

THE CITY OF TORONTO

City Clerk's Division

Minutes of the North York Community Council

Meeting No. 3

Wednesday, April 2, 2003.

The North York Community Council met on Wednesday, April 2, 2003, in the Council Chamber, North York Civic Centre, commencing at 10:05 a.m.

Attendance:

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

	10:05 a.m. to 12:30 p.m.	2:00 p.m. to 6:15 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	x
Councillor Sutherland	x	x

Confirmation of Minutes:

On motion by Councillor Augimeri, Ward 9 – York Centre, the minutes of the meeting of the North York Community Council held on February 21, 2003 were confirmed.

3.1 Lane Designation – Bishop Avenue at Yonge Street (Ward 23 – Willowdale).

The North York Community Council had before it a report (February 28, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the designation of the westbound traffic lanes on Bishop Avenue, east of Yonge Street; and recommending that:

- (1) Schedule XIII of By-law No. 31001, of the former City of North York, be amended to designate the northerly westbound lane on Bishop Avenue for right turns only, from the easterly limit of Yonge Street to a point 30 metres easterly thereof; and
- (2) Schedule XIII of By-law No. 31001, of the former City of North York, be amended to designate the southerly westbound lane on Bishop Avenue for shared through and left turns only, from the easterly limit of Yonge Street to a point 30 metres easterly thereof.

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

(Report No. 3 – Clause No. 1)**3.2 40 km/h Speed Limit – Alamosa Drive and Appian Drive (Ward 33 – Don Valley East).**

The North York Community Council had before it a report (February 21, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on reducing the speed limit on Alamosa Drive and Appian Drive to 40 km/h; and recommending that:

- (1) By-law No. 31878, of the former City of North York, be amended by adding a 40 km/h speed limit on Alamosa Drive, from the southerly limit of Finch Avenue East to the westerly limit of Gatehead Road;
- (2) By-law No. 31878, of the former City of North York, be amended by deleting the 40 km/h speed limit on Appian Drive, from the northerly limit of Alamosa Drive to the southerly limit of the south leg of Allview Crescent; and

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- (3) By-law No. 31878, of the former City of North York, be amended by adding a 40 km/h speed limit on Appian Drive, from the northerly limit of Alamosa Drive to the southerly limit of Alamosa Drive.

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

(Report No. 3 – Clause No. 2)

3.3 Eastbound and Westbound Right Turn Lane Designation – Dufferin Street and Finch Avenue West (Ward 8 – York West) and (Ward 10 – York Centre).

The North York Community Council had before it a report (March 7, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, requesting approval to dedicate the eastbound and westbound curb lanes on Finch Avenue West at Dufferin Street; and recommending that:

- (1) the eastbound curb lane on Finch Avenue West at Dufferin Street, be designated for right turns only, buses excepted, between Dufferin Street and a point 50 metres westerly thereof;
- (2) the westbound curb lane on Finch Avenue West at Dufferin Street, be designated for right turns only, buses excepted, between Dufferin Street and a point 60 metres easterly thereof; and
- (3) 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. 3 – Clause No. 3)

3.4 Parking Prohibitions – Shaftesbury Street (Ward 10 – York Centre).

The North York Community Council had before it a report (March 12, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on prohibiting parking on Shaftesbury Street, between Overbrook Place and Barksdale Avenue; and recommending that:

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- (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 4:00 p.m., Monday to Friday, prohibition on the west side of Shaftesbury Street, from the northerly limit of Clifton Avenue to the southerly limit of Overbrook Place; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking between 8:00 a.m. and 4:00 p.m., Monday to Friday, on the west side of Shaftesbury Street, from the northerly limit of Clifton Avenue to the southerly limit of Barksdale Avenue.

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

(Report No. 3 – Clause No. 4)

3.5 Amendment to Dedicated Westbound Right Turn Lane – Sheppard Avenue West at Beecroft Road (Ward 23 – Willowdale).

The North York Community Council had before it a report (March 18, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the existing westbound right turn designation at Sheppard Avenue West and Beecroft Road; and recommending that:

- (1) the westbound curb lane on Sheppard Avenue West, between Beecroft Road and a point 30.5 metres easterly thereof, designated for right turning vehicles only, be deleted;
- (2) the westbound curb lane on Sheppard Avenue West, between Beecroft Road and a point 30.5 metres easterly thereof, be designated for right turning vehicles only, buses excepted; and
- (3) all appropriate by-laws be amended, accordingly.

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council withdrew the foregoing report, at the request of staff.

(Report No. 3 – Clause No. 26(i))

3.6 School Bus Loading Zone – Emily Avenue and Whitfield Avenue (Ward 7 – York West).

The North York Community Council had before it a report (March 17, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of a school bus loading zone on Emily Avenue and Whitfield Avenue, adjacent to Venerable John Merlini Separate School; and recommending that:

- (1) By-law No. 32759, of the former City of North York, be amended by installing a school bus loading zone on the east side of Emily Avenue, from a point 89 metres south of the southerly limit of Whitfield Avenue to a point 19 metres southerly thereof; and
- (2) By-law No. 32759, of the former City of North York, be amended by installing a school bus loading zone on the south side of Whitfield Avenue, from the westerly limit of Hillside Road to a point 24 metres westerly thereof.

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

(Report No. 3 – Clause No. 5)

3.7 40 km/h Speed Limit – Gosford Boulevard (Ward 8 – York West).

The North York Community Council had before it a report (March 19, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on reducing the speed limit on Gosford Boulevard to 40 km/h; and recommending that:

- (1) By-law No. 31878, of the former City of North York, be amended by deleting the existing 40 km/h speed limit on Gosford Boulevard, from the northerly limit of Shoreham Drive to the southerly limit of the south leg of Blacksmith Crescent;
- (2) By-law No. 31878, of the former City of North York, be amended by deleting the existing 40 km/h speed limit on Gosford Boulevard, from the northerly limit of Hullmar Drive to the southerly limit of Milo Park Gate; and
- (3) By-law No. 31878, of the former City of North York, be amended by installing

a 40 km/h speed limit on Gosford Boulevard, from the northerly limit of the south leg of Hullmar Drive to the southerly limit of the north leg of Hullmar Drive.

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

(Report No. 3 – Clause No. 6)

3.8 Damage of Trees at the North York Civic Centre (Ward 23 – Willowdale).

The North York Community Council had before it a report (March 11, 2003) from the Commissioner of Economic Development, Culture and Tourism, reporting as requested by the local Councillor to the North York Community Council on three damaged City owned Honey Locust trees, located within the North York Boulevard circular driveway traffic of 5100 Yonge Street, North York Civic Centre; and recommending that:

- (1) North York Community Council allow these trees to remain conditional on:
 - (a) Corporate Services Facilities and Real Estate Division, through their contractor, provide a three year tree survival guarantee deposit for the value of the three Honey Locust trees and for all associated removal and replacement costs, that is \$7,083.00; and
 - (b) the subject trees being allowed to be retained for the life of the current tank.
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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. 3 – Clause No. 7)

3.9 Special Occasion Beer Garden Permit Requests for Community Events (Ward 7 – York West and Ward 23 – Willowdale).

The North York Community Council had before it a report (March 11, 2003) from the Commissioner of Economic Development, Culture and Tourism, seeking Council's approval to grant Special Occasion Beer Garden Permits to the groups listed in Attachment No. 1; and recommending that:

- (1) permission be granted to the groups listed in Attachment No.1, to hold Special Occasion Beer Garden Permit events;
- (2) the groups be required to obtain a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario;
- (3) the groups be charged the approved \$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;
- (4) the groups provide proof of liability insurance coverage in the amount of \$2M, naming the City as additional insured;
- (5) all bartenders and servers be required to attend a Smart Serve Training Program at the group's expense;
- (6) the groups comply with all regulations outlined in all City policies pertaining to alcohol consumption at the time of the event; and
- (7) 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:

- (1) the adoption of the report (March 11, 2003) from the Commissioner of Economic Development, Culture and Tourism; and
- (2) that City Council, for liquor licensing purposes, declare the community events outlined in Attachment No. 1 of the aforementioned report, to be events of municipal and or community significance; that it has no objection to these events taking place, and that the Alcohol and Gaming

Commission of Ontario be so advised.

(Report No. 3 – Clause No. 8)

3.10 Request for Extension of Existing Liquor License for Community Event - Armenian Community Centre Annual Summer Festival – 45 Hallcrown Place - Friday July 4, 2003 – Sunday, July 6, 2003 - Ward 33 – Don Valley East.

The North York Community Council had before it a communication (March 17, 2003) from Ani Tuysusian, Manager, Armenian Community Centre, requesting permission to apply for an extension of the existing liquor license for the annual Armenian Community Centre Summer Festival, to be held on Friday, July 4, 2003 – 5:00 p.m. to 2:00 a.m., Saturday, July 5, 2003 – 4:00 p.m. to 2:00 a.m. and Sunday, July 6, 2003 – 5:00 p.m. to 1:00 a.m. at the Armenian Community Centre, 45 Hallcrown Place.

The North York Community Council recommended to City Council, that the request from the Manager of the Armenian Community Centre for an extension of the existing Liquor License for the annual Armenian Community Centre Summer Festival being held on July 4, 5 and 6, 2003 by the Armenian Community Centre, be approved and that the Alcohol and Gaming Commission of Ontario be so advised.

(Report No. 3 – Clause No. 9)

3.11 Surplus Land Declaration and Proposed Closing of a portion of the Kenaston Gardens Road Allowance (Ward 24 – Willowdale)

The North York Community had before it a joint report (March 7, 2003) from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, recommending that a portion of the Kenaston Gardens road allowance, shown as Part 1 on the attached Sketch No. PS-2003-108 (the “Highway”) be permanently closed and declared surplus to municipal requirements; and further recommending that:

- (1) the Administration Committee recommend to Council, conditional upon Council’s approval of the recommendation to the North York Community Council set out herein that the Highway be permanently closed, that:
 - (a) the Highway be declared surplus to the City’s requirements and all steps

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necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken; and

- (b) the Commissioner of Corporate Services be authorized to invite an offer to purchase from Daniels Kenaston Corporation, the developer of the adjoining lands for the sale of the Highway;
- (2) the North York Community Council recommend to Council, conditional upon Council's approval of the recommendations to the Administration Committee set out herein that the Highway be declared surplus, that:
- (a) subject to compliance with the requirements of the Municipal Act, 2001, and following Council's approval of a sale of the Highway, the Highway be permanently closed as a public highway;
 - (b) Notice of Completion be published in accordance with the requirements of the Municipal Class Environmental Assessment ("Class EA") for a Schedule "B" project, at an estimated cost of \$2,500.00 to be paid by the applicant referred to herein, on the understanding that any such costs paid by the applicant will not be refunded to the applicant unless the Highway is closed and sold to a party other than the applicant, its successors or assigns;
 - (c) following Council's approval of a sale of the Highway, notice be given to the public of a proposed by-law to permanently close the Highway, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and the North York Community Council hear any member of the public who wishes to speak to this matter;
 - (d) following the closure of the Highway, easements be granted to any affected utility companies for the existing utilities plant located in the Highway or, with the consent of the said utility companies, the utilities plant be relocated, adjusted or abandoned, at the sole cost of the purchaser of the Highway, with such costs to be determined by the appropriate utility companies; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills necessary to give effect thereto.

The North York Community Council recommended to City Council, the adoption of Recommendation (2) embodied in the foregoing joint report (March 7, 2003) from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services.

(Report No. 3 – Clause No. 26(j))

3.12 Sale of Vacant Parcel of Land at the rear of 117 Horsham Avenue (Ward 23 – Willowdale)

The North York Community Council had before it a report (March 11, 2003) from the Commissioner of Corporate Services, to authorize the sale of a vacant parcel of land at the rear of Horsham Road; and recommending that:

- (1) the Offer to Purchase from Christopher Bodanis to purchase the City-owned lands at the rear of 117 Horsham Avenue, shown as Part 2, Reference Plan 66R-20058, in the amount of \$3,000.00, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
- (4) 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. 3 – Clause No. 10)

3.13 Assumption of Services – Subdivision owned by Bowan Investments Inc. – Plan 66M-2304, Subdivision File UDSB-1217 – Bowan Court (Ward 24 – Willowdale)

The North York Community Council had before it a report (March 10, 2003) from the Director, Development Engineering, Works and Emergency Services, advising Council that the municipal services installed under the terms of the Subdivision Agreement for Plan 66M-2304, dated May 5, 1997, between Bowan Investment Inc. and the former City of North York are in the required condition to be assumed by the City; and recommending that:

- (1) an assumption by-law be passed to assume the municipal services in Subdivision Plan 66M-2304; 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. 3 – Clause No. 11)

3.14 Ontario Municipal Board Hearing – Committee of Adjustment Appeals – 139 Anndale Drive (Ward 23 – Willowdale).

The North York Community Council had before it a report (March 14, 2003) from the City Solicitor, advising North York Community Council of the outcome of the Ontario Municipal Board appeals; and recommending that this report be received for information.

The North York Community Council received the foregoing report.

(Report No. 3 – Clause No. 26(k))

3.15 Preliminary Report – Application the amend the Zoning By-law and Draft Plan of Subdivision – TB ZBL 2003 0002 & TB SUB 2003 0001 – Bombardier Inc./Dehavilland Limited – Beffort Road (Ward 9 – York Centre)

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The North York Community Council had before it a report (March 11, 2003) from the Acting 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.

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

- (1) approved the report (March 11, 2003) from the Acting Director, Community Planning, North District, Urban Development Services; and
- (2) approved the following Resolution submitted by Councillor Augimeri, Ward 9 – York Centre:

“WHEREAS the Preliminary Report dated March 11, 2003 (Bombardier Inc./Dehavilland Limited) 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 block bounded on the north by the Bombardier plant, the west by the Canadian National Rail Line, the east by Beffort Road/Dufferin Street, and the south by Highway 401.”

(Report No. 3 – Clause No. 26(I))

3.16 Preliminary Report – Application to Amend the North York Zoning By-law 7625 – TB ZBL 2003 0001 – Jacek & Joanna Gorka – 261 Willowdale Avenue (Ward 23 – Willowdale)

The North York Community Council had before it a report (March 6, 2003) from the 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.
- (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 a communication (March 26, 2003) from Jacek A. Gorka.

Mr. Jacek A. Gorka, applicant, appeared before the North York Community Council in connection with the foregoing matter.

On motion by Councillor Filion, Ward 23 - Willowdale, the North York Community Council deferred consideration of the foregoing report to its next meeting scheduled for May 7, 2003, in order to allow the Ward Councillor an opportunity to determine whether this matter requires broader consultation.

(Report No. 3 – Clause No. 26(m))

3.17 Final Report – Application for Part Lot Control Exemption – TB PLC 2003 0001 – Georgian Project Managers Ltd. – 3336, 3338 and 3340 Bayview Avenue – Part of lots 1, 2 & 3, Registered Plan 4180, Designated as Parts 1 – 18 inclusive (Ward 24 – Willowdale)

The North York Community Council had before it a report (March 17, 2003) from the

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Acting Director, Community Planning, North District, Urban Development Services, reporting on a request for exemption from part lot control in order that 12 street townhouse dwelling units may be conveyed into separate ownership; and recommending that:

- (1) the application be approved;
- (2) the City Solicitor be authorized to introduce the necessary Bills after such time that the Owner register a Section 118 Restriction under the Land Titles Act agreeing not to convey or mortgage any part of the lands without the prior written consent of the Chief Planner or his designate;
- (3) the by-law shall expire 18 months from the date of enactment; and
- (4) the appropriate City Officials be authorized and directed to register the By-law on title.

On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council recommended to City Council:

- (1) the adoption of the report (March 17, 2003) from the Acting Director, Community Planning, North District, Urban Development Services; and
- (2) the adoption of the following Resolution by Councillor Shiner, Ward 24 – Willowdale:

“WHEREAS by adoption of Clause 17 of Report No. 5 of North York Community Council by City Council on June 26, 27, 28, 2001, the developer of lands at 3336, 3338 and 3340 Bayview Avenue was to provide a Letter of Credit in the amount of \$22,000.00 for the purpose of school improvements, to be agreed to in consultation with the Ward Councillor;

AND WHEREAS by adoption of Notice of Motion by City Council, on February 13, 14 and 15, 2002, the Owner of these same lands shall provide in lieu of a Letter of Credit for the purpose of school improvements, a cheque payable to the City Treasurer in the amount of \$22,000.00 for the purpose of community improvements;

AND WHEREAS it now appears that funds could be used for school

improvements;

THEREFORE BE IT RESOLVED THAT the owner of 3336, 3338 and 3340 Bayview Avenue shall provide a certified cheque in the amount of \$22,000.00 payable to such school in the local area as may be determined in consultation with the local Councillor for the purpose of school improvements."

(Report No. 3 – Clause No. 12)

3.18 Designation of Fire Routes in the former North York Urban Area – Application No. 2002-002 – 80-100 Ellerslie Avenue and 20-56 McBride Lane (Ward 23 – Willowdale)

The North York Community Council had before it a report (February 4, 2003) from the District Chief, Fire Prevention – North Command, Works and Emergency Services, seeking Council's approval for the enactment of the appropriate amending by-law to designate certain locations as fire routes within the meaning of By-law No. 29704 of former City of North York, as amended; and recommending that:

- (1) By-law 29704 of the former City of North York, as amended, be amended by adding the following locations to Schedule "B" of the By-law, thereby designating those locations as fire routes within the meaning of the By-law:
 - (a) Application No. 2002-002 80-100 Ellerslie Avenue and 20-56 McBride Lane
- (2) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Mr. Joshua Golman, appeared before the North York Community Council in connection with the foregoing matter.

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

(Report No. 3 – Clause No. 13)

3.19 Designation of Fire Routes in the former North York Urban Area – Application No. 2003-002 – 1 to 23 Jonathan Dunn Way and Application No. 2003-003 – 17 to 30 William Poole Way (Ward 23 – Willowdale)

The North York Community Council had before it a report (February 20, 2003) from the District Chief, Fire Prevention – North Command, Works and Emergency Services, seeking Council’s approval for the enactment of the appropriate amending by-law to designate certain locations as fire routes within the meaning of By-law No. 29704 of former City of North York, as amended; and recommending that:

- (1) By-law 29704 of the former City of North York, as amended, be amended by adding the following locations to Schedule “B” of the By-law, thereby designating those locations as fire routes within the meaning of the By-law:
 - (a) Application No. 2003-002 1 – 23 Jonathan Dunn Way
 - (b) Application No. 2003-003 17 – 30 William Poole Way

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

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. 3 – Clause No. 14)

3.20 Request for Approval of Variances from the former City of North York Sign By-law No. 30788, as amended for the erection of a pylon, flagpoles and directional signs throughout the parking lot of the IKEA store at 15 Provost Drive (Ward 24 – Willowdale).

The North York Community Council had before it a report (March 11, 2003) from the Director of Building and Deputy Chief Building Official, North District, Urban Development Services, reporting on a request by Michael Telawski of Weston Consulting Group Inc., on behalf of IKEA Properties Limited, for approval of variances from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of identification, advertising, directional and customer service signs at the above noted location; and recommending that:

- (1) the request for the variances be approved for the reasons outlined in this report; and
- (2) the applicant be advised, upon approval of the variances, of the requirement to obtain the necessary sign permits.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council recommended to City Council, the adoption of the foregoing report.

(Report No. 3 – Clause No. 15)

3.21 Request for Approval of Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of an illuminated ground sign at 185 Yorkland Blvd. (Ward 33 – Don Valley East).

The North York Community Council had before it a report (March 12, 2003) from the Director of Building and Deputy Chief Building Official, North District, Urban Development Services, reporting on a request by Dominic Rotundo of Pattison Sign Group, on behalf of Ramada Hotels Inc. for approval of the variances from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of 250 ft² (18.6m²) and 30 ft (9.1m) illuminated ground sign at the above noted location; and recommending that:

- (1) the request for the variances be approved for the reasons outlined in this report; and
- (2) the applicant be advised, upon approval of the variances, of the requirement to obtain the necessary sign permits.

On motion by Councillor Sutherland, Ward 33 – Don Valley East, the North York Community Council recommended to City Council, the adoption of the foregoing report.

(Report No. 3 – Clause No. 16)

3.22 Request for Approval of a Variance from the former City of North York By-law

No. 30788, as amended, for the erection of an illuminated ground sign at 5665 Yonge Street (Ward 24 - Willowdale)

The North York Community Council had before it a report (March 12, 2003) from the Director of Building and Deputy Chief Building Official, North District, Urban Development Services, reporting on a request by Thomas Smith of Viacom Outdoor on behalf of Karelada Investments Limited, for approval of a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a 400 ft² (37.16m²) off-premise illuminated ground sign at the above noted location; and recommending that:

- (1) the request for the variance be approved for the reasons outlined in this report; and
- (2) the applicant be advised, upon approval of the variances, of the requirement to obtain the necessary sign permit.

On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council deferred sine die, the foregoing report.

(Report No. 3 – Clause No. 26(n))

Councillor Augimeri, Vice-Chair, assumed the Chair.

3.23 Final Report – Application to amend the North York Zoning By-law 7625 – TB ZBL 2001 0021 – Jane Wilson Towers Ltd. (c/o Revenue Properties) – 160 Chalkfarm Drive (Ward 7 – York West)

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 (January 3, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law for an existing tuck shop at 160 Chalkfarm Drive; and recommending that City Council:

- (1) amend the Zoning By-law 7625 for substantially in accordance with the draft

Zoning By-law Amendment attached as Attachment No. 5;

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

Ms. Susan Cumming, Cumming & Co., planning consultant, appeared before the North York Community Council in connection with the foregoing matter, on behalf of the applicant.

On motion by Councillor Mammoliti, Ward 7 – York West, the North York Community Council recommended to City Council, the adoption of the foregoing report.

(Report No. 3 – Clause No. 17)

Councillor Mammoliti resumed the Chair.

3.24 Final Report – Application to Amend the Official Plan and Zoning By-law 7625 – TB CMB 2002 0010 – 1379288 Ontario Corporation – 4691 Bathurst Street, 500 Ellerslie Avenue and 45 – 51 Farrell Avenue (Ward 23 – Willowdale)

The North York Community Council had before it a report (March 17, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application which has been appealed to the Ontario Municipal Board, to amend the Official Plan and the Zoning By-law for 61 townhouses on Bathurst Street between Ellerslie Avenue and Farrell Avenue; and recommending that City Council direct:

- (1) the City Solicitor to seek approval of the Official Plan Amendment at the Ontario Municipal Board in relation to the appeal, substantially in accordance with the draft Official Plan Amendment attached to this report as Attachment 5.
- (2) The City Solicitor to seek approval of the Zoning By-law for this site at the Ontario Municipal Board in relation to the appeal, substantially in accordance with the draft Zoning By-law Amendment attached to this report as Attachment 6.

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- (3) The City Solicitor be authorized to make such stylistic and technical changes to the draft By-laws as may be required.
- (4) The City Solicitor request the Ontario Municipal Board to hold its Order approving the Official Plan Amendment and Zoning By-law until the Owner enters into a Site Plan Agreement under Section 41 of the Planning Act based on a site plan which provides an improved transition between the existing houses on Farrell and Ellerslie Avenues and the proposed development.
- (5) Upon an Ontario Municipal Board Order approving these applications, and when appropriate, the Commissioner of Urban Development Services to process applications for Part Lot Control and Condominium.

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

The North York Community Council also had before it a communication (March 24, 2003) from Mr. Isaac Birenbaum.

Mr. Jeffrey Goldenberg, Fogler, Rubinoff, appeared before the North York Community Council in connection with the foregoing matter, on behalf of the applicant.

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

“WHEREAS the Final Report dated March 17, 2003 includes Recommendation (4) that: “The City Solicitor request the Ontario Municipal Board to hold its Order approving the Official Plan Amendment and Zoning By-law until the Owner enters into a Site Plan Agreement under Section 41 of the Planning Act based on a site plan which provides an improved transition between the existing houses on Farrell and Ellerslie Avenues and the proposed development.”

AND WHEREAS cars exiting the development onto Ellerslie Avenue should be physically prevented from turning left to go east on Ellerslie Avenue and infiltrate a residential neighbourhood;

THEREFORE BE IT RESOLVED THAT the attached Site Plan Conditions, included as part of this Resolution, be approved and submitted to the Ontario Municipal Board by the City Solicitor, these conditions to include:

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- (i) the Ellerslie Avenue access be restricted so that outbound left-turn movements are prohibited by the enactment of an appropriate by-law with signage and physical channelization of the access to the satisfaction of the Commissioner of Works & Emergency Services at no cost to the City of Toronto;
- (ii) revisions to the most easterly unit of Block A in the form of a corner “rounding” to provide improved transition between it and the existing houses to the east; similar to unit 1;
- (iii) revisions to Block F to accommodate a widened driveway with channelized island (as noted in clause i) above) as well as a corner “rounding” of the most easterly unit of this block similar to unit 51; and
- (iv) the owner be required to include a clause in all agreements for purchase and sale or leases, in a form satisfactory to the Commissioner of Works and Emergency Services and the City Solicitor; that the development will not be served by City garbage pick-up and snow removal and that all garbage pick-up and snow removal will be done by a private contractor.”

B. Councillor Feldman, Ward 10 – York Centre, moved that the North York Community Council recommend to City Council, the adoption of the report (March 17, 2003) from the Acting Director, Community Planning, North District, Urban Development Services.

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

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

AGAINST: Nil

ABSENT: Councillor Augimeri

Carried

A recorded vote on Motion B., moved by Councillor Feldman, Ward 10 - York Centre, to adopt the report (March 17, 2003) from the Acting Director, Community Planning,

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North District, Urban Development Services, was as follows:

FOR: Councillor Feldman

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

ABSENT: Councillor Augimeri

Lost

(Report No. 3 – Clause No. 18)

3.25 Final Report – Application to amend the Official Plan and Zoning By-law 7625 – TB CMB 2002 0005, TB SPC 2002 0034 – 1314193 Ontario Limited – 27 – 49 Bales Avenue and 30, 32, 34 and 42 Glendora Avenue (Ward 23 – Willowdale)

As directed by the North York Community Council, at its meeting held on October 16, 2002, appropriate notice of this statutory public meeting was given as directed and in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (March 17, 2003) 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 for the development of two, 23-storey residential condominium buildings and 6 townhouses at Bales Avenue, Anndale Drive and Glendora Avenue, east of Yonge Street and south of 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 7;
- (2) amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 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;

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- (4) authorize any necessary amendments to the new Official Plan should the Minister of Municipal Affairs issue a decision on the new Official Plan adopted by City Council on November 28, 2002, as it pertains to this site, prior to Council's adoption of this Report;
- (5) before introducing the necessary Bills to City Council for enactment, require the owner to convey or cause to be conveyed to the City for a nominal sum, free of all encumbrances, the following lands for dedication as public highway, and deposit with the City Solicitor Deeds for these lands, in satisfactory form, to be registered by the City prior to any amending by-law coming into effect:
 - (a) the necessary lands for the extension of a 23 m road allowance on Anndale Drive as determined by the Survey and Mapping Services Division of the Works and Emergency Services Department, as per North York Centre Secondary Plan Policies (shown in the approved Environmental Study Report Addendum titled "Downtown Plan South of Sheppard Avenue"); and
 - (b) the necessary lands for the extension of a 20 m road allowance on Bales Avenue as determined by the Survey and Mapping Services Division of the Works and Emergency Services Department, as per North York Centre Secondary Plan Policies (shown in the approved Environmental Study Report Addendum titled "Downtown Plan South of Sheppard Avenue"). The 20m road allowance will consist of a strata conveyance at an elevation from the proposed road grade to 1.5 m below. The strata conveyance will be limited from the proposed east street line of Bales Avenue to the extent of the proposed underground parking garage;
- (6) before introducing the necessary Bills to City Council for enactment, require the owner to provide to the City, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism, a certified cheque in the amount of \$23,529, as the settlement for the four City owned trees that had been removed on City lands adjacent to the site;
- (7) before introducing the necessary Bills to City Council for enactment, require the owner to enter into a Section 37 Agreement with the City, to the satisfaction of the City Solicitor, to provide or fund the following facilities, services and/or matters:
 - (a) a minimum of 1.5 m² indoor recreational amenity area per unit, and a

minimum of 262 m² for bicycle storage space for the project;

- (b) prior to the issuance of any above-grade building permit for the development, a third party agreement between the owner and the Willowdale Plaza owner, to provide for pedestrian access across the Willowdale Plaza site to the TTC entrance, on a temporary basis until such time as the Anndale Drive extension to Yonge Street is acquired by the City. Such agreement shall include provisions for the construction and maintenance of the walkway, and public access. The owner shall provide to the City a letter of credit in the amount of \$10,000 to secure the construction of this walkway.

However, if the owner fails to provide to the City an appropriate third party agreement with the Willowdale Plaza owner prior to the issuance of any above-grade building permit for the development, that the owner instead provide to the City a certified cheque in the amount of \$10,000 to be used for improvements including sidewalk and/or landscaping upgrades to the Glendora Avenue public right-of-way between Yonge Street and the development site as an alternative route to the subway;

- (c) prior to the issuance of any above or below grade building permits, a construction phasing and truck routing plan, approved by the Director, Transportation Services, District 3, with such plan to include the maintenance of a pedestrian route along the future Anndale Drive alignment the full extent of the site, in the form of a temporary walkway, to be maintained by the owner, until such time as the concrete sidewalk on the south side of the future Anndale Drive extension has been constructed; and
 - (d) prior to the issuance of a building permit, a cash-in-lieu of public art contribution to the City in the amount of \$50,000, toward a public art fund for North York Centre;
- (8) before introducing the necessary Bills to City Council for enactment, require the owner to confirm to the satisfaction of the City Solicitor that the outstanding appeals of the North York Centre Secondary Plan (OPA 447) related to the subject site have been dismissed or withdrawn; and
 - (9) approve under Section 41 of the Planning Act the proposed two 23-storey residential buildings and 6 townhouses, as indicated on the following plans and

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subject to the conditions of Site Plan Approval found in Attachment 9:

Plans prepared by Rafael and Bigauskas Architects:

Plan No.	Plan Title	Date Stamped
A1-1	Site Plan	March 12, 2003
A2-2	Garage Level P2, P3	March 5, 2003
A2-3	Garage Level P1	March 5, 2003
A3-1	Ground Floor Plan	March 5, 2003
A3-2	Typical Floor Plan A+B	March 5, 2003
A3-3	Third Floor Plan A+B	March 5, 2003
A4-1	South Elevation	March 5, 2003
A4-2	West Elevation	March 5, 2003
A4-3	East Elevation	March 5, 2003
A4-4	North Elevation	March 5, 2003
A6-1	Townhouse Plans	March 5, 2003
A6-2	Townhouse Elevations	March 12, 2003
A7-01	Garbage Collection	March 5, 2003

Plans prepared by Strybos Associates Ltd. Landscape Architects:

Plan No.	Plan Title	Date Stamped
L-1	Landscape Plan	March 12, 2003
L-2	Grading Plan	March 5, 2003
L-3	Sections	March 5, 2003
L-4	Tree Inventory/ Preservation Plan	March 5, 2003
L-5	Construction Details	March 5, 2003
L-6	Construction Details	March 5, 2003

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

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

- (March 17, 2003) from David Howe, President, South Downtown Property Owners Group;

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- (March 26, 2003) from Lenore Rinehart;
- (March 18, 2003) from Wing Kin Chan and Oy Fong Chan;
- (March 25, 2003) from Margaret (Peggy) Evans;
- (March 27, 2003) from Ray Kilroy;
- (March 30, 2003) from W. & R. Hewetson;
- (March 26, 2003) from Jack Kojola;
- (March 20, 2003) from the Mitch Stambler, Manager, Service Planning, Toronto Transit Commission; and
- (March 31, 2003) from Gary E. Giuliani.

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

- Mr. Pat Giglio, on behalf of Mr. Ray Kilroy;
 - Ms. Sora Shilman, representing Yonge Corridor Condominium Association;
 - Mr. Perry Copses, representing Yonge Corridor Condominium Association;
 - Mr. David Howe, President, South Downtown Property Owners Group;
 - Ms. Lenore Rinehart;
 - Mr. Dan Newton;
 - Ms. Julie Chan, representing her parents, Wing Kin and Oy Fong Chan;
 - Mr. Jack Kojola;
 - Ms. Margaret Evans; and
 - Mr. Adam Brown, Brown Dryer Karol, on behalf of the applicant.
- A. Councillor Feldman, Ward 10 – York Centre, moved that the North York Community Council recommend to City Council, the adoption of the report (March 17, 2003) from the Acting Director, Community Planning, North District, Urban Development Services.
- B. Councillor Filion, Ward 23 - Willowdale, moved that the North York Community Council recommend to City Council:

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- (1) the adoption of the following Resolution by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Final Report on the application for the site at 27-49 Bales Avenue and 30, 32, 34 and 42 Glendora Avenue recommends approval of the proposed two, 23-storey residential buildings and 6 townhouses; and

WHEREAS the Final Report recommends Site Plan Approval subject to submission of revised landscape plans;

THEREFORE BE IT RESOLVED THAT:

The Final Report on Application TB CMB 2002 0005 and TB SPC 2002 0034 be adopted, subject to condition (12)(f)(i) of Recommendation No. 9 (found on Attachment 9) being revised to read:

“3 copies of revised landscaped plans to the satisfaction of the Economic Development, Culture and Tourism (Urban Forestry Services) and Urban Development Services (City Planning), in consultation with the Ward Councillor. Such revised plans are to address matters including but not necessarily limited to tree planting specifications, and interim landscape treatment for the parcel to the north of the proposed Anndale Drive extension and for 42 Glendora Avenue”.

- (2) that City Council not approve any further development on those lands in the North York Civic Centre Secondary Plan that are located south of Sheppard Avenue, east of Yonge Street, north of Avondale Road, west of Tradewinds/Bonnington, until such time as there is a detailed plan, including land acquisition and firm construction timetables for completion of the service road through those lands.”

A recorded vote on Motion B., moved by Councillor Filion, Ward 23 - Willowdale, was as follows:

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

AGAINST: Nil

ABSENT: Councillor Augimeri

Carried Unanimously

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

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

AGAINST: Nil

ABSENT: Councillor Augimeri

Carried Unanimously

(Report No. 3 – Clause No. 19)

3.26 Final Report – Application to amend the Zoning By-law – TB ZBL 2002 0008 – Daniels Kenaston Gardens – 25-39 and 28-38 Kenaston Gardens (Ward 24 – 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 as directed and in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (March 13, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law for a 28-storey condominium apartment building with grade related units at the south terminus of Kenaston Gardens, located south of Sheppard Avenue and east of Bayview Avenue; and recommending that City Council:

- (1) Amend 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.
- (2) Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.

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- (3) Before introducing the necessary Bills to City Council for enactment, the owner is required to satisfy the following conditions:
- (i) enter into an Agreement under Section 37 of the Planning Act for the exemption of indoor private recreational amenity area from the calculation of gross floor area to a maximum of 1,000m²;
 - (ii) deposit a letter of credit or certified cheque in the amount of \$10,000.00 to the satisfaction of the Director, Community Planning, North District, for future traffic monitoring to be undertaken;
 - (iii) obtain Site Plan approval under Section 41 of the Planning Act; and,
 - (iv) provide confirmation that arrangements have been made to satisfy the requirements of the Works and Emergency Services Department as outlined in their memorandum dated February 26, 2003.

The North York Community Council also had before it a joint communication (March 28, 2003) from Taymour Katirai, Mahmoud Lotfi and Lembit Schasmin.

Mr. John Dawson, Solicitor, McCarthy Tetrault, appeared before the North York Community Council in connection with the foregoing matter, on behalf of the applicant.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council recommended to City Council, the adoption of the foregoing report.

(Report No. 3 – Clause No. 20)

3.27 Final Report – Application to amend the Official Plan and Zoning By-law – TB CMB 2001 0012 – Sterling Silver Development Corporation - Gates of Bayview – 4001, 4003 and 4005 Bayview Avenue (Ward 24 - Willowdale)

The North York Community Council had before it a report (March 18, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and Zoning By-law to permit additional development of 12 and 16 storey rental apartment buildings with 320 units, and a 3 storey, 104 unit rental retirement home, for additional gross floor area of 45, 930 m²; and recommending that:

- (1) The City Solicitor seek approval of the Official Plan Amendment for this site at the Ontario Municipal Board in relation to the appeal, substantially in

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accordance with the draft Official Plan Amendment attached to this report as Attachment No. 5.

- (2) The City Solicitor seek approval of the Zoning By-law Amendment for this site at the Ontario Municipal Board in relation to the appeal, substantially in accordance with the draft Zoning By-law Amendment attached to this report as Attachment No. 6;
- (3) 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;
- (4) The City Solicitor request that the Ontario Municipal Board hold its Order approving the Official Plan amendment and zoning by-law until the owner has obtained site plan approval for the development.
- (5) Prior to Site Plan Approval, the owner shall make a contribution to the City in the amount of \$100,000 for improvements to Garnier Park, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council recommended to City Council:

- (1) the adoption of the report (March 18, 2003) from the Acting Director, Community Planning, North District, Urban Development Services;
- (2) the adoption of the following Resolution by Councillor Shiner, Ward 24 – Willowdale:

“WHEREAS residents of the existing buildings at Gates of Bayview express concerns with existing difficulties in egress from the site through the Bayview Avenue exit; and

WHEREAS the proposed application includes a modification of the Bayview Avenue exit, to convert it to a full moves driveway; and

WHEREAS the proposed modifications and additional traffic from the new buildings will increase traffic activity at the new driveway which in turn will aggravate existing conditions;

NOW THEREFORE BE IT RESOLVED THAT:

- (a) A traffic control signal be installed at the Bayview Avenue access to the Bayview Gates development, in conjunction with the modifications of this driveway to two-way operations; and
 - (b) the applicant shall deposit a letter of credit, prior to the approval of the site plan, in the amount determined by the staff of the North District Transportation Division, to cover the cost of such installation.”
- (3) that the Draft By-law be amended to reflect:
- (a) a Front Yard Setback from Garnier Court to the canopy of 5.2 metres; and
 - (b) a Front Yard Setback from Garnier Court to the front elevation of the proposed retirement home building of 8.7 metres; and
- (4) that the site plan application include additional landscaping consisting of tall trees at the south-east corner of the site.

(Report No. 3 – Clause No. 21)

Councillor Feldman assumed the Chair.

3.28 Final Report – Application to Amend Zoning By-law 7625 – TB ZBL 2002 0003 – Talisker GP Inc. – 2233 Sheppard Avenue West (Ward 7 – York West)

As directed by the North York Community Council, at its meeting held on June 5, 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 (March 4, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law to permit additional retail and office uses at 2233 Sheppard Avenue West; and recommending that City Council:

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- (1) 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. 5.
- (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 amend the Zoning By-law to Council for enactment, the following condition shall be fulfilled to the satisfaction of the City Solicitor:
 - (a) the conveyance of a widening of up to 2.13 metres along the Sheppard Avenue West frontage to satisfy the requirement of a 30 metre right-of-way.

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

- Mr. Glen Broll, Glen Schnorr & Associates, representing Talisker Corp.; and
- Mr. Christian Taylor, Talisker Corp.

On motion by Councillor Mammoliti, Ward 7 – York West, the North York Community Council recommended to City Council, the adoption of the foregoing report.

(Report No. 3 – Clause No. 22)

3.29 Final Report – Application to Amend the Official Plan and Zoning By-law 7625 & Draft Plan of Subdivision – TB CMB 2001 0013 and TB SUB 2001 0003 – Workplace Safety and Insurance Board – 115 Torbarrie Road (Ward 7 – York West)

As directed by the North York Community Council, at its meeting held on November 21, 2001, 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 (March 17, 2003) from the Acting Director, Community Planning, North District, Urban Development Services,

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reporting on an application to amend the Official Plan and Zoning By-law and a Draft Plan of Subdivision to permit residential development for the site currently occupied by the Workplace Insurance and Safety Board located at 115 Torbarrie Road; 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. 5.
- (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. 6.
- (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) request Ministry of Municipal Affairs to modify the Toronto Official Plan to amend the designation on the subject lands from Employment Areas to Neighbourhoods, save except:
 - (a) Block 154, shown on the draft plan of subdivision prepared by Marshall Macklin Monaghan, dated June 2002, revision date March 7, 2003, as Attachment 3 to this report, which shall be redesignated to Apartment Neighbourhoods.
 - (b) Blocks 159, 160, 161, shown on the draft plan of subdivision prepared by Marshall Macklin Monaghan, dated June 2002, revision date March 7, 2003, as Attachment 3 to this report, which shall be redesignated to Parks & Open Space Areas – Natural Area.
 - (c) Block 155, shown on the draft plan of subdivision prepared by Marshall Macklin Monaghan, dated June 2002, revision date March 7, 2003, as Attachment 3 to this report, which shall be redesignated to Parks & Open Space Areas – Parks.
- (5) request the Ministry of Municipal Affairs to modify Map 2- Urban Structure to implement Recommendation No. 4.
- (6) notwithstanding Recommendations Nos. 4 and 5, should the Ministry of

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Municipal Affairs approve the Toronto Official Plan prior to City Council's approval of TB CMB 2001 0013, that City Council authorize any required amendments to the Toronto Official Plan, adopted by City Council on November 28, 2002.

- (7) Council be advised that the Chief Planner, who has been delegated authority to approve conditions of draft plan of subdivision approval, proposes to approve the application on the following conditions:
- (a) This approval applies to the draft plan of subdivision prepared by Marshall Macklin Monaghan, dated June 2002, revision date March 7, 2003, as Attachment 1 to this report.
 - (b) Streets A to G (inclusive) shall be dedicated to the City of Toronto as public highway on the final plan.
 - (c) Blocks 156, 157 and 158 shall be dedicated to the City of Toronto as public walkway on the final plan.
 - (d) Block 155 shall be dedicated to the City of Toronto as public parkland on the final plan.
 - (e) Blocks 162 to 165 (inclusive) shall be dedicated to the City of Toronto and shown as municipal 0.3 metre reserves on the final plan.
 - (f) Block 159 shall be dedicated to the City of Toronto for stormwater management on the final plan.
 - (g) the conveyance of all lands to the City of Toronto shall be free and clear, above and below grade, or all easements, encumbrances and encroachments, except those existing already on the land that are for the benefit of the City.
 - (h) Blocks 160 and 161 shall be dedicated to the Toronto and Region Conservation Authority as open space and parks/open space walkway, respectively on the final plan.
 - (i) the owner shall provide evidence of taxes paid.
 - (j) Prior to final approval and registration of this plan, the Owner shall agree

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in the subdivision agreement, in wording satisfactory to the Medical Officer of Health and to the City Solicitor, to carry out or cause to be carried out the Recommendations of the Report prepared by Marshall Macklin Monaghan, titled "Noise Feasibility Study", dated September 2002 and any addendums to these reports as may be required by the City for the abatement of noise and vibration control. Further, the owner shall agree in the subdivision agreement with the City to provide warning Notices in all Offers of Purchase and Sale Agreements in wording satisfactory to the City.

- (k) Prior to final approval and registration of this plan, the Owner shall be required to submit a revised Noise Study prepared by a qualified noise consultant in order to provide additional analysis for phasing should interior lots be developed before Blocks 151 to 154 (inclusive). Such report shall include noise and vibration mitigation requirements satisfactory to the Commissioner of Urban Development Services and the Medical Officer of Health.
- (l) Prior to final approval and registration of this plan, the Owner shall agree in the subdivision agreement, in wording satisfactory to the Toronto and Region Conservation Authority, to carry out or cause to be carried out the Recommendations of the Report prepared by Shaeen Peaker Limited titled Geotechnical Investigation, dated February 25, 2002 and supplemented by a letter dated July 11, 2002, and any addendums to these reports as may be required by the City and the Toronto and Region Conservation Authority.
- (m) Prior to final approval and registration of this plan, the Owner shall agree in the subdivision agreement, in wording satisfactory to the City Solicitor, to carry out or cause to be carried out the Recommendations of the Report prepared by Marshall Macklin Monaghan titled Safety Zones from Golf Course Holes at Oakdale Golf and Country Club, dated February 2003, as peer reviewed by Robert Heaslip & Associates Limited in the Report, dated February 19, 2003. Further, the owner shall agree in the subdivision agreement with the City to provide Warning Notices and Disclosure Statements in all Offers of Purchase and Sale Agreements and to register restrictive covenants, as required, on Lots 15 to 27 inclusive in wording satisfactory to the City Solicitor. The Owner shall further agree to include in the subdivision agreement, in wording satisfactory to the City Solicitor, to indemnify the City against

any action or claim brought against the City in respect of injuries or damages to persons or property as a result of errant golf balls entering the residential subdivision.

- (n) the Owner shall provide a copy of the subdivision agreement to the Toronto and Region Conservation Authority, Toronto Hydro, Enbridge Consumers Gas, Bell Canada, Rogers Cable, Toronto District School Board, Ministry of Transportation, Greater Toronto Airports Authority and Toronto Transit Commission.
- (o) prior to final approval and registration of this plan, the Owner shall submit a detailed tree preservation plan, tree inventory, street tree planting plan and an edge management plan (detailing methods of tree protection and mitigating measures of possible adverse impacts on trees within 5 metres of the property boundary) satisfactory to the Commissioner, Economic Development, Culture and Tourism, Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services.
- (p) the Owner shall not remove any trees from the subject property prior to the approval of a detailed tree preservation plan, tree inventory and street tree planting plan, satisfactory to the Commissioner, Economic Development, Culture and Tourism, Commissioner of Works and Emergency Services and the Commissioner of Urban Development Services.
- (q) the Owner shall maintain undeveloped Blocks in a condition acceptable to the City: graded and seeded, with fencing as may be required by the City satisfactory to the Commissioner of Urban Development Services.
- (r) the Owner shall be required to erect all fencing to the satisfaction of the Commissioner of Urban Development Services, Commissioner of Economic Development, Culture and Tourism, the Commissioner of Works and Emergency Services, the Medical Officer of Health and Toronto and Region Conservation Authority. Such fencing shall include but not be limited to: privacy fencing between new and existing uses along the perimeter of the property; fencing around walkway blocks, open space blocks, parks/open space walkway block and stormwater management block; corner lot fencing; and required acoustical fencing.

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- (s) prior to final approval and registration of this plan, the Owner shall register restrictive covenants on Lots 27, 28, 45 to 51 (inclusive) prohibiting the construction of private gates and private accesses to Blocks 155, 159, 160 and 161 to the satisfaction of the Toronto and Region Conservation Authority, the Commissioner of Economic Development Culture and Tourism, the Commissioner of Urban Development Services and the Commissioner of Works and Emergency Services.
- (t) prior to final approval and registration of this plan, the Owner shall register restrictive covenants on Lots 27, 28, 45 to 51 (inclusive) prohibiting the installation of any form of screening or fencing along abutting property lines which abut Blocks 155, 159, 160 and 161 other than the standard fencing required by the City to the satisfaction of the Toronto and Region Conservation Authority, the Commissioner of Economic Development Culture and Tourism, the Commissioner of Urban Development Services and the Commissioner of Works and Emergency Services.
- (u) Urban Design Guidelines shall be prepared at the Owner's expense by an Urban Design Consultant acceptable to the Commissioner of Urban Development Services Department. Upon approval by the Commissioner of Urban Development Services, these Guidelines will form part of the Subdivision Agreement.
- (v) The Owner shall covenant and agree in the Subdivision Agreement to implement the Urban Design Guidelines. The Owner shall retain a Control Architect acceptable to the Commissioner of Urban Development Services to implement these Guidelines.
- (w) The Urban Design Guidelines shall be administered at the Owner's expense on individual builders of the development by a Control Architect satisfactory to the Commissioner of Urban Development Services. Prior to issuance of a building permit, the Control Architect shall certify that the building plans for each dwelling unit is consistent with the approved Guidelines.
- (x) the appropriate standard conditions of approval for subdivisions (Attachment 8).

- (y) the conditions of Works and Emergency Services (Attachment 7A).
- (z) the conditions of Economic Development, Culture and Tourism, Policy Development Division (Attachment 7B).
- (aa) the conditions of Economic Development, Culture and Tourism, Urban Forestry Division (Attachment 7C).
- (bb) the conditions of Economic Development, Culture and Tourism, Heritage Services (Attachment 7D)
- (cc) the conditions of Community & Neighbourhood Services, Public Health Division (Attachment 7F).
- (dd) the conditions of the Toronto and Region Conservation Authority (Attachment 7G).
- (ee) the conditions of Toronto District School Board (Attachment 7L).
- (ff) the conditions of Ministry of Transportation (Attachment 7M).
- (gg) the conditions of Greater Toronto Airports Authority (Attachment 7N).

Notes to Draft Approval

- A. Toronto Hydro is to confirm that the Owner has made satisfactory arrangements, financial and otherwise with Toronto Hydro for the installation of an underground electrical distribution system and street lighting system.
- B. Bell Canada is to confirm that the Owner has made satisfactory arrangements, financial and otherwise for any Bell Canada facilities servicing this draft plan of subdivision which are required by the City to be installed underground.
- C. The Owner shall make satisfactory arrangements, financial and otherwise, with a gas provider such as Enbridge Consumers Gas satisfactory to the City Solicitor, for the delivery of gas services to the plan of subdivision.

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- D. Enbridge Consumers Gas standard minimum clearances of 0.3 metres vertically and 0.6 metres horizontally are to be maintained.
- E. The Owner shall enter into an agreement with an electricity provider.
- F. The Owner shall make satisfactory arrangements, financial and otherwise with Canada Post Corporation.

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:

- (March 25, 2003) from Lloyd Weiler;
- (March 20, 2003) from Hugh Fyffe, Ontario Ministry of Transportation; and
- (April 1, 2003) from J.D. Elford.

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

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

- Mr. James Booth on behalf of Mr. James Elford;
- Mr. Bob Williams, President, Oakdale Ratepayers Association;
- Ms. Linda Angove, Corporate Secretary, Workplace Safety & Insurance Board (WSIB); and
- Mr. Mark Reeve, Urban Capital, on behalf of the applicant;

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

- (1) the adoption of the report (March 17, 2003) from the Acting Director, Community Planning, North District, Urban Development Services;
- (2) the adoption of the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West:

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“WHEREAS the total City of Toronto development charges to be collected as a result of the WSIB Development will be in the range of \$2.2 million; and

WHEREAS the Parks and Recreation component of the development charge is 15.2% such that the Parks and Recreation component from this development will be in the range of \$334,000.00;

NOW THEREFORE BE IT RESOLVED THAT Council hereby authorize the allocation of \$150,000.00 from the development charge contribution towards improved recreational opportunities in the Humber Sheppard Community Centre, specifically enhanced soccer facilities, teaching kitchen and rooftop garden.”

- (3) the adoption of the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West:

“WHEREAS Block 154 on the Plan of Subdivision for 115 Torbarrie Road is designated for multiple unit residential development;

NOW THEREFORE BE IT RESOLVED THAT the developer of the 115 Torbarrie property be notified of the preference of the North York Community Council and the Workplace Safety and Insurance Board that Block 154 be utilized for seniors' residential accommodation, to be operated by a non-profit organization reflecting the needs of the local community; and that the developer also be notified that every effort to implement Council's preference should be made prior to site plan approval for Block 154.”

- (4) the adoption of the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West:

“WHEREAS the Applicant and the Oakdale Golf and Country Club have resolved the issue of the setback from the Golf Course; and

WHEREAS the lands shown as “Golf Setback Zone” on the attached sketch will be conveyed to the Golf Club for open space purposes after final approval and registration of this plan;

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NOW THEREFORE BE IT RESOLVED THAT staff be directed to modify the draft official plan, draft zoning by-law, draft subdivision plan and draft subdivision plan conditions to give effect to this resolution subject to the following conditions:

- (i) Submission of addendums to the report, prepared by Marshall Macklin Monaghan titled 'Safety Zones from Golf Course Holes at Oakdale Golf and Country Club', dated February 2003, and the 'Peer Review Report' by Robert Heaslip & Associates in the report dated February 19, 2003, which concludes that the proposed settlement represents a safe condition between the Oakdale Golf and Country Club and proposed Lots 14 to 26;
 - (ii) Upon satisfaction of the aforementioned Recommendation (i), prior to final approval and registration of this plan, the Owner shall agree in the subdivision agreement, in wording satisfactory to the City Solicitor, to carry out or cause to be carried out the recommendations of the report prepared by Marshall Macklin Monaghan titled 'Safety Zones from Golf Course Holes at Oakdale Golf and Country Club', dated February 2003, as peer reviewed by Robert Heaslip & Associates Limited in the report dated February 19, 2003 and the addendums to the reports outlined in Recommendation (i);
 - (iii) Submission of a revised draft plan of subdivision which conforms with the density requirements in the draft Official Plan Amendment, included as Attachment No. 5 of the staff report, dated March 17, 2003;
 - (iv) Approval of the modified road layout of Street "A" to the satisfaction of the Commissioner of Works and Emergency Services;
 - (v) Before introducing the necessary Bills to City Council for enactment, the Owner be required to satisfy all of the above-noted conditions and all Recommendations included in the staff report dated March 17, 2003."
- (5) the adoption of the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West:

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“WHEREAS Block 159 on the Plan of Subdivision for 115 Torbarrie Road is to be conveyed to the City of Toronto for the purposes of storm water management;

NOW THEREFORE BE IT RESOLVED THAT Council hereby directs staff to ensure that construction on Block 159 not interfere with the landscaping on the adjacent residential lots on Mayall Avenue.”

- (6) the adoption of the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West:

“WHEREAS the Plan of Subdivision for 115 Torbarrie Road shows a pedestrian walkway connection as Block 158 between Desmont Avenue and Dunreo Drive;

NOW THEREFORE BE IT RESOLVED THAT staff be directed to adjust the draft official plan, draft zoning by-law, draft subdivision plan and draft subdivision plan conditions to eliminate this walkway.”

- (7) the adoption of the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West:

“WHEREAS the Plan of Subdivision for 115 Torbarrie Road shows a pedestrian walkway connection as Block 157 connecting Desmont Avenue to Street F;

NOW THEREFORE BE IT RESOLVED THAT staff be directed to adjust the draft official plan, draft zoning by-law, draft subdivision plan and draft subdivision plan conditions to eliminate this walkway and incorporate the land into the adjoining residential lots.”

- (8) that the developer be responsible for the traffic calming measures and lights at the intersection of Jethro Road and Torbarrie Road to a maximum cost of \$100,000.00 in consultation with the Ward Councillor and the Traffic Sub-Committee of the Oakdale Ratepayers Association.

(Councillor Feldman declared an interest in the foregoing Clause, insofar as it pertains to 115 Torbarrie Road in that it is located immediately adjacent to the Oakdale Golf and

Country Club for which he is the Past President and currently a shareholder and member.)

(Report No. 3 – Clause No. 23)

Councillor Mammoliti resumed the Chair.

3.30 Civic Centre Food Services (City Hall – Ward 27 – Toronto Centre-Rosedale) (Metro Hall – Ward 20 – Trinity Spadina) (East York – Ward 29 – Toronto-Danforth) (Etobicoke – Ward 3 – Etobicoke Centre) North York – Ward 23 – Willowdale) (Scarborough – Ward 38 – Scarborough Centre) and (York – Ward 12 – York South-Weston)

The North York Community Council had before it a communication (March 25, 2003) from the City Clerk, Administration Committee, advising that the Administration Committee, on March 25, 2003, during its consideration of a report (March 18, 2003) from the Commissioner of Corporate Services respecting Civic Centre Food Services concurred with the following Recommendation No. (3) embodied in the aforementioned report:

“(3) this report be forwarded to the Community Councils for information”.

A. Councillor Filion, Ward 23 – Willowdale, moved that the North York Community Council recommend to City Council that City Council and the food service consultants be advised that the North York Community Council does not support the recommendations contained in the report (March 18, 2003) from the Commissioner of Corporate Services as it pertains to the North York Civic Centre cafeteria.

Councillor Feldman assumed the Chair.

B. Councillor Mammoliti, Ward 7 – York West, moved that City Council and the food service consultants also be advised that the existing cafeteria space should be retained for use by staff and visitors.

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

(Report No. 3 – Clause No. 26(o))

Councillor Augimeri, assumed the Chair.

3.31 Woolworth Canada Inc. - 2277-2295 Sheppard Avenue West and 100 Mainshep Road - Use of Lands as a Flea Market - Ward 7 - York West

The North York Community Council had before it a confidential report (March 27, 2003) from the City Solicitor respecting Woolworth Canada Inc. – 2277 –2295 Sheppard Avenue West and 100 Mainshep Road – Use of Lands as a Flea Market.

On motion by Councillor Mammoliti, Ward 7 – York West, the North York Community Council recessed its public session to meet privately to discuss the report (March 27, 2003) from the City Solicitor, which was circulated to Members of Council under separate cover, having regard that the subject matter relates to the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

The North York Community Council resumed its public meeting.

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

- (1) received the foregoing confidential report (March 27, 2003) from the City Solicitor;
- (2) issued confidential instructions to various City Officials, such instructions to remain confidential, in accordance with the Municipal Act, having regard that the subject matter relates to the receiving of advice that is subject to solicitor client privilege, including communications necessary for that purpose.

(Report No. 3 – Clause No. 26(p))

Councillor Mammoliti resumed the Chair.

3.32 Ontario Municipal Board Hearing - Committee of Adjustment Application - 105 Kingsdale Avenue - Ward 23 - Willowdale

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

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused an application by Nasrin Davar, the owner of 105 Kingsdale Avenue, for consent to sever one residential property fronting onto the north side of Kingsdale Avenue into two residential properties having frontages of 9.91m each; and

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 and finished first floor elevation; and

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

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 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. 3 – Clause No. 24)

3.33 Ontario Municipal Board Hearing - Committee of Adjustment Application - 650-672 Sheppard Avenue East - Ward 24 - Willowdale

The North York Community Council had before it the following Resolution submitted by Councillor Shiner, Ward 24 – Willowdale:

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) deferred sine die an application by The Passionist Missionary Society of Ontario, the owner of 650-672 Sheppard Avenue East, for consent to sever the above lands into two parts for conveyance purposes and for the granting of easements/rights-of-way; and

WHEREAS the applicant has appealed the Committee’s failure to make a decision with respect to the above application to the Ontario Municipal Board; and

WHEREAS planning staff reported that the lands are presently the subject of an Official Plan Amendment, a rezoning application and a site plan application which are to be dealt with by Community Council at a future date. It was staff’s opinion that the application before the Committee was premature and not in the public interest and should be deferred sine die in order to allow the Official Plan Amendment and Rezoning to be dealt with by Council; and

WHEREAS Monday, June 2, 2003, has been set by the Board to hear the application;

THEREFORE BE IT RESOLVED THAT Council direct the City Solicitor to authorize City legal staff and planning staff to attend the Ontario Municipal Board hearing on June 2, 2003 to defend the Committee of Adjustment’s decision to defer the application.”

On motion by Councillor Shiner, Ward 24 – 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 Shiner, Ward 24 - Willowdale, the North York Community Council recommended to City Council, the adoption of the foregoing Resolution.

(Report No. 3 – Clause No. 25)

Staff Appreciation Motion – Solicitor, Planning & Development Law, Legal Division, Corporate Services.

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

“That the North York Community Council extend its thanks and appreciation to Mr. Irvin Shachter, Solicitor, Planning & Development Law, Legal Division, Corporate Services, for his outstanding service to the North York Community Council and to wish him the best of luck in his new endeavours.”

Adjournment:

The North York Community Council adjourned its meeting at 6:15 p.m., Wednesday, April 2, 2003.

Chair.