

THE CITY OF TORONTO

City Clerk's Division

Minutes of the North York Community Council

Meeting No. 8

Wednesday, October 16, 2002.

The North York Community Council met on Wednesday, October 16, 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.	2:00 p.m. to 3:05 p.m.
Councillor Mammoliti, Chair	x	x
Councillor Augimeri, Vice-Chair	x	x
Councillor Filion	x	x
Councillor Feldman	x	x
Councillor Li Preti	x	x
Councillor Shiner	x	
Councillor Sutherland	x	

Confirmation of Minutes:

On motion by Councillor Shiner, Ward 24 - Willowdale, the minutes of the meeting of the North York Community Council held on September 18, 2002 were confirmed.

8.1 On-Street Parking Prohibitions – Arrow Road – Ward 7 – York West.

The North York Community Council had before it a report (September 30, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the removal of parking restrictions on the east side of Arrow Road; 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 Anytime prohibitions on the east side of Arrow Road, from the southerly limit of Finch Avenue West to the northerly limit of Pemican Court; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by prohibiting parking at anytime on the east side of Arrow Road, from a point 110 metres north of the northerly limit of Pemican Court to the southerly limit of Finch Avenue West.

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

(Report No. 11 – Clause No. 1)

8.2 Parking Prohibitions – Yellowstone Street – Ward 8 – York West.

The North York Community Council had before it a report (September 30, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the current parking prohibitions on Yellowstone Street; 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 Anytime” prohibition on the east and south sides of Yellowstone Street, from the westerly limit of Topcliff Avenue (east leg) to the easterly limit of Topcliff Avenue (west leg); and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by installing a “No Parking Anytime” prohibition on the south side of Yellowstone Street, from the westerly limit of Topcliff Avenue (east leg) to a point 258 metres westerly thereof.

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

(Report No. 11 – Clause No. 2)

8.3 Sports Fields Needs Review Process

The North York Community Council had before it a report (June 18, 2002) from the Commissioner of Economic Development, Culture and Tourism, reporting as requested by North York Community Council, at its June 5, 2002 meeting, on the need for soccer fields and playing fields for other types of sports, based on current, anticipated and future demands within the North York Community Council boundary; and recommending that:

- (1) a more detailed review of the provision of sports fields across the City be undertaken with recommendations on field development in the future; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council also had before it a follow-up report (September 30, 2002) from the Commissioner of Economic Development, Culture and Tourism, reporting as requested by North York Community Council on the recommendations made at its meeting held on September 18, 2002, with respect to various issues surrounding the Sports Fields Needs Review Process; and recommending that this report be received for information.

A. Councillor Shiner, Ward 24 – Willowdale, moved that the North York Community Council:

- (1) defer consideration of the reports (June 18, 2002) and (September 30, 2002) from the Commissioner of Economic Development, Culture and Tourism, to its next meeting scheduled for November 13, 2002; and
- (2) request the Commissioner of Economic Development, Culture and Tourism to submit a further report to the North York Community Council, for its meeting scheduled for November 13, 2002 on:

North York Community Council Minutes
Wednesday, October 16, 2002

- (a) the three actions recommended by the DMA Study to provide additional sports facilities to meet the increasing demand from the intensification in the area bounded by the Study; and
 - (b) the costs for these facilities and the funds that are available in the Development Charges reserves for parks improvements.
- B. Councillor Filion, Ward 23 – Willowdale, moved that the report from the Commissioner of Economic Development, Culture and Tourism also comment on other needs for these funds.
- C. Councillor Li Preti, Ward 8 – York West, moved that the Commissioner of Economic Development, Culture and Tourism also comment on the feasibility of developing new sports facilities in partnership with the private sector.

Councillor Augimeri assumed the Chair.

- D. Councillor Mammoliti, Ward 7 – York West, moved that the Commissioner of Economic Development, Culture and Tourism, also report on any new information that may have come forward since the writing of the report dated September 30, 2002.

Councillor Mammoliti resumed the Chair.

Upon the question of the adoption of Motion A., moved by Councillor Shiner, Motion B., moved by Councillor Filion, Motion C., moved by Councillor Li Preti, and Motion D., moved by Councillor Mammoliti, it was carried.

(Report No. 11 – Clause No. 11(a))

8.4 Construction of a BMX Bicycle Park on the Site Directly behind Bayview Arena – Ward 24 – Willowdale.

The North York Community Council had before it a report (October 3, 2002) from the Commissioner of Economic Development, Culture and Tourism, reporting on the proposed construction of a BMX bicycle park on the site directly behind Bayview Arena; and recommending that:

North York Community Council Minutes
Wednesday, October 16, 2002

- (1) The Commissioner of Economic Development Culture and Tourism include a small project for the construction of a BMX Bicycle Park on unimproved parkland adjacent to Bayview Area for \$20,000 gross and zero net, with funding to be transferred from unexpended donated funds in the Parks and Recreation capital project CPR103-54 (North York Ward 13 Park Improvements), in the 2003 Parks and Recreation Operating Budget submission;
- (2) Operating costs, estimated at \$2,600 annually, of the proposed BMX Bicycle facility adjacent to the Bayview Arena be absorbed in the Parks and Recreation Operating Budget;
- (3) this report be forwarded to the Economic Development and Parks Committee for consideration;
- (4) this report be then forwarded to Policy And Finance Committee for consideration; and
- (5) the appropriate City Officials be authorized and directed to take the necessary action to -give effect thereto.

On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council recommended to the Economic Development and Parks Committee:

- (1) the adoption of the foregoing report (October 3, 2002) from the Commissioner of Economic Development, Culture and Tourism; and
- (2) that the work outlined in the aforementioned report be carried out in the Year 2002 or as soon in 2003 as possible.

(Report No. 11 – Clause No. 11(b))

8.5 Preliminary Report – Application to Amend the Official Plan and Zoning By-law (a&b) - TB CMB 2002 0005, TB SPC 2002 0034 – 1314193 Ontario Limited – 35-49 Bales Avenue – Ward 23 – Willowdale.

The North York Community Council had before it a report (June 18, 2002) from the

North York Community Council Minutes
Wednesday, October 16, 2002

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.

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

- (September 30, 2002) from the Acting Director, Community Planning, North District, Urban Development Services, addressing issues raised in a resolution by Councillor Filion at the September 18, 2002, North York Community Council meeting in dealing with the Preliminary Report for Official Plan and Zoning By-law Amendment application on 35-49 Bales Avenue; and recommending that under "Issues to be Resolved" in the Preliminary Report dated June 18, 2002 the following be added:

"Concept Plan/Comprehensive Block

Determination of the appropriate fit and distribution of density on the block bounded by Anndale Drive, Bales Avenue, Glendora Avenue and Tradewinds Avenue in order that appropriate built form, access and site circulation results."

- (October 2, 2002) from the Director and Deputy Chief Building Official, Urban Development Services, addressing issues raised in a resolution by Councillor Filion at the September 18, 2002, North York Community Council meeting in dealing with the Official Plan and Rezoning Application on 35-49 Bales Avenue; and recommending that this report be received for information.

North York Community Council Minutes
Wednesday, October 16, 2002

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council:

- (1) approved the report (June 18, 2002) from the Director, Community Planning, North District, Urban Development Services;
- (2) approved the report (September 30, 2002) from the Acting Director, Community Planning, North District, Urban Development Services;
- (3) approved the following Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Preliminary Report dated June 18, 2002, from the Acting Director, Community Planning, North District, Urban Development Services, recommends that staff be directed to schedule a community consultation meeting together with the Ward Councillor, and that notice of the community consultation meeting be given to landowners and residents within 120 metres of the site.

THEREFORE BE IT RESOLVED THAT the Preliminary Report be approved, subject to the notice area for the community consultation meeting being expanded to include all landowners and residents in the area located on the east side of Yonge Street, south of Sheppard Avenue East and west of Glendora Park.”

- (4) received the report (October 2, 2002) from the Director and Deputy Chief Building Official, North District, Urban Development Services; and
- (5) requested the Acting Director, Community Planning, North District, Urban Development Services, to report back to the North York Community Council as soon as possible on:
 - (a) amendments to the North York Zoning By-law No. 7625, to provide greater restrictions on sales pavilions in order to address the following:
 - (i) the lack of any size limitations;
 - (ii) the lack of any limitations on the length of the

“temporary” use;

- (iii) the lack of restrictions on where the sales office can be located;
 - (iv) the lack of any restrictions on the creation of sales pavilions for projects which have not yet been approved; and
- (b) any other provisions relating to sales pavilions that exist in the Zoning By-laws of former municipalities.

(Report No. 11 – Clause No. 11(c))

8.5(c). Removal of Trees from the Glendora Avenue/Bales Avenue Properties – Ward 23 – Willowdale.

The North York Community Council had before it a report (October 3, 2002) from the Commissioner of Economic Development, Culture & Tourism, reporting as requested by North York Community Council at its September 18, 2002 meeting on the unauthorized removal of four City-owned trees, an 81-cm diameter Silver Maple adjacent to 30 Glendora Avenue; a 92-cm diameter Silver Maple and two White Spruce, at 40-cm and 35-cm in diameter adjacent to 27 Bales Avenue; and recommending that this report be received for information.

The North York Community Council also had before it a communication (October 15, 2002) from Mr. Alan Menkes, President, Menkes Residences Ltd., forwarding a written apology respecting the unfortunate removal of four trees situated within the boulevard at the corner of Glendora Avenue and Bales Avenue; and offering to re-plant, with the City’s permission and along such portions of the boulevard as would be amenable to the City and as underground services permit, four mature trees (6 inch/150mm – White Ash, Red Maple, Sugar Maple, Little Leaf Linden or English Oak); and further indicating that they would proceed with this offer regardless of, and in addition to, whatever other steps the City wishes to take with respect to the removal of the City-owned trees.

On motion by Councillor Filion, Ward 23 - Willowdale, the North York Community Council recommended to City Council that:

North York Community Council Minutes
Wednesday, October 16, 2002

- (1) the report (October 3, 2002) from the Commissioner of Economic Development, Culture and Tourism, be received; and
- (2) City Council request Menkes Residences Ltd. to co-operate fully with the City in the prosecution of all individuals or companies involved in the illegal removal of City trees in the Glendora Avenue and Bales Avenue area.

(Report No. 11 – Clause No. 3)

8.6 Preliminary Report – Application to Amend the Zoning By-law – TB ZBL 2002 0009 – 209 Finch Avenue West – Ward 23 – Willowdale.

The North York Community Council had before it a report (September 30, 2002) from the Acting Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application to amend the Zoning By-law to permit the construction of a two-storey office building and seeking Community Council's direction on processing the application and conducting a community consultation meeting; and recommending that:

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

On motion by Councillor Filion, Ward 23 - Willowdale, the North York Community Council approved:

- (1) the foregoing report (September 30, 2002) from the Acting Director, Community Planning, North District, Urban Development Services; and
- (2) the following Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Preliminary Report dated September 30, 2002, for 209

North York Community Council Minutes
Wednesday, October 16, 2002

Finch Avenue West recommends that staff be directed to schedule a community consultation meeting together with the Ward Councillor, and that notice of the community consultation meeting be given to landowners and residents within 120 metres of the site.

THEREFORE BE IT RESOLVED THAT the Preliminary Report be approved subject to the notice area being extended to include all residents and landowners within the area on the north side of Finch Avenue West between Grantbrook Street and Clarkhill Street, south side of Finch Avenue West between Senlac Road and Finchurst Drive, all of Glenborough Park Crescent, north side of Bevdale Road between Senlac Road and the corner of Bevdale Road, and the entire block bounded by Bevdale Road, Lurgan Drive, and Senlac Road.”

(Report No. 11 – Clause No. 11(d))

8.7 Preliminary Report – Application to Amend the Official Plan and Zoning By-law – TB CMB 2002 0014 – BBT Development Group Inc. – South-East Corner of Yonge Street and Avondale Avenue – Part of Block 4, Plan 66M-2354 – Ward 23 – Willowdale.

The North York Community Council had before it a report (October 1, 2002) from Acting 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; and
- (3) Notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council approved:

11
North York Community Council Minutes
Wednesday, October 16, 2002

- (1) the foregoing report (October 2, 2002) from the Acting Director, Community Planning, North District, Urban Development Services; and
- (2) the following Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Preliminary Report dated October 2, 2002 from the Acting Director, Community Planning, North District, Urban Development Services, recommended that staff be directed to schedule a community consultation meeting together with the Ward Councillor, and that notice of the community consultation meeting be given to landowners and residents within 120 metres of the site.

THEREFORE BE IT RESOLVED THAT the Preliminary Report be approved subject to the notice area of the community consultation meeting being expanded to include all landowners and residents in the area located on the east side of Yonge Street, south of Sheppard Avenue East and west of Glendora Park.”

(Report No. 11 – Clause No. 11(e))

8.8 Authority to Enter into a Heritage Easement Agreement – 34 Avondale Avenue – Elihu Pease House – Ward 23 – Willowdale.

The North York Community Council had before it a report (September 25, 2002) from the Commissioner of Economic Development, Culture and Tourism, seeking City Council’s authority to enter into a Heritage Easement Agreement (HEA) with the owner of 34 Avondale Avenue; and recommending that:

- (1) authority be granted by Toronto City Council for the execution of an HEA under Section 37 of the Ontario Heritage Act with the owner of 34 Avondale Avenue, substantially in the form attached to the Section 37 Agreement registered in the Toronto Registry Office on March 7, 2002, as Instrument No. E515620, subject to such amendments as may be deemed necessary by the City Solicitor, in consultation with the Commissioner of Economic Development, Culture and Tourism, and subject to the following conditions:
 - (a) that prior to the execution of the HEA, the owner provide cost estimates for the interim maintenance and protection of the Elihu

- Pease House, and estimates adjusted for inflation for the relocation to and exterior rehabilitation of the house in its new location;
- (b) the Owner will be fully responsible for the maintenance, protection, relocation, and preservation of the Elihu Pease House, at its present location of 34 Avondale Avenue and at its proposed new location at Blocks 4 & 5, Plan 66M-2354;
 - (c) the Owner agrees to submit, prior to the relocation of the house, a record of the as-found condition of the structure and rehabilitation plans pertaining to the structure, to the satisfaction of the Manager of Heritage Preservation Services; and
- (2) that the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Mr. Adam Brown, Solicitor, of the law firm of Brown Dryer Karol, appeared before the North York Community Council in connection with the foregoing matter, on behalf of the owner of 34 Avondale Avenue.

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

(Report No. 11 – Clause No. 4)

8.9 Request for Driveway Entrance Widening – 45 Tavistock Road – Ward 9 – York Centre.

The North York Community Council had before it a report (October 2, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request to widen the driveway entrance at 45 Tavistock Road, from 4.4 metres to 5.63 metres; and recommending that the application be denied, as it does not conform to the driveway entrance policy approved by Council in August 2000.

Mr. Marcel Barras, applicant, appeared before the North York Community Council in connection with the foregoing matter.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York

North York Community Council Minutes
Wednesday, October 16, 2002

Community Council recommended to City Council that:

- (1) the report (October 2, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, not be adopted; and
- (2) the request to widen the driveway entrance at 45 Tavistock Road, from 4.4 metres to 5.63 metres, be approved.

(Report No. 11 – Clause No. 5)

8.10 Final Report – Application to Amend the Official Plan and Zoning By-law – TB CMB 2002 0002 – Torbel Group c/o Nick Sampogna – 1020 to 1034 Sheppard Avenue West – Ward 10 – York Centre.

As directed by the North York Community Council, at its meeting held on April 3, 2002, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (September 25, 2002) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an Official Plan and Rezoning application to permit a 9-storey residential building with ground floor retail commercial uses on the properties at 1020 to 1034 Sheppard Avenue West; 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. 12.
- (2) Amend the Zoning By-law for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 13.
- (3) Authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
- (4) Before introducing the necessary Bills to City Council for enactment, the applicant is required to:
 - (i) obtain site plan approval for this project from the Director, Community Planning, North District, with particular attention given to the comments of civic officials set out in Attachments 7 through 11 of this report.
 - (ii) have conveyed to the City for a nominal sum, a widening measuring approximately 4.9 metres across the entire frontage of the property to satisfy the requirements of a 36-metre right-of-way for Sheppard Avenue West.

North York Community Council Minutes
Wednesday, October 16, 2002

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

- Mr. Richard d'Anjou, who expressed concerns with the proposed development. During his submission, he indicated that the new Official Plan recommends that developments along Avenues be pedestrian friendly. While he did not object to the proposed nine-storey building, he did have concerns with the proposed location because it would not allow for a pedestrian or street friendly development. He was also of the opinion that due to the layout of the proposed building and location of the parking it would be very difficult for anyone to access any of the ground floor retail and commercial uses.
- Mr. Adam Brown, of the law firm of Brown Dryer Karol, Barristers and Solicitors, who spoke on behalf of the applicant and who commented on the merits of the application. During his submission he indicated that the design of the proposed development has been discussed with planning and urban design staff as well as residents during the community consultation meeting and pointed out that the proposal does conform with the policies of the Sheppard West/Dublin Plan as it relates to use and urban design. He further indicated that a rooftop garden, amenity space and fitness centre would be provided. In concluding, he indicated that the applicant was in support of the staff recommendations and in support of providing a contribution towards park and/or community facilities within the Ward as being recommended by the Ward Councillor.

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council, after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (September 25, 2002) from the Acting Director, Community Planning, North District, Urban Development Services, and for reasons that the proposal is an appropriate use of lands, recommended to City Council:

- (1) that the application submitted by Torbel Group c/o Nick Sampogna, be approved, subject to the conditions outlined in the aforementioned report; and
- (2) the adoption of the following Resolution submitted by Councillor Feldman, Ward 10, York Centre:

“WHEREAS the Final Report dated September 25, 2002, from the Acting Director, Community Planning, North District, Urban Development Services, recommends that the application to permit a 9-storey residential building with ground floor retail commercial uses be approved, subject to conditions; and

WHEREAS the applicant has indicated that he is prepared to make a contribution towards park and community facilities within the area;

THEREFORE BE IT RESOLVED THAT the applicant make a voluntary contribution of \$100,000.00 towards park and/or community facilities within Ward 10 prior to issuance of a building permit.”

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

FOR: Councillors Mammoliti, Augimeri, Feldman

AGAINST: Councillors Filion, Li Preti

ABSENT: Councillors Sutherland, Shiner

Carried.

(Report No. 11 – Clause No. 6)

8.11 Final Report – Application to Amend the Official Plan and Zoning By-law – TB CMB 2002 0009 – 1409630 Ontario Limited – 73 and 75 Finch Avenue West – Ward 23 – Willowdale.

As directed by the North York Community Council, at its meeting held on September 18, 2002, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (October 2, 2002) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and the Zoning By-law to

17
North York Community Council Minutes
Wednesday, October 16, 2002

permit a 4-storey townhouse building with seven residential units and a 3-storey semi-detached dwelling at 73 and 75 Finch Avenue West; and further 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. 8;
- (2) Amend the Zoning By-law No. 7625 for the City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9;
- (3) Authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required; and
- (4) Before introducing the necessary Bills to City Council for enactment, require the applicant to:
 - (i) obtain site plan approval for this application from the Acting Director, Community Planning, North District; and
 - (ii) convey a 2.76 metre road widening along the entire Finch Avenue West frontage of this site to the City of Toronto.

The North York Community Council also had before it a communication (October 14, 2002) from Mr. William deBacker, President, Edithvale-Yonge Community Association, indicating that the Association has no objection to approval of the proposed development, provided that: (1) Adoption of the Official Plan Amendment allowing the proposed semi-detached dwellings facing onto Madeline Road at the edge of the Finch Avenue redevelopment area, right next to their stable single-family detached residential neighbourhood, will not be considered a precedent for future approval of semi-detached or other multiple type housing beyond the boundary of the Finch Avenue Plan; (2) The design of the semi-detached building to be allowed by the proposed Official Plan Amendment is refined during the course of site plan approval to improve the house-form appearance of the Madeline Road façade; and in particular, that the third floor be modified along the lines discussed near the end of the community consultation meeting held on September 11, 2002; and that the Association be consulted during the site plan approval process and provided with an opportunity to review the final form of the Official Plan Amendment and Zoning By-

18
North York Community Council Minutes
Wednesday, October 16, 2002

law before adoption and enactment; and further requesting written notification of adoption of the Official Plan Amendment and enactment of the Zoning By-law.

A staff presentation was made by Jeremy Frederickson, Assistant Planner, Community Planning, North District, Urban Development Services.

Mr. George Belza, on behalf of the applicant, appeared before the North York Community Council in connection with the foregoing matter and he commented on the merits of the application. During his submission, he also indicated that the applicant has met with residents and the Ratepayer Association, all of whom are satisfied with the proposed development.

Mr. Belza further indicated that a number of refinements have been requested by staff and the Edithvale-Yonge Community Association, as listed in their communication and the applicant would have no difficulty with the refinements being suggested by either the Association or staff. He concluded by requesting that the application be approved in accordance with the motion being put forward by the Ward Councillor.

On motion by Councillor Filion, Ward 23 - Willowdale, the North York Community Council after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (October 2, 2002) from the Acting Director, Community Planning, North District, Urban Development Services, recommended to City Council, the adoption of the following Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS development application TB CMB 2002 0009, 73-75 Finch Avenue West, represents good development and generally conforms to the intent of the Central Finch Area Secondary Plan;

AND WHEREAS the two proposed semi-detached dwelling units fronting onto Madeline Road, are entirely contained within the designated redevelopment area, are acceptable to the local community, and will buffer the adjacent residence at 4 Madeline Road to an extent equivalent in the circumstance to the Central Finch Area Secondary Plan’s 70 per cent plane and 9.5 metre setback provisions;

AND WHEREAS the chief concern expressed at the community consultation meeting was that approval of the proposed semi-detached units could be used as a precedent for future approval of additional semi-detached units within the

North York Community Council Minutes
Wednesday, October 16, 2002

adjacent stable, single detached residential neighbourhood;

THEREFORE BE IT RESOLVED THAT the development application be approved substantially in accordance with the contents of the report dated October 2, 2002, from the Acting Director, Community Planning, North District, Urban Development Services;

AND THAT during the course of site plan approval, staff investigate refinement of the design to further enhance the project's Madeline Road residential streetscape, including potential consolidation of the semi-detached unit driveways, potential improvement of the window and roof facades, and potential provision of a peaked mansard roof in place of the proposed flat mansard roof, in consultation with representatives of the local ratepayer association and the adjacent residence at 4 Madeline Road;

AND THAT the Official Plan for the former City of North York, be amended substantially in accordance with the draft Official Plan Amendment appended to the staff report as Attachment No. 8 to permit the semi-detached units fronting onto Madeline Road, but with a potential increase in the maximum allowable height from 9.0 metres to 10.0 metres to accommodate a peaked mansard roof if it is determined during the course of site plan approval that such a peaked roof provides for a more desirable houseform design from the perspective of the community, on the understanding that approval of these semi-detached units is not intended to constitute a precedent for approval of additional semi-detached units either within the adjacent, stable, single detached residential neighbourhood or elsewhere within the 70 per cent plane and 9.5 metre setback areas of the Central Finch Area Secondary Plan under different circumstances;

AND THAT Zoning By-law No. 7625 for the former City of North York be amended substantially in accordance with the draft Zoning By-law Amendment appended to the staff report as Attachment No. 9, with such modifications as may be required to accommodate refinements in the design decided upon during the course of site plan approval;

AND THAT the City Solicitor be authorized to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required, with adequate opportunity for review provided to the Ward Councillor, the applicant and any other public meeting deputant who has so requested;

AND THAT before introduction of the necessary bills to City Council for enactment, the applicant be required to:

- (a) obtain site plan approval for this application from the Acting Director, Community Planning, North District, Urban Development Services; and
- (b) convey a 2.76 metre road widening along the entire Finch Avenue West frontage of this site to the City of Toronto, free of all encumbrances and at a nominal cost to the City.”

(Report No. 11 – Clause No. 7)

8.12 Final Report – Application to Amend the Official Plan and Zoning By-law 7625 – TB OPA 2002 0001 and TB ZBL 2002 0001 & TB SPC 2002 0042 – 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 (October 2, 2002) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and Zoning By-law for the property at the southeast corner of Jane Street and Troutbrooke Drive to permit five freehold townhouses; and recommending that:

- (1) The City Solicitor seek approval of the Official Plan Amendment for the southeast corner of Jane Street and Troutbrooke Drive at the Ontario Municipal Board in relation to the appeal, substantially in accordance with draft Official Plan Amendment attached to this report Attachment No. 7.
- (2) The City Solicitor seek approval of the Zoning By-law Amendment for southeast corner of Jane Street and Troutbrooke Drive at the Ontario Municipal Board in relation to the appeal, substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8;
- (3) Authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required;
- (4) The City Solicitor advise the Ontario Municipal Board that site plan approval should not be granted until a Phase I and Phase II Environmental Site

North York Community Council Minutes
Wednesday, October 16, 2002

Assessment reports and a Peer Review of the Phase II report at the applicant's expense, are accepted by the Commissioner of Works and Emergency Services and the conditions of Works and Emergency Services attached as Attachment No. 6 are satisfied;

- (5) Authorize the City Solicitor to either amend or repeal the existing development agreement in order to implement these recommendations; and
- (6) The City Solicitor and appropriate City staff attend the Ontario Municipal Board hearing in support of the above recommendations.

A staff presentation was made by Allison Meistrich, Planner, Community Planning, North District, Urban Development Services.

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

- Mr. R. Nathwani, on behalf of the applicant, Namara Developments Limited; and
- Mr. Eric Sobel.

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

- (1) the adoption of the report (October 2, 2002) from the Acting Director, Community Planning, North District, Urban Development Services; and
- (2) the adoption of the following two additional recommendations:
 - (a) Site Plan Approval being conditional on measures being taken to preserve the trees along the southerly property line; and
 - (b) the applicant being requested to bury the Hydro lines along the Troutbrook Drive frontage.

(Report No. 11 – Clause No. 8)

Councillor Augimeri, Vice-Chair, assumed the Chair.

8.13 Further Report – One Storey Addition to the Rear Wall of Existing Industrial Building at 36 Rivalda Road – Ward 7 – York West.

The North York Community Council had before it a report (October 7, 2002) from the Director and Deputy Chief Building Official, North District, Urban Development Services, responding to a request from the Chair of the North York Community Council to submit an additional report to North York Community Council regarding the issuance of an order to demolish the illegal addition at 36 Rivalda Road, and to advise on the status of the Committee of Adjustment decision; and recommending that this report be received for information.

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

- (1) that the report (October 7, 2002) from the Director and Deputy Chief Building Official, North District, Urban Development Services, be received; and
- (2) the adoption of the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West:

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) at its meeting of September 19, 2002, refused an application by the owner of 36 Rivalda Road for permission to construct a one storey addition attached to the rear wall of the existing industrial building; and

WHEREAS the decision of the Committee of Adjustment has been appealed to the Ontario Municipal Board;

WHEREAS no date has been set for the hearing of the 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.”

(Report No. 11 – Clause No. 9)

Councillor Mammoliti resumed the Chair.

8.14. Lester B. Pearson International Airport Noise Monitoring – Wards 2, 3, 4 and 5.

The North York Community Council had before it a communication (October 7, 2002) from the City Clerk, advising that City Council, at its meeting held on October 1, 2, 3, 2002, had before it Clause No. 11 contained in Report No. 10 of The Works Committee, headed “Lester B. Pearson International Airport Noise Monitoring (Wards 2, 3, 4 and 5)”, which was adopted, without amendment, and in so doing, directed that a copy of this Clause, be referred to the Community Councils of Etobicoke, North York and Toronto East York, for information.

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council:

- (1) received the foregoing communication; and
- (2) requested the Greater Toronto Airports Authority to make annual presentations to the Community Councils on noise management and to hear from Ward Councillors on problems that may be affecting local communities.

(Report No. 11 – Clause No. 11(f))

8.15 Ontario Municipal Board Hearing – Committee of Adjustment Application – 363 Longmore Street – Ward 23 – Willowdale.

The North York Community Council had before it the following Resolution submitted by Councillor Filion, respecting an Ontario Municipal Board Hearing – Committee

24
North York Community Council Minutes
Wednesday, October 16, 2002

of Adjustment Application – 363 Longmore Street:

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused an application by Gil Soref, the owner of 363 Longmore Street, for consent to sever one residential property fronting onto the east side of Longmore Street into two residential properties having frontages of 10.67 m each.

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, north and south side yard setbacks, lot coverage, finished first floor elevation and below grade garages.

WHEREAS the applicant has appealed the consent and associated minor variance decisions of refusal to the Ontario Municipal Board.

WHEREAS no date has been set by the Board to hear the applications.

THEREFORE BE IT RESOLVED THAT Council direct the City Solicitor to authorize the 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, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

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

(Report No. 11 – Clause No. 10)

Adjournment:

North York Community Council Minutes
Wednesday, October 16, 2002

The North York Community Council adjourned its meeting at 3:05 p.m., Wednesday, October 18, 2002.

Chair.