type; and therefore requested that Council approve the rezoning application;
- Mr. Bob Nesbitt, who spoke in opposition to the rezoning application, advised that most of the supporters lived outside the local community and that the proposed use of the historical building as a day nursery is not acceptable. In addition, he raised the concerns that parents would be stopping on Beecroft Road to drop off children thereby creating further traffic congestion along Beecroft. Also of concern, considering the current budget situation was the rent fee of \$1.00 per year for 10 years;
- Mr. Dan Miller, who spoke in opposition to the rezoning application, expressed concern over the lost use of the public park and felt that eventually the operator of the day nursery would require a fenced-in play area for the children;

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- Ms. Ronda Margolese, who spoke in opposition to the rezoning application advised that the local residents do not want to lose access to the interior of the building and lose the playground. She also pointed out that the rental fee of \$1.00 per year is not appropriate and that the taxpayers should not have to support the Learning Centre;
- Mr. Jim Cleary, who expressed his opposition to the use of the Dempsey Store as a day nursery commented that there are many homes that would be much more suitable;
- Ms. Gunild Spiess, on behalf of the Friends of the Dempsey Store, spoke in opposition to the rezoning application and stated that many of the people in favor of the proposed use of the Store as a day nursery did not live in the area and were not familiar with the building's history and the origin of Dempsey Park, which was designated in exchange for density rights. She felt that to rezone the land would be contrary to the original intent of the North York plan;
- Ms. Carol Christie expressed her opposition to the use of the Dempsey Store as a day nursery, and advised that the local residents and particularly school children should have the opportunity to visit the historical building. She pointed out that there are other sites that would better meet the needs of the children and suggested "Giant Steps", a facility that is located in York Region. She then advised that a similar Centre could be made available in North York;
- Ms. Doris Manetta, who spoke in opposition to the proposed rezoning stated that the Dempsey Store is not just bricks and mortar but has a lot of historical significance and is a symbol of the community. She then commented that the Dempsey Store is not suitable for a day nursery and that The Learning Centre for Children with Autism should seek an alternative location;
- Ms. Virginia Sawyer, expressed her opposition to the proposed rezoning application and stressed the fact that the historical building should be preserved;
- Mr. John Crean, on behalf of The Learning Centre for Children with Autism, expressed his support for the rezoning application and the use of the building as a day nursery. He further advised that there are very few services available for children with autism and what services that are available are difficult to access;
- Dr. Linda Yolles expressed her support for the rezoning application and advised

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that autism is near epidemic proportions. She further advised that there is very little information available and very little help available for the children; and pointed out that the Dempsey Store would be a suitable location for the Learning Centre for Children with Autism;

- Ms. Barbara McNutt, who expressed her opposition to the proposed rezoning of the Dempsey Store and advised that promises made in good faith should be honoured. She pointed out that a considerable amount of money had been spent by the City to restore the Dempsey Store and relocate it to the present site;
- Ms. Andrea Journeaux, expressed her opposition to the use of the Dempsey Store as a day nursery and advised that the historical building is within walking distance of schools in the area and should be accessible and preserved as an historical building;
- Mr. George Berger, who commented on the concerns raised by other deputants with regard to the loss of community heritage and the loss of parkland. He further commented that the support given by Council to the children with autism is a very noble action; adding that the needs of those children have not been undertaken by other levels of government and concluding by stating that the proposed use is the highest and best use of the lands;
- Ms. Irene Udo, who expressed her support for the use of the Dempsey Store as a day nursery and urged Council to approve the rezoning application. She then advised that the need for child care is growing at an alarming rate and that developers should be required to provide community service space similar to the Little Prints and Little Hearts Day Care. In addition she commented that by approving the rezoning application, Council would be acknowledging the changing times;
- Ms. Mary Iannucci expressed her opposition to the rezoning application and advised that if the application is approved, children in the community will be deprived of the opportunity to learn about the local history. In addition she expressed her disappointment that the Dempsey Store would be occupied by a private group and entirely restrict the use of the building by the residents and taxpayers who had been instrumental in restoring the building and moving it to the current site. She further commented on the money that would be lost by not leasing the building at a fair market value;
- Mr. Tim Fryer expressed his support for the use of the Dempsey Store as a day

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nursery by The Learning Centre for Children with Autism and advised that as the father of a four year old boy with autism, he had noticed considerable improvement brought about by the treatment offered by the Learning Centre; and

- Mr. Basil Stevens, a retired teacher, who expressed his opposition to the use of the Dempsey Store as a day nursery, commented that numerous teachers have used the Dempsey Store for research projects and advised that he felt the historical building should remain accessible to students and the general public.
- A. Councillor Fillion, Ward 23 - Willowdale, moved that the report (March 9, 2001) from the Director, Community Planning, North District, Urban Development Services, not be adopted.
- B. Councillor Feldman, Ward 10 - York Centre, moved that after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (March 9, 2001) from the Director, Community Planning, North District, Urban Development Services, and for the reasons that the proposal is an appropriate use of lands, it be recommended to City Council that the application submitted by The Learning Centre for Children with Autism, regarding an application to amend site-specific Zoning By-law No. 31237, for the former City of North York, be approved, subject to the conditions outlined in the aforementioned report.
- C. Councillor Shiner, Ward 24 - Willowdale, moved that the Chief Administrative Officer and other appropriate City Officials be requested to submit a report to the appropriate Standing Committee on the feasibility of providing space in the former Jolly Miller Tavern for the North York Historical Society, at such time as the aforementioned City Officials report on the future use of the Jolly Miller Tavern.

A recorded vote on Motion A., moved by Councillor Fillion, Ward 23 – Willowdale, was as follows:

FOR: Councillor Fillion

AGAINST: Councillors Sutherland, Shiner, Li Preti, Feldman, Mammoliti

ABSENT: Councillor Augimeri

Lost.

A recorded vote on Motion B., moved by Councillor Feldman, Ward 10 – York Centre, was as follows:

FOR: Councillors Sutherland, Shiner, Li Preti, Feldman, Mammoliti

AGAINST: Councillor Filion

ABSENT: Councillor Augimeri

Carried.

A recorded vote on Motion C., moved by Councillor Shiner, Ward 24 – Willowdale, was as follows:

FOR: Councillors Sutherland, Shiner, Filion, Li Preti, Feldman, Mammoliti

AGAINST: Nil

ABSENT: Councillor Augimeri

Carried.

(Report No. 3 – Clause No. 22)

3.34 Appeal to the Ontario Municipal Board of Council's Refusal of Proposed Official Plan and Zoning By-Law Amendments for 53, 57 and 59 Sheppard Avenue West – Ward 23 – Willowdale.

The North Community Council had before it a confidential report (March 14, 2001) from the City Solicitor, respecting Appeal to the Ontario Municipal Board of Council's refusal of Proposed Official Plan and Zoning By-law Amendments for 53, 57 and 59 Sheppard Avenue West.

On motion by Councillor Sutherland, Ward 33 – Don Valley East, the North Community Council recessed its public session in order to meet privately to discuss the matter of Appeal to the Ontario Municipal Board of Council's Refusal of Proposed Official Plan and Zoning By-law Amendments for 53, 57 and 59 Sheppard Avenue West having regard that the matter involves litigation or potential litigation,

and relates to the receiving of advice under solicitor-client privilege.

The North Community Council resumed its public session.

On motion by Councillor Filion, Ward 23 – Willowdale, the North Community Council recommended to City Council that the recommendations contained in the confidential report (March 14, 2001) from the City Solicitor respecting the Appeal to the Ontario Municipal Board of Council's refusal of Proposed Official Plan and Zoning By-law Amendments for 53, 57 and 59 Sheppard Avenue West, be struck out and the recommendations of the North Community Council, to be forwarded to City Council, in the form of a confidential transmittal letter from the City Clerk, be adopted, and further recommended that in accordance with the Municipal Act, discussions pertaining thereto be held in-camera having regard that the matter involves litigation or potential litigation, and relates to the receiving of advice under solicitor-client privilege.

(Councillor Shiner, Ward 24 – Willowdale, declared an interest in the foregoing matter in that a member of his family has an interest in a property in this area.)

(Report No. 3 – Clause No. 26)

3.35 Appeal of Zoning Amendment Application No. UDZ-98-31 to the Ontario Municipal Board – Select Properties Limited (Orlando Corporation) - 2901 Bayview Avenue – Ward 24 – Willowdale.

The North Community Council had before it a confidential report (March 14, 2001) from the City Solicitor respecting Appeal of Zoning Amendment Application No. UDZ-98-31 to the Ontario Municipal Board – 2901 Bayview Avenue.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North Community Council recessed its public session in order to meet privately to discuss the matter of the Appeal of Zoning Amendment Application No. UDZ-98-31 to the Ontario Municipal Board – Select Properties Limited (Orlando Corporation) – 2901 Bayview Avenue having regard that the subject matter involves litigation or potential litigation, and relates to the receiving of advice under solicitor-client privilege.

The North Community Council resumed its public session.

On motion by Councillor Shiner, Ward 24 - Willowdale, the North Community Council deferred consideration of the foregoing confidential report to its next meeting scheduled for May 16, 2001.

(Report No. 3 – Clause No. 26(I))

3.36 Proposed Road Alteration and Stopping Up and Closing to Vehicular Traffic – Part of Spring Garden Avenue between Doris Avenue and Kenneth Avenue – Ward 23 – Willowdale.

The North Community Council had before it a joint report (March 21, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services and the Director, Engineering Services, Districts 3 & 4, Works and Emergency Services, seeking City Council authority for proposed alteration of Spring Garden Avenue between Doris Avenue and Kenneth Avenue, and to obtain Council's authority for the stopping-up and closing to vehicular traffic of Spring Garden Avenue at Kenneth Avenue to just west of Kenneth Avenue in conjunction with the proposed cul-de-sac and recommending that:

- (1) Spring Garden Avenue be altered between Doris Avenue and Kenneth Avenue as set out in this report;
- (2) a 0.3 metre wide strip of land across Spring Garden Avenue immediately west of Kenneth Avenue be stopped-up and closed to vehicular traffic and a barricade be erected to enforce due observance thereof, in accordance with the requirements of the Municipal Act;
- (3) easements be reserved, if necessary, for the City and Utility Companies, over the entire portions of Spring Garden Avenue to be closed, for access, operation, use, inspection, repair, maintenance, reconstruction or alteration of the existing utilities and for the construction of additional new services;
- (4) vehicular entry be prohibited on Spring Garden Avenue westbound from Kenneth Avenue;
- (5) funds for the cost of publishing the necessary Municipal Act public notices be provided through development charges;
- (6) the developer be required to pay all costs of the proposed new cul-de-sac west of Kenneth Avenue, including the costs of adjusting or relocating services and/or

utilities, with the costs to be determined by the Commissioner of Works and Emergency Services and the appropriate utility companies;

- (7) authority be given by North Community Council to immediately advertise the proposed alterations and stop-up and closure so that deputations can be held at the May 16, 2001 North Community Council meeting; and
- (8) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any Bills that might be required and giving notice to the public of the proposed by-laws to alter and to close portions of Spring Garden Avenue.

On motion by Councillor Filion, Ward 23 – Willowdale, the North Community Council recommended to City Council, the adoption of the foregoing joint report.

(Report No. 3 – Clause No. 24)

3.37 Application By GTAA to Amend the Official Plans of the Former Municipality of Metropolitan Toronto and the Former Cities of Etobicoke and North York (Ward 2 – Etobicoke North – Ward 3 – Etobicoke Centre and Ward 7 – York West).

The North Community Council had before it a communication (March 27, 2001) from the City Clerk, Planning and Transportation Committee, advising that the Planning and Transportation Committee, at its meeting held on March 26, 2001, recommended that the reports (March 2, 2001 and March 22, 2001) from the Commissioner of Urban Development Services together with related material, be forwarded to the North and West Community Councils with a request that they schedule community consultation at their next meetings on April 4, 2001 and forward their comments thereon directly to City Council for its meeting on April 24, 2001.

The North Community Council also had before it a communication (April 4, 2001) from Mr. Brian M. Dourley of the law firm of Miller Thomson, on behalf of the Toronto Catholic District School Board, objecting to the passing of the proposed Official Plan Amendments because the Amendments and certain policies resulting therefrom will affect both the value of its properties and/or the cost to reconstruct, renovate or retrofit its properties in the operating area that will be governed by the policies.

Mr. Steve Shaw appeared before the North Community Council in connection with the foregoing matter, on behalf of the Greater Toronto Airports Authority.

On motion by Councillor Mammoliti, Ward 7 – York West, the North Community Council recommended to City Council, when considering Clause No. 2 of Report No. 3 of the Planning and Transportation Committee, headed “Application by GTAA to amend the Official Plans of the former Municipality of Metropolitan Toronto and the former Cities of Etobicoke and North York (Ward 2, Etobicoke North; Ward 3 – Etobicoke Centre; Ward 7 – York West)” that the recommendations embodied in the reports (March 2, 2001) and (March 22, 2001) from the Commissioner of Urban Development Services, be adopted.

(Report No. 3 – Clause No. 26(m))

3.38 Ontario Municipal Board Hearing - Committee of Adjustment – File A640/OONY – 7 Lailey Crescent – Ward 23 – Willowdale.

The North Community Council had before it the following Resolution (undated) submitted by Councillor Filion:

“WHEREAS on December 15, 2000, the Committee of Adjustment refused a minor variance application at 7 Lailey Crescent to permit the construction of a new two storey dwelling; and

WHEREAS the applicant has now appealed the decision to the Ontario Municipal Board; and

WHEREAS the Committee of Adjustment refused the application on the grounds that the general intent and purpose of the Official Plan is not maintained; that the general intent and purpose of the Zoning By-law is not maintained; that the variance(s) is not considered desirable for the appropriate development of the land; and that the variance(s) is not minor; and

WHEREAS City Planning staff have indicated that they did not support the application and therefore would have no difficulty attending the Ontario Municipal Board Hearing to provide evidence against this application;

THEREFORE BE IT RESOLVED that Council direct the City Solicitor and Planning staff to attend the Ontario Municipal Board Hearing to uphold the City’s By-law and defend the Committee of Adjustment’s decision.”

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The North Community Council also had before it a memorandum (April 2, 2001) from the Director, Community Planning, North District, Urban Development Services, addressed to Councillor Filion, recommending that Council direct staff to attend the Ontario Municipal Board hearing in order to uphold the City's by-laws and support the Committee of Adjustment's decision.

On motion by Councillor Filion, Ward 23 – Willowdale, the North Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

On motion by Councillor Filion, Ward 23 – Willowdale, the North Community Council recommended to City Council, the adoption of the foregoing Resolution.

(Report No. 3 – Clause No. 25)

3.39 Development Application by Great Wise Development Corporation – Approval of Section 37 Agreement - Ward 23 – Willowdale.

The North Community Council had before it the following Resolution (March 29, 2001) submitted by Councillor Filion:

“WHEREAS the City of Toronto has supported a development application by Great Wise Development Corporation;

WHEREAS the Ontario Municipal Board has approved the application subject to being advised that the Section 37 Agreement has been executed;

WHEREAS the Ontario Municipal Board decision was issued on June 30, 2000;

WHEREAS the Section 37 Agreement remains outstanding;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) the City Solicitor be directed to finalize the Section 37 Agreement in consultation with the owner for approval at the May Community Council meeting; and

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- (2) the appropriate City Officials be authorized to execute the Section 37 Agreement.”

The North Community Council also had before it a copy of a communication (April 4, 2001) addressed to Councillor J. Filion, from Mr. Stephen H. Diamond, Solicitor, of the law firm of McCarthy Tetrault, representing Greatwise Developments Corporation, indicating that the motion that has been proposed is no longer necessary at the current time given their understanding that a new solicitor within the City’s Legal Division has been assigned to expedite and complete this matter.

On motion by Councillor Filion, Ward 23 – Willowdale, the North Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, 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, Ward 23 – Willowdale, later in the proceedings, moved that the foregoing Resolution be withdrawn, having regard that the Solicitor for Great Wise Developments Corporation has advised by letter dated April 4, 2001, that the Resolution is no longer necessary.

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

(Report No. 3 – Clause No. 26(n))

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

Councillor Feldman, at 6:00 p.m., moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, North Community Council, waive the requirement of the 6:00 p.m. recess, and continue in session in order to conclude consideration of the statutory public meeting respecting the application to amend the Zoning By-law – TB ZBL 2001 0002 – The Learning Centre for Children with Autism matter, which was carried, more than two-thirds of members present having voted in the affirmative.

Adjournment:

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The North Community Council adjourned its meeting at 7:45 p.m., Wednesday, April 4, 2001.

Chair.