

THE CITY OF TORONTO

City Clerk's Division

Minutes of the North Community Council

Meeting No. 5

Wednesday, May 16, 2001.

The North Community Council met on Wednesday, May 16, 2001, in the Council Chamber, North York Civic Centre, commencing at 10:00 a.m.

Attendance:

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

	10:10 a.m. to 12:30 p.m.	2:00 p.m. to 5:45 p.m.
Councillor, Li Preti, Chair	x	x
Councillor Augimeri	x	x
Councillor Filion	x	x
Councillor Feldman	x	x
Councillor Mammoliti		
Councillor Shiner	x	x
Councillor Sutherland	x	x

North Community Council Minutes
Wednesday, May 16, 2001

Declarations of Interest:

Councillor	Minute #	Reason for Declaration
Councillor Li Preti Ward 8 – York West	4.17	Only insofar as it pertains to the lands on the east side of the Allen Road and west of Wilson Heights Boulevard, in that he owns property in the vicinity of such lands.
Councillor Shiner, Ward 24 – Willowdale,	4.29	A member of his family has an interest in a property in this area.

Confirmation of Minutes:

On motion by Councillor Feldman, Ward 10 – York Centre, the minutes of the meeting of the North Community Council held on April 4, 2001, were confirmed.

4.1 Request for Exemption to the Noise By-Law No. 31317 – SNC Lavalin – Highway 401 Eastbound Express Lanes from Kipling Avenue to Jane Street – Ward 7 – York West & Ward 9 – York Centre.

The North Community Council had before it a report (March 23, 2001) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, reporting on an application for an exemption to the former City of North York By-Law No. 31317, for the period commencing June 2001 to November 2001 to allow the Highway 401 Strategic Rehabilitation work on the 5 kilometre stretch of Highway 401 between Kipling Avenue and Jane Street to begin and continue; to provide temporary traffic lanes to maintain the capacity of Highway 401 during the overall project; and recommending that in view of the responsible management of the construction activities involving the Ministry of Transportation of Ontario to date, that the application be approved.

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

(Report No. 4 – Clause No. 1)

4.2 Sale of Surplus Vacant Land – East Side of Wilson Heights Boulevard between Goodwill and Ansford Avenues – Ward 10 – York Centre.

The North Community Council had before it a report (April 24, 2001) from the Commissioner of Corporate Services, seeking authorization to dispose of surplus vacant lands, located on the east side of Wilson Heights Boulevard between Goodwill and Ansford Avenues, and recommending that:

- (1) the Offer to Purchase from Nathan Chang, In Trust to purchase the City-owned land, located on the east side of Wilson Heights Boulevard between Goodwill and Ansford Avenues, in the amount of \$420,000.00, 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 balance of Costing Unit No. CA2849/2850;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City including payment of any necessary expenses and amending the closing date to such earlier or later date as he considers reasonable; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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

(Report No. 2 – Clause No. 2)

4.3 Special Occasion Beer Garden Permit Request for a Community Event – Mel Lastman Square – August 3 – 6, 2001 - Ward 23 – Willowdale.

The North Community Council had before it a report (April 19, 2001) from the Commissioner of Economic Development, Culture and Tourism, seeking Council's approval to grant an additional Special Occasion Beer Garden Permit to the Super Latin Fest at Mel Lastman Square August 3 - 6, 2001, in addition to the groups previously

North Community Council Minutes
Wednesday, May 16, 2001

approved by North Community Council at its meeting of February 14, 2001, Clause No. 3 contained in Report No. 2, and recommending that:

- (1) permission be granted to the Super Latin Fest group to hold a Special Occasion Beer Garden Permit event at Mel Lastman Square on August 3 – 6, 2001;
- (2) the group be required to obtain a Special Occasion Permit from the Liquor Licensing Board of Ontario;
- (3) the group 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 group 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 group complies 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 Community Council recommended to City Council, the adoption of the foregoing report.

(Report No. 4 – Clause No. 3)

4.4 Special Occasion Permit – Community Event – Quattro Communications Inc. - Canada Day Celebration – Parc Downsview Park - Sunday, July 1, 2001.

The North Community Council had before it a communication (May 1, 2001) from Ms. Jennifer White, Account Executive, Quattro Communications, requesting that the Community Council, for liquor licensing purposes, declare the Canada Day Celebration, to be held on Sunday, July 1, 2001 – 11:00 a.m. to 11:00 p.m., at the Parc Downsview Park, to be an event of municipal and/or community significance.

The North Community Council recommended to City Council, for liquor licensing purposes, that the Canada Day Celebration being held on Sunday, July 1, 2001, by Quattro Communications Inc., be declared an event of municipal and/or community significance; that it has no objection to the event taking place and that the Alcohol and Gaming Commission of Ontario be so advised.

(Report No. 4 – Clause No. 4)

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

The North Community Council had before it a report (May 1, 2001) from the Director, Community Planning, North District, Urban Development Services, advising Council that the applicant has referred the zoning by-law amendment application to permit a day nursery for children with special needs and an accessory resource centre at 250 Beecroft Road to the Ontario Municipal Board; and recommending that City Council receive this report for information.

The North Community Council received the foregoing report.

(Report No. 4 – Clause No. 23(a))

4.6 Zoning Regulations Affecting “Through Lots” – All Lands Within the Former City of North York.

The North Community Council had before it a communication (March 29, 2001) from the City Clerk, Planning and Transportation Committee, advising that the Planning and Transportation Committee at its meeting held on March 26, 2001 adopted Recommendations (2) (3) and (4) of the report (March 13, 2001) from the Commissioner of Urban Development Services and in so doing directed that:

- (1) a statutory public hearing under the Planning Act to consider Zoning Regulations Affecting ‘Through Lots’ on all lands within the former City of North York be held by the Planning and Transportation Committee for which notice, by newspaper advertisement, be given; and

North Community Council Minutes
Wednesday, May 16, 2001

- (2) a copy of the report (March 13, 2001) be forwarded to the Southwest, Midtown and North Community Councils for comment prior to Planning and Transportation Committee conducting the public hearing.

On motion by Councillor Feldman, Ward 10 – York Centre, the North Community Council referred the following recommendation to the Planning and Transportation Committee:

- (1) that the by-law in the form of the draft by-law attached to the report (March 13, 2001) from the Commissioner of Urban Development Services, be enacted.

(Report No. 4 – Clause No. 23(b))

4.7 Removal of Reduced Speed Limit – Marchwood Drive – Ward 10 – York Centre

The North Community Council had before it a report (May 2, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that By-law No. 31878, of the former City of North York, be amended to delete the 40 km/h speed zone on Marchwood Drive, from the southerly limit of Sandringham Drive to the northerly limit of Bombay Avenue.

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

(Report No. 4 – Clause No. 5)

4.8. Parking/Stopping Prohibitions – Torresdale Avenue (south leg), North of Finch Avenue West – Ward 10 – York Centre.

The North Community Council had before it a report (May 2, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the current parking and stopping prohibitions on Torresdale Avenue (south leg), north of Finch Avenue West; and recommending that:

1. Schedule IX of By-law No. 31001, of the former City of North York, be amended to delete the stopping prohibition on both sides of Torresdale Avenue, from the

North Community Council Minutes
Wednesday, May 16, 2001

northerly limit of Finch Avenue West to the southerly limit of Robert Hicks Drive;

2. Schedule IX of By-law No. 31001, of the former City of North York, be amended to add the stopping prohibitions on the west side of Torresdale Avenue, from Finch Avenue West to the southerly limit of Robert Hicks Drive;
3. Schedule IX of By-law No. 31001, of the former City of North York, be amended to add the stopping prohibitions on the east side of Torresdale Avenue, from the northerly limit of Finch Avenue West to a point 107 metres northerly thereof;
4. Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the parking prohibitions on the west side of Torresdale Avenue, from the northerly limit of Finch Avenue West to the northerly limit of Torresdale Avenue; and
5. Schedule VIII of By-law No. 31001, of the former City of North York, be amended to add the parking prohibitions on the west side of Torresdale Avenue, from the northerly limit of Robert Hicks Drive to the northerly limit of Torresdale Avenue.

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

(Report No. 4 – Clause No. 6)

4.9 Proposed Pedestrian Refuge Island – Sheppard Avenue West at Canyon Avenue – Ward 10 – York Centre.

The North Community Council had before it a report (May 2, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, seeking approval and funding for the construction of a pedestrian refuge island on the east approach to the intersection of Sheppard Avenue West and Canyon Avenue; and recommending that:

- (1) the construction of a pedestrian refuge island on Sheppard Avenue West at Canyon Avenue, coincidental with the curb and utility realignment on the north and south sides of Sheppard Avenue West, proceed in the year 2001;

North Community Council Minutes
Wednesday, May 16, 2001

- (2) authority be given by North Community Council to immediately advertise the proposed alterations as required by the Road Alterations By-law, so that deputations can be held at the June 13, 2001 North Community Council meeting; and
- (3) the appropriate By-law(s) is amended accordingly.

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

(Report No. 4 – Clause No. 7)

4.10 Northbound and Southbound Right Turn Designations - Jane Street at Finch Avenue West – Ward 8 – York West.

The North Community Council had before it a report (May 2, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that:

- (1) the northbound curb lane on Jane Street at Finch Avenue West, between Finch Avenue West and a point 30.5 metres southerly thereof, be designated for right turning vehicles only, buses excepted;
- (2) the southbound curb lane on Jane Street at Finch Avenue West, between Finch Avenue West and a point 30.5 metres northerly thereof, be designated for right turning vehicles only, buses excepted; and
- (3) the appropriate By-law(s) be amended accordingly.

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

(Report No. 4 – Clause No. 8)

4.11 Final Report – Application for Part Lot Control Exemption – TB PLC 01 05 - Mullock Hills Ltd. – 101, 103, 105, 107, 109, 111 and 113 Doris Avenue – Part of Lots 1, 2, 3 and 4, Plan 2452 – Parts 1-13 Inclusive on Draft Plan 00-568-3 – Ward 23 – Willowdale.

North Community Council Minutes
Wednesday, May 16, 2001

The North Community Council had before it a report (April 27, 2001) from the Director, Community Planning, North District, Urban Development Services, reporting on an application for exemption from part lot control in order that 7 street townhouse units may be conveyed into separate ownership, and recommending that:

- (1) this application be approved;
- (2) the City Solicitor be authorized to introduce the necessary Bills in Council to give effect to recommendation 1;
- (3) the by-law shall expire one year from the date of its enactment; and
- (4) the appropriate City Officials be authorized and directed to register the By-law on title.

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

(Report No. 4 – Clause No. 9)

4.12 Preliminary Report – Application to Amend the Official Plan and Zoning By-Law – TB CMB 2001 0008 - Murphy Hilgers Architects Inc. for North York General Hospital – 155 McNicoll Avenue – Ward 24 – Willowdale.

The North Community Council had before it a report (April 26, 2001) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and to seek Community Council's direction 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.

10
North Community Council Minutes
Wednesday, May 16, 2001

On motion by Councillor Shiner, Ward 24 – Willowdale, the North Community Council approved the foregoing report (April 26, 2001) from the Director, Community Planning, North District, Urban Development Services, subject to:

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

“(1) Staff be directed to prepare a schedule of community consultation meetings in consultation with the Ward Councillor and to complete and carry out an agreed upon program of community consultation prior to scheduling the statutory public meeting” and

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

“(2) Notice for the community consultation meeting be given to landowners and residents within 500 metres of the site, the area to be determined by the Director, Community Planning, North District, Urban Development Services, in consultation with the Ward Councillor”; and

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

“(3) Notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act and to all those individuals within the expanded notification area referred to in Recommendation (2) above”.

(Report No. 4 – Clause No. 23(c))

4.13 Preliminary Report – Applications to Amend the Official Plan and Zoning By-Law and Site Plan Approval – TB CMB 2001 0007 – Mini-Skool Early Learning Centres Inc. – 685 Sheppard Avenue East – Ward 24 – Willowdale.

The North Community Council had before it a report (April 30, 2001) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted applications and to seek Community Council’s directions on further processing of the applications and on the community consultation process, and recommending that:

11
North Community Council Minutes
Wednesday, May 16, 2001

- (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 Shiner, Ward 24 – Willowdale, the North Community Council approved the foregoing report (April 30, 2001) from the Director, Community Planning, North District, Urban Development Services, subject to:

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

“(1) Staff be directed to prepare a schedule of community consultation meetings in consultation with the Ward Councillor and to complete and carry out an agreed upon program of community consultation prior to scheduling the statutory public meeting.”

(Report No. 4 – Clause No. 23(d))

4.14 Preliminary Report – Application to Amend the Zoning By-Law – TB ZBL 2001 0009 – Carson Woods Architects Limited – 275 Finch Avenue West – Ward 23 – Willowdale.

The North Community Council had before it a report (May 2, 2001) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and to seek Community Council’s directions on further processing of the application and on the community consultation process; and recommending that:

- (1) Staff only be directed to schedule a community consultation meeting together with the Ward Councillor if the Ward Councillor deems it necessary.
- (2) If a community consultation meeting is held, notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.

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

The North Community Council approved the foregoing report.

(Report No. 4 – Clause No. 23(e))

4.15 Planning Report – Amendment to Original Development Agreement – TB SPC 2001 0043 – Park Willow Developments – 55 and 65 Ellerslie Avenue – Ward 23 – Willowdale.

The North Community Council had before it a report (April 30, 2001) from the Director, Community Planning, North District, Urban Development Services, providing information on the above-noted application and submitting recommendations regarding the application by Park Willow Developments to amend an existing Development Agreement to permit two (2) additional apartment dwelling units, for a total of 498 apartment dwelling units, on lands municipally known as 55 and 65 Ellerslie Avenue; and recommending that:

- (1) the City Solicitor be directed to amend the original Development Agreement and do all things necessary to permit a total of 498 apartment dwelling units on the subject lands.

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

(Report No. 4 – Clause No. 10)

4.16 Application to Amend the Official Plan – TB OPA 2001 0001 – Weston Consulting Group for Elk Island Developments Inc. and Application to Amend the Official Plan – TB OPA 2001 0002 – Borden, Ladner, Gervais for All Souls Anglican Church - Ward 23 – Willowdale.

The North Community Council had before it a report (May 1, 2001) from the Director, Community Planning, North District, Urban Development Services, reporting back to Community Council on the level of support for the above-noted applications by the affected property owners and on the status of development applications in the Sheppard Corridor subway nodes; advising Community Council of the appeals received respecting the two applications, and recommending that:

13
North Community Council Minutes
Wednesday, May 16, 2001

- (1) Staff be directed to undertake a local area planning study of the subject lands and to schedule community consultation meetings in consultation with Ward Councillor.
- (2) The City Solicitor be directed to request the Ontario Municipal Board:
 - (a) to approve OPA 392 as it applies to the lands at 8-23 Clairtrell Road, 391-403 Spring Garden Avenue, 2-16 Teagarden Court, 2880 and 2890 Bayview Avenue, 2-22 Mallingham Court and 500-502 Sheppard Avenue East, and,
 - (b) if necessary, to adjourn that part of the hearing beginning June 4, 2001, which deals with these lands.

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

- (May 15, 2001) from Mr. Rick F. Coburn, Borden Ladner Gervais, on behalf of All Souls Anglican Church, identifying a number of concerns respecting the content and recommendations in the report dated May 1, 2001 from the Director, Community Planning, North District, and requesting that Planning staff and the City Solicitor support the applicant in the formulation and promotion of a comprehensive policy framework for the redevelopment of the northwest quadrant rather than by seeking the approval of OPA 392 in its current form, which, in his opinion, is something the Ontario Municipal Board cannot do without hearing the appeals filed by Berkim, Elk Island Developments Inc. and the Church in any event; and
- (April 30, 2001) from Mr. Charles Wheeler, Deputy Project Manager, Facilities Design, Sheppard Subway, Toronto Transit Commission, addressed to Rob Dolan, Director, Community Planning, North District, forwarding comments on the proposed OPA Amendments for the quadrant of the Bayview/Sheppard Avenue intersection.

Mr. Jack Dougan, B. Arch., Land Use Planner, of the law firm of Borden Ladner Gervais, appeared before the North Community Council in connection with the foregoing matter, on behalf of the All Souls Anglican Church.

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

(Report No. 4 – Clause No. 11)

Councillor Feldman, assumed the Chair.

4.17 Further Report – Proposed Modifications to the Downsview Area Secondary Plan (OPA 464) and Proposed Amendments to the OMB Order on the Downsview Area Secondary Plan (OPA 464) - UDOP 464 - Parc Downsview Park Inc. Lands – Sports and Entertainment Designation Deferral – West of Allen Road/South of Sheppard Avenue West – City-Owned Lands – East of Allen Road/South of Sheppard Avenue West – Ward 10 – York Centre.

The North Community Council had before it a report (April 30, 2001) from the City Solicitor, seeking further direction regarding modifications to the Downsview Area Secondary Plan (OPA 464) in respect of the south-west corner of Allen Road and Sheppard Avenue West and amendments in respect of the south-east corner of Allen Road and Sheppard Avenue West; and recommending that:

- (1) notice for the public meeting under the Planning Act, for a proposed Official Plan Amendment substantially in accordance with the draft Official Plan Amendment attached as Attachment 1 in respect of the south-west corner of Allen Road and Sheppard Avenue West and the south-east corner of Allen Road and Sheppard Avenue West be given in accordance with the regulations under the Planning Act; and as follows:
 - (i) the circulation area for notice be extended to cover the area bounded by Faywood and Wilson Heights Boulevard on the east, Overbrook/Steeprock on the north, Chesswood on the west and Wilson Avenue on the south;
 - (ii) direct mailing be done to all persons who participated in the community planning working group regarding the City lands at the south-east corner of Allen and Sheppard;
 - (iii) the notification by direct mail for statutory meetings be extended to those persons who registered at meetings held to consider the Technodome application and the application regarding the Downsview Lands Official Plan Amendment;

15
North Community Council Minutes
Wednesday, May 16, 2001

- (2) staff be directed to bring forward an Official Plan Amendment substantially in accordance with Attachment 1 for enactment; and
- (3) the appropriate City Officials be authorized and directed to take the necessary actions to give effect thereto.

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

(Councillor Li Preti declared his interest in the foregoing matter, only insofar as it pertains to the lands on the east side of the Allen Road and west of Wilson Heights Boulevard, in that he owns property in the vicinity of such lands.)

(Report No. 4 – Clause No. 12)

Councillor Li Preti resumed the Chair.

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

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

The North Community Council also had before it a report (May 16, 2001) from the Director, Community Planning, North District, Urban Development Services, advising Council of the status of the private zoning appeal filed by Select Properties for the site known as Bayview Village Shopping Centre, and recommending that the report be received for information.

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

- (1) the adoption of the confidential report (March 14, 2001) from the City Solicitor respecting the appeal of Zoning Amendment Application No. UDZ-98-31 to the Ontario Municipal Board – Select Properties Limited (Orlando Corporation) – 2901 Bayview Avenue – Ward 24 – Willowdale, which was forwarded to all members of Council under separate cover; and

further that, in accordance with the Municipal Act, discussions pertaining to this Clause be held in-camera having regard that the matter involves litigation or potential litigation, and relates to the receiving of advice under solicitor-client privilege; and

- (2) that the report (May 16, 2001) from the Director, Community Planning, North District, Urban Development Services, be received for information.

(Report No. 4 – Clause No. 13)

4.19 Draft By-law – To Authorize the Alteration of Spring Garden Avenue by the Construction of a Cul-de-Sac west of Kenneth Avenue on Spring Garden Avenue and the Re-opening of the Spring Garden Avenue Cul-de-Sac to Doris Avenue.

The North Community Council had before it a Draft By-law to authorize the alteration of Spring Garden Avenue by the construction of a cul-de-sac west of Kenneth Avenue on Spring Garden Avenue and the re-opening of the Spring Garden Avenue cul-de-sac to Doris Avenue; and Clause No. 24 of the North Community Council Report No. 3, titled “Proposed Road Alteration and Stopping Up and Closing to Vehicular Traffic – Part of Spring Garden Avenue between Doris Avenue and Kenneth Avenue – Ward 23 - Willowdale, which was adopted, without amendment, by the Council of the City of Toronto at its regular meeting held on April 23, 24, 25, 26, 27, and its special meeting held on April 30, May 1 and 2, 2001.

Pursuant to the Municipal Act, notice with respect to the proposed enactment of the draft by-law was advertised in a daily newspaper on April 26 and 30 and May 7 and 14, 2001, and no one addressed the North Community Council.

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

(Report No. 4 – Clause No. 14)

4.20 Draft By-law – To Stop Up and Close for Vehicular Traffic a Portion of Spring Garden Avenue Immediately West of Kenneth Avenue, and to Authorize the Erection of Barricades to Enforce the Due Observance Thereof.

17
North Community Council Minutes
Wednesday, May 16, 2001

The North Community Council had before it a Draft By-law to stop up and close for vehicular traffic a portion of Spring Garden Avenue immediately west of Kenneth Avenue, and to authorize the erection of barricades to enforce the due observance thereof; and Clause No. 24 of the North Community Council Report No. 3, titled "Proposed Road Alteration and Stopping Up and Closing to Vehicular Traffic – Part of Spring Garden Avenue between Doris Avenue and Kenneth Avenue – Ward 23 - Willowdale, which was adopted, without amendment, by the Council of the City of Toronto at its regular meeting held on April 23, 24, 25, 26, 27, and its special meeting held on April 30, May 1 and 2, 2001.

Pursuant to the Municipal Act, notice with respect to the proposed enactment of the draft by-law was advertised in a daily newspaper on April 26 and 30 and May 7 and 14, 2001, and no one addressed the North Community Council.

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

(Report No. 4 – Clause No. 14)

4.21 Request for Exemption to the Sign By-Law – Variance for Off Premise Illuminated Roof Sign – 5927 Bathurst Street – Ward 10 – York Centre.

The North Community Council had before it a report (April 17, 2001) from the Director and Deputy Chief Building Official, Urban Development Services, reporting on a request from Sid Catalano, Director of Legislation, Pattison Outdoor Ltd., for a variance from the Sign By-law to permit the erection of a third party 200 sq. ft. double-faced illuminated roof sign at the above-noted location; and recommending that the request for a minor variance from the Sign By-law be refused.

Mr. Sid Catalano, Director of Legislation, Pattison Outdoor, appeared before the North Community Council in connection with the foregoing matter.

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

- (1) the report (April 17, 2001) from the Director and Deputy Chief Building Official, Urban Development Services, not be adopted; and

18
North Community Council Minutes
Wednesday, May 16, 2001

- (2) the request for a variance from the sign by-law to permit the erection of a third party illuminated sign on the roof of an existing building be approved with the provisions that the sign be single-sided, facing south, and that the sign illumination be turned off at 11:00 p.m.

After considering the item, Councillor Filion moved that the matter be re-opened for consideration.

A recorded vote on the motion moved by Councillor Filion, Ward 23 – Willowdale, that the matter be re-opened for reconsideration, was as follows:

FOR: Councillors Shiner, Filion

AGAINST: Councillors Sutherland, Li Preti, Feldman

ABSENT: Councillors Augimeri, Mammoliti

Lost.

(Report No. 4 – Clause No. 15)

Councillor Sutherland assumed the Chair.

4.22 Request for Exemption to the Sign By-Law – Variance for Proposed Roof Sign – 435 Limestone Crescent – Ward 8 – York West.

The North Community Council had before it a report (April 27, 2001) from the Director and Deputy Chief Building Official, Urban Development Services, reporting on a request for a variance from the sign by-law by Mr. Greg Ellis, Mediacom Inc., to permit the erection of an illuminated third party 10 foot by 23 foot billboard sign on the roof of an existing building, and recommending that the request for a minor variance from the sign by-law be refused.

Mr. Greg Ellis, Mediacom Inc. appeared before the North Community Council in connection with the foregoing matter.

On motion by Councillor Li Preti, Ward 8 – York West, the North Community Council recommended to City Council, the adoption of the foregoing report.

(Report No. 4 – Clause No. 16)

Councillor Li Preti resumed the Chair.

4.23 Request For Exemption to the Sign By-Law – Variance for Proposed Projecting Sign – Empress Walk – Ward 23 – Willowdale.

The North Community Council had before it a report (April 27, 2001) from the Director and Deputy Chief Building Official, Urban Development Services, reporting on a request for a variance from the sign by-law by Mr. Brian Sickle, Page and Steele Architects, to permit the erection of an illuminated “projecting sign”; and recommending that the request for a minor variance from the sign by-law be refused.

The North Community Council also had before it a communication (May 11, 2001) from Mr. Brian Sickle, Page and Steele Incorporated, representing the owners, requesting that the matter be deferred to the next Community Council meeting of June 13, 2001.

On motion by Councillor Filion, Ward 23 – Willowdale, the North Community Council deferred consideration of the foregoing report to its next meeting scheduled for June 13, 2001.

(Report No. 4 – Clause No. 23(f))

Councillor Feldman assumed the Chair.

4.24 Tree Removal Request – 48 Paulvale Avenue – Ward 8 – York West.

The North Community Council had before it a report (April 19, 2001) from the Commissioner of Economic Development, Culture and Tourism, reporting on an appeal to the North Community Council from the owner of 48 Paulvale Avenue, to permit the removal of a 28 cm White Ash tree from the boulevard fronting the house; and recommending that this request to remove the tree be denied.

On motion by Councillor Li Preti, Ward 8 – York West, the North Community Council deferred sine die, the foregoing report.

(Report No. 4 – Clause No. 23(g))

Councillor Li Preti resumed the Chair.

4.25 Request for Driveway Entrance Widening – 14 Oscar Court – Ward 24 – Willowdale.

The North Community Council had before it a report (April 18, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request to widen the driveway entrance to 14 Oscar Court, from 3.7 metres to 6.0 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. Jason Spetter, Lipman Zener & Waxman, appeared before the North Community Council in connection with the foregoing matter, on behalf of the applicant.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North Community Council deferred consideration of the foregoing report to its next meeting scheduled for June 13, 2001, to allow the Ward Councillor, the applicant, and appropriate City Officials an opportunity to conduct an on-site meeting with affected neighbours, in order to discuss the driveway entrance widening and the relocation of the fire hydrant.

(Report No. 4 – Clause No. 23(h))

4.26 Speed Limit on Finch Avenue, between Bayview Avenue and Don Mills Road – Ward 24 – Willowdale and Ward 33 – Don Valley East.

The North Community Council had before it a communication (April 30, 2001) from Councillor Disero, Chair, Works Committee, forwarding a communication (April 3, 2001) from Mr. S. Cass, Chair, Metro Toronto Condominium Corporation No. 661, representing five condominium corporation boards in the Finch/Don Mills area with respect to the reduction in the speed limit on Finch Avenue between Bayview Avenue and Don Mills Road; and requesting the North Community Council to hear depositions on this matter and to forward its recommendations to the Works Committee for its meeting on June 6, 2001.

The North Community Council also had before it a communication (May 14, 2001) from Mr. F.K. Deegan, M.D. outlining his objections to the reduced speed limit on Finch Avenue East and requesting that the current 50 km per hour speed limit be returned to 60 km per hour.

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

21
North Community Council Minutes
Wednesday, May 16, 2001

- Mr. Sam Cass, Chair, Metro Toronto Condominium Corporation No. 661, representing five condominium corporation boards in the Finch\Don Mills area;
- Mr. Samuel Wilkes, representing York Condominium Corporation No. 175; and
- Mr. Gino Cipollone.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North Community Council deferred consideration of the foregoing report for a maximum of two months (July 11, 2001) to allow an opportunity for community consultation meetings with the Ward Councillor, appropriate City Officials and appropriate staff within the Toronto Police Service, in order to address safety issues and the issue of speeding on Finch Avenue, between Bayview Avenue and Don Mills Road.

(Report No. 4 – Clause No. 23(i))

4.27 Rezoning and Site Plan Application – 1431266 Ontario Inc. - 1723 Finch Avenue West – Ward 8 – York West.

The North Community Council had before it a communication (May 1, 2001) from Mr. Rashmi Nathwani, Secretary, 1431266 Ontario Inc., requesting that this matter be placed on the North Community Council agenda for its meeting on May 16, 2001, with a request that the rezoning by-law for the subject property be placed before City Council for adoption at its meeting on May 30, 2001; further requesting that the requirement for the Undertaking be rescinded, at this stage, as the project has been marketed with purchasers and registered with the Ontario New Home Warranty Program as a condominium; and seeking the North Community Council's assistance in expediting the approval of the project and an early issuance of a foundation permit.

The North Community Council also had before it a communication (May 9, 2001) from Mr. Rashmi M. Nathwani, Secretary, 1431266 Ontario Inc. advising that the Site Plan Approval for the project has been received; that the Rezoning By-law will be sent directly to Council for adoption at its meeting later this month, and requesting that the matter be withdrawn from the Community Council agenda for the May 16, 2001 meeting.

The North Community Council withdrew the foregoing communication submitted by Mr. Rashmi M. Nathwani having regard that the request was subsequently withdrawn by Mr. Nathwani by letter dated May 9, 2001.

(Report No. 4 – Clause No. 23(j))

4.28 Traffic Calming Policy.

The North Community Council had before it a communication (March 28, 2001) from the City Clerk, advising that the Works Committee at its meeting on March 28, 2001, adopted the report (March 8, 2001) from the Commissioner of Works and Emergency Services, respecting a harmonized traffic calming policy for the City of Toronto and in so doing, adopted the following recommendations:

- (1) that this report be forwarded to all Community Councils for consideration, and that their comments on the proposed traffic calming policy be submitted to the Works Committee for consideration at its June 6, 2001 meeting; and
- (2) that this report be distributed to any interested residents and parties, including neighbourhood and business improvement associations in Toronto, as well as citizen advisory committees and advocate groups for transportation modes, such as the City's cycling and pedestrian committees, for comment; neighbourhood associations and business improvement associations are encouraged to provide comments to their respective Community Councils, while broad interest groups are encouraged to submit comments directly to the Works Committee.

A staff presentation was made by Mr. Allen Pinkerton, Manager, Traffic Operations, Transportation Services, District 3, Works and Emergency Services.

A. Councillor Feldman, Ward 10 – York Centre, moved that:

- (1) the following recommendation be referred to the Works Committee:

“that the report (March 8, 2001) from the Commissioner of Works and Emergency Services, respecting a harmonized traffic calming policy for the City of Toronto, be endorsed” and;
- (2) the Works Committee be requested to consider:
 - (a) how 25% of the households in support of the proposed traffic calming within a particular study area can be determined;

23
North Community Council Minutes
Wednesday, May 16, 2001

(b) how the validity of a petition can be confirmed;

- B. Councillor Shiner, Ward 24 – Willowdale, moved that the Works Committee be requested to consider the allocation of capital funding on a Community Council basis at the beginning of the year, with a further review after six months, to assess any re-allocation of unused funding.
- C. Councillor Sutherland, Ward 33 – Don Valley East, moved that the Works Committee be requested to explore the feasibility of expanding the “Watch Your Speed” Program involving the use of photo radar as a means of enforcing vehicle speeds by issuing speed violations electronically.

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

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

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

(Report No. 4 – Clause No. 23(k))

4.29. Settlement Report - Application to Amend the Official Plan and Zoning By-Law – UDOZ-00-43 – Baywood Homes Limited – 53, 57 & 59 Sheppard Avenue West – Ward 23 – Willowdale.

The North Community Council had before it a report (May 14, 2001) from the Director, Community Planning, North District, Urban Development Services, putting forward a settlement proposal with respect to an Ontario Municipal Board hearing and recommending that City Council:

- (1) Endorse the proposed settlement set out in this report.
- (2) Staff be directed to undertake a local area planning study for the lands along Sheppard Avenue West between Beecroft Road and the Don River West Branch and further, to schedule community consultation meetings in consultation with the Ward Councillor.

North Community Council Minutes
Wednesday, May 16, 2001

- (3) The City Solicitor be instructed to support the settlement proposal set out in this report at the Ontario Municipal Board Hearing.
- (4) Staff be instructed to prepare Official Plan and Zoning By-law Amendments which would permit the settlement proposal and the City Solicitor be authorized to present such amendments to the Ontario Municipal Board.
- (5) Prior to the issuance of the Board Order, the matters and requirements of City Officials set out in this report should be addressed to their satisfaction.

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

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

- (May 9, 2001) from Dr. Robert Rosenthal, in support of the proposed development; and
- (May 9, 2001) from Alex and Laurine Dyrow, in opposition to the proposed development in its present form.

Mr. Ronald Kanter, McDonald and Hayden Barristers and Solicitors, appeared before the North Community Council in connection with the foregoing matter, on behalf of the applicant.

A. Councillor Filion, Ward 23 - Willowdale, moved that the recommendations embodied in the report (May 14, 2001) from the Director, Community Planning, North District, Urban Development Services, be adopted, subject to the following amendments:

- (1) that Recommendation No. (1) be amended to read as follows:
 - “(1) endorse the proposed settlement set out in this report provided that the height of any building shall not exceed the horizontal distance separating the building from the rear property line (45 degree angular plane);”
- (2) that Recommendation Nos. (2), (3), (4) and (5), be deleted;
- (3) that a further Recommendation be added to read as follows:

“that the City Solicitor be authorized to retain outside consultants if necessary to defend Council’s position at the Ontario Municipal Board.”

- B. Councillor Sutherland, Ward 33 – Don Valley East, moved that the report (May 14, 2001) from the Director, Community Planning, North District, Urban Development Services, be adopted.

A recorded vote on Motion A., moved by Councillor Filion, was as follows:

FOR: Councillor Filion
AGAINST: Councillors Sutherland, Feldman, Li Preti
ABSENT: Councillors Shiner, Augimeri, Mammoliti

Lost.

A recorded vote on Motion B., moved by Councillor Sutherland, was as follows:

FOR: Councillors Sutherland, Feldman, Li Preti
AGAINST: Councillor Filion
ABSENT: Councillors Shiner, Augimeri, Mammoliti

Carried.

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

(Report No. 4 – Clause No. 17)

4.30 Final Report – Application to Amend the Official Plan and Zoning By-Law 7625 – UDOZ 00-21 and UDSP 00-127 – Brown Dryer Karol for Elm Bayview Residences Limited – 3336 – 3340 Bayview Avenue – Ward 24 – Willowdale.

The North Community Council had before it a report (April 15, 2001) from the Director, Community Planning, North District, Urban Development Services, reporting on an

26
North Community Council Minutes
Wednesday, May 16, 2001

application to amend the Official Plan and the Zoning By-law for a townhouse development located at 3336, 3338, and 3340 Bayview Avenue; 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 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 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) Before introducing the necessary Zoning Bill to City Council for enactment, the applicant is required to obtain Site Plan approval under Section 41 of the Planning Act.

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

- (April 20, 2001) 34 identical submissions signed by the following area residents, H. Y. Kim; D. Bonat; I. Isham; X. Christinseve; J. Park; W. Lee; V. Govnakos; Lidia Labatte; G. Aleood; N. & L. Kaski; J. Angus; M. Shermaraj; L.G. Snook; N. Rahnamaei/Rafiee; K. Kwon; A. Caniellier and D. Bonato; M. Christensen; M. Lee; M. Gagliaridi; D. Edwards; D. Clarke; A. Goldfarb; Y. Paark; J. Made & A. Yan; Nardy; Mrs. Amini; P. Chien; Oscar; Y. Jeff; I. Brand; P. Farkas; A. Weltner & K. Weltner; Rojo; and D. Jaellef; outlining their opposition to the proposed development, and in particular, the proposed density and the proposed location of the complex's only driveway situated on Cummer Avenue, copies of which are on file in the Office of the City Clerk, North York Civic Centre.

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

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

- Mr. Adam Brown, Solicitor, of the law firm of Brown Dryer Karol, who spoke on behalf of the applicant, and gave a brief overview of the history and the merits

North Community Council Minutes
Wednesday, May 16, 2001

of the application. During his submission he indicated that the applicant is now proposing 12 units, with the access now on Cummer Avenue instead of Bayview Avenue. He further advised that the plan has been revised to bring the buildings closer to the street and thereby provide a greater rear yard set-back, adding that extensive landscaping is also proposed. He further added that at the public consultation meetings, none of the adjacent residents had expressed opposition to the proposal. With respect to the parking, he advised that parking will be provided at the back of the property, with access via a private lane off Cummer Avenue. In closing he pointed out that the proposal makes use of an existing infrastructure and urged the North Community Council to adopt the staff recommendations;

- Mr. Alasdair Robertson, on behalf of the Bayview-Cummer Ratepayers Association who expressed concerns regarding the application; particularly with respect to the Traffic Department's assessment of the traffic and the Cummer Avenue access and the traffic congestion on Bayview Avenue. In addition he outlined the problems regarding the existing school site, where considerable traffic is created by parents dropping off and picking up children attending the school and expressed the concern that the distance between the school driveway and the entrance to the development is too short. With respect to the building, he expressed concern regarding the proposed height. In concluding he requested that the decision regarding the development be deferred in order to allow further community consultation so that both the needs of the community and those of the developer can be achieved; and in the event the deferral request is not granted, that the application be recommended for refusal;
- Ms. Jan Morrissey, spoke on behalf of Lester B. Pearson School and the parents within the community, and she requested a deferral of the application. During her submission she indicated that a further community consultation meeting is needed in order to allow the residents and the applicant an opportunity to address the concerns of the residents. She further commented on the traffic congestion at Bayview and Cummer; the proposed height and density of the development; and the safety of the children attending Lester B. Pearson School. She concluded by requesting the North Community Council to grant the deferral and hopefully when the matter comes back it will be for an agreed upon proposal by the residents and the applicant.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North Community Council deferred consideration of the foregoing report to its next meeting scheduled for June 13, 2001, for a continuation of the Statutory Public meeting to be held at

4:00 p.m. on that date; and that notice be provided to those individuals that attended the May 16, 2001 meeting of the North Community Council.

(Report No. 4 – Clause No. 23(1))

4.31 Final Report – Application for Official Plan and Zoning By-Law Amendments – TB CMB 2000 0002 – Menkes 5000 Yonge Developments Inc. – 5000 Yonge Street – Ward 23 – Willowdale.

As directed by the North Community Council at its meeting on January 17, 2001, appropriate notice of this statutory public meeting was given as directed and in accordance with the Planning Act and the regulations thereunder.

The North Community Council had before it a report (April 30, 2001) from the Director, Community Planning, North District, Urban Development Services, reporting on an Official Plan and Rezoning Application to permit an increase in the amount of residential uses, to retain permission for commercial uses and to amend development standards; 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 for the former City of North York as outlined in the draft Zoning By-law Amendment, under Section 37 of the Planning Act, attached as Attachment No.6.
- (3) Authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.
- (4) Before introducing the necessary Bills to amend the Zoning By-law to Council for enactment, the Master Site Plan Agreement Instrument No. E131673 registered on be amended by deleting the five Demonstration Plans and adding the site plan as shown in Attachment 1 and by deleting the urban design guidelines and adding the Development Principles as indicated in Attachment 7, and the execution of the Section 37 Agreement.

North Community Council Minutes
Wednesday, May 16, 2001

- (5) Before introducing the necessary Bills to amend the Zoning By-law to Council for enactment the matters noted in Section B of this report must be approved by the appropriate City official.

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

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

- (May 4, 2001) from Mr. Bill Burak, Property Manager, Board of Directors, Manhattan Place, indicating that the proposed development will have an adverse effect on the residents of the building and requesting that the meeting be rescheduled to 7:00 p.m.;
- (May 7, 2001) from Hans Lee, expressing concerns with the proposed development especially with respect to increased congestion in the area and suggesting that the subject lands be converted into an environmentally friendly park;
- (May 7, 2001) from Mr. Robert Armitage, President, Professional Court Reporters Inc., expressing concern over the availability of public parking for the operation of businesses in the vicinity relying heavily on vehicular traffic;
- (May 11, 2001) from Mark Obaldeston, Stikeman Elliott Barristers and Solicitors on behalf of 2748355 Canada Inc., owner of the Madison Centre located at 4950 Yonge Street, requesting that the policies requiring an underground pedestrian connection between 5000 Yonge Street and the Madison Centre be included in the Official Plan Amendment and reflected through requirements in the implementing zoning by-law and site plan agreement for 5000 Yonge Street;
- (May 15, 2001) from Mr. Tim Park, Supervisor, Land Acquisition and Development Applications, Economic Development, Culture and Tourism, providing further comments as an addendum to their previous comments and recommending that prior to the issuance of the first building permit, the applicant provide an irrevocable letter of credit as a security for an off-site parkland dedication requirement; that the amount of the letter of credit will be determined by the Real Estate Services Section of Corporate Services prior to the issuance of the first building permit; that the City will hold the letter of credit until an appropriate location for an off-site parkland dedication can be identified and acquired; and that the location of the off-site parkland dedication shall be at the

30
North Community Council Minutes
Wednesday, May 16, 2001

discretion of and determined by the Commissioner of Economic Development, Culture and Tourism in consultation with the local Councillor;

- (May 16, 2001) from Mr. Ronald M. Kanter, McDonald & Hayden Barristers and Solicitors on behalf of MTCC 595 (Manhattan Place), expressing concerns with regard to the density, the number of units, traffic and parking, road configuration, the massing of Building “C”; the process; and requesting that the North Community Council adopt a motion that the application be deferred to the next meeting of North Community Council, to allow an opportunity for the applicant to meet with MTCC 595 and address their concerns;
- (May 11, 2001) from Mr. J. Dennis Dunlop, expressing concern regarding the time of the public meeting and requesting that the meeting be held after 6:00 p.m.; and
- (May 16, 2001) from Susan Singer, expressing her objections to the proposal to build six highrise buildings and three townhouses on the current parking lot, and commenting on the inconvenient time for the public meeting.

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

- Mr. Adam Brown, Solicitor, of the law firm of Brown Dryer Karol, on behalf of the applicant, who spoke on the merits of the application. During his submission he indicated that this development if approved, would allow the first office building within the North York Civic Centre over the past ten years and that the entire proposal provides for high-profile street-related uses along Yonge Street. He further added that the Master Site Plan provides for landscaping along Yonge Street as well as an active public open space area. Insofar as the residents’ concerns regarding views was concerned, he indicated that those issues were fought and dealt with a long time ago. He also stated that the applicant now has a proposal that implements the existing zoning envelope; one which has been carefully designed and developed and is worthy of receiving the approval of the North Community Council. He concluded by requesting that the staff recommendations be adopted.
- Mr. Mark Osbaldeston, Stikeman Elliott, who spoke on behalf of Beutel Goodman Real Estate Group, the owners of Madison Centre located at 4950 Yonge Street. During his submission he indicated that in accordance with the North York Official Plan policy, the Madison Centre was constructed with an

underground concourse designed to permit interconnection with adjacent development and with the subway. The staff report on the proposed Official Plan Amendment and rezoning recommends the requirement of an underground connection northward from the proposed commercial building, however further linkage of the proposed residential buildings to the south is left discretionary. This, in his opinion, is inappropriate and any development of 5000 Yonge Street should provide for an integrated underground pedestrian to connect to the existing Madison Centre walkway and underground concourse as planned. He concluded by requesting that the provision of a pedestrian underground connection from the commercial building southward to the Madison Centre be made a requirement of this development.

- Mr. Chris Holtved, Beutel Goodman Real Estate Group on behalf of the Madison Centre, commented on the need for the connection and advised that the Madison Centre spent approximately one quarter of a million dollars to provide the underground connection in their building for future connections to this development. He further indicated that the requirement for this connection is positive from a planning perspective and would be in accordance with the Public Pedestrian Passageway Agreement between the predecessor in title to the current owner of the site and the Corporation of the City of North York, which agreement is registered on title.

- Mr. Ronald Kanter of McDonald & Hayden, Barristers and Solicitors, on behalf of Metro Toronto Condominium Corporation No. 595, Manhattan Place, commented that the development is huge in terms of the number of units and the density, which is on a scale of 4.5 times coverage. He advised that his clients were concerned about the impact this project will have on their lives and residences. He further commented that his clients had five issues to be addressed and a concern regarding the process, which he felt was being rushed. In addition he pointed out that from his client's perspective, the original plan has changed substantially, particularly with respect to the east-west road. He then advised that the development is going to have a major impact on the area, particularly with respect to noise pollution, traffic and lack of parking. He further advised that four major access or driveways next to each other on Beecroft Road is not reasonable; and the location of the road is inconsistent with the original zoning by-law. In concluding he requested that the matter be deferred in order to allow an opportunity to meet with the applicant to discuss their concerns and to resolve their issues.

32
North Community Council Minutes
Wednesday, May 16, 2001

- Ms. Marion Lick, President, Willowdale Central Ratepayers Association, who advised that she is in agreement with the previous comments made regarding the importance of the underground pedestrian connection. She then expressed concern regarding the road and the need to preserve the trees currently on the property;
 - Mr. Vladimir Raff of the Toronto Cycling Committee, who expressed his opposition to the development. During his submission he expressed concern with respect to the view of the Performing Arts Centre being obscured and increase in traffic congestion. He also commented on the trees on the property and requested that they be preserved and additional trees be planted. He further commented on the increased density and expressed a safety concern with respect to the number of tall buildings in one area, in the event of an earthquake or other disaster; and
 - Ms. Susan Singer who expressed her opposition to the development and the concern that the height of the proposed buildings would deprive the neighbouring condominium of sunlight and the pleasant view that is now enjoyed. Loss of property values was also of concern. In concluding she requested that the current plan be rejected and that a subsequent meeting be called for 7:30 p.m. to allow more people to participate.
- A. Councillor Filion, Ward 23 - Willowdale, moved that the application be deferred for one month to allow the Planning staff to engage in a consultation process with the community, similar to what has already existed with the applicant; and that the Commissioner of Urban Development Services and the Commissioner of Community Services submit a report to the North Community Council on the desirability of requiring that the conversion from commercial to residential be conditional on an appropriate portion of the residential buildings be affordable/assisted housing for seniors.

A recorded vote on Motion A., moved by Councillor Filion was as follows:

FOR: Councillors Sutherland, Filion

AGAINST: Councillors Shiner, Li Preti, Feldman

ABSENT: Councillors Augimeri, Mammoliti

Lost.

North Community Council Minutes
Wednesday, May 16, 2001

- B. Councillor Feldman, Ward 10 – York Centre, moved that the North Community Council, after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the foregoing report (April 30, 2001) from the Director, Community Planning, North District, Urban Development Services, and for the reasons that the proposal is an appropriate use of lands, recommend to City Council that the application submitted by Menkes 5000 Yonge Development Limited regarding Official Plan and Zoning Amendment and Site Plan Approval Application Nos. TB CMB 2000 0002 and TB SPC 2000 0005 be approved, subject to the conditions outlined in the aforementioned report.
- C. Councillor Filion, Ward 23 – Willowdale, moved that the Commissioner of Urban Development Services and the Commissioner of Community Services submit a report directly to City Council for its meeting scheduled for May 30, 2001, on the desirability of requiring that the conversion from commercial to residential be conditional on an appropriate portion of the residential buildings being affordable/assisted housing for seniors.
- D. Councillor Shiner, Ward 24 – Willowdale, moved that:
- (1) the requirements of the Economic Development, Culture & Tourism, embodied in the communication (May 15, 2001) from the Supervisor, Land Acquisitions and Development Applications, Policy and Development Division, be amended by deleting the following words contained in the last line, “The location of the off-site parkland dedication shall be at the discretion of and determined by the Commissioner of Economic Development, Culture and Tourism, in consultation with the local Councillor” and inserting in lieu thereof, the following:

“The location of the off-site parkland dedication shall be considered by the Commissioner of Economic Development, Culture and Tourism in consultation with the Ward Councillor, and a report thereon shall be submitted to the North Community Council for adoption”; and
 - (2) an underground pedestrian connection between the retail component of 5000 Yonge Street and 4950 Yonge Street be provided; and the Commissioner of Urban Development Services be requested to submit a report directly to City Council for its meeting scheduled for May 30,

34
North Community Council Minutes
Wednesday, May 16, 2001

2001 on how the provision of an underground pedestrian connection between the retail component of 5000 Yonge Street and 4950 Yonge Street can be achieved.

- (3) a further community consultation meeting be held with Planning Staff, the applicant, the Ward Councillor and interested persons, prior to the Council meeting scheduled for May 30, 2001, in order to address the issues that are of concern to the area residents.

A recorded vote on Recommendation (1) of Motion D., moved by Councillor Shiner, was as follows:

FOR: Councillors Sutherland, Shiner, Feldman

AGAINST: Councillors Filion, Li Preti

ABSENT: Councillors Augimeri, Mammoliti

Carried.

Upon the question of the adoption of Recommendation (2) of Motion D., moved by Councillor Shiner, it was carried.

Upon the question of the adoption of Recommendation (3) of Motion D., moved by Councillor Shiner, it was carried.

A recorded vote on Motion C., moved by Councillor Filion was as follows:

FOR: Councillor Filion

AGAINST: Councillors Sutherland, Shiner, Li Preti, Feldman

ABSENT: Councillors Augimeri, Mammoliti

Lost.

A recorded vote on Motion B., moved by Councillor Feldman, as amended by Motion D., moved by Councillor Shiner, was as follows:

FOR: Councillors Sutherland, Shiner, Li Preti, Feldman

AGAINST: Councillor Filion

ABSENT: Councillors Augimeri, Mammoliti

Carried.

(Report No. 4 – Clause No. 18)

4.32 Boulevard Leasing Application – 5095 Yonge Street, Unit A13 – Ward 23 – Willowdale.

The North Community Council had before it a report (May 4, 2001) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, reporting on an application from Naylor Architect Inc. on behalf of The Spectra Group of Great Restaurants Inc., operating as “Milestone’s Grill and Bar”, to lease a portion of the municipal boulevard for the purpose of an outdoor boulevard patio at 5095 Yonge Street and recommending that this application to lease a portion of the boulevard located on the East Side of Yonge Street between Hillcrest Avenue and Empress Avenue for the purposes of a patio be approved subject to the following conditions:

- (1) that the height of the required railings be 1070 millimetres (42 inches) and that all fastenings for the railings be temporary;
- (2) that the railings be installed no greater than 1.5 metres (5 feet) from the property line;
- (3) all railings be removed and the surface cleared no later than October 31st, 2001;
- (4) a minimum clearance of 2.4 metres (8 feet) be maintained between the planters and the railings;
- (5) that the maximum size of the patio is not to exceed total area of 17.77 square metres or 191.25 square feet;
- (6) that proof of insurance for the period is provided and the leasing fee of \$632.00 is paid in full prior to the issuance of the license. The formula for the fee calculation is 91.25 square feet X (\$7.70/square foot + 3%) X 5months/12months-\$632.00; and

- (7) the lease period be approved for five months between June 1st and October 31st, 2001.

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

(Report No. 4 – Clause No. 19)

4.33 Special Occasion Permit - Metro International Caravan Event, June 15-23, 2001 – Ward 23 – Willowdale.

The North Community Council had before it the following motion (undated) submitted by Councillor M. Feldman, Ward 10 – York Centre:

“WHEREAS the Metro International Caravan is an important multicultural festival activity within the City of Toronto; and

WHEREAS the Metro International Caravan is an enriching event that provides the community with many opportunities for cultural retention and sharing; and

WHEREAS the Metro International Caravan is seeking, on behalf of its participating pavilions, special occasion permits under the Community Festival section of the Ontario Liquor Licence Act; and

WHEREAS pursuant to Section 40 of the Regulations of the Ontario Liquor Licence Act, an application for a special occasion permit for an event that is a community festival must be accompanied by a Resolution approving an event as a community festival made by the local Council for the Municipality in which the event is to occur;

NOW THEREFORE BE IT RESOLVED THAT the Council of City of Toronto deem the Metro International Caravan event to be a community festival;

AND BE IT FURTHER RESOLVED THAT City Council grant prior approval to declare the Metro International Caravan event a community festival for the year 2001”.

On motion by Councillor Feldman, Ward 10 – York Centre, the North Community Council recommended to City Council, the adoption of the foregoing Resolution.

(Report No. 4 – Clause No. 20)

Councillor Feldman assumed the Chair.

4.34 Special Occasion Beer Garden Permit Request – Community Event – Latin American Foundation – John Booth Arena/Elm Park – July 14 and 15, 2001 – Ward 8 – York West.

The North Community Council had before it a communication (May 3, 2001) from Mr. Leon Vasquez, requesting permission for a beer garden for the festival of the Latin American Foundation to be held on July 14 and 15, 2001 at the John Booth Arena and Elm Park.

On motion by Councillor Li Preti, Ward 8 – York West, the North Community Council recommended to City Council, that City Council, for liquor licensing purposes, declare the Festival of the Latin American Foundation to be held on July 14 and 15, 2001 at the John Booth Arena/Elm Park, to be an event of municipal and/or community significance; that it has no objection to the event taking place and that the Alcohol and Gaming Commission of Ontario be so advised.

(Report No. 4 – Clause No. 21)

Councillor Li Preti resumed the Chair.

4.35 All Way Stop Control – Roding Street at Nash Drive – Ward 9 – York Centre.

The North Community Council had before it a report (May 10, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, providing authority to install an all way stop control at the intersection of Roding Street and Nash Drive; and recommending that Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on all approaches to the intersection of Roding Street and Nash Drive.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North Community Council recommended to City Council, the adoption of the foregoing report.

38
North Community Council Minutes
Wednesday, May 16, 2001

(Report No. 4 – Clause No. 22)

Adjournment:

The North Community Council adjourned its meeting at 5:45 p.m, Wednesday, May 16, 2001.

Chair.