

**THE CITY OF TORONTO**

**City Clerk's Division**

**Minutes of the North Community Council**

**Meeting No. 7**

**Wednesday, July 11, 2001.**

The North Community Council met on Wednesday, July 11 2001, in the Council Chamber, North York Civic Centre, commencing at 10:10 a.m.

**Attendance:**

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

	10:10 a.m. to 12:30 p.m.	2:00 p.m. to 5:15 p.m.
Councillor Li Preti, Chair	x	x
Councillor Augimeri	x	x
Councillor Filion	x	x
Councillor Feldman		
Councillor Mammoliti	x	x
Councillor Shiner		
Councillor Sutherland	x	x

**Declarations of Interest:**

Councillor	Minute #	Reason for Declaration
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Councillor Li Preti, Ward 8 – York West	6.31	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 Li Preti, Ward 8 – York West	6.34	In that the subject location is his principle residence.

**Confirmation of Minutes:**

On motion by Councillor Sutherland, Ward 33 – Don Valley East, the minutes of the meeting of the North Community Council held on June 13, 2001, were confirmed.

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**6.1 Special Occasion Permit – Community Event – St. Roch’s Church – Feast of Our Patron St. Roch Celebration on Sunday, August 12, 2001, – 2:00 p.m. to 11:30 p.m.**

The North York Community Council had before it a joint communication (June 11, 2001) from the Reverend Mario Cafarelli, Pastor, St. Roch’s Church and Mr. Sam Valana, Chairman, Entertainment Committee, St. Roch’s Church, requesting that the Community Council, for liquor licensing purposes, declare the Feast of our Patron St. Roch Celebration, to be held on Sunday, August 12, 2001 – 2:00 p.m. to 11:30 p.m., at the St. Roch’s Church and school grounds, to be an event of municipal and/or community significance.

The North York Community Council recommended to City Council, that Council, for liquor licensing purposes, declare the Feast of our Patron St. Roch Celebration at St. Roch’s Church being held on August 12, 2001, 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. 6 – Clause No. 1)**

**6.2 Sale of Surplus Vacant Land – South Side of Searle Avenue, West of Wilson Heights Boulevard – Ward 10 – York Centre.**

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The North York Community Council had before it a report (June 22, 2001) from the Commissioner of Corporate Services, requesting authorization for the disposal of surplus vacant land located on the south side of Searle Avenue, west of Wilson Heights Boulevard, and recommending that:

- (1) the Offer to Purchase from Anthony Leonardis and Stephanie Leonardis to purchase the City-owned property located on the south side of Searle Avenue, west of Wilson Heights Boulevard, in the amount of \$42,250.00, 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. RE3010;
- (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 York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 6 – Clause No. 2)**

**6.3 Disposition of Surplus Vacant Land – Northwest Corner of Wilson Heights Boulevard and Waterloo Avenue.**

The North York Community Council had before it a report (June 28, 2001) from the Commissioner of Corporate Services, reporting on offers received for the sale of surplus vacant land located at the northwest corner of Wilson Heights Boulevard and Waterloo Avenue; and recommending that:

- (1) the Commissioner of Corporate Services be directed to provide the three prospective purchasers one further opportunity to submit their highest and best replacement offer by 12:00 noon on July 18, 2001 and to report directly to Council for its meeting scheduled on July 24, 2001; 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. 6 – Clause No. 3)**

**6.4 Request for Exemption to Noise By-law No. 31317 – City of Toronto, Works and Emergency Services, Engineering Services, District 3 - Pavement Resurfacing of Sheppard Avenue West from Bathurst Street to Senlac Road – Ward 23 – Willowdale and Ward 10 – York Centre.**

The North York Community Council had before it a report (May 29, 2001) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, reporting on an application by Works and Emergency Services, Engineering Services, District 3, for an exemption to Noise By-law No. 31317 in order to complete the pavement resurfacing of Sheppard Avenue West from Bathurst Street to Senlac Road by September 2001, by working two weekends between June 18, 2001 and September 30, 2001; and recommending that in view of the responsible management of the construction activities in the past, that the application be approved.

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

- (June 27, 2001) from Senior Project Engineer, Technical Services, District 3, Works and Emergency Services, providing a list of tentative dates for weekend grinding and paving operations for resurfacing projects in the major (traffic signal controlled) intersections;
- (July 9, 2001) from the Director, Engineering Services, District 3 and 4, Works and Emergency Services, requesting that the aforementioned report be withdrawn;
- (July 10, 2001) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, requesting that the aforementioned report be withdrawn since Works and Emergency Services (applicant) do not wish to pursue the exemption for this project at this time.

The North York Community Council withdrew the foregoing report at the request of the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, having regard that the applicant does not wish to pursue the exemption for this project at this time.

**(Report No. 6 – Clause No. 26(a))**

**6.5 Request for Exemption to Noise By-law No. 31317 – City of Toronto, Works and Emergency Services, Engineering Services, District 3 – Yonge Street (East Side) Widening, South of Avondale Avenue under Contract No. 01D3-03RD – Ward 23 – Willowdale.**

The North York Community Council had before it a report (June 28, 2001) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, reporting on a request for an exemption to the former City of North York's Noise By-law No. 31317 by Works and Emergency Services, Engineering Services, District 3, so that the east side of Yonge Street can be widened from the eastbound exit ramp of the Highway 401 to Franklin Avenue and allowing the project to be completed by November 9, 2001, by extending the operation of construction equipment for one weekend between 7:00 p.m. Friday, September 7, 2001 and 7:00 p.m. Sunday, September 9, 2001, and recommending that this report be received for information.

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

- (July 9, 2001) from the Director, Engineering Services, District 3 and 4, Works and Emergency Services, requesting that the aforementioned report be withdrawn; and
- (July 10, 2001) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, requesting that the aforementioned report be withdrawn since Works and Emergency Services (applicant) do not wish to pursue the exemption for this project at this time.

The North York Community Council withdrew the foregoing report at the request of the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, having regard that the applicant does not wish to pursue the exemption for this project at this time.

**(Report No. 6 – Clause No. 26(b))****6.6 Boulevard Leasing Application – 4910 Yonge Street – Ward 23 – Willowdale.**

The North York Community Council had before it a report (June 19, 2001) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, reporting on an application from Saeed Khalili on behalf of Millenium Investment Group (Canada) Inc., operating as “Pizzaville” to lease a portion of the municipal boulevard for the purpose of an outdoor boulevard patio at 4910 Yonge Street, and recommending that this application to lease a portion of the boulevard located on the West Side of Yonge Street between Burndale Avenue and Upper Madison 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 less than .60 metres (24 inches) behind the municipal sidewalk ,
- (3) all railings be removed and the surface cleared no later than November 7<sup>th</sup>, 2001,
- (4) that the maximum size of the patio is not to exceed total area of 34.57 square metres or 372.10 square feet,
- (5) that proof of insurance for the period is provided and the leasing fee of \$737.78 is paid in full prior to the issuance of the license. The formula for the fee calculation is  $372.10 \text{ square feet} \times (\$7.70/\text{square foot} + 3\%) \times 3\text{months}/12\text{months} = \$737.78$
- (6) the lease period be approved for four months between July 26<sup>th</sup> and October 31<sup>st</sup>, 2001,
- (7) in the event noise complaints are received, the operator of the restaurant implement noise mitigation measures and control any activity creating excessive noise.

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

**(Report No. 6 – Clause No. 4)****6.7 Boulevard Leasing Application – 4841 Yonge Street – Ward 23 – Willowdale.**

The North York Community Council had before it a report (June 19, 2001) from the North

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District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, reporting on an application involving the Sheppard Centre from Bill Argiropoulos, on behalf of "The Plantation Coffee and Tea Company" to lease a portion of the municipal boulevard for the purpose of an outdoor boulevard patio at 4841 Yonge Street, and recommending that this application to lease a portion of the boulevard located on the East Side of Yonge Street between Sheppard Avenue and Greenfield 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 .8 metres ( 2.6 feet ) from the property line,
- (3) all railings be removed and the surface cleared no later than November 7<sup>th</sup> , 2001,
- (4) a minimum clearance of 2.4 metres ( 8.0 feet ) be maintained between the proposed railings and the planter boxes at all times,
- (5) that the maximum size of the patio is not to exceed total area of 20.14 square metres or 216.75 square feet,
- (6) that proof of insurance for the period is provided and the leasing fee of \$429.76 is paid in full prior to the issuance of the license. The formula for the fee calculation is 216.75 square feet X (\$7.70/square foot + 3%) X 3months/12months= \$429.76
- (7) the lease period be approved for four months between July 26<sup>th</sup> and October 31<sup>st</sup>, 2001,
- (8) in the event noise complaints are received, the operator of the restaurant implement noise mitigation measures and control any activity creating excessive noise.

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

**(Report No. 6 – Clause No. 5)**

**6.8 Parking Prohibitions – Pelican Gate – Ward 7 – York West.**

The North York Community Council had before it a report (June 26, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the current parking prohibitions on Pelican Gate; and recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to install "No Parking Anytime" prohibitions on the east side of Pelican Gate, from the

southerly limit of Finch Avenue West to northerly limit of Blaney Crescent.

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

**(Report No. 6 – Clause No. 6)**

**6.9 Parking Prohibitions – Lanyard Road – Ward 7 – York West.**

The North York Community Council had before it a report (June 26, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the current parking prohibitions on Lanyard Road; and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the "No Parking Anytime" prohibitions on the south side of Lanyard Road, from the westerly limit of Weston Road to the easterly limit of Windhill Crescent; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to install "No Parking Anytime" prohibitions on the south side of Lanyard Road, from the westerly limit of Weston Road to point 41 metres west of the westerly limit of Windhill Crescent.

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

**(Report No. 6 – Clause No. 7)**

**6.10 Northbound Right Turn Lane Designation – Arrow Road at Finch Avenue West – Ward 7 – York West.**

The North York Community Council had before it a report (June 26, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, recommending that:

- (1) the northbound curb lane on Arrow Road, between Finch Avenue West and a



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point 30.5 metres southerly thereof, be designated for right turning vehicles only, buses excepted; and

- (2) the appropriate by-law(s) be amended accordingly.

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

**(Report No. 6 – Clause No. 8)**

**6.11 Parking Prohibitions – Limestone Crescent – Ward 8 – York West.**

The North York Community Council had before it a report (June 26, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the current parking restrictions on the south side of Limestone Crescent; and recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on south side of Limestone Crescent, from the easterly limit of Petrolia Road to a point 100.5 metres easterly thereof.

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

**(Report No. 6 – Clause No. 9)**

**6.12 Parking Prohibitions – Yellowstone Street – Ward 8 – York West.**

The North York Community Council had before it a report (June 21, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the current parking prohibitions on Yellowstone Street; and recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on east/south side of Yellowstone Street, from westerly limit of Topcliff Avenue (east leg) to the easterly limit Topcliff Avenue (west leg).

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

**(Report No. 6 – Clause No. 10)**

**6.13 Intersection Improvements – Avondale Development – Yonge Street at Avondale Avenue/Florence Avenue – Ward 23 – Willowdale.**

The North York Community Council had before it a report (June 26, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on controlling and restricting the flow of pedestrian and vehicle traffic within the Yonge Street/Avondale Avenue/Florence Avenue intersection; and recommending that:

- (1) pedestrian crossing be prohibited on Yonge Street, within the north side crosswalk of Avondale Avenue/Florence Avenue intersection;
- (2) the northbound curb lane on Yonge Street at Avondale Avenue be designated for right turning vehicles only, buses excepted, between Avondale Avenue/Florence Avenue and a point 30.5 metres southerly thereof;
- (3) the westbound curb lane on Avondale Avenue be designated as a shared left and right turning lane only, between Yonge Street and a point 30.5 metres east of Yonge Street;
- (4) the westbound left turn storage lane be designated for left turning vehicles only, between Yonge Street and a point 30.5 metres east of Yonge Street;
- (5) the eastbound curb lane on Florence Avenue be designated for right turning vehicles only, between Yonge Street and a point 30.5 metres west of Yonge Street;
- (6) the eastbound left turn storage lane be designated for left turning vehicles only, between Yonge Street and a point 30.5 metres west of Yonge Street;
- (7) westbound through vehicles be prohibited at Yonge Street, from Avondale Avenue to Florence Avenue;
- (8) eastbound through vehicles be prohibited at Yonge Street, from Florence Avenue to Avondale Avenue; and
- (9) 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. 6 – Clause No. 11)**

**6.14 Proposed Turn Restrictions – Finch Avenue West at Muirkirk Road and Yorkview Drive at Muirkirk Road – Ward 23 – Willowdale.**

The North York Community Council had before it a report (June 21, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on prohibiting westbound left turns from Finch Avenue West and eastbound left turns from Yorkview Drive to Muirkirk Road; and recommending that:

- (1) Schedule XV, of the former Municipality of Metropolitan Toronto By-law No. 32-92, be amended to prohibit westbound left turns from Finch Avenue West to Muirkirk Road, between 7:00 a.m. and 9:00 a.m., Monday to Friday;
- (2) Schedule XV, of the former City of North York By-law, No. 31001, be amended to prohibit eastbound left turns from Yorkview Drive to Muirkirk Road, between 4:00 p.m. and 6:00 p.m., Monday to Friday; 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. 6 – Clause No. 12)**

**6.15 Stopping Prohibitions – Old Leslie Street – Ward 24 – Willowdale.**

The North York Community Council had before it a report (June 21, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on installing stopping restrictions on both sides of Old Leslie Street; and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the parking prohibitions on both sides of Old Leslie Street, from the southerly limit of Sheppard Avenue East to the southerly limit of Old Leslie Street; and
- (2) Schedule IX of By-law No. 31001, of the former City of North York, be amended

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to prohibit stopping at anytime on both sides of Old Leslie Street, from the northerly limit of Sheppard Avenue East to the westerly limit of Leslie Street.

The North York Community Council also had before it a communication (July 5, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, requesting that the aforementioned report be withdrawn since there are a few more technical issues to be resolved before the matter can be debated at Community Council.

The North York Community Council withdrew the foregoing report at the request of the Director, Transportation Services, District 3, Works and Emergency Services.

**(Report No. 6 – Clause No. 26(c))**

**6.16 All Way Stop Control/Pedestrian Crossover – Van Horne Avenue at Lucifer Drive – Ward 33 – Don Valley East.**

The North York Community Council had before it a report (June 26, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on replacing the existing Pedestrian Crossover (PXO) with an all way stop control at the intersection of Van Horne Avenue and Lucifer Drive; and recommending that:

- (1) Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop at all approaches to the intersection of Van Horne Avenue and Lucifer Drive;
- (2) Schedule A of By-law No. 30518, of the former City of North York, be amended to delete the Pedestrian Crossover on Van Horne Avenue, immediately east of Lucifer Drive; and
- (3) removal of the Pedestrian Crossover be coincidental with the installation of the all way stop control.

On motion by Councillor Sutherland, Ward 33 – Don Valley East, the North York Community Council recommended to City Council, the adoption of the report (June 26, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, subject to:

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

“(3) removal of the Pedestrian Crossover be coincidental with the

installation of the all way stop control, the installation of which should be in consultation with the Ward Councillor.”

**(Report No. 6 – Clause No. 13)**

**6.17 Traffic Calming Measures – Gracedale Boulevard between Crimscott Road and Goldsboro Road – Ward 7 – York West.**

The North York Community Council had before it a report (June 26, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, responding to a request from Councillor George Mammoliti, on behalf of residents of Gracedale Boulevard and representatives of the Gracedale Public School, to report on the feasibility of installing traffic calming measures (speed humps) on Gracedale Boulevard, between Crimscott Road and Goldsboro Road; and recommending that:

- (1) authority be given by North York Community Council to immediately advertise the proposed alterations pursuant to the Municipal Act and Municipal Class Environmental Assessment Act for the alterations of sections of Gracedale Boulevard, between Crimscott Road and Goldsboro Road, so that deputations can be held at the September 13, North York Community Council meeting;
- (2) pursuant to the requirements of Schedule B of the Municipal Class Environmental Assessment Act which have been recently enacted as Provincial Legislation, notice of study commencement be given to the Ministry of the Environment, Fire Services, Emergency Medical Services and Toronto Police Services and upon approval of a by-law by Council, Notice of Completion be issued; 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 that may be required.

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

**(Report No. 6 – Clause No. 14)**

Councillor Mammoliti, Vice-Chair, assumed the Chair.

**6.18 Tobermory Drive, between Niska Road and Potsdam Road (Traffic Calming) and Tobermory Drive at Kinnie Court (All Way Stop Control) – Ward 8 – York West.**

The North York Community Council had before it a report (June 26, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reviewing the feasibility of installing speed humps on Tobermory Drive, between Niska Road and Potsdam Road, and the installation of an all way stop control at the intersection of Tobermory Drive and Kinnie Court; and recommending that this report be received for information.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council deferred consideration of the foregoing report to its next meeting scheduled for September 13, 2001, in order to allow the Ward Councillor an opportunity to consult with the area residents.

**(Report No. 6 – Clause No. 26(d))**

Councillor Li Preti resumed the Chair.

**6.19 Feasibility and Process for Median Extension – Bayview Avenue South of Sheppard Avenue – Wards 23 & 24 – Willowdale.**

The North York Community Council had before it a report (June 21, 2001) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the feasibility and process for a median extension on Bayview Avenue south of Sheppard Avenue East; and recommending that:

- (1) a road alteration report for the median extension be submitted for the North Community Council Meeting of September 13, 2001 seeking authorization for the posting of newspaper advertisement notices as per *Municipal Act* requirements, with a statutory public meeting being held at the North Community Council Meeting of October 24, 2001; and
- (2) comments from all affected property owners be obtained prior to proceeding with the project.

The North York Community Council also had before it Clause 21(j) of the North Community Council Report No. 5, titled “Site Plan Application TB SPC 2001 014 – Shell

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Canada Products Limited – Southeast Corner of Sheppard Avenue East and Bayview Avenue – Bayview Avenue Median Extension – South Leg – Ward 24 – Willowdale”, which was received, for information, by the Council of the City of Toronto, at its meeting held on June 26, 27 and 28, 2001.

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

**(Report No. 6 – Clause No. 15)**

**6.20 Municipal Service Connection Agreement with the Department of National Defense (DND) for the Downsview Training and Administration Facility (DTAF) at the Downsview Base Lands – Ward 9 – York Centre.**

The North York Community Council had before it a report (June 28, 2001) from the Director, Engineering Services, District 3, Works and Emergency Services, requesting Council's authority to enter into a Municipal Service Connection Agreement with the Department of National Defense (DND) for the Downsview Training and Administration Facility (DTAF) at the Downsview Base Lands; and recommending that:

- (1) Council authorize the Commissioner of Works & Emergency Services or his designate to enter into a Municipal Service Connection Agreement satisfactory to the City Solicitor and the Commissioner of Works & Emergency Services, with the Department of National Defense (DND) for the proposed Downsview Training and Administration Facility (DTAF) at the Downsview Base Lands.
  - (2) The appropriate City officials be authorized and directed to take the necessary action to give effect thereto.
- A. Councillor Augimeri, Ward 9 – York Centre, moved that the North York Community Council recommend to City Council that:
- (1) the report (June 28, 2001) from the Director, Engineering Services, Districts 3 and 4, Works and Emergency Services, be adopted; and
  - (2) that if there are any remaining funds collected as a result of the Municipal Service Connection Agreement outlined in the report (June 28, 2001) from the Director, Engineering Services, Districts 3 and 4, Works and Emergency Services, that these funds be kept in a North District Public Works Infrastructure Account and earmarked for the exclusive expenditure within the Downsview community.
- B. Councillor Mammoliti, Ward 7 – York West, moved that the North York Community Council recommend to City Council, that a separate account or Reserve Fund be established, such Fund to be used for infrastructure purposes within the North York Community Council geographic boundary area.

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



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

**(Report No. 6 – Clause No. 16)**

**6.21 Harmonization of the Sign By-law Concerning Posters on Public Property, including Signs on Utility Poles.**

The North York Community Council had before it a communication (June 8, 2001) from the Acting City Clerk, Planning and Transportation Committee, advising that the Planning and Transportation Committee, at its meeting on June 4, 2001, recommended that the report (May 10, 2001) from the Commissioner of Urban Development Services respecting Harmonization of the Sign By-law concerning Posters on Public Property including Signs on Utility Poles; be forwarded to the Community Councils for consideration at their July 10 and 11, 2001 meetings, with a request that they forward their recommendations with respect to this report to the Planning and Transportation Committee for consideration at a public hearing at its meeting on September 11, 2001.

- A. Councillor Filion, Ward 23 – Willowdale, moved that the North York Community Council:
- (1) advise the Planning and Transportation Committee that the North York Community Council does not support any reduction in the restrictions for posting illegal signs or any reduction in the enforcement of the sign by-law; and
  - (2) the Commissioner, Urban Development Services, be requested to submit a report to the Planning and Transportation Committee for its meeting scheduled for September 11, 2001, on:
    - (a) the enforcement of the proposed Sign-By-law and whether this will be reduced and given a lower priority than currently exists; and
    - (b) the number of locations where signs can be legally posted under the former City of North York Sign By-law and the number that now can be posted under the proposed new Sign By-law.

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- B. Councillor Sutherland, Ward 33 – Don Valley East, moved that the North York Community Council recommend to the Planning and Transportation Committee that posters on public property including signs on Utility Poles be allowed within the North York Community Council geographic boundary area only in those areas identified in the existing Schedule “B” attached to the former City of North York Sign By-law.
  
- C. Councillor Mammoliti, Ward 7 – York West, moved that the Commissioner of Urban Development Services be requested to also report to the Planning and Transportation Committee, for its meeting scheduled for September 11, 2001, on the feasibility of allowing individuals to lease space on the City boulevards for mobile signs and A-frame signs and the potential revenue that can be generated therefrom.

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

**(Report No. 6 – Clause No. 26(e))**

**6.22 Final Report – Application for Zoning By-law Amendment UDZ-00-05 – Glen Rubinoff – Beta & Associates – 10 Elmwood Avenue – Ward 23 – Willowdale.**

The North York Community Council had before it a report (April 25, 2001) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the zoning by-law to permit an existing dwelling unit to be converted to a restaurant use; and recommending that the application be approved subject to the following:

- (1) Amend the Zoning By-law substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 10.
  
- (2) Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
  
- (3) Before introducing the necessary Bills to City Council for enactment, the applicant shall:

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- (i) obtain Site Plan Approval from the Director, Community Planning North District with particular attention given to the comments of civic officials set out in Attachments 5 through 9 of this report; and
- (ii) convey or cause to be conveyed to the City for a nominal sum free of all encumbrances, a widening along the entire Elmwood Avenue frontage to achieve a 29.35 metre road allowance east of the site with the taper across this site generally described as 4 metres widening on the west side of the property and a 3.2 metre widening on the east side of the property across the entire Elmwood frontage of the subject lands.

On motion by Councillor Fillion, Ward 23 – Willowdale, the North York Community Council recommended to City Council, the adoption of the following Resolution submitted by Councillor Fillion:

“WHEREAS the North York Community Council deferred consideration of the Final Report recommending approval of an application to amend the zoning by-law to permit an existing dwelling to be converted to a restaurant use in order to allow the applicant an opportunity to meet with the Ward Councillor, planning staff and the residents of the Hollywood Plaza Condominium Association.

WHEREAS the applicant and residents have reached an agreement on certain issues related to the site plan conditions;

THEREFORE BE IT RESOLVED:

THAT the Final Report (dated April 25, 2001 from the Director, Community Planning, North District), be approved as submitted;

THAT the Director, Community Planning, North District be authorized to give Site Plan Approval in accordance with the conditions outlined in the Final Report and the following additional conditions:

- (i) that the front yard patio be deleted from the site plan and replaced with landscaping approved by the Director, Community Planning, North District;
- (ii) that all kitchen exhaust venting be directed from the north side of the building; and
- (iii) that all garbage left for collection be contained in durable, sealable containers

and brought to collection areas on collection day only; and

THAT the City Solicitor be authorized to enter into an agreement, registered on title, with the applicant which limits the patio hours of operation to between 11:00 a.m. to 10:30 p.m.”

**(Report No. 6 – Clause No. 17)**

**6.23 Preliminary Report – Application to Amend the Zoning By-law – TB ZBL 2001 0010 – Avner Bar-Moshe – 28 Hendon Avenue – Ward 23 – Willowdale.**

The North York Community Council had before it a report (June 21, 2001) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and to seek Community Council’s directions on further processing of the application and on the community consultation process; and recommending that:

- (1) Staff be directed to schedule a community consultation meeting together with the Ward Councillor if the Ward Councillor deems it necessary.
- (2) If a community consultation meeting is held, notice 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.
- (4) The applicant be asked to submit an Official Plan amendment application requesting the laundry and dry-cleaning collection establishment use.

The North York Community Council approved the foregoing report.

**(Report No. 6 – Clause No. 26(f))**

**6.24 Preliminary Report – Application to Amend the Zoning By-law TB ZBL 2001 0011 – Hullmark Developments Ltd. – 78 Harrison Garden Boulevard – Part of Lot 14, Concession 1, E.Y.S. and Blocks 8 & 9, R.P. 66M-2354 – Ward 23 – Willowdale.**

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

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

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council approved the foregoing report (June 20, 2001) from the Director, Community Planning, North District, Urban Development Services, subject to:

- (1) Recommendation No. (2) being amended to read as follows:
  - “(2) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site and to individuals residing within the expanded notification area to be determined by the Director, Community Planning, North District, Urban Development Services, in consultation with the Ward Councillor.”
- (2) Recommendation No. (3) being amended to read as follows:
  - “(3) Notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act and to all those individuals within the expanded notification area referred to in Recommendation (2) above.”

**(Report No. 6 – Clause No. 26(g))**

Councillor Mammoliti, Vice-Chair, assumed the Chair.

**6.25 Preliminary Report – Applications to Amend the North York Official Plan and Zoning By-law – TB CMB 2001 0010 – York Gate Mall Ltd. – 1 York Gate Boulevard – Ward 8 – York West.**

The North York Community Council had before it a report (June 27, 2001) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted applications and to seek Community Council's directions on further processing of the applications and on the community consultation process; and recommending that:

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

Mr. Jim Levac and Mr. Chris Barre, appeared before the North York Community Council in connection with the foregoing matter, on behalf of the applicant.

A. Councillor Li Preti, Ward 8 – York West, moved that the foregoing report (June 27, 2001) from the Director, Community Planning, North District, be approved subject to:

- (1) Recommendation No. (2) being amended to read as follows:
  - “(2) Notice for the community consultation meeting be given to landowners and residents within 400 metres of the subject lands, as well as the homeowners associations north and south of Finch Avenue, including any other registered local community organizations; the expense of such notification to be borne by the applicant”
- (2) Recommendation No. (3) being amended to read as follows:
  - “(3) Notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act and to all those individuals within the expanded notification area

referred to in Recommendation (2) above; the expense of such notification to be borne by the applicant.”

(3) Adding an additional Recommendation (4) to read as follows:

“(4) the applicant be requested to undertake a traffic impact study that includes parking demands, access and circulation of all existing and proposed uses on site and including the institutional uses already on the premises.

Councillor Li Preti resumed the Chair.

B. Councillor Mammoliti, Ward 7 – York West, moved that the traffic impact study include the following streets:

- (i) the residential streets south of the subject lands as far as Firgrove Crescent on both sides and west over to the Humber River Regional Hospital – (Finch Avenue site); and
- (ii) the north and south sides of Finch Avenue to Oakdale Avenue, east to Grandravine Drive.

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

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

**(Report No. 6 – Clause No. 26(h))**

**6.26 Tree Removal Request – 59 Horsham Avenue – Ward 23 – Willowdale.**

The North York Community Council had before it a report (June 18, 2001) from the Commissioner of Economic Development, Culture and Tourism, reporting on a request from the owner of 59 Horsham Avenue to permit the removal of a 90-cm Silver Maple tree from the boulevard fronting their house; and recommending that the tree removal request at 59 Horsham Avenue be denied.

Mr. Mario Colonna 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 recommended to City Council, the adoption of the foregoing report.

**(Report No. 6 – Clause No. 18)**

**6.27 Request for Exemption to the Sign By-law – Variance for Proposed Projecting Sign – Empress Walk – Ward 23 – Willowdale.**

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

- (July 10, 2001) from Mr. Brian Sickle, Page + Steele Inc., addressed to the Manager, Traffic Planning/Right of Way Management, District 3, Works and Emergency Services, commenting on the proposed enhancements to the basic design that will eliminate any ice and snow accumulation on the proposed sign; and
- (July 9, 2001) from Mr. Marc Carriere, P.Eng., Pride Signs Ltd. and Mr. George Fejes, P.Eng., Irish Creek Consultants, addressed to the Manager, Traffic Planning/Right of Way Management, District 3, Works and Emergency Services, commenting on measures that can be taken to eliminate any concerns regarding the potential for snow and ice accumulation on the proposed sign.

Mr. Brian Sickle, Page + Steele Inc., appeared before the North York Community Council in connection with the foregoing matter, on behalf of the owners.

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

- (1) the report (April 27, 2001) from the Director and Deputy Chief Building Official, Urban Development Services, not be adopted; and
- (2) the request for a variance from the sign by-law to permit the erection of an



illuminated “projecting sign” mounted approximately 28 feet above the sidewalk on a multi-use retail, commercial and residential building known as Empress Walk, located on Yonge Street, be approved, subject to:

- (a) the conditions outlined in the communication (July 10, 2001) from Mr. Brian Sickle, Page + Steele Incorporated, addressed to the Manager, Traffic Planning/Right of Way Management, District 3, Works and Emergency Services; and
- (b) the joint communication (July 9, 2001) from Mr. Marc Carriere, P. Eng., Pride Signs Limited and Mr. George Fejes, P. Eng., Irish Creek Consultants, addressed to the Manager, Traffic Planning/Right of Way Management, District 3, Works and Emergency Services.

**(Report No. 6 – Clause No. 19)**

**6.28 Request for Exemption to the Sign By-Law - Variance for Proposed Roof Sign – 1099 Wilson Avenue – Ward 9 – York Centre.**

The North York Community Council had before it a report (June 1, 2001) from the Director and Deputy Chief Building Official, Urban Development Services, reporting on a request for a variance from the sign by-law by Mr. S. Wolowich of Skye Media, on behalf of the owners, to permit the erection of an illuminated third party 10 foot by 35 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. S. Wolowich and Mr. Starnino of Skye Media, appeared before the North York Community Council in connection with the foregoing matter, on behalf of the owners.

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

**(Report No. 6 – Clause No. 20)**

**6.29 Final Report – Application to Amend the Zoning By-law TB ZBL 2001 0003 – Sung Kee Chae and Mi Rea Chae – 24 Drewry Avenue – Ward 23 – Willowdale.**

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The North York Community Council had before it a report (June 20, 2001) from the Director, Community Planning, North District, Urban Development Services, reporting on a rezoning application to permit additions to an existing house form building and to permit retail, office and personal service uses; and recommending that City Council:

- (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 City Council for enactment, the applicant is required to obtain Site Plan Approval from the Director, Community Planning, North District.
- (4) Before introducing the necessary Bills to City Council for enactment, the applicant is required to have registered on title an easement over 20 Drewry Avenue for access to the parking area.

Mr. Chae, the applicant, appeared before the North York Community Council in connection with the foregoing matter and he indicated that he concurred with the staff recommendations.

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council, after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (June 20, 2001) from the Director, Community Planning, North District, Urban Development Services; and for the reasons that the proposal is an appropriate use of lands, recommended to City Council that the application submitted by Sung Kee Chae and Mi Rea Chae regarding Zoning By-law Amendment No. TB ZBL 2001 0003, be approved, subject to the conditions outlined in the aforementioned report.

**(Report No. 6 – Clause No. 21)**

**6.30 Wilson Avenue Revitalization Study and Keele Street Study – Summary of Study Findings and Recommendations and Strategy for Implementation – UD03-P-DNL – Ward 8 – York West and Ward 9 – York Centre.**

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The North York Community Council had before it a report (June 25, 2001) from the Director, Community Planning, North District, Urban Development Services, presenting a summary of the pertinent findings and conclusions of the Wilson Avenue Revitalization Study and the Keele Street Study; and recommending that City Council:

- (1) Receive this report and the attached Wilson Avenue Revitalization Study and the Keele Street Study for information;
- (2) Direct staff to prepare implementation strategies for each of the study areas, in the context of the findings and recommendations of the study reports, for the purpose of specifying required tasks, steps and stakeholders, and considering timing and financial implications, and bring forward recommended strategies for Council's consideration; and,
- (3) Direct Urban Development Services, City Planning Division staff to consult with other relevant City Departments and Agencies in the preparation of implementation strategies.

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

A slide presentation was also made by Ms. Donna Hinde and Mr. Ron Palmer, on behalf of the consultants, The Planning Partnership.

- A. Councillor Augimeri, Ward 9 – York Centre, moved that the North York Community Council recommended to City Council, the adoption of the foregoing report.
- B. Councillor Mammoliti, Ward 7 – York West, moved that the Director, Community Planning, North District, Urban Development Services be requested to submit a further report, at a future meeting of the North York Community Council, on the feasibility of extending the subway line in the future, along Wilson Avenue to the Toronto International Airport.

Councillor Mammoliti, Vice-Chair, assumed the Chair.

- C. Councillor Li Preti, Ward 8 – York West, moved that the Director, Community Planning, North District, Urban Development Services be requested to also comment in the further report, on the development of an implementation strategy to prioritize the potential extension of the subway line from the Downsview

Subway Station to York University.

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

Councillor Li Preti resumed the Chair.

**(Report No. 6 – Clause No. 22)**

**6.31 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.**

As directed by the North York Community Council, at its meeting held on May 16, 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 York Community Council had before it a communication (undated) from the Acting City Clerk, North Community Council, forwarding Clause No. 12 of the North Community Council Report No. 4, titled “Further Report – Proposed Modifications to the Downsview Area Secondary Plan (OPA 464) and Proposed Amendments to the OMB Order – 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 8 – North York Spadina, which was adopted, without amendment by the Council of the City of Toronto at its meeting held on May 30, 31 and June 1, 2001.

The North York Community Council also had before it a communication (July 4, 2001) from Mr. Charles Wheeler, Manager, Property Development, Toronto Transit Commission, outlining the need for and the opportunity to provide T.T.C. commuter parking at the south-east corner of Allen Road and Sheppard Avenue West for a short to medium term; advising that the T.T.C. acknowledges that other uses may be anticipated in the future, particularly along the Sheppard Avenue frontage and supports land uses that promote the increased use of their transit facilities; further advising that the T.T.C. recognizes that if the Spadina Subway is extended further north, the commuter parking lots at Downsview,

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Wilson and Yorkdale would be rationalized and only the commuter parking necessary for the immediate local community would be retained at these locations; and, as a result, the use of lands at Allen/Sheppard for commuter parking purposes should be considered a short to medium term use only.

A staff presentation was made by Ms. Sharon Hill, 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. Stewart Richardson, who advised that the community has had a series of meetings and attempted to get a larger park area, since the immediate area is very deficient in parkland. He further commented that at one point the density on the site was increased but the parkland area was not. He suggested that the matter be deferred until there is some clarification as to what is actually being proposed. In closing, he expressed his objection to the request from the Toronto Transit Commission that consideration be given to the use of the lands at Allen/Sheppard for commuter parking purposes;
- Mr. Richard D'Anjou, who commented that he has been going to meetings for at least the last four years regarding the proposed amendments to the Downsview Area Secondary Plan; and the last time he attended, the matter was deferred at the last minute. He also expressed concern regarding the Toronto Transit Commission's request to use the land for commuter parking purposes, since this use would only add to the traffic congestion in the area;
- Mr. Vince Lombardi who indicated that meetings and discussions involving these lands have been ongoing for the past five years and while there still may be some minor issues of concern, it is time to make a decision on this matter. He concluded by requesting the North York Community Council to adopt the Official Plan Amendment before them.
- Ms. Irma Pappenheim, who commented on the amount of money that has been spent in consultant's fees, yet a decision has still not been made regarding the Official Plan Amendment. She then expressed concern regarding the Toronto Transit Commission's request to use the land for commuter parking purposes and added that the residents do not want to live near more asphalt and be subjected to more exhaust fumes, noise, dust and pollution that would be created by the additional traffic.

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

- (1) An Official Plan Amendment be adopted, substantially in accordance with the draft Official Plan Amendment attached as Attachment 1 embodied in Clause No. 12 of the North Community Council Report No. 4; and
- (2) the appropriate City Officials be authorized and directed to take the necessary actions to give effect thereto.

(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. 6 – Clause No. 23)**

**6.32 Final Report – Applications to Amend the Zoning By-law 7625 – UDZ-99-41 – Davies Howe Partners on behalf of Rosedale Developments Inc. and TB ZBL 2001 0007 – GSI Real Estate and Planning Advisors on behalf of the Royal Canadian Legion – 4917-4995 Yonge Street, 11-27 Hollywood Avenue and 8-18 Spring Garden Avenue and 6 Spring Garden Avenue – Ward 23 – Willowdale.**

The North York Community Council had before it a report (June 28, 2001) from the Director, Community Planning, North District, Urban Development Services, reviewing and recommending positions to be taken by Council at the consolidated Ontario Municipal Board hearing for the applications by Rosedale Developments Inc. (Rosedale) and the Royal Canadian Legion and recommending that City Council:

- (1) Approve the amendment of the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft regulations attached as Attachment No. 10 which implement the North York Centre Secondary Plan policies provided:
  - (i) an agreement between Rosedale and the Royal Canadian Legion regarding the consolidation of their applications into one merged development site has been reached,
  - (ii) a site plan is provided illustrating the workability of the entire western portion of the block within the existing policies of the North York

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- (iii) Centre Secondary Plan in a comprehensive manner, and arrangements are made for either an off-site or on-site parkland dedication to the satisfaction of the Commissioner of Economic Development, Culture and Tourism, and
  - (iv) the current appeals of OPA 447, OPA 495 and the appeal of the Temporary Use Zoning By-law to permit a temporary parking lot by Rosedale Development Incorporated are withdrawn by the applicant, and
  - (v) a site specific Official Plan Amendment is implemented concurrently for the Royal Canadian Legion site to allow the density attributable to the site be used for either residential or non-residential uses, provided the social facility is retained on the site.
- (2) If the amendment of the Zoning By-law 7625 for the former City of North York is approved, the Commissioner of Corporate Services is requested to report on the sale of two former public lanes to the respective abutting owners.
- (3) If the amendment of the Zoning By-law 7625 for the former City of North York is approved, that the conditions of Site Plan Approval, as set out in Attachment 11 of this report, be approved with particular attention to the comments of the civic officials set out in Attachments 7 through 13 of this report;
- (4) If the above provisions in Recommendation 1 of this report are not met, both the Rosedale rezoning application and the Royal Canadian Legion rezoning application be considered premature at this time since there has not been a demonstration of how:
- (a) each individual site could be developed independently within the provisions of the North York Centre Secondary Plan, and
  - (b) the existing single zoning category applicable to both sites could be separated for the two individual sites, and
  - (c) the existing parking and loading for Royal Canadian Legion could fully or partially be accommodated with alternative arrangements.
- (5) Authorize the City Solicitor to present the position recommended in this report at the Ontario Municipal Board hearing scheduled for these two applications and continue negotiations in order to reach an agreement between the parties,
- (6) If the Royal Canadian Legion and Rosedale Developments cannot reach an agreement to merge their sites for development purposes, mediation at the

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Ontario Municipal Board should be supported.

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

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

- (July 10, 2001) from William Hollo, GSI Real Estate and Planning Advisors Inc., on behalf of the Royal Canadian Legion, indicating that while the Royal Canadian Legion had not yet reached an agreement with Rosedale Developments Inc., they were very close to one and had every confidence that a formal agreement would be possible shortly; commenting on various aspects of the development; and requesting that Council add the following to the recommendations of the staff report, (1) The Legion be made a party to the site plan approval; (2) That the conditions of site plan approval be amended to require the plans to show a loading area along the north wall of the Legion building, together with any easements required to ensure the loading area meets zoning by-law standards; and (3) That the conditions of site plan approval be amended to require the plans to show eight parking spaces along the east wall of the Legion with access from the new laneway, together with any easements required for access.
  
- (July 11, 2001) from Charles Brown on behalf of the Board of Directors, Atrium II, expressing concerns with the proposed development and commenting on Density Allowances of New Construction; Traffic Congestion; the Royal Canadian Legion; the Parkette on Yonge Street; Future Implications and School Attendance.

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

- Mr. Jeffrey Davies, Solicitor for Rosedale Developments Inc. who expressed his thanks to members of staff, the representatives of The Royal Canadian Legion and the community for the time and effort taken to process the rezoning application. He then advised that he was in general agreement with recommendations contained in the staff report except for Recommendation (1), subsections (i) and (ii) and Recommendation (4). However, these concerns would become academic if an agreement is reached with the Royal Canadian Legion. While Rosedale Developments Inc. is very close to reaching an agreement with the Royal Canadian Legion they had not as yet, and in the event



an agreement in not reached, they would have a problem with these Recommendation. He also expressed some concern with the public art requirement and had not had the opportunity to discuss this with staff.

Mr. Davies further indicated that he had been approached by Ms. Marion Lick with respect to the preservation of the Linden trees that are situated on the site. At this point, there was detailed site plan for that portion and it is premature to make any detailed plans with respect to those trees. However, he assured the North York Community Council that the applicant would make every effort to integrate those trees. The plans are to preserve the trees as part of Phase 1 of the development. In concluding he indicated, that in his opinion, it is possible for the Rosedale application to proceed without the Royal Canadian Legion property.

- Mr. Bill Hollo, on behalf of The Royal Canadian Legion, who advised that the Legion is seeking permanent parking along its east side, an easement along the north side of the building for a loading area and interim parking until the development occurs on the west portion of the site; and parking in the commercial building once it is built. He further added that negotiations have been ongoing and that it is hoped that an agreement will be in place in the next couple of weeks. With regard to the parking and loading areas, he commented that the site plans do not show parking along the east wall and the loading zone along the north. He then added that the Legion building is 1.3 metres from the north lot line, with the ramp starting 1.2 metres north of the Legion's lot line; further adding that if the Legion can obtain an easement over that 1.2 metre space, and an additional 1.2 metres of space to the rear (north), the Legion could accommodate a loading zone across the rear of the building with access from the new access lane, which would allow the dumpster for the Legion to be placed at the west end of that area, and be screened, thus allowing deliveries to the Legion to pull off the access lane, up to the loading door to the Legion which is in the middle of the north wall. He further commented that the parking along the east wall, which can accommodate 8 spaces with access from the new laneway, would provide permanent, immediately accessible parking for handicapped persons and short term users of the Legion.

Mr. Hollo concluded by requesting that the conditions of site plan approval be amended to require the plans to show a loading area along the north wall of the Legion building, together with any easements required to ensure the loading meets zoning by-law standards; that the conditions of site plan approval be amended to require the plans to show eight parking spaces along the east wall of the Legion, with access from the new laneway, together with any easements

required for access and that the Royal Canadian Legion be made a party to the site plan approval. In other respects the Legion was pleased with the recommendations contained in the staff report.

- Mr. Jim McGuffin, Chairman of the Development Committee for The Royal Canadian Legion, who advised that he was in support of the comments made by Mr. Bill Hollo; and thanked staff for the preparation of the July 6, 2001 report. In closing, he advised that he was in agreement with the recommendations in the report and urged the Council to approve the report.
  
- Mr. Charles Brown, representing Atrium II, who expressed a concern regarding the density along Yonge Street and the increasing number of high-rise buildings that are constructed or proposed. In addition, he expressed concern regarding the traffic congestion which has become a serious problem in the Yonge-Sheppard area, and pointed out that the addition of approximately 1500 parking spaces in the Rosedale development and the further construction on the Claude Watson School site will only add to the problem. In this regard, he requested that a further study be undertaken and revisions be made to the proposed traffic patterns as outlined in the proposal by Rosedale Developments Inc. and suggested that the eventual plans for the Legion site be completed and agreed upon before any work starts on the Rosedale development, since it would be counter productive to attempt to reach a viable solution once construction has begun.

With regard to the creation of a temporary parkette on Yonge Street, Mr. Brown expressed his support for this proposal since it would enhance the environment along the busy thoroughfare and screen the temporary parking lot from pedestrian view.

Mr. Brown expressed a further concern that Rosedale Developments will not be proceeding at this time, with the erection of the commercial tower fronting on Yonge Street. With respect to this matter, he pointed out that in the future, the developer may seek approval to change the designation from that of a commercial building to more condominiums. He then urged Council to make a firm commitment not to alter the designation from commercial to residential.

In addition, Mr. Brown expressed the concern that the Toronto District Separate School Board has advised that there is a shortage of pupil places in the immediate area of the proposed development; adding that the public schools in the immediate attendance area are also completely full. He further advised that the Toronto District School Board has recently approved a policy which will limit

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any increase in the enrolment of Earl Haig Secondary School. In closing, Mr. Brown urged Council to forewarn the future residents of the Rosedale Development of the school situation which will likely result in the students of the Rosedale Condominiums being bussed to school.

- Ms. Marion Lick, President, Willowdale Central Ratepayers Association who expressed concern regarding the Linden trees on the south corner of the property and requested that these trees be preserved. This implies that the building must be set further back and the underground parking garage would have to be relocated. Ms. Lick also expressed concern with respect to the elevations and design of the proposed development.
  
- A. Councillor Sutherland, Ward 33 – Don Valley East, moved that the North York Community Council recommend to City Council, the adoption of the report (July 6, 2001) from the Director, Community Planning, North District, Urban Development Services.
  
- B. Councillor Filion, Ward 23 – Willowdale, moved that:
  - (1) Council reinforce the DMU-1 (Downtown Mixed Use) designation for the Yonge Street frontage which does not permit residential uses;
  - (2) there be a thorough review of elevation drawings, with particular attention to the Yonge Street frontage, and other design related matters;
  - (3) the City Solicitor be directed to place a Notice on title, advising perspective purchasers that Secondary School age students living in the condominium may not be able to attend Earl Haig Secondary School, in accordance with the current Toronto District School Board’s policy;
  - (4) Subsection 12.2 of Section 12 of the Site Plan Conditions of Approval outlined in Attachment 11 to the report (July 6, 2001) from the Director, Community Planning, North District be amended to include the following words, “a tree preservation plan for the south-west corner”, so that it now reads as follows:
    - “12.2 3 copies of detailed revised landscape plan, which includes:
      - lighting an fixture locations which ensure pedestrian areas are well lit and provide for a secure environment and enhance character of development

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- hedge, fencing and gate details for townhouse gardens along Hollywood Avenue and Spring Garden Avenues
  - details for landscaping upon removal of the temporary sales pavilion
  - bench and trash receptacle details to the approval of the Director of Community Planning, North District
  - a tree preservation plan for the south-west corner”
- (5) a meeting be held with the Director, Community Planning, North District, Urban Development Services, the Ward Councillor, Rosedale Developments Inc., and the Royal Canadian Legion, prior to the Council meeting scheduled for July 24, 2001, in order to review the proposal going forward to the Ontario Municipal Board; and
- (6) the Commissioner of Urban Development Services submit a report, if necessary, directly to City Council for its meeting scheduled for July 24, 2001, on any modifications to the proposal resulting from the said meeting.

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

FOR: Councillors Sutherland, Filion, Li Preti, Augimeri, Mammoliti

AGAINST: Nil

ABSENT: Councillors Feldman, Shiner

Carried.

A recorded vote on Motion A., moved by Councillor Sutherland, Ward 33 - Don Valley East, was as follows:

FOR: Councillors Sutherland, Li Preti, Mammoliti

AGAINST: Councillors Filion, Augimeri

ABSENT: Councillors Shiner, Feldman

Carried.

**(Report No. 6 – Clause No. 24)**

**6.33 Ontario Municipal Board Hearing – 35 Cedarcroft Boulevard – Ward 10 – York Centre.**

The North York Community Council had before it a confidential report (June 25, 2001) from the City Solicitor respecting Ontario Municipal Board Hearing – 35 Cedarcroft Boulevard.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council recommended to City Council, the adoption of the confidential report (June 25, 2001) from the City Solicitor.

**(Report No. 6 – Clause No. 25)**

Councillor Mammoliti, Vice-Chair, assumed the Chair.

**6.34 Wrought Iron Fence Encroachment – 36 Joel Swirsky Boulevard – Ward 10 – York Centre.**

The North York Community Council had before it a report from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, reporting on a request by the owner to allow an encroachment of a proposed 1.5m (5.0') high wrought iron fence over City property within 2.5m (8.2') of the curb being the south elevation of Thamesford Court (north elevation of the subject premises) and recommending that the encroachment be approved, subject to the following conditions:

- (i) The owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the Commissioner of Urban Development Services and the City Solicitor;
- (ii) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto;
- (iii) That no foliage be permitted within the encroaching area to prevent sight obstructions or access to underground services;
- (iv) That no arrow-head type tops or sharp edges be permitted;
- (v) That the owner(s) agree to removal of the fence without notice for the purpose of emergency repairs or maintenance with the associated costs borne by her/them;
- (vi) That no claims will be made against the City by the owner(s) for damage

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- occurring to the fence during snow removal;
- (vii) The life of the agreement be limited to 5 years from the date of registration or to the date of removal of the encroachment, at which time, the City may consider the Agreement for further extension if requested by the applicant;
- (viii) The encroachment permitted by the Agreement to be removed by the owner(s) at the expense of the owner(s) within 30 days of receiving written notice from the Commissioner of Urban Development Services if, in the opinion of the Commissioner or Urban Development Services such removal is necessary;
- (ix) On expiry of the Agreement or extension thereof, the encroachment shall be removed at the expense of the owner(s);
- (x) If encroachment removal is not being carried out as directed by the Commissioner of Urban Development Services, the removal may be done by the City at the expense of the owner(s) and the City may recover the expense incurred in doing the removal in a like manner as municipal real property taxes;
- (xi) Indemnification of the City by the owner(s) of the encroachment for all liability relating in any way to the encroachment and providing of insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor, in an amount not less than \$2,000,000.00, or such greater amount as the City Solicitor may require;
- (xii) The owner(s) will, at her/their expense and to the satisfaction of the Commissioner of Urban Development Services, keep and maintain the encroachment in a good and proper state of repair and safety and will not make any additions or modification to the encroachment beyond what is allowed under the terms of the Agreement;
- (xiii) The owner(s) pay a one-time fee of \$401.53;
- (xiv) The agreement is non-transferrable.

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

- a petition (undated) signed by seven residents of Thamesford Court, outlining their reasons for not supporting the staff recommendations; and
- (July 11, 2001) from the applicant, withdrawing the request.

On motion by Councillor Sutherland, Ward 33 – Don Valley East, the North York Community Council withdrew the foregoing report having regard that the applicant has withdrawn the request.

(Councillor Li Preti declared his interest in the foregoing item in that the subject location is his principle residence.)

**(Report No. 6 – Clause No. 26(i))**

**6.35 Availability of Draft Official Plan Amendments and Zoning By-laws for Public Comment.**

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

“WHEREAS City Council, at its meeting held on December 14, 15 and 16, 1999, mandated that “the development review process be governed by principles of fairness and equality in all dealings with applicants and potentially affected third parties”; and

WHEREAS it is imperative, in order to maintain public confidence in the development review process, that the actual wording and schedules of proposed Official Plan Amendments and Zoning By-laws be made available to the public for scrutiny prior to adoption and enactment;

THEREFORE BE IT RESOLVED THAT no proposed Official Plan Amendment be brought forward for adoption, or Zoning By-law for enactment, without the opportunity for public review of its specific content; and

BE IT FURTHER RESOLVED THAT draft Official Plan Amendments and Zoning By-laws within the North York Community Council boundary area recommended by staff be brought forward in a timely manner, in their entirety, together with the related final reports, so as to be available to Councillors, applicants and potentially affected third parties for public comment at the statutory public meetings before the North York Community Council at which they are considered; and

BE IT FURTHER RESOLVED THAT staff report back to the North York Community Council on the process to give effect to the intent of this resolution.”

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council endorsed the foregoing Resolution.

**(Report No. 6 – Clause No. 26(j))**

**6.36 Report respecting Application Fees for Variances to the Current North York Sign**

**By-law.**

The North York Community Council had before it the following motions:

A. “Moved by Councillor Sutherland

“THAT the Commissioner of Urban Development Services submit a report to the North York Community Council on:

- (1) why the report respecting application fees for variances to the current North York Sign By-law requested by the North York Community Council at its meeting on February 14, 2001, has not been submitted to the Community Council to date;
- (2) why the aforementioned report has been incorporated as part of the report respecting the Harmonized Sign By-law to be forwarded to the Planning and Transportation Committee; thereby not allowing an opportunity for community input at the local level; and
- (3) the feasibility of amending Chapter 27 of the Toronto Municipal Code dealing with Council procedures in order to allow Community Councils to have jurisdiction to consider planning matters such as this which have local impact.”

B. “Moved by Councillor Mammoliti:

“THAT the report respecting application fees for variances to the current North York Sign By-law referred to in Councillor Sutherland’s motion, and previously requested by the North York Community Council be submitted to the next meeting of the North York Community Council scheduled for September 13, 2001.”

The North York Community Council endorsed the foregoing motions.

**(Report No. 6 – Clause No. 26(k))**

**Adjournment:**

The North York Community Council adjourned its meeting at 5:15 p.m., Wednesday, July 11, 2001.



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Chair.