

THE CITY OF TORONTO

City Clerk's Division

Minutes of the North York Community Council

Meeting No. 4

Wednesday, May 8, 2002.

The North York Community Council met on Wednesday, May 8, 2002, in the Council Chamber, North York Civic Centre, commencing at 10:10 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 6:00 p.m.
Councillor Li Preti, Chair	x	x
Councillor Augimeri	x	x
Councillor Filion	x	x
Councillor Feldman	x	x
Councillor Mammoliti, Vice-Chair	x	x
Councillor Shiner	x	x
Councillor Sutherland	x	x

Confirmation of Minutes:

On motion by xxxxx, the minutes of the meeting of the North York Community Council held on April 3, 2002, were confirmed.

4.1 Special Occasion Permit – Community Event – Quattro Communications Inc. – Canada Day Celebration – Parc Downsview Park – Monday, July 1, 2002 – 11:00 a.m. t 11:00 p.m.

The North York Community Council had before it a communication (April 3, 2002) from Ms. Jennifer White, Account Executive, Quattro Communications Inc., requesting that the Community Council, for liquor licensing purposes, declare the Canada Day Celebration to be held on Monday, July 1, 2002 from 11:00 a.m. to 11:00 p.m. at the Parc Downsview Park, to be an event of municipal and/or community significance.

On motion by Councillor xxxxx, the North York Community Council recommended that City Council, for liquor licensing purposes, declare the Canada Day Celebration to be held on Monday, July 1, 2002, by Quattro Communications Inc. in Parc Downsview Park, 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. 5 – Clause No. 1)

4.2 Encroachment Report – Triomphe Phase II – Eminent Construction Limited – 15 Northtown Way – Ward 23 – Willowdale.

The North York Community Council had before it a report (April 23, 2002) from the North District Manager, Municipal Licensing & Standards & Court Services, Urban Development Services, reporting on a request by the applicant, Eminent Construction Limited for an encroachment at 15 Northtown Way of ten metal and glass retail canopies each .685 metres x 2.603 metres = 1.783 square metres over City right-of-way at Doris Avenue, located along the east elevation of the subject project as shown on Encroachment Plan dated June 4, 2001, prepared by Burka Architects Inc.; and recommending that:

- (1) the encroachment be approved by the City, subject to the condition that the owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the Commissioner of Urban Development Services and the City Solicitor;
- (2) that written responses be received from the utility companies prior to

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registration of the encroachment agreement; and

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

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

(Report No. 5 – Clause No. 2)

4.3 Street Name Change – Breeders Circle – Ward 33 – Don Valley East.

The North York Community Council had before it a report (April 22, 2002) from the City Surveyor, Works and Emergency Services, recommending that the street named “Breeders Circle, located in the residential development at 5365 Leslie Street, be renamed to “Green Meadows Circle”; and further recommending that:

- (1) subject to the statutory requirements for changing the name of a street under the Municipal Act, “Breeders Circle” be renamed to “Green Meadows Circle”; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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

(Report No. 5 – Clause No. 3)

4.4 Right Turn Lane Designation – Jane Street at Rita Drive, Yewtree Boulevard and Firgrove Crescent (South Leg) – Ward 8 – York West.

The North York Community Council had before it a report (April 22, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the designation of the curb lanes for right turns only, buses excepted, on Jane Street at Rita Drive, Yewtree Boulevard and Firgrove Crescent (south leg); and recommending that:

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- (1) the northbound curb lane on Jane Street at Rita Drive, be designated for right turning vehicles only, buses excepted, between Jane Street and a point 20 metres southerly thereof;
- (2) the northbound curb lane on Jane Street at Yewtree Boulevard, be designated for right turning vehicles only, buses excepted, between Jane Street and a point 20 metres southerly thereof;
- (3) the southbound curb lane on Jane Street at Firgrove Crescent (south leg), be designated for right turning vehicles only, buses excepted, between Jane Street and a point 20 metres northerly thereof; and
- (4) the appropriate by-law(s) be amended accordingly.

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

(Report No. 5 – Clause No. 4)

4.5 Westbound Right Turn Lane Designation – Finch Avenue East at Brahms Avenue – Ward 24 - Willowdale and Ward 33 – Don Valley East.

The North York Community Council had before it a report (April 23, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the dedication of the westbound curb lane on Finch Avenue East at Brahms Avenue for right turns only, buses excepted; and recommending that:

- (1) the westbound curb lane on Finch Avenue East, from Brahms Avenue to a point 60 metres easterly thereof, be designated for right turns only, buses excepted; and
- (2) the appropriate by-law(s) be amended, accordingly.

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

(Report No. 5 – Clause No. 5)

4.6 Parking Prohibitions – Luverne Avenue – Ward 10 – York Centre.

The North York Community Council had before it a report (April 11, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the current parking prohibitions/restrictions on Luverne Avenue; and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York be amended to delete the No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday prohibitions on both sides of Luverne Avenue, from the westerly limit of Laurentia Crescent to the easterly limit of Champlain Boulevard;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York be amended to prohibit parking from 8:00 a.m. to 6:00 p.m., Monday to Friday, on the north side of Luverne Avenue, from the westerly limit of Laurentia Crescent to the easterly limit of Champlain Boulevard; and
- (3) Schedule VIII of By-law No. 31001, of the former City of North York be amended to prohibit parking from 7:00 a.m. to 10:00 a.m., Monday to Friday, on the south side of Luverne Avenue, from the westerly limit of Laurentia Crescent to the easterly limit of Champlain Boulevard;

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

(Report No. 5 – Clause No. 6)**4.7 Parking Prohibitions – Kenneth Avenue – Ward 23 – Willowdale.**

The North York Community Council had before it a report (April 18, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the existing parking regulations on the west side of Kenneth Avenue, between Finch Avenue East and Olive Avenue; and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday prohibitions on the east side of Kenneth Avenue, from the southerly limit of Finch Avenue East to the northerly limit of Holmes Avenue;

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- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking between the hours of 8:00 a.m. and 6:00 p.m., Monday to Friday, on the east side of Kenneth Avenue, from the southerly limit of Olive Avenue to the northerly limit of Holmes Avenue; and
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on both sides of Kenneth Avenue, from the southerly limit of Finch Avenue East to the northerly limit of Olive Avenue.

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

(Report No. 5 – Clause No. 7)

4.8 Northbound Right Turn Lane Designation – Islington Avenue at Steeles Avenue West – Ward 7 – York West.

The North York Community Council had before it a report (April 22, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the dedication of the northbound curb lane on Islington Avenue at Steeles Avenue West for right turns only, buses excepted; and recommending that:

- (1) the northbound curb lane on Islington Avenue at Steeles Avenue West, be designated for right turning vehicles only, buses excepted, between Islington Avenue and a point 70 metres southerly thereof; and
- (2) the appropriate by-law(s) be amended accordingly.

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

(Report No. 5 – Clause No. 8)

4.9 Stopping Prohibitions – Ellison Avenue – Ward 10 – York Centre

The North York Community Council had before it a report (April 15, 2002) from the

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Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the existing stopping/parking regulations on Ellison Avenue; and recommending that:

- (1) Schedule VIII, of By-law No. 31001, of the former City of North York be amended to delete the No Parking Anytime prohibition on the north side of Ellison Avenue, from the westerly limit of Bathurst Street to the westerly limit of Ellison Avenue;
- (2) Schedule VIII, of By-law No. 31001, of the former City of North York be amended to prohibit parking at anytime on the north side of Ellison Avenue, from the westerly limit of Bathurst Street to a point 143 metres westerly thereof; and
- (3) Schedule IX, of By-law No. 31001, of the former City of North York be amended to prohibit stopping at anytime on both sides of Ellison Avenue, from a point 143 metres west of the westerly limit of Bathurst Street to a point 46 metres westerly thereof.

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

(Report No. 5 – Clause No. 9)

4.10 Amendment to Turn Prohibitions – Sheppard Avenue West at Easton Road – Ward 23 – Willowdale.

The North York Community Council had before it a report (April 25, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the current turn prohibitions at the Sheppard Avenue West/Easton Road intersection to permit right turns by bicycles, during the a.m. peak period; and recommending that:

- (1) eastbound right turns from Sheppard Avenue West to Easton Road be prohibited from 7:00 a.m. to 9:00 a.m., Monday to Friday, buses and bicycles excepted; and
- (2) the appropriate by-law(s) be enacted.

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

(Report No. 5 – Clause No. 10)

4.11 Appeal from the Decision of the Committee of Adjustment – 752 Glengrove Avenue – Ward 15 – Eglinton-Lawrence.

The North York Community Council had before it a communication (April 8, 2002) from the City Clerk, Humber York Community Council, advising that the Humber York Community Council, at its meeting held on April 2, 2002:

- (1) received the report dated March 8, 2002 from the Acting City Solicitor; and
- (2) directed that a copy of this report be forwarded to the Humber York Committee of Adjustment, the North York Committee of Adjustment, and the North York Community Council.

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

- (1) the following communication (April 8, 2002) from the City Clerk, Humber York Community Council, advising of the action taken by the Humber York Community Council, be received for information; and
- (2) in the event the applicant should, in the future, appeal an adverse Decision of the Committee of Adjustment with respect to an application for minor variances at 752 Glengrove Avenue to the Ontario Municipal Board, the City send appropriate staff to support the position of the City and the Committee of Adjustment, and if successful, to seek full costs from the applicant.

(Report No. 5 – Clause No. 11)

4.12 Preliminary Report – Application to Amend the Official Plan and Zoning By-law - TB CMB 2002 0003 – 1430731 Ontario Limited, c/o PMG Planning Consultants – 775 Steeles Avenue West – Ward 10 – York Centre.

The North York Community Council had before it a report (April 11, 2002) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and seeking Community Council's directions on further processing of the application and on the community consultation process; and recommending that:

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

The North York Community Council approved the foregoing report.

(Report No. 5 – Clause No. 22(a))

4.13 Preliminary Report – Application to Amend the Official Plan and Application to Amend the Zoning By-law – TB OPA 2002 0001 & TB ZBL 2002 0001 – Namara Developments Ltd. – Southeast Corner of Jane Street and Troutbrooke Drive – Ward 9 – York Centre.

The North York Community Council had before it a report (April 18, 2002) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted applications and seeking Community Council's directions on further processing of the applications and on the community consultation process; and recommending that:

- (1) 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 York Community Council approved the foregoing report (April 18, 2002) 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 to individuals residing within the expanded notification area which includes Troutbrooke Drive; Austrey Court; Gatesgill Crescent; Linthurst Avenue; Monclova Road (Nos. 43 – 79 inclusive); Exbury Road (Nos. 117 – 195 inclusive); 2415 and 2425 Jane Street.”
- (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 (2) above.”

(Report No. 5 – Clause No. 22(b))

4.14 Preliminary Report – Application to Amend the Official Plan and Zoning By-law – TB CMB 2002 0004 – Keele Valley Properties Limited – 3792-3846 Bathurst Street – Ward 10 – York Centre.

The North York Community Council had before it a report (April 22, 2002) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above noted applications and seeking Community Council’s directions on further processing of the applications and on the community consultation process; and recommending that:

- (1) Staff be directed to schedule a joint community consultation meeting on both applications together with the Ward Councillor.
- (2) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.

- (3) Notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

The North York Community Council approved the foregoing report.

(Report No. 5 – Clause No. 22(c))

4.15 Further Preliminary Report – Revised Application to Amend the North York Zoning By-law 7625 – UDZ-97-36 and UDSB 1233 – Elderbrook Developments – Finch Avenue West Between York Gate Boulevard and Norfinch Drive – Ward 8 – York West.

The North York Community Council had before it a report (December 19, 2001) from the Director, Community Planning, North District, Urban Development Services, reporting on a revised application for 780 apartment units and 184 townhouse and semi-detached units 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 305 metres of the site, as previously directed by Council;
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act and to residents within 305 metres of the site, as previously directed by Council.

The North York Community Council also had before it a communication (May 6, 2002) from Superintendent James Parkin, Toronto Police Services, No. 31 Division, updating the North York Community Council on the consultation process between the Toronto Police Service and representatives of the North District of the Community Planning office, as requested by the North York Community Council; outlining the Toronto Police Services' concerns with the proposal and further indicating that these issues of concern must be addressed in community consultation during the application process.

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

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York Community Council, requested the Director, Community Planning, North District, Urban Development Services, to discuss with the applicant, the request by the North York Community Council for substantial improvements in local infrastructure required to serve the community, and that everything possible be done in order to obtain appropriate contributions.

The North York Community Council approved the foregoing report.

A recorded vote on the Recommendation moved by Councillor Sutherland, Ward 33 – Don Valley East, was as follows:

FOR: Councillors Sutherland, Shiner, Filion

AGAINST: Councillors Li Preti, Mammoliti

ABSENT: Councillors Feldman, Augimeri

Carried.

(Report No. 5 – Clause No. 22(d))

4.16 Final Report – Application to Permit the Construction of Mausoleums within an Existing Cemetery under The Cemeteries Act – TB SPC 2001 0120 and TB SPC 2002 0009 – Westside Cemetery Limited – 5830 Bathurst Street – Ward 10 – York Centre.

The North York Community Council had before it a report (April 19, 2002) from the Director, Community Planning, North District, Urban Development Services, reporting on a request under the Cemeteries Act to construct additional mausoleums within an existing cemetery; and recommending that City Council permit the construction of an additional 7 mausoleums within an existing cemetery without a public hearing subject to the following:

- (1) the City Clerk prepare a “Notice of Decision” under the requirements of the Cemeteries Act (Revised) indicating Council’s decision on this matter for publication in a local newspaper and that the applicant be requested to pay for this notice.

The North York Community Council recommended to City Council, the adoption

of the foregoing report.

(Report No. 5 – Clause No. 12)

4.17 Site Plan Control Application No. TB SPC 2001 0084 – Amica (Bayview) Corporation – 15 Barberry Place – Ward 24 – Willowdale.

The North York Community Council had before it a report (April 23, 2002) from the Director, Community Planning, North District, Urban Development Services, reporting on a site plan control application for the subject site, which proposal has been referred by Councillor David Shiner to City Council for a decision through the North York Community Council in accordance with By-law 483-200; and recommending that City Council approve the proposed 8-storey, 140-unit retirement home as indicated on the drawings on file entitled:

- (i) Site Plan, drawing SK-01e, dated December 13, 2001, prepared by Northgrave Architect Inc.;
- (ii) Ground Floor Plan, drawing SK-03e, dated December 13, 2002, prepared by Northgrave Architect Inc.;
- (iii) Elevations, drawings SK-07e and SK-08e, dated December 12, 2001, prepared by Northgrave Architect Inc.;
- (iv) Ground Floor Landscape Plan, drawing L-1, dated January 8, 2002, prepared by Terraplan Landscape Architects;
- (v) Second Floor Terrace Plan, drawing L-2, dated January 15, 2002, prepared by Terraplan Landscape Architects;
- (vi) Third Floor Landscape Plan, drawing L-3, dated January 15, 2002, prepared by Terraplan Landscape Architects;
- (vii) Landscape Details, drawing L-4, dated December 20, 2001, prepared by Terraplan Landscape Architects;

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- (viii) Landscape Details, drawing L-5, dated November 22, 2001, prepared by Terraplan Landscape Architects;
- (ix) Detail Layout Plans, drawing L-6, dated December 20, 2001, prepared by Terraplan Landscape Architects;

and subject to the following conditions:

1. The lands shall be developed and maintained in accordance with the approved Site Plan drawings and conditions of approval. The Owner acknowledges that notwithstanding this approval, the lands shall be developed in accordance with the applicable zoning by-law(s) and that it is the responsibility of the Owner to ensure that the development is in conformity with the applicable zoning by-law(s) to the satisfaction of the Chief Building Official.
2. All of the work shown on the approved drawings and all of the work required by the conditions of this approval shall be completed within two years of the date of this approval, failing which, this approval shall require an extension by the Director of Community Planning, North District (the "Director"), or his successor, prior to the issuance of any building permit.
3. All refuse and recycling storage bins shall be stored within the building. Refuse and recycling bins/materials shall be transported to the collection area on collection days only. The Owner acknowledges that garbage shall be collected in accordance with garbage by-law 21732, as amended.
4. Parking spaces for persons with disabilities shall be identified with proper signage and logos to the satisfaction of the Director of Transportation Services - Works and Emergency Services Department, or his successor. All designated parking spaces, walkways and curb ramps shall conform with the City of Toronto (formerly North York), "Barrier-Free Accessibility, Design Guidelines and Policy Handbook (Exterior Guidelines)."
5. No signage, satellite dishes, cellular telephone antennae or associated equipment shall be provided on the roof of any building without the prior approval of the Director.
6. All driveways, loading and parking areas shall be paved with asphalt, turfstone, concrete or concrete unit pavers.

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7. All site illumination shall be designed to prevent the spread of light onto adjacent properties.
8. Above-grade electrical transformers, gas regulators, and other equipment are not permitted above grade in any yard abutting a public street unless screened from view of Barberry Place with landscaping and fencing to the satisfaction of the Director, or his successor. All clearances from Toronto Hydro facilities must be maintained to the satisfaction of Toronto Hydro or such successor body. The owner shall make arrangements to the satisfaction of the affected Utility for the installation, relocation and protection of all utilities.
9. The municipal addresses shall be well-illuminated, provided in a prominent location and designed to be easily readable from adjacent streets.
10. The Owner shall develop the lands in accordance with the requirements and conditions, as contained in the memorandum of (refer to attached):
 - 10.1 Works & Emergency Services Department, Technical Services Division memorandum dated September 24, 2001, and November 19, 2001;
 - 10.2 Works & Emergency Services Department, Transportation Services Division January 15, 2002; and,
 - 10.3 Bell Canada letter dated September 27, 2001.
11. The applicant shall submit the following to the satisfaction of the Director before any building permit, other than a foundation permit, is issued:
 - 11.1 3 copies of a revised landscape plan which incorporates the following:
 - 11.1.1 a low decorative wall or fence along the entire Barberry Place frontage of the site and along a portion of the temporary driveway;
 - 11.1.2 planting and fencing that effectively screens the view of the above grade hydro transformer from the street;
 - 11.1.3 the location of the utilities, services and lighting on the public boulevard (lights shall conform with the design and standards developed for the NY Towers project); and,
 - 11.1.4 an irrigation plan, or as a minimum, the location of all

exterior hose bibs.

- 11.2 3 copies of a revised site plan that includes the changes inherent with the landscape plan and incorporates the requirements of the Works & Emergency Services Department;
- 11.3 Confirmation that arrangements have been made to satisfy the requirements of the *Technical Services Division* of the Works and Emergency Services Department as noted in their memoranda September 24, 2001 and November 19, 2001;
- 11.4 Confirmation that arrangements have been made to satisfy the requirements of the *Transportation Services Division* of the Works & Emergency Services Department as noted in their memorandum dated January 15, 2002;
- 11.5 The owner shall execute a site plan agreement prepared to the satisfaction of the City Solicitor and Director to register the approved drawings and conditions of approval on title. The agreement shall stipulate:
 - 11.5.1 The Owner shall submit a cost estimate with a letter of credit or certified cheque for the value of the landscaping and public art. The value of the public art component shall not exceed one percent of the cost of the building. The securities shall be submitted in a form satisfactory to the Chief Financial Officer in accordance with its standard format for letters of credit as of the date of submission of the letter to the City, and which shall provide for automatic renewal rights at the end of the term, to complete all outstanding work required by the conditions of approval. The deposit shall be returned to the Owner at such time as the Director, Community Planning, North District, is satisfied that the property has been developed in accordance with the approved drawings and conditions of approval.
 - 11.5.2 The owner shall submit a proposal for the required public art component. The proposal shall address matters including, but not limited to, design, location, process, financing, implementation and timing to the satisfaction of

the Director.

11.5.3 The Owner acknowledges that where it fails to promptly complete the work required by this Agreement, the City, in addition to and without prejudice to any other rights which it may have pursuant to this Agreement or otherwise at law, may enter onto the lands, perform such work and take any steps as are required, in the sole discretion of the City, to carry out and complete the work.

11.5.4 The Owner agrees that the City has the right to recover the total cost of all work and materials, plus a management fee equal to 20 percent of the total cost of such work and materials. In addition to any other remedies it may have, the City may collect the sums owing in like manner as municipal taxes, with all such amounts to be payable as directed by City Council pursuant to Section 326 of the *Municipal Act*.

11.5.5 The Owner acknowledges that the City enters onto the lands solely as the agent of the Owner, and such entry shall not be deemed, for any purpose, to constitute acceptance or assumption of all or any portion of the work required by this Agreement.

11.5.6 The Owner agrees:

11.5.6.1 that it shall save harmless, defend and fully indemnify the City, and each of the persons under the City's jurisdiction, from and against all actions, suits, claims, and demands which may be brought against or made upon the City, and any persons under the City's jurisdiction, and from and against all loss, costs, charges, damages and expenses which may be sustained, incurred or paid by the City, and each of any persons under the City's jurisdiction, by reason of, or on account of, or in consequence of this clause;

11.5.6.2 it will pay to the City and to each of any persons under the City's jurisdiction, on demand, any loss, costs, or damages which may be sustained, incurred or paid by the City in consequence of any such action, suit, claim or demand; and,

11.5.6.3 on default of such payment all such loss, costs or damages and all such monies so paid or payable may be recovered in any court of competent jurisdiction.

It is further recommended that the Councillor's request to investigate the feasibility of providing weather protected sidewalks on the public right-of-way be referred to the Commissioner of Works and Emergency Services for research and as appropriate, a report to Council.

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

(Report No. 5 – Clause No. 13)

4.18 Draft By-law – Proposed Road Alteration and Stopping up and Closing to Vehicular Traffic – Part of Dervock Crescent – Ward 24 – Willowdale.

The North York Community Council had before it Draft By-laws from the City Solicitor, to authorize the alteration of Dervock Crescent east of Rean Drive by the construction of a new cul-de-sac and to stop up and close for vehicular traffic a portion of Dervock Crescent immediately east of Rean Drive, and to authorize the erection of barricades to enforce the due observance thereof.

The North York Community Council also had before it Clause No. 17 of North York Community Council Report No. 3, titled "Proposed Road Alteration and Stopping Up and Closing to Vehicular Traffic – Part of Dervock Crescent, east of Rean Drive – Ward 24 – Willowdale", which was adopted, by the Council of the City of Toronto, at its meeting held on April 16, 17 and 18, 2002.

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The North York Community Council held a public hearing on May 8, 2002 and that a notice with respect to the proposed enactment of the draft by-law was advertised in the Toronto Sun on April 19, 22, 29 and May 6, 2002; all in accordance with the Municipal Act; and the following persons addressed the North York Community Council with respect to the draft by-laws:

- Mr. Robert Burton, who expressed his opposition to the closing of the Dervock Crescent\Rean Road intersection and advised that it would force traffic to go through the side streets. He pointed out that the Greenbriar Road\Sheppard Avenue intersection might look feasible, however the sight lines are very poor and there is no traffic signal. He then suggested three other possible options: (1) do nothing; (2) keep the condo traffic off Dervock Crescent by installing a “no right turn sign” or (3) redesign the Rean/Dervock intersection as outlined in the map attached to his written communication dated May 3, 2002. In closing, he pointed out that if the Dervock\Rean intersection is closed, Rean Road would basically become a private road and this would have an adverse impact on the tenants residing in his building, which tenants utilize Rean Drive extensively.

- Mr. Vincent Ching, Secretary of the Dervock Cusack Greenbriar Ratepayers Association, who presented a written submission and requested that the Community Council support the proposed By-law to close the Dervock\Rean intersection to prevent traffic infiltration to and from Dervock Crescent. He expressed concern that residents of the New York Towers would use Dervock Crescent to enter Greenbriar Road, Talara Drive and Bessarion Road within the stable residential community to the east, to gain access to Sheppard Avenue. He pointed out that the proposed By-law is the result of extensive consultation with the residents and it was proposed by Planning and Transportation staff as the best overall option to address the traffic problem; thus the residents supported the New York Towers development proposal with the assurance that there would not be any additional traffic problems and parking overflow for the neighbourhood. He further indicated that Council adopted the Context Plan for the Southeast Bayview Node and the Plan contains a recommendation to “prevent traffic infiltration into the low density residential area to the east”. The Report of the Director, Community Planning, North District, dated June 1, 2000, also adopted by Council, states that the “developer will be held responsible for any costs of measures to prevent traffic infiltration to and from Dervock Crescent.” In closing he added that the proposed By-law is supported by 13 out of 16 homeowners on Dervock Crescent that have been contacted and urged the Community

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Council to support the closure of the intersection of Dervock Crescent and Rean Road.

Mr. Ching also submitted the following communications requesting the support of the North York Community Council to close the DervockCrescent\Rean Road intersection:

- (May 6, 2002) from Tenley Yeung;
- (May 7, 2002) from O.K. Yau, Daisy Poon, Helena Moy, M.H. Chen, Mihail and Sosrina Stern, Alfred Cheung, Grace and Lila Harding, Alex and Lia Trica, Ronnie Loo and Erik and Monica Sulev;
- (May 6, 2002) from Vincent Ching;
- (May 7, 2002) from Irene Eber and Ilmar Albrecht;
- (May 7, 2002) from Silva Chan;
- Mr. Tim Laceby, who expressed the concern that by closing the Dervock Crescent\Rean Road intersection, traffic would now have to go out through Bessarion Road, adding that there was a traffic light at Greenbriar Road during the Sheppard Subway construction, but the light has since been removed. He further indicated that by closing Dervock Crescent, the tenants living in the apartment complex at 11 Dervock Crescent would be forced to use Greenbriar Road, which would be an alternate route but, in his opinion, is still unacceptable;
- Ms. Irene Albrecht, who expressed her support for the closing of the Dervock Crescent but requested that a traffic light be installed at Greenbriar Road; and
- Mr. Brian Gemmer, who advised that he supports the closing of the Dervock Crescent\Rean Road intersection to protect the stable residential area, however he pointed out that to go left on Sheppard Avenue from Greenbriar Road is dangerous due to poor sight lines. He then suggested that a traffic light at Greenbriar Road would certainly make the intersection safer.

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

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- (April 25, 2002) and (April 26, 2002) from Mr. Robert Burton, expressing his opposition to the closing of the Dervock/Rean intersection;
- (April 29, 2002) from P. D'Souza, Manager, Planning/Right-of-Way Management, District 3, Transportation Services Division, addressed to Mr. Robert Burton, advising that this project is being planned under Schedule "B" of the Municipal Class Environmental Assessment; that the notice of commencement was published in the North York Mirror on January 25 and February 22, 2002, while notice of completion was published in The Toronto Sun on April 19, 22, 29 and May 6, 2002; and further indicating that Mr. Burton could participate at the public hearing at the North York Community Council meeting scheduled for May 8, 2002;
- (May 2, 2002) from Ms. Amber Gertzbein, expressing her opposition to the construction of a barrier at Dervock and Rean, and her opposition to the Draft By-law for the proposed road alteration and stopping up and closing to vehicular traffic for part of Dervock Crescent;
- (May 3, 2002) from Mr. Robert L. Burton, Burton-Lesbury Holdings Limited, advising that he owns the 142 suite apartment building at 11 Dervock Crescent and only became aware of the proposed road closing on April 25, 2002; requesting a deferral of this matter in order to allow them to properly assess the effects, and with more preparation time, make better submissions; and further indicating that if the item proceeds on May 8, 2002, that he was in opposition to the proposed closing since it was both unwarranted and contrary to the public interest, including their own situation as owners of 11 Dervock Crescent which has an OPA designation and density which exceeds the current zoning and may be jeopardized by this reduction in traffic capacity; and providing a map depicting a proposed redesign of the Rean/Dervock intersection which, in his opinion, would be a more viable proposition if the City wanted to change anything; and
- (May 6, 2002) from Mr. Vincent Ching, commenting in support of the closure of the Rean/Dervock intersection and requesting an opportunity to make a presentation at the North York Community Council meeting;

On motion by Councillor xxxxx, the North York Community Council requested the Director, Transportation Services, District 3, Works and Emergency Services, to assess the impacts of the closing of Dervock Crescent and report to the North York Community Council if improvements are required at the intersection of

Dervock Crescent and Greenbriar Road, after the closure of Dervock Crescent.

On motion by Councillor xxxxx, the North York Community Council recommended that:

- (1) a by-law in the form of the draft by-law to authorize the alteration of Dervock Crescent east of Rean Drive by the construction of a new cul-de-sac, be enacted, and that the necessary Bill be introduced in Council to give effect thereto; and
- (2) a by-law in the form of the draft by-law to stop up and close for vehicular traffic a portion of Dervock Crescent immediately east of Rean Drive be stopped-up and closed for vehicular traffic but not for pedestrian traffic and that authority be granted for the erection of barricades to enforce the due observance thereof, be enacted, and that the necessary Bill be introduced in Council to give effect thereto, subject to the insertion of the legal description.

(Report No. 5 – Clause No. 14)

4.19 Request for Exemption to the Noise By-law No. 31317 – 5000 Yonge Street – Menkes 5000 Yonge Developments Ltd. – Ward 23 – Willowdale.

The North York Community Council had before it a report (April 9, 2002) from the North District Manager, Municipal Licensing & Standards and Court Services, Urban Development Services, reporting on a request for an exemption from Noise By-law No. 31317 for a period of six months commencing June 1, 2002 to December 1, 2002; to allow concrete finishers time to complete the process with concrete trowelling machines; and recommending that, in view of the proximity of this construction site to MTCC 595, located at 131 Beecroft Road, that the application be refused.

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

- (May 7, 2002) from Mr. Bill Burak, Property Manager, on behalf of the Board of Directors of MTCC 595; addressed to Mr. Bill Elliott, Project Manager, Menkes Developments, indicating that the request to extend the working hours be approved subject to the following conditions; (1) this will be an occasional occurrence only and not a regular daily extension; (2) the

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Corporation's driveway will not be used for any loading or unloading; (3) permission is granted for Monday to Friday only; (4) the equipment used will be electrically not gas powered to avoid excessive noise; and (5) any legitimate complaint of excessive or disturbing noise will be met with an immediate cease and desist of any further work extensions; and further indicating that this permission is agreed to on the understanding that this will be an occasional use of the granted extension exercised only to complete the smoothing of that day's pour; and if any resident reports that there has been legitimate disturbing noise this permission will be revoked and Menkes will honour the revocation immediately;

- (May 7, 2002) from Mr. Bill Burak, Property Manager, on behalf of the Board of Directors of MTCC 595; addressed to Mr. Bill Elliott, Project Manager, Menkes Developments, indicating that as a result of the information received regarding Menkes Developments' application for a noise variance on 5000 Yonge Street, the Board of Directors of MTCC 595 has directed him to write to the Property Manager of Menkes Developments that the offer of May 7, 2002 is rescinded; that the contents of that letter are revoked and not to be used as any evidence that the Corporation is supporting any application for a noise variance.

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

- Mr. Adam J. Brown, Brown, Dryer, Karol, Barristers and Solicitors, on behalf of the applicant;
- Mr. Lorne Colt;
- Dr. Mullett; and
- Ms. Susan Singer.

The North York Community Council recommended to City Council, that the foregoing report (April 9, 2002) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, be received.

(Report No. 5 – Clause No. 15)

4.20 Request for Exemption to the Sign By-law – Variance for Third Party Wall Sign – 25 Sheppard Avenue West – Ward 23 – Willowdale.

The North York Community Council had before it a report (April 5, 2002) 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. Michael McRague of Abcon Media Group, to permit the construction of a temporary third party wall sign on the existing high-rise building on the subject property; and recommending that the request for a minor variance from the sign by-law be refused.

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

(Report No. 5 – Clause No. 16)

4.21 York University Scholarship Award Winner.

The North York Community Council had before it a Presentation to the winner of the York University Scholarship award.

Councillor Li Preti, on behalf of the North York Community Council, welcomed Miss Yasintha Vivekanandarajah and advised that Miss Vivekanandarajah began her studies at York University this Fall in the Schulich School of Business; that in her secondary school studies at Georges Vanier Secondary School she achieved academic excellence with an admission grade average of 91%; and in addition has a very impressive record of both school and community involvement.

Councillor Li Preti assisted by Paul Sutherland congratulated Miss Yasintha Vivenandarajah on behalf of the North York Community Council and presented her with the Scholarship Award and a commemorative scroll.

The North York Community Council received the presentation to the recipient of the York University Scholarship Award, which scholarship was created by the former City of North York in 1985, in celebration of York University's 25th Anniversary.

(Report No. 5 – Clause No. 22(e))

4.22 Canadian Professional Soccer League (CPSL) - Awarding the Hosting of the Rogers Cup Championship, “The CPSL Playoffs” to the North York Astros Soccer Club at Esther Shiner Stadium on October 18, 19 and 20, 2002.

The North York Community Council had before it a communication (March 27, 2002) from Mr. Bruno Ierullo, General Manager, North York Astros, addressed to Councillor Li Preti, informing the North York Community Council that the Canadian Professional Soccer League (CPSL) has awarded the North York Astros Soccer Club, the hosting of the Rogers Cup Championship, “The CPSL Playoffs”; and further indicating that for the first time ever, North York will become the focal point of soccer's final four version, as 14 teams from as far as Montreal, Ottawa, Durham, St. Catharines, Hamilton and London, will join the Vaughan, York Region, Scarborough, Brampton, Mississauga, Toronto and North York Astros to compete for the right to the Final Four at Esther Shiner Stadium, on October 18, 19 and 20, 2002.

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

- Mr. Bruno Ierullo, General Manager, North York Astros, who provided a brief video presentation; and submitted background material regarding the hosting of the Rogers Cup Championship “CPSL Playoffs” by the North York Astros Soccer Club, the North York Astros Soccer Club profile and Club history;
- Mr. Andy Doudoumis, North York Soccer Association; and
- Mr. Vincent Ursini, President, Canadian Professional Soccer League Inc.

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

- (1) received a presentation and background material regarding the Rogers Cup Championship “CPSL Playoffs” being hosted by the North York Astros Soccer Club at Esther Shiner Stadium on October 18, 19 and 20, 2002;
- (2) endorsed in principle, the waiving of fees that would be charged to the North York Astros Soccer Club when hosting the Rogers Cup Championship “CPSL Playoffs” at the Esther Shiner Stadium on October 18, 19 and 20, 2002;
- (3) requested the Commissioner of Economic Development, Culture and Tourism to report back to the North York Community Council regarding:
 - (a) the costs involved in waiving the fees, following negotiations with the North York Astros Soccer Club; and
 - (b) the need for soccer fields and playing fields for other types of sports; setting forth recommendations on how to proceed with such a review;

(Report No. 5 – Clause No. 22(f))

4.23 Special Occasion Beer Garden Permit Request – North York Astros Soccer Club Hosting Rogers Cup Championship, “The CPSL Playoffs” – October 18 – 20, 2002.

The North York Community Council had before it a Notice of Motion (April 26, 2002) from Councillor P. Li Preti:

“WHEREAS the North York Astros Soccer Club will be hosting the Rogers Cup Championship, “The CPSL Playoffs”, at Esther Shiner Stadium on Friday, October 18, Saturday, October 19, and Sunday, October 20, 2002; and

WHEREAS this event is considered to be a community event; and

WHEREAS this event will include a Special Occasion Beer Garden; and

WHEREAS the Liquor License Board of Ontario requires that for events of this nature, approval be granted by City Council; and

WHEREAS beer gardens are not permitted on Board of Education property inside Esther Shiner Stadium, it is recommended that:

- (1) permission be granted to hold this Special Occasion Beer Garden Permit event on the City leased lands on the north side of the Stadium in a designated fenced in area to meet regulations outlined in all City policies pertaining to alcohol consumption as well as those of the Alcohol and Gaming Commission of Ontario;
- (2) a Special Occasion Permit from the Liquor Licensing Board of Ontario be obtained;
- (3) a \$50.00 facility permit fee and additional costs incurred by the Parks and Recreation Division for goods and services not readily available at the site be charged;
- (4) proof of liability insurance coverage in the amount of \$2M, naming the City as additional insured be provided;
- (5) all bartenders and servers be required to attend a Smart Serve Training Program at the group’s expense;

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- (6) all regulations outlined in all City policies pertaining to alcohol consumption at the time of the event be complied with; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto;

BE IT RESOVED THAT North York Community Council and City Council, for liquor licensing purposes, declare this community event to be an event of municipal and/or community significance; that it has no objection to this event taking place, and that the Alcohol and Gaming Commission of Ontario be so advised.”

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

- (1) the adoption of the foregoing Resolution by Councillor Li Preti, Ward 8 – York West; and
- (2) that City Council, for liquor licensing purposes, declare the Rogers Cup Championship “CPSL Playoffs” being held on October 18, 19 and 20, 2002, by the North York Astros Soccer Club, 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. 5 – Clause No. 17)

4.24 Canadian Hispanic Day Parade Event – September 15, 2002.

The North York Community Council had before it a presentation and background material regarding the Canadian Hispanic Day Parade to be held on September 15, 2002 and the Hispanic Cultural Show to be held at the Downsview Arena on September 14 – 15, 2002;

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

- Ms. Mayela Romero, Secretary, who presented background material regarding the 2001 Canadian Hispanic Day Parade and the proposed Canadian Hispanic

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Day Parade and Cultural Event for 2002; and submitted a short video presentation;

- Ms. Connie Caruso, President, Canadian Hispanic Day Parade; and
- Mr. Michael Da Silva, Sponsor of the Canadian Hispanic Day Parade.

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

- (1) received a presentation and background material regarding the Canadian Hispanic Day Parade to be held on September 15, 2002 and the Hispanic Cultural Show to be held at the Downsview Arena on September 14 – 15, 2002;
- (2) endorsed in principle, the waiving of fees that would be charged in connection with the use of the Downsview Arena on September 14 and 15, 2002 for the Hispanic Cultural Show; and
- (3) requested the Commissioner of Economic Development, Culture and Tourism, to report back to the North York Community Council with respect to:
 - (a) the costs involved in waiving the fees;
 - (b) declaring September 15, 2002 as “North York Hispanic Day”;
 - (c) the promotion of the event in the City of Toronto’s Special Events Bulletin;
 - (d) other avenues that would be of assistance to the Canadian Hispanic Day Committee.

(Report No. 5 – Clause No. 22(g))

4.25 Final 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 York Community Council had before it a report (April 22, 2002) from the

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Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law to permit the development of 8 townhouses; and recommending that City Council:

- (1) Amend the Zoning By-law substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 8.
- (2) Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) Before introducing the necessary Bills to City Council for enactment, the owner is required to:
 - (a) obtain site plan approval for this project from the Director, Community Planning, North District; and
 - (b) convey or cause to be conveyed to the City for a nominal fee, free of all encumbrances, for dedication as a public highway, a 4.9 metre road widening across the entire Finch Avenue West frontage of the site.

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

- (April 15, 2002) from Laszlo Papp, President, Greenfield Quality Builders Inc., addressed to Councillor D. Shiner, indicating that they are aware of the fiscal restraints facing the City with respect to parks and other community improvements; confirming that Greenfield Quality Buildings Inc. would like to this opportunity to contribute \$5,000.00 for parks and area improvements to be used in Ward 24 – Willowdale in the event that Council approves the application and further indicating that they would have no objection if the North York Community Council wanted to impose this contribution as a condition of approval;
- (May 1, 2002) from Ali Kordbacheh, requesting that the public meeting be rescheduled from 2:00 p.m. to 5:00 p.m. either on the same day or another day;
- (May 7, 2002) from Ali Kordbacheh, objecting to any plan that includes the access lane in the rear yard, especially since the issues with respect to noise,

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emission and light generated by vehicles have not been addressed; and also objecting to balcony above the garage, which is at a height that jeopardizes his privacy;

- (May 7, 2002) from Roland Levasseur, objecting to the automobile access to the rear of the property and the construction of balconies that would allow the occupants to overlook neighbouring properties thereby creating a negative impact in terms of loss of privacy;

A staff presentation was made by Mr. Doug Muirhead, Planner, Community Planning, North District, Urban Development Services.

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

- Edit and Laszlo Papp, and Bill Wong, Architect, on behalf of the applicant, Greenfield Quality Builders Inc., in support of the application; and
- Mr. Joseph Shem-Tov, who spoke in support of the application.

The North York Community Council held a statutory public meeting on May 8, 2002, and that notice was given in accordance with the Planning Act.

Councillor Shiner, Ward 24 – Willowdale, moved that the North York Community Council after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (April 22, 2002) from the Director, Community Planning, North District, Urban Development Services, and for the reasons that the proposal is an appropriate use of lands, recommended to City Council, the adoption of the following Resolution:

“WHEREAS the Final Report (dated April 22, 2002) from the Director, Community Planning, North District, Urban Development Services, recommends that the application by Greenfield Quality Builders Inc. for a Zoning By-law Amendment (File TB ZBL 2001 0008) on lands municipally known as 130, 132 and 134 Finch Avenue East be approved, subject to certain conditions and;

WHEREAS the applicants, Greenfield Quality Builders Inc., have submitted a letter (April 15, 2002) acknowledging the fiscal restraints the City of Toronto is facing with respect to parks and other community improvements and have

indicated a desire to contribute towards parks and area improvements in Ward 24 – Willowdale;

THEREFORE BE IT RESOLVED:

THAT North York Community Council approve the application submitted by Greenfield Quality Builders, regarding an amendment to the Zoning By-law to permit eight townhouses on lands municipally known as 130, 132 and 134 Finch Avenue East, subject to the conditions outlined in the aforementioned report; and

THAT North York Community Council accept the \$5,000.00 donation from Greenfield Quality Builders Inc. for parks and area improvements to be used in Ward 24 – Willowdale; and further;

THAT the allocation of these funds be considered by the Commissioner of Economic Development, Culture & Tourism, in consultation with the Ward Councillor, and a report thereon be submitted to the North York Community Council for their consideration”.

(Report No. 5 – Clause No. 18)

4.26 Final Report – Application to Amend the Official Plan and Zoning By-law 7625 – UDOZ-00-17 – PMG Planning Consulting – 569 Sheppard Avenue West & 4383 Bathurst Street – Ward 10 – York Centre.

The North York Community Council had before it a report (April 24, 2002) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and the Zoning By-law to permit an additional 13 storey residential condominium building at the southeast corner of Bathurst Street and Sheppard Avenue East; and recommending that City Council:

- (1) amend the Official Plan for the former City of North York substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6.
- (2) amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.

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- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.

- (4) Before introducing the necessary Bills to City Council for enactment, require the owner to:
 - (a) enter into a Section 37 Agreement under the Planning Act securing:
 - (i) the existing rental apartment building remaining as rental for a minimum period of fifteen years and an agreement that no application for condominium conversion or application to demolish be made during that time period,

 - (ii) a cash contribution by the owner of \$83,500 for capital improvements to undertake one or more or portions of the following improvements to the existing rental buildings such that the cost of the improvements up to \$83,500 cannot be passed through to the tenants through rent increases:
 - (A) replacement of all windows in both buildings
 - (B) balcony, concrete and railing improvements
 - (C) underground parking garage remedial work
 - (D) plumbing upgrades
 - (E) elevator refurbishing and upgrades
 - (F) security system
 - (G) noise reduction of rooftop mechanical equipment

 - (b) obtain Site Plan Approval from the Director, Community Planning, North District, under Section 41 of the Planning Act.

 - (c) fully comply with any outstanding Orders issued under the Building Code Act for 4383 Bathurst Street or 569 Sheppard Avenue West to the satisfaction of the Municipal Licensing and Standards Division.

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

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

- Mr. Julius DeRuyter, PMG Planning Consultants, on behalf of the applicant, who briefly outlined the merits of the proposed development and advised that the property standards issues would be attended to.

- Ms. Teresa Hyatt, on behalf of the 4383 Bathurst Street Tenants Association, who presented a written submission. She commented on various issues that had been brought forward at steering committee meetings and had still not been addressed. In this regard she expressed the concern that the local sewer system is already overburdened and would be inadequate to service the proposed condominium. She then pointed out that there will be a substantial increase in garbage and litter in the area and that the garbage container proposed for the new building will affect 569 Sheppard Avenue when the west wind blows; as well as 4383 Bathurst Street when the northerly wind blows. In addition she expressed concern regarding the soil instability behind 1 Canyon Avenue and the continued soil erosion on the east rock face across from Earl Bales Park. She then questioned whether any tests have been done on the impact of high winds north and south of the proposed building which will create a wind-tunnel in the common areas. With respect to the roadway, she expressed the concern that non-residents would use it to bypass the lights at Bathurst and Sheppard. Also, with regard to the entrance to the underground parking, fumes from vehicles entering and exiting will affect the north-facing tenants of 4383 Bathurst Street whose balconies would be directly above the underground entrance. With regard to the design of proposed building, she commented that the style is unattractive and does not fit in with that of the 40 year old buildings already on the site. In addition, she expressed the concern that if the property owner decides to enhance the buildings already on site to match the proposed condominium, the tenants of both apartment buildings will have to bear the brunt of the costs. She further pointed out that the proposed roadway will entail the relocation of the outdoor swimming pool used by both buildings and the removal of an existing Willow tree which provides improved air quality and beautification to the area. In addition she stated that the new location of the swimming pool will be in direct view of Earl Bales Park, will be in a shaded area and in addition, the tenants whose apartments overlook the space or live on the northeast and southeast sides of the building will be affected by increased noise levels.

Ms. Hyatt concluded by requesting that the North York Community Council

consider incorporating the following suggestions for modification of this zoning amendment application: (1) prior to Council's approval, ensure impact studies are performed on the sewer system, air quality for residents (specifically regarding the impact of a vehicular entranceway so close to 4383 Bathurst Street), and level of vehicular traffic in the area (current and proposed); (2) leave the entrance to the underground parking area to 4383 Bathurst Street where it is, as well as the common areas, and do not put in a roadway; (3) should the roadway be accepted by Council, incorporate an amendment to insist that yellow (or lemon) gentian be planted annually along each side of the proposed roadway. Environmental studies during the 1990's determined that this plant absorbs 90 times its weight in lead from the air and soil; (4) reduce the size of the proposed condominium from thirteen floors to seven or eight, thereby reducing the "wind tunnel" effect to the surrounding areas, allowing for adequate air flow; (5) incorporate a community garden in the common areas, thereby reducing waste and encouraging recycling and composting; and (6) leave the pool, and the Willow tree where they are and plant other large leaf, native trees such as Maples, Oak , Ash and Thorn;

- Mr. Michael Klein, who expressed concern regarding the loss of valuable green space and the loss of the pool. He further commented that Earl Bales Park is grossly over-used in the summer with many people barbecuing in the park, which results in poor air quality. In addition he stated that there was no benefit to be gained by this development for people in the area and that if there is a question of the need for housing, the proposal misses the mark. In closing, he advised that he is a tenant in the area, and can not see anything positive coming out of the construction of a 13 storey high-rise apartment building on the corner.

- Mr. Gary Kay, on behalf of the owner of the Bathurst-Sheppard Plaza, who advised that the plaza owners are in the process of upgrading and expanding the Plaza. He advised that currently there is not sufficient parking in the area and the construction of a new 13 storey building would only add to the problem. He then expressed the concern that in addition to the residential portion of the development, a 5,000 square feet of commercial development is also proposed, for which he claimed only 3 parking spaces are being provided along with another 13 spaces that would have to be shared with the residents for visitor parking space. He then requested that the three spaces of surface parking be signed and made available only for customers; that the visitors parking spaces be available to all the customers, and that the parking be limited to 2 hours; indicating also that enforcement should also be provided for in an agreement.

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With respect to the commercial portion, he stated that there should be at least 2 units and none larger than 1,000 square feet. In addition, he expressed the concern that customers, tenants and visitors to the new building would use the parking lot of the Bathurst-Sheppard Plaza as an over-flow parking area. With respect to the uses of the commercial portion of the proposed development, he stated that such uses should be restricted and limited to personal service shops and should exclude financial institutions and professional medical offices which would require much more parking.

- Ms. Barbara Logan, who expressed the concern that the parking for visitors is not sufficient at 569 Sheppard Avenue West and therefore people will go across the street to park. She also pointed out that the area of Bathurst and Sheppard is already congested and added that two apartment buildings, 20 storeys high are also proposed for Bogert, as well as townhouses. In addition she expressed concern with the proposed location for the swimming pool.
- Mr. Downes who expressed the concern that the new development is being looked at in isolation and added that there should be some way communities can have regular dialogue and expressed the opinion that the persons responsible for the new development should take responsibility for the current tenants. He then suggested that the proposal should be sent back to the planners so that all the concerns can be addressed and resolved in an amicable forum with a meaningful committee structure. In closing he stated that he would support development being there but felt that the current proposal should be reconsidered.
- Mr. Gilbert Uretsky who expressed his concern that the landlord does not keep the property at 569 Sheppard Avenue West in a good state of repair, and in this regard commented on the low temperature and the poor condition of the carpet and the walls. He then questioned why Council would permit another building on the site which is only economical to the owner and the builder constructing it, but will not be of any benefit to the tenants currently living in the area. In addition he questioned whether it would be possible to have a crosswalk installed near the most easterly driveway of the property at 569 Sheppard Avenue West. In closing, Mr. Uretsky requested that the current proposal not be approved without the owner first repairing the buildings at 569 Sheppard Avenue West and 4383 Bathurst Street to meet the property standards established by the City.
- Mr. Brad Smith, Property Manager for 569 Sheppard Avenue West and 4383

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Bathurst Street, who advised that repairs were currently underway, windows and carpeting were being replaced and lighting was being repaired or upgraded as necessary.

The North York Community Council held a statutory public meeting on May 8, 2002 and that notice was given in accordance with the Planning Act.

On motion by Councillor xxxxx, the North York Community Council requested:

- (i) the Director, Community Planning, North District, Urban Development Services, to review the written and verbal submissions provided by the deputants and report thereon to the North York Community Council for its meeting scheduled for June 5, 2002;
- (ii) the District Manager, North District, Municipal Licensing and Standards and Court Services, to submit a report to the next meeting of the North York Community Council, advising whether or not the buildings at 4383 Bathurst Street and 569 Sheppard Avenue comply with the City's property standards; and
- (iii) that in the event approval is granted and the design of the proposed access driveway results in complaints from the buildings' residents, regarding internal transient traffic, the Ward Councillor request the Director, Transportation Services, District 3, Works and Emergency Services, to confirm the extent of the problem and if appropriate, the applicant install internal gate controls to eliminate this problem, and that this condition be included in the site plan agreement.

On motion by Councillor xxxxx, the North York Community Council deferred consideration of the report (April 24, 2002) from the Director, Community Planning, North District, Urban Development Services, to its next meeting scheduled for June 5, 2002, and that the continuation of the statutory public meeting proceed on that date at 3:00 p.m.

(Report No. 5 – Clause No. 22(h))

4.27 Final Report – Application to Amend the Zoning By-law 7625 – and Site Plan Approval – TB ZBL 2001 0018 and TB SPC 2001 0096 – Great Lands Corporation – 40, 42, 44, 48, 56, 60, 62 Byng Avenue, 28 and 35 Holmes Avenue

and 426, 430, 434 Kenneth Avenue – Ward 23 – Willowdale.

The North York Community Council had before it a report (April 23, 2002) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law 7625 for a 28-storey 308-unit apartment building and three 2-storey townhouses at 40 to 62 Byng Avenue, 28 and 35 Holmes Avenue and 426 to 434 Kenneth Avenue; and recommending that City Council:

- (1) amend the Zoning By-law 7625 for the subject property substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 12.
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) Before introducing the necessary Bills to City Council for enactment, require the owner to enter into the necessary Section 37 Agreement.
- (4) Before introducing the necessary Bills to City Council for enactment, the applicant shall have resolved to the satisfaction of the Commissioner of Corporate Services the purchase of the density from 28 Holmes Avenue or the bill be amended to eliminate the density associated with 28 Holmes Avenue.
- (5) It is recommended that City Council approve under Section 41 of the Planning Act, the proposed 28-storey apartment building with three townhouses as indicated on the drawings entitled:

Site Plan- A100 dated March 12, 2002, and as revised April 16, 2002 prepared by Northgrave Architects Inc.;

First Basement Floor Plan – A200 dated March 12, 2002 and as revised April 16, 2002 prepared by Northgrave Architects Inc.;

Second Basement Floor Plan – A201 dated March 12, 2002, and as revised April 16, 2002 prepared by Northgrave Architects Inc.;

Third Basement Floor Plan – A202 dated March 12, 2002, and as revised April 16, 2002 prepared by Northgrave Architects Inc.;

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Ground Floor Plan – A203 dated March 12, 2002, prepared by Northgrave Architects Inc.;

2nd Floor Plan – A205 dated March 12, 2002, prepared by Northgrave Architects Inc.;

Cross-Section – A303 dated March 12, 2002, prepared by Northgrave Architects Inc.;

South Elevation – A302 dated March 12, 2002, prepared by Northgrave Architects Inc.;

North Elevation and Townhouse Elevations-A301 dated March 12, 2002, prepared by Northgrave Architects Inc.;

East and West Elevations – A300 dated March 12, 2002, prepared by Northgrave Architects Inc.;

Townhouses Upper Floor and Roof Plan – A213 dated March 12, 2002, prepared by Northgrave Architects Inc.;

subject to the following conditions of site plan approval:

- 5(1) The lands shall be developed and maintained in accordance with the approved Site Plan drawings and conditions of approval. The Owner acknowledges that notwithstanding this approval, the lands shall be developed in accordance with the applicable zoning by-law(s) and that it is the responsibility of the Owner to ensure that the development is in conformity with the applicable zoning by-law to the satisfaction of the Chief Building Official.
- 5(2) All of the work shown on the approved drawings and all of the work required by the conditions of this approval shall be completed within two year from the date of this approval failing which, this approval shall require an extension by the Director, Community Planning, North District (the “Director”), or his successor, prior to the issuance of any building permit.
- 5(3) All refuse and recycling storage shall be contained within the buildings. Refuse and recycling materials shall be transported to

- collection areas on collection days only. The Owner acknowledges that garbage shall be collected in accordance with garbage by-law 21732, as amended.
- 5(4) All driveways, loading and parking areas shall be paved with asphalt, turfstone, concrete or concrete unit pavers.
- 5(5) Designated parking spaces for persons with disabilities shall be identified with proper signage and logos to the satisfaction of the Director of Transportation Services - Works and Emergency Services Department, or his successor. All designated parking spaces, walkways and curb ramps shall conform with the City of Toronto (formerly North York), "Barrier-Free Accessibility, Design Guidelines and Policy Handbook (Exterior Guidelines)."
- 5(6) All site illumination shall be designed to prevent the spread of light onto adjacent properties.
- 5(7) No signage, satellite dishes, cellular telephone antennae or associated equipment shall be provided on the roof of the building, without the prior approval of the Director.
- 5(8) Above-grade electrical transformers, gas regulators, and other equipment are not permitted above grade unless within the mass of the building to the satisfaction of the Director, or his successor. All clearances from Toronto Hydro-Electric System Limited facilities must be maintained to the satisfaction of Toronto Hydro or such successor body. The owner shall make arrangements to the satisfaction of the affected Utility for the installation, relocation and protection of all utilities.
- 5(9) The municipal address of the project is to be well-illuminated, provided in a prominent location and designed to be easily readable from adjacent streets.
- 5(10) Site grading shall be designed to ensure that there are no drainage problems created on adjacent lands.
- 5(11) The Owner shall develop the lands in accordance with the requirements and conditions, as contained in the memorandum of

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(refer to attached):

- (a) Works & Emergency Services (Technical Services Division) memorandum dated April 5, 2002 and April 17, 2002.
 - (b) Economic Development, Culture and Tourism (Policy and Development) memorandum dated April 15, 2002.
 - (c) Works & Emergency Services (Fire Services) memorandum dated October 17, 2001
 - (d) Toronto District School Board, letter dated October 18, 2001.
 - (e) Bell, letter dated October 19, 2001.
- 5(12) The applicant shall submit the following to the satisfaction of the Director, Community Planning, North District, before any building permit other than a foundation permit is issued for any building:
- (a) Confirmation that arrangements have been made to satisfy the requirements of the Technical Services Division of the Works and Emergency Services Department as noted in their memorandum dated April 5, 2002 and April 17, 2002
 - (b) Confirmation that arrangements have been made to satisfy the requirements of the Policy and Development Division of the Economic Development, Culture and Tourism Department as noted in their memorandum dated April 15, 2002;
 - (c) The owner shall submit an estimate of the costs and letter of credit to cover landscaping (i.e., fencing, planting, decorative paving, etc.) in a form satisfactory to the City Treasurer; and
 - (d) The Owner shall execute a site plan agreement, prepared to the satisfaction of the City Solicitor and the Director, to

register the approved drawings and conditions of approval on title. The agreement shall stipulate the following:

- (d)(i) 3 copies of revised landscape plans, including the relocation of the transformer either within the building or underground.
- (d)(ii) The Owner shall submit to the Chief Financial Officer and Treasurer as a deposit a letter of credit or certified cheque for 120% of the value of the landscaping including plantings, decorative paving and fencing. The letter of credit shall be in a form satisfactory to the City Treasurer in accordance with its standard format for letters of credit as of the date of submission of the letter of credit to the City, and which shall provide for automatic renewal rights at the end of the term, to complete all outstanding work required by these conditions. The deposit shall be returned to the Owner at such time as the Director, Community Planning, North District, is satisfied that the property has been developed in accordance with the approved drawings and the conditions of approval.
- (d)(iii) The Owner acknowledges that where it fails to promptly complete the work required by this Agreement, the City, in addition to and without prejudice to any other rights which it may have pursuant to this Agreement or otherwise at law, may enter onto the lands, perform such work and take any steps as are required, in the sole discretion of the City, to carry out and complete the work.
- (d)(iv) The Owner agrees that the City has the right to recover the total cost of all work and materials, plus a management fee equal to 20 percent of the total cost of such work and materials. In addition to any other remedies it may have, the City may

collect the sums owing in like manner as municipal taxes, with all such amounts to be payable as directed by City Council pursuant to Section 326 of the Municipal Act.

(d)(v) The Owner acknowledges that the City enters onto the lands solely as the agent of the Owner, and such entry shall not be deemed, for any purpose, to constitute acceptance or assumption of all or any portion of the work required by this Agreement.

(d)(vi) The Owner shall at all times, indemnify and save harmless the City from and against any and all claims, demands, losses, costs, charges, expenses, actions and other proceedings (including those in connection with workplace safety and insurance compensation or any similar or successor arrangements) made, brought against, suffered by or imposed on the City or its property in respect of any failure by the Owner to fulfil any of its obligations under this Agreement in respect of its responsibility for any potential soil contamination or remediation of the lands; and

(d)(vii) The Owner agrees:

(a) that it shall save harmless, defend and fully indemnify the City, and each of the persons under the City's jurisdiction, from and against all actions, suits, claims, and demands which may be brought against or made upon the City, and any persons under the City's jurisdiction, and from and against all loss, costs, charges, damages and expenses which may be sustained, incurred or paid by the City, and each of any persons under the City's jurisdiction, by reason of, or on account of, or in consequence of this clause;

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- (b) it will pay to the City and to each of any persons under the City's jurisdiction, on demand, any loss, costs, or damages which may be sustained, incurred or paid by the City in consequence of any such action, suit, claim or demand; and
- (c) on default of such payment all such loss, costs or damages and all such monies so paid or payable may be recovered in any court of competent jurisdiction.

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

- (April 24, 2002) from Mr. Siew Bisnath, expressing his concerns respecting the proposed development and requesting an opportunity to address the North York Community Council regarding this application;
- (April 24, 2002) from Mr. Bob Hatcher & Mr. Doug Hatcher, expressing their opposition to the proposed development, as well as that of Mr. Peter Montini's;
- (April 23, 2002) from Dr. Sing Man Wu and Mrs. Ping Wu, expressing their opposition to the proposed development; and
- (May 7, 2002) from Chi Piu Yeung and Sui Chu Li, expressing their opposition to the proposed development.

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

- Mr. Adam Brown, Brown Dryer Karol on behalf of the applicant, who spoke in support of the application. During his submission he commented on the merits of the proposed development and indicated that the proposal conforms to the policies of the North York Centre Secondary Plan and is an appropriate form of intensification for these lands. He also indicated that the applicant concurs with the staff recommendations but is also willing to discuss further revisions with the Ward Councillor.

- Mr. Siew Bisnath, who advised that the proposed 28 storey apartment building is at the rear of his property and therefore his entire backyard will be in full view of the apartment residents thus depriving him of any privacy. He also expressed concern with respect to overshadowing, the proximity of the entranceway to the underground garage for the proposed development and the resultant noise and pollution that would be generated. He concluded by requesting that the application be denied until such time as the service road is fully assembled.
- Mr. John Power, who spoke in opposition to the application. During his submission he expressed his concern regarding the loss of privacy and the increase in traffic that would be generated. He also indicated that the builder should make provisions for the residents of the condo to exit onto the service road, which at the present time, is non-existent. He further commented that Holmes Avenue is supposed to end at the service road. With respect to the building, he advised that it is too high, and will generate an increase in traffic that will create more air pollution and noise 24 hours a day. In addition, he suggested that the North York Transportation Services should look at the traffic density and then questioned whether or not the School Boards would be able to accommodate the extra students and whether there is sufficient fire and police protection.
- Mr. Tony Tam, who spoke in opposition to the application. During his submission he indicated that sufficient infrastructure should be in place before the building is built, particularly the access road, which may not be in place until 2004. He also expressed the concern that there would not be sufficient sewer capacity or water pressure to accommodate the proposed development. In closing he requested that no changes be made to the Official Plan or Zoning By-law and that the application be denied.
- Mr. Man Fai Cheung, who requested that the proposed development not be allowed to continue until the service road is in place. He then pointed out that the Toronto District School Board has advised that there is no space to accommodate new students. He also expressed concerns with respect to increased traffic and the parking being provided, which in his opinion, would be insufficient based on the parking ratio being used. In closing, he stated that before any further development is approved, sufficient facilities should be in place and proper consultations held with the entire area.

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- Mr. Alan Mark, who commented on the consultation meetings held with the Ward Councillor and planning staff. He further indicated that while he had attended the consultation meetings he had not seen the Final Report from planning staff until that day. During his submission he expressed concerns with respect to the height of the proposed building, increased traffic congestion, insufficient parking and the lack of space within the schools to accommodate the additional students. In concluding he stated that the applicant should make every effort to construct an aesthetically pleasing building because the current design does nothing to add to the neighbourhood.

The North York Community Council held a statutory public meeting on May 8, 2002 and that notice was given in accordance with the Planning Act.

On motion by Councillor xxxxx, the North York Community Council after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (April 23, 2002) from the Director, Community Planning, North District, Urban Development Services, and for the reasons that the proposal is an appropriate use of lands, recommended to City Council:

- (1) that the application submitted by Great Lands Corporation, regarding an Amendment to the Zoning By-law to permit a 28-storey, 308 unit apartment building and three 2-storey townhouses at 40 to 62 Byng Avenue, 28 and 35 Holmes Avenue and 426 to 434 Kenneth Avenue be approved, subject to the conditions outlined in the aforementioned report;
- (2) the adoption of the following Resolution submitted by Councillor Filion, Ward 23, Willowdale:

“WHEREAS the final report on the application for the Greatland site recommends approval of the proposed 28-storey, 308 unit apartment building and 3 two-storey townhouses;

THEREFORE BE IT RESOLVED THAT the final report on Application TB ZBL 2001 0019 be adopted with the following amendment:

Recommendation No. 3 be amended to read as follows:

“(3) Before introducing the necessary Bills to City Council for

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enactment, require the owner to:

- (i) enter into the necessary Section 37 Agreement;
 - (ii) execute any necessary Tree Preservation Agreement; and
 - (iii) convey the required lands described in the Works and Emergency Services (Technical Services Division) memorandum dated April 5, 2002, for road purposes.”
- (3) that Recommendation 5(12)(d)(d)(i) be amended by adding thereto, the words, “and any other amendments to the site plan to be approved by the Director, Community Planning, North District, Urban Development Services, in consultation with the Ward Councillor” so that the Recommendation shall now read as follows:

“5(12)(d)(d)(i) three copies of revised landscape plans including the relocation of the transformer, either within the building or underground; and any other amendments to the site plan to be approved by the Director, Community Planning, North District, Urban Development Services in consultation with the Ward Councillor.”

(Report No. 5 – Clause No. 19)

4.28 Special Occasion Permit – International Soccer Match hosted by German Consulate General – York University Stadium – 4700 Keele Street – Saturday, May 18, 2002 – Ward 8 – York West.

The North York Community Council had before it a communication (May 1, 2002) from Dr. Ulrich Hochschild, Consul General:

“The German Consulate General will host an international soccer match on May 18 of this year as part of the First Canadian-German Festival in Toronto (please see the enclosed brochure).

Toronto’s professional A-Division soccer team, the Toronto Lynx, will be taking on the German Bundesliga team 1860 Munchen, currently ranked 8th in the First Bundesliga. The match will take place in the York University Stadium at 4700 Keele Street and is open to the general public. We are expecting the attendance of a large

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number of youth and community soccer teams.

To add international flair to this event, the Consulate would like to offer Canadian and German beer for sale. We will ensure the area will be properly managed and marked as well as fenced off.

In order to obtain the necessary permit from the Alcohol and Gaming Commission of Ontario, this Consulate General is kindly asking the North York Community Council to designate this part of the Canadian-German Festival to be a significant municipal/community event.

Your assistance in this matter is greatly appreciated.”

(Brochure referred to in the foregoing communication was forwarded to all Members of the North York Community Council with the agenda for its meeting on May 8, 2002; and copies thereof are on file in the office of the City Clerk, North York Civic Centre)

On motion by Councillor xxxxx, the North York Community Council recommended to City Council, that City Council, for liquor licensing purposes, declare the International Soccer Match to be hosted by the German Consulate General of the Federal Republic of Germany, as part of the First Canadian-German Festival to be held on Saturday, May 18, 2002, at York University Stadium, 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. 5 – Clause No. 20)

4.29 Ontario Municipal Board Hearing – Committee of Adjustment Application – 64 Poyntz Avenue – Ward 23 – Willowdale.

The North York Community Council had before it a Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused an application by Ali Reza Heidari, the owner of 64 Poyntz Avenue, for consent to sever one residential property fronting onto the north side of Poyntz Avenue into two residential properties having frontages of 7.62m each.

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WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused the two associated variance applications requesting variances for lot frontage and width, lot area, east and west side yard setbacks, rear yard setback, lot coverage, below grade garages and finished first floor elevation.

WHEREAS the decisions of the Committee of Adjustment for the minor variance applications are Final and Binding.

WHEREAS only the decision for the severance application has been appealed to the Ontario Municipal Board.

WHEREAS no date has been set for the hearing of the consent application appeal.

THEREFORE BE IT RESOLVED THAT Council direct the City Solicitor to authorize City legal staff to attend the Ontario Municipal Board hearing to uphold the City's by-law and defend the Committee of Adjustment's decision."

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

(Report No. 5 – Clause No. 21)

4.30 Proposal for Children's Mural – "Celebrate Don't Hibernate" – to be formatted as a Christmas Holiday Card – Proceeds to Children's Charities in Toronto.

The North York Community Council had before it a communication (May 8, 2002) from Josee Chan, Program Manager, DiscoverAbility Inc. advising that a children's mural titled "Celebrate Don't Hibernate" was created at WinterFest 2002 by Toronto's children; requesting the support of the Councillors and hosts of WinterFest to support the project by purchasing Christmas cards; and further advising that the community has suggested that the mural be made into a Christmas Card and offered for sale to the City of Toronto Councillors, all City departments, Service Clubs and residents of Toronto, the proceeds from which will go to children's charities.

Ms. Irene Udo, on behalf of DiscoverAbility Inc. addressed the North York Community Council in connection with the foregoing matter.

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

- (1) received the presentation by Irene Udo on behalf of DiscoverAbility, and the communication (May 8, 2002) from Josee Chan, Program Manager, DiscoverAbility Inc. regarding the children's mural titled "Celebrate Don't Hibernate" which was created by children who attended the DiscoverAbility Children Arts and Athletic program during Winterfest 2002 at the North York Civic Centre and Mel Lastman Square;
- (2) authorized the display of the said mural in the lobby of the North York Civic Centre; and
- (3) requested that the communication (May 8, 2002) from Josee Chan, Program Manager, DiscoverAbility Inc. be referred to the Chief of Protocol, City Clerk's Division and the Director, Corporate Communications, in order to submit a report to the North York Community Council, for its meeting scheduled for June 5, 2002, commenting on the reformatting of the Children's Mural, "Celebrate Don't Hibernate" as a Christmas Holiday Card to celebrate the works of young artists within the City of Toronto, and offering said Card for sale to the City of Toronto Councillors, and all the City's Departments, Service Clubs and the residents of Toronto.

(Report No. 5 – Clause No. 22(i))

Adjournment:

The North York Community Council adjourned its meeting at 6:00 p.m., Wednesday, May 8, 2002.

Chair.