

**THE CITY OF TORONTO**

**City Clerk's Division**

**Minutes of the North York Community Council**

**Meeting No. 3**

**Wednesday, April 3, 2002.**

The North York Community Council met on Wednesday, April 3, 2002, in the Council Chamber, North York Civic Centre, commencing at 10:15 a.m.

**Attendance:**

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

	10:15 a.m. to 12:30 p.m.	2:05 p.m. to 8:45 p.m.
Councillor Li Preti, Chair	x	x
Councillor Augimeri	x	x
Councillor Filion	x	x
Councillor Feldman	x	x
Councillor Mammoliti, Vice-Chair	x	x
Councillor Shiner	x	x
Councillor Sutherland	x	x

**Confirmation of Minutes:**

On motion by Councillor Sutherland, Ward 33 – Don Valley East, the minutes of the meeting of the North York Community Council held on February 26, 2002, were confirmed.

**3.1 Sale of Surplus Parcel of Vacant Land – Located between 26 and 32 Wynn Road – Ward 23 – Willowdale.**

The North York Community Council had before it a report (March 14, 2002) from the Commissioner of Corporate Services, seeking authorization for the disposal of a surplus parcel of vacant land located between 26 and 32 Wynn Road; and recommending that:

- (1) the Offer to Purchase from Nadav Keningsvain to purchase the City-owned property located between 26 and 32 Wynn Road, in the amount of \$251,813.00 be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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

**(Report No. 3 – Clause No. 9)**

**3.2 Special Occasion Permit - Community Event – Armenian Community Centre Annual Summer Festival – 45 Hallcrown Place -- Friday July 12, 2002 – Sunday, July 14, 2001 - Ward 33 – Don Valley East.**

The North York Community Council had before it a communication (March 5, 2002) from Ani Tuysusian, Manager, Armenian Community Centre, requesting permission to apply for a liquor license for the annual Armenian Community Centre Summer Festival, to be held on Friday, July 12, 2002 – 5:00 p.m. to 2:00 a.m., Saturday, July

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13, 2002 – 4:00 p.m. to 2:00 a.m. and Sunday, July 14, 2002 – 5:00 p.m. to 1:00 a.m. at the Armenian Community Centre, 45 Hallcrown Place.

The North York Community Council recommended that City Council, for liquor licensing purposes, declare the Sixth Annual Armenian Community Centre Summer Festival being held on July 12, 13 and 14, 2002, by the Armenian Community Centre, 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. 3 – Clause No. 10)**

**3.3 Special Occasion Permit – Community Event – Ghana Amansie Canadian Multicultural Association of Toronto – Amanfest 2002 Festival – G. Lord Ross Park – Saturday, August 31, 2002 – Ward 10 – York Centre.**

The North York Community Council had before it a communication (March 18, 2002) from Rockson Owusu-Atwima, President, Ghana Amansie Canadian Multicultural Association of Ontario, requesting permission to apply for a liquor license for the Ghana Amansie Canadian Multicultural Association of Toronto Community Festival “AMANFEST 2002” to be held on Saturday, August 31, 2002 from 11:00 a.m. to 10:00 p.m. at the G. Lord Ross Park.

The North York Community Council recommended that City Council, for liquor licensing purposes, declare the Amanfest 2002 being held on August 31, 2002, by the Ghana Amansie Canadian Multicultural Association of Toronto, 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. 3 – Clause No. 11)**

**3.4 Special Occasion Beer Garden Permit Requests for Community Events - York West - Ward 7; Willowdale - Ward 23.**

The North York Community Council had before it a report (February 26, 2002) from the Commissioner of Economic Development, Culture and Tourism, seeking Council’s approval to grant Special Occasion Beer Garden Permits to the groups listed in

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Attachment No. 1; and recommending that:

- (1) permission be granted to the groups listed in Attachment No. 1, to hold Special Occasion Beer Garden Permit events;
- (2) the groups be required to obtain a Special Occasion Permit from the Alcohol and Gaming Commission;
- (3) the groups be charged the approved \$50.00 facility permit fee and additional costs incurred by the Parks and Recreation Division for goods and services not readily available at the site;
- (4) the groups provide proof of liability insurance coverage in the amount of \$2M, naming the City as additional insured;
- (5) all bartenders and servers be required to attend a Smart Serve Training Program at the group's expense;
- (6) the groups comply with all regulations outlined in all City policies pertaining to alcohol consumption at the time of the event; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council recommended to City Council:

- (1) the adoption of the report (February 26, 2002) from the Commissioner of Economic Development, Culture and Tourism; and
- (2) that City Council, for liquor licensing purposes, declare the community events outlined in Attachment No. 1 of the aforementioned report, to be events of municipal and/or community significance; that it has no objection to these events taking place, and that the Alcohol and Gaming Commission of Ontario be so advised.

**(Report No. 3 – Clause No. 12)**

**3.5 Request to Amend Designation By-law No. 53-2001 – 5365 Leslie Street – Ward 33 - Don Valley East.**

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The North York Community Council had before it a report (February 26, 2002) from the Commissioner of Economic Development, Culture and Tourism, reporting on a request to amend By-law No. 53-2001 to reduce the area of land which is designated under the Ontario Heritage Act for the property known as “Green Meadows/the McDougald Estate” (5365 Leslie Street); and recommending that:

- (1) By-law No. 53-2001 be amended to reduce the area of land which is designated under the Ontario Heritage Act to the parcel shown as Part 1 on Reference Plan 66R-19349 and on which the historic building is located conditional on the registration of a plan of subdivision for the lands affected by the by-law;
- (2) the Reasons for Designation attached to By-law No. 53-2001 as Schedule “A” be amended to delete the following:
  - (a) Section 4.1 Context & Site, Paragraph 1: “The estate comprises several acres of land in proximity to the southeastern quadrant of Finch Avenue East and Leslie Street”;
  - (b) Section 4.1 Context & Site, Paragraph 2: “The main estate house occupies a prominent location at the centre of its large property and maintains a significant setback of several hundred feet from Leslie Street”; and
  - (c) Section 4.2 Exterior Architectural Character, Paragraph 7: “The north extension of this façade was a later addition and is scheduled to be removed in accordance with plans to redevelop the property.”
- (3) the amending by-law be registered on title to the lands subject to By-law 53-2001; and
- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction of a bill in Council.

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

**(Report No. 3 – Clause No. 13)**

**3.6 Parking/Stopping Prohibitions – Daystrom Drive at Daystrom Public School – Ward 7 – York West.**

The North York Community Council had before it a report (March 11, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the existing 15 Minute Permitted Parking to 30 Minute Permitted Parking and to prohibit stopping from 8:00 a.m. to 5:00 p.m., Monday to Friday, within the existing school bus loading zone; and recommending that:

- (1) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping from 8:00 a.m. to 5:00 p.m., Monday to Friday, on the west side of Daystrom Drive, from a point 42 metres south of the southerly limit of Lindylou Road to a point 94 metres south of the southerly limit of Lindylou Road;
- (2) Schedule X of By-law No. 31001, be amended to delete the 60 Minute Permitted Parking restriction, from 8:00 a.m. to 5:00 p.m., on the west side of Daystrom Drive, from a point 94 metres south of the southerly limit of Lindylou Road to a point 68.5 metres southerly thereof; and
- (3) Schedule X of By-law No. 31001, be amended to permit 15 minute parking, from 8:00 a.m. to 5:00 p.m., on the west side of Daystrom Drive, from a point 94 metres south of the southerly limit of Lindylou Road to a point 68.5 metres southerly thereof.

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

**(Report No. 3 – Clause No. 14)**

**3.7 Highbury Road – Agreement with the Canadian Pacific Railway for Construction of a Fence along CPR Right-of-Way – Ward 7 – York West.**

The North York Community Council had before it a report (March 14, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, seeking Council's authorization to enter into an agreement with Canadian Pacific Railway (CPR) to construct and maintain a chain link fence along the west side of the Railway line on Highbury Road between Melody Road and Starview Drive; and recommending

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that:

- (1) staff be authorized to enter into an agreement with CPR to share costs associated with the construction and ongoing maintenance of a chain link fence in the municipal right-of-way along the perimeter of the property between Melody Road and Starview Drive on Highbury Road;
- (2) the terms of the agreement between the City and CPR to be to the satisfaction of the Commissioner of Works and Emergency Services and the City Solicitor; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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

**(Report No. 3 – Clause No. 15)**

**3.8 Parking and Stopping Prohibitions – Addington Avenue – Ward 23 – Willowdale.**

The North York Community Council had before it a report (March 5, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of parking prohibitions on the east side and stopping prohibitions on the west side of Addington Avenue, between Sheppard Avenue West and the southerly limit of Addington Place; 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 east side of Addington Avenue, from the northerly limit of Sheppard Avenue West to the southerly limit of Addington Place;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 8:00 a.m. to 6:00 p.m., Monday to Friday, on the east side of Addington Avenue, from the northerly limit of Sheppard Avenue West to the southerly limit of Addington Place;
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday,

prohibitions on the west side of Addington Avenue, from the northerly limit of Sheppard Avenue West to the southerly limit of Addington Place; and

- (4) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping from 8:00 a.m. to 6:00 p.m., Monday to Friday, on the west side of Addington Avenue, from the northerly limit of Sheppard Avenue West to the southerly limit of Addington Place.

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

**(Report No. 3 – Clause No. 16)**

**3.9 Proposed Road Alteration and Stopping Up and Closing to Vehicular Traffic – Part of Dervock Crescent, east of Rean Drive – Ward 24 – Willowdale.**

The North York Community Council had before it a report (March 18, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, seeking authority for the proposed alteration of part of Dervock Crescent east of Rean Drive; and recommending that:

- (1) Dervock Crescent be altered east of Rean Drive as set out in this report;
- (2) a 0.3 metre wide strip of land across Dervock Crescent immediately east of Rean Drive be stopped-up and closed to vehicular traffic and a barricade be erected to enforce due observance thereof, in accordance with the requirements of the *Municipal Act*;
- (3) easements be reserved, if necessary, for the City and Utility Companies, over the entire portions of Dervock Crescent to be closed, for access, operation, use, inspection, repair, maintenance, reconstruction or alteration of the existing utilities and for the construction of additional new services;
- (4) vehicular entry be prohibited on Dervock Crescent eastbound from Rean Drive;
- (5) the developer be required to pay all costs of the proposed new cul-de-sac east of Rean Drive, including the costs of publishing the necessary *Municipal Class Environmental Assessment* and *Municipal Act* public notices and the



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costs of adjusting or relocating services and/or utilities, with the costs to be determined by the Commissioner of Works and Emergency Services and the appropriate utility companies;

- (6) authority be given by North York Community Council to immediately advertise the proposed alterations, stop-up and closure, and Notice of Completion so that deputations can be held at the next North York Community Council meeting; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any Bills that might be required and giving notice to the public of the proposed by-laws to alter and to close the portion of Dervock Crescent.

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

**(Report No. 3 – Clause No. 17)**

**3.10 Revised Application to Amend the North York Zoning By-law 7625 – UDZ-97-36 and UDSB 1233 – Elderbrook Developments – Finch Avenue West between York Gate Boulevard and Norfinch Drive – Ward 8 – York West.**

The North York Community Council had before it a report (March 8, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request for a detailed traffic analysis of this area; which should include the feasibility of the installation of traffic calming measures on Elana Drive when taking into consideration the increased traffic from the proposed development; and recommending that this report be received for information.

**(Dealt with both Item 10 & 11 at same time -  
see Item 11 - Report No. 3 – Clause No. 32(g))**

Councillor Feldman assumed the Chair.

**3.11 Further Preliminary Report – Revised Application to Amend the North York Zoning By-law 7625 – UDZ 97-36 and UDSB 1233 – Elderbrook Developments –**

**Finch Avenue West between York Gate Boulevard and Norfinch Drive – Ward 8 – York West.**

The North York Community Council had before it, during consideration of this matter, the following reports and communications:

- report (December 19, 2001) from the Director, Community Planning, North District, Urban Development Services, reporting on a revised application for 780 apartment units and 184 townhouse and semi-detached units and to seek Community Council's directions on further processing of the application and on the community consultation process; and recommending that:
  - (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
  - (2) notice for the community consultation meeting be given to landowners and residents within 305 metres of the site, as previously directed by Council;
  - (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act and to residents within 305 metres of the site, as previously directed by Council.
- report (March 8, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request for a detailed traffic analysis of this area; which should include the feasibility of the installation of traffic calming measures on Elana Drive when taking into consideration the increased traffic from the proposed development; and recommending that this report be received for information.
- report (March 18, 2002) from the Director, Community Planning, North District, Urban Development Services, updating North York Community Council on the consultation with the police and representatives of the North York Pedestrian and Cycling Committee as directed by North York Community Council; and recommending that this report be received for information;
- communication (April 3, 2002) from Councillor George Mammoliti, Ward 7 – York West, requesting that Community Council defer consideration of these items, and in the event Community Council is unable to do so, further

requesting written submissions on these items by the Police Department, Toronto Hydro as well as the Cycling Committee; and

- communication (February 20, 2002) from the Director, Community Planning, North District, Urban Development Services, addressed to the Police Chief, Toronto Police Services, requesting to arrange a meeting with the Police Chief, staff at 31 Division, the Local Councillors and the applicant to review this application, identify any potential policing or safety issues and possible Crime Prevention Through Environmental Design (CPTED) strategies for this site.

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

- (1) deferred consideration of the report (December 19, 2001) from the Director, Community Planning, North District, Urban Development Services, to its next meeting scheduled for May 8, 2002;
- (2) received for information, the report (March 18, 2002) from the Director, Community Planning, North District, Urban Development Services;
- (3) received for information, the report (March 8, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services; and
- (4) directed that Councillor Mammoliti's request for written submissions, as outlined in his communication (April 3, 2002), be forwarded to the respective Boards and Committees for comment back to the North York Community Council.

**(Report No. 3 – Clause No. 32(g))**

Councillor Li Preti resumed the Chair.

**3.12 Preliminary Report – Application to Amend the Zoning By-law – TB ZBL 2001 0022 – 111 Finch Avenue West – Ward 23 – Willowdale.**

The North York Community Council had before it a report (February 11, 2002) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application for an amendment

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to the zoning by-law to permit a beauty salon and to seek Community Council's direction on processing the applications and conducting a community meeting; and recommending that:

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

The North York Community Council also had before it a communication (March 5, 2002) from the City Clerk, North York Community Council, advising that at its meeting held on February 26, 2002, the North York Community Council deferred consideration of the foregoing report to the next meeting scheduled for April 3, 2002.

The North York Community Council approved the foregoing report.

**(Report No. 3 – Clause No. 32(h))**

**3.13 Draft By-law - To Stop up and close Portions of the Barberrry Place Cul-de-Sac and to Authorize the Sale Thereof.**

The North York Community Council had before it a Draft By-law, to stop up and close portions of the Barberrry Place Cul-de-sac and to authorize the sale thereof, and Clause No. 1 of North York Community Council Report No. 1, titled "Surplus Land Declaration – Proposed Closing and Sale – Two Parts of Barberrry Place in Exchange for Certain Lands for Future Public Highway Purposes – Ward 24 – Willowdale", which was adopted, without amendment, by the Council of the City of Toronto at its meeting held on February 13, 14 and 15, 2002.

Pursuant to the Municipal Act, notice with respect to the proposed enactment of the draft by-law was advertised in The Toronto Sun newspaper on March 12, 19, 26 and April 2, 2002; and no one addressed the North York Community Council with respect to the draft by-law.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York

Community Council recommended to City Council, that a by-law in the form of the draft by-law be enacted, and that the necessary Bill be introduced in Council to give effect thereto.

**(Report No. 3 – Clause No. 18)**

**3.14 Request for Exemption to the Sign By-law – Variance for Proposed Roof Sign – 3915 Keele Street – Ward 8 – York West.**

The North York Community Council had before it a report (March 15, 2002) from the Director and Deputy Chief Building Official, Urban Development Services, reporting on a request for a variance from the sign by-law by Mr. Leroy Casanova of Astral Media Outdoor, to permit the construction of a third party roof sign on the existing one storey building on the subject property; and recommending that the request for a minor variance from the sign by-law be refused.

Mr. Austin Shapiro, property owner, appeared before the North York Community Council in connection with the foregoing matter.

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

**(Report No. 3 – Clause No. 19)**

**3.15 Poster Contest Winners – Elimination of Racism.**

A presentation was made to the recipients of the Poster Art Competition and recipients of the writing contents.

Councillor Li Preti, on behalf of the North York Community Council, welcomed the following recipients of the Poster Art Competition:

4<sup>th</sup> runner up – “Colours Make the World Beautiful” by Ghazaleh Etezal, Grade 10  
3<sup>rd</sup> runner up – “Stamp Out Racism” by Vivian Li, Grade 11  
2<sup>nd</sup> runner up – “Racism – we’re all the same within” by David Yoon, OAC  
1<sup>st</sup> prize – “Colour Our World” by Katerina Gloushenkov, Grade 12

Councillor Feldman, assisted by Superintendent John Mellor and Inspector John Walls of the Toronto Police Services; Ms. Lorrie Ming-Sun; and Mr. Keith LeClaire, Yorkdale Mall Manager, congratulated the winners of the Poster Art Competition and presented them with the prizes.

Councillor Li Preti, on behalf of the North York Community Council then welcomed

the following recipients of the writing contest:

2<sup>nd</sup> runner up – “Disappointment of Races or ....” by Irena Tchaoussovski and  
Julia Golubyatnikova

1<sup>st</sup> prize – “The Hidden Villages and the Snails” by Vivian Chung

Councillor Feldman, assisted by Superintendent John Mellor and Inspector John Walls of the Toronto Police Services; Ms. Lorrie Ming-Sun; and Mr. Keith LeClaire, Yorkdale Mall Manager, congratulated the winners of the writing contest and presented them with the prizes.

Councillor Li Preti thanked Mr. Keith LeClaire, Yorkdale Mall Manager, for his generosity in providing the prizes for the recipients; and thanked teachers Jeff Shortt, Martin Gordon, Bev Turnbull and Principal Judy Kennedy for encouraging the students to recognize the International Day for the Elimination of Racial Discrimination.

In closing, Councillor Li Preti announced that the winning four posters and the two winning entries for the writing competition will be on display in the 32 Division Community Board Room and sent to other venues across the City for viewing.

The North York Community Council received the presentation to recipients of the Poster Art Competition and recipients of the writing contest, to commemorate March 21, 2002, the International Day for the Elimination of Racial Discrimination, Community Partnerships, in conjunction with the 32 Division Community Police Liaison Committee.

**(Report No. 3 – Clause No. 32(i))**

**3.16 Final Report – Amendment to the Official Plan of the former City of North York for Lands located in the Sheppard Avenue Commercial Area, east of Yonge Street and Amendment to the former City of North York Zoning By-law No. 7625 for Zoning Regulations affecting the Mixed Use Commercial Area Zone (C7) – UD43-C7Z - Ward 23 – Willowdale.**

As directed by the North York Community Council, at its meeting held on January 30, 2002, notice of this statutory public meeting was given by newspaper advertisement as directed, in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (March 7, 2002) from the

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Director, Community Planning, North District, Urban Development Services, reporting in accordance with Council's direction, on the impact of permitting parking lots and front yard parking on lands located in the Sheppard Avenue Commercial Area, east of Yonge Street, and currently located in the C7 zone, and to provide a draft official plan amendment and draft zoning by-law amendment which would prohibit such uses on these lands; 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. 4;
- (2) Amend Zoning By-law No. 7625 for the former City of North York generally in accordance with the draft Zoning By-law Amendment attached as Attachment No. 5; and
- (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.

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

- (April 2, 2002) from Ms. Harriet Altman, H.M.A. Management Services Inc., requesting that this matter be deferred in order to allow her an opportunity to meet with her neighbours to discuss the matter and to prepare a suitable submission;
- (April 2, 2002) from Mr. Raymon Tiwana, on behalf of his parents, property owners of 97 Sheppard Avenue East and 99 Sheppard Avenue East, commenting in opposition to the proposed amendment and requesting a deferral of the matter in order to consult with others to properly understand the implications of this amendment;
- (April 2, 2002) from Ms. Norah A. Oulahen, President, 1085372 Ontario Limited, commenting on the staff report and requesting a deferral of the matter in order to allow the proper process and time to reflect such a drastic change to OPA 446 which would oppose the initiatives and revitalization of the Sheppard Avenue East commercial corridor;
- (April 3, 2002) from Ms. Evelyn Dewar, President, Bay/Cal Ratepayers'



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Group Incorp., opposing the proposed amendment to the C7 zone to delete commercial parking lots & front yard parking on Sheppard Avenue East; and

- (April 2, 2002) from Mr. Victor Moncarz, appointing Harriet Altman as his proxy since he could not attend the public meeting scheduled for April 3, 2001, due to previously scheduled appointments.

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

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

- Mr. Paul Oulahan on behalf of Norah A. Oulahan, President, 1085372 Ontario Limited; 1235421 Ontario Limited and 1348472 Ontario Limited, who expressed concerns regarding the proposed amendment to the C7 Zone to delete commercial parking lots and front yard parking on Sheppard Avenue East. He pointed out that retail business would be negatively affected as there is not enough parking space at the present time, even though there are already a number of people providing commercial parking lots. In addition he expressed concern with regard to the poor notification which consisted of one ad placed in the Toronto Sun newspaper. He concluded by requesting a deferral of the matter in order to allow a community meeting to be held and to obtain input from all property owners along Sheppard Avenue that may be impacted by the proposed amendments to the Official Plan and Zoning By-law;
- Mr. Sandford Malach, who expressed his opposition to the proposed rezoning and commented on the lack of parking that already exists in the area along Sheppard Avenue East from Yonge Street to Bayview. In addition, he expressed his objection to the manner in which notification was given;
- Mr. Raymon Tiwana, who expressed his opposition to the proposed amendments and advised that he has a business on Sheppard Avenue East which will be adversely affected by the proposed rezoning; adding that he currently has six parking spaces that are used by the building occupants. He also strongly objected to the manner in which the notification was given;
- Ms. Harriet Altman, who expressed concern with the notification of this public meeting being placed in The Toronto Sun and the fact that she, as well

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as other property owners along Sheppard Avenue became aware of the proposed amendments merely by accident. She further indicated that unless there was a real urgency to deal with this matter, she would prefer a deferral in order to allow all property owners along Sheppard Avenue an opportunity to determine how the proposed amendments will affect them;

- Ms. Altman also spoke on behalf of Mr. Victor Moncarz, who was opposed to the proposed amendments. She indicated that Mr. Moncarz has vacant space in his building which he would like to rent, however, if parking is not available, no one will be interested in renting space in the building;
- Mr. Raymond Lee, who expressed his opposition to the proposed amendments and advised that it would affect the value of his property. He also objected to the manner in which the notification was given, thereby not allowing sufficient time to make a proper submission; and
- Ms. Evelyn Dewar, President, Bay/Cal Ratepayers' Group Incorp., who presented a written submission and expressed her objection to the proposed amendments. In addition she commented that proper notification was not given, and there was no consultation process. She further stated that one ad in the Toronto Sun was not adequate and there should have at least been an ad in the local Mirror newspaper. She then advised that the area is in need of revitalization and needs more parking. She expressed the concern that by eliminating the existing parking will have the effect of saying "keep away", and then questioned where the customers for the businesses in the area supposed to park. She concluded by requesting that the North York Community Council reconsider the proposed amendment and defer the matter until proper consultation is achieved; or abandon the whole idea and not waste time and funds on something that was already in place and approved by most.

Councillor Mammoliti, Vice-Chair, assumed the Chair.

A. Councillor Filion, Ward 23 – Willowdale, moved that:

- (1) the North York Community Council after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (March 7, 2002) from the Director, Community Planning, North District, Urban Development Services, recommend to City Council, the adoption of the

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aforementioned report; and

- (2) the Director, Community Planning, North District, Urban Development Services, be requested, in the interim, to meet with any interested property owners on Sheppard Avenue, and the Commissioner of Urban Development Services, to submit a report directly to City Council for its meeting scheduled for April 16, 2002, only if there are any changes required as a result of said meeting.

- B. Councillor Shiner, Ward 24 – Willowdale, moved that consideration of the proposed by-law as it applies to 127, 137, 143 and 200 Sheppard Avenue East, be deferred to the meeting of the North York Community Council scheduled for June 5, 2002, to allow an opportunity for the property owners to discuss further concerns with staff, and to allow the Director, Community Planning, North District, to submit a further report to the Community Council regarding the aforementioned four properties.

A recorded vote on Motion B., moved by Councillor Shiner, Ward 24 – Willowdale, was as follows:

FOR: Councillors Sutherland, Shiner, Feldman

AGAINST: Councillors Filion, Li Preti, Augimeri, Mammoliti

ABSENT: Nil

Lost.

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

FOR: Councillors Filion, Li Preti, Augimeri, Mammoliti

AGAINST: Councillors Sutherland, Shiner, Feldman

ABSENT: Nil

Carried.

**(Report No. 3 – Clause No. 20)**

Councillor Li Preti resumed the Chair.

**3.17 Final Report – Application to Amend the Zoning By-law – UDZ-00-10 – MCF Reproductive and Health Services – 261 Finch Avenue West – Ward 23 – Willowdale.**

As directed by the North York Community Council, at its meeting held on July 18, 2000, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (February 20, 2002) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law to permit the conversion of an existing single detached residential dwelling (with a 70 square metre rear addition) to a medical office at 261 Finch Avenue West; and recommending that City Council:

- (1) Amend the Zoning By-law substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7
- (2) Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) Before introducing the necessary Bills to City Council for enactment, the owner is required to:
  - (a) obtain site plan approval for this project from the Director, Community Planning, North District, with particular attention given to the comments of civic officials set out in Attachments 5 and 6 of this report ; and
  - (b) convey or cause to be conveyed to the City for a nominal fee, free of all encumbrances, for dedication as a public highway, a 2.76 metre road widening across the entire Finch Avenue West frontage of the site.

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

- Mr. William S. Hollo, gsi Real Estate and Planning Advisors Inc. on behalf of the applicant, who advised that he was in agreement with the staff report and requested that the staff report be adopted; and
- Mr. Ken Hower, MCF Reproductive Services, applicant, who advised that he had no further comments beyond that already stated by his representative.

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 (February 20, 2002) from the Director, Community Planning, North District, Urban Development Services, and for the reasons that the proposal is an appropriate use of lands, recommended to City Council, that the application submitted by MCF Reproductive and Health Services, regarding an amendment to the Zoning By-law to permit the conversion of an existing single-detached residential dwelling (with a 70 square metre rear addition) to a medical office at 261 Finch Avenue West, be approved, subject to the conditions outlined in the aforementioned report.

**(Report No. 3 – Clause No. 21)**

Councillor Mammoliti, Vice-Chair, assumed the Chair.

**3.18 Final Report – Application to Amend the Zoning By-law 7625 – TB ZBL 2001 0014 – Solray Investments – 2375 Steeles Avenue West – Ward 8 – York West.**

As directed by the North York Community Council, at its meeting held on January 30, 2002, notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (March 19, 2002) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law for a teletheatre at 2375 Steeles Avenue West as a three year temporary use only in conjunction with a restaurant; and recommending that City Council:

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- (1) amend the Zoning By-law 7625 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 draft Zoning By-law Amendment as may be required.

Mr. Andrew Salem, of Fraser, Milner, Casgrain, Barristers and Solicitors, appeared before the North York Community Council, on behalf of the applicant, and stated that he concurred with the recommendations in the staff report subject to two minor clarifications in the draft zoning by-law. He indicated that in the draft zoning by-law there is no clarification in the definition of teletheatre that such a use will not be considered a gambling establishment. He also pointed out that there is a five percent (5%) gross floor area restriction for the teletheatre area and self-serve machines and did not want table space in the restaurant area to be considered as part of the five percent gross floor area restriction for the teletheatre.

- A. Councillor Li Preti, Ward 8 – York West, moved that the North York Community Council after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (March 19, 2002) 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 Solray Investments, regarding an amendment to the Zoning By-law to permit a teletheatre at 2375 Steeles Avenue West as a three-year temporary use only in conjunction with a restaurant, be approved subject to the conditions outlined in the aforementioned report.
- B. Councillor Sutherland, Ward 33 – Don Valley East, moved in amendment to Councillor Li Preti’s motion that Subsection (e)(iii), titled, “Permitted Uses” of the Draft Zoning By-law Amendment (Attachment 5), be amended by inserting the word, “kiosk”, following the word, “teletheatre”, so that the subsection shall now read as follows:

“(e)(iii) The gross floor area of the teletheatre kiosk shall not exceed 5% of the restaurant gross floor area.”

A recorded vote on Motion B., moved by Councillor Sutherland, in amendment to Motion A., moved by Councillor Li Preti, was as follows:

FOR: Councillors Sutherland, Filion, LiPreti, Feldman, Augimeri, and

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Mammoliti

AGAINST: Nil

ABSENT: Councillor Shiner

Carried.

A recorded vote on Motion A., moved by Councillor Li Preti, Ward 8 – York West, was as follows:

FOR: Councillors Sutherland, Filion, LiPreti, Feldman

AGAINST: Councillors Augimeri and Mammoliti

ABSENT: Councillor Shiner

Carried.

**(Report No. 3 – Clause No. 22)**

Councillor Li Preti resumed the Chair.

**3.19 Final Report – Application to Amend the Official Plan and Zoning By-law – TB CMB 2001 0004 – Amandus Homes Inc. – Terraventure Group – 866-868 Sheppard Avenue West – Ward 10 - York Centre.**

As directed by the North York Community Council, at its meeting held on April 4, 2001, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (March 19, 2002) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and the Zoning By-law for a 6 storey, retirement home on lands municipally known as 866-868 Sheppard Avenue West; and recommending that City Council:

- (1) Amend the Official Plan for the former City of North York substantially in

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accordance with the draft Official Plan Amendment attached as Attachment No. 6.

- (2) Amend Zoning By-law No. 7625 for the former City of North York generally in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.
- (3) Authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
- (4) Before introducing the necessary Bills to City Council for enactment, the applicant is required to:
  - (a) obtain site plan approval from the Director, Community Planning, North District; and
  - (b) convey or cause to be conveyed to the City for a nominal fee, free of all encumbrances, the following lands for dedication as a public highway:
    - (i) a 2.76 metre widening across the entire Sheppard Avenue West frontage of the subject lands.

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

- (March 17, 2002) from Ms. Miriam Abel, expressing her concerns with the proposed development; and
- (March 27, 2002) from Mr. Mark Lockwood, Executive Director, Adath Sholom Synagogue, requesting that this matter be rescheduled as the meeting falls on the holy day of Passover, and their representative cannot attend the public meeting scheduled for April 3, 2002.

Mr. Brian Sickle, Architect, Page and Steele Architects, appeared before the North York Community Council in connection with the foregoing matter, on behalf of the applicant, and advised that he is in support of the staff recommendations and looks forward to proceeding to the site plan approval stage of the application.

On motion by Councillor Feldman, Ward 10 – York Centre, the North York



Community Council, after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (March 19, 2002) from the Director, Community Planning, North District, Urban Development Services, and for the reasons that the proposal is an appropriate use of lands, recommended to City Council, that the application submitted by Terraventure Group, regarding an amendment to the Official Plan and the Zoning By-law to permit a six-storey, retirement home on lands municipally known as 866-868 Sheppard Avenue West, be approved subject to the conditions outlined in the aforementioned report.

**(Report No. 3 – Clause No. 23)**

Councillor Mammoliti, Vice-Chair, assumed the Chair.

**3.20 Final Report – Application to Amend Zoning By-law 7625 and North York Official Plan – TB CMB 2001 0016 – Leisureworld Inc. – 22 Norfinch Drive – Ward 8 – York West.**

As directed by the North York Community Council, at its meeting held on October 24, 2001, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (March 19, 2002) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and the Zoning By-law for a 3 storey, 160 bed long term care facility at 22 Norfinch Drive; and recommending that City Council:

- (1) Amend the Official Plan for the former North York substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 8.
- (2) Amend the Zoning By-law 7625 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 9.
- (3) Authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.

A staff presentation was made by Ms. Allison Meistrich, Planner, Community

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Planning, North District, Urban Development Services.

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

- Mr. Mark Noskiewicz, Goodman, Phillips and Vineberg, Barristers and Solicitors, on behalf of the applicant, who advised that he is in support of the staff recommendations. During his submission he also indicated that this application was discussed with staff of the Economic Development Office who have no objections to the proposed use, given the surrounding uses and the employment generated will have positive economic impacts and employ approximately 150 people. In his opinion, the proposed development would not destabilize nearby residential or existing industrial uses. He concluded by urging the North York Community Council to support the application;
- Ms. Barbara Denver, Architect, on behalf of the applicant, Leisureworld Inc., who commented on the architectural aspects of the application. During her submission she indicated that the exterior of the proposed building would be masonry and stucco, with appropriate landscaping around the building. She further added that the front parking area would have a wall to screen the cars. With respect to the interior of the building, she advised that there are a number of common facilities which include a large lounge, a café, utility room and conference rooms. In addition, she advised that there are a number of resident home areas that are complete with their own dining and living room areas. In closing, she pointed out that Leisureworld Inc. is an experienced long term care facility operator and expressed the view that the facilities would be well used, since public use would be encouraged; and
- Mr. Herman Grad, property owner, who advised that the community room space within the facility would be available for use by the Rotary Clubs, Kiwanis, Ratepayer groups, dentists and doctors as well as the staff of the nearby hospital, for meeting purposes.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (March 19, 2002) from the Director, Community Planning, North District, Urban Development Services, and for the reasons that the proposal is an appropriate use of lands, recommended to City Council that:

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- (1) the application submitted by Leisureworld Inc., regarding an amendment to the Official Plan and Zoning By-law to permit a 3 storey, 160 bed long term care facility at 22 Norfinch Drive, be approved, subject to the conditions outlined in the aforementioned report; and
- (2) site plan approval be conditional upon the site plan being to the satisfaction of the Ward Councillor and the Councillor for Ward 7 – York West.

**(Report No. 3 – Clause No. 24)**

Councillor Li Preti resumed the Chair.

**3.21 Final Report – Application to Amend the North York Zoning By-law – UDZ-00-16 – Plantactics (on behalf of Ashmount Estates Inc.) – 25 Highview Avenue and 188-208 Downsview Avenue – Ward 9 – York Centre.**

As directed by the North York Community Council, at its meeting held on January 30, 2002, appropriate notice of this continuation of the statutory public meeting, was given as directed and in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (January 9, 2002) from the Director, Community Planning, North District, Urban Development Services, reporting on a site specific exception to amend the Zoning By-law to permit small lot single detached homes fronting on a common element condominium private road; and recommending that City Council:

- (1) Amend the Zoning By-law 7625 for the development substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8;
- (2) Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and
- (3) Before introducing the necessary Bills to City Council for enactment, the applicant is required to execute a Tree Preservation Agreement.

The North York Community Council also had before it a supplementary report (March 18, 2002) from the Director, Community Planning, North District, Urban Development

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Services, reviewing the revised plans and their compliance with the requirements of the R7 zoning as recommended by the Director, Community Planning, North District, in the final staff report dated January 9, 2002; and recommending that this report be received for information.

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

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

- Mr. Scott Kapunscinski, on behalf of the applicant, Ashmount Estates Inc., who advised that they have revised the plan and again met with area residents to review the revised plan with them. He further advised that many of the issues presented by the residents have been addressed, however there are still some issues that still need to be addressed which they hope can be resolved through the site plan approval process. In addition, he pointed out that the size of the development has been reduced by two units;
  - Ms. Ivana Seravalle, who advised that she has met with the applicant in an effort to resolve her concerns regarding shadowing and privacy, both of which have not yet been addressed. In concluding, she stated that she would like to see the next set of plans before the project goes any further;
  - Ms. Barb Collin, on behalf of Margaret Hubbard, who expressed with respect to the new road proposed adjacent to her property and possible drainage problems being created during construction of the development; and
  - Mr. Paul Grenier, who expressed concern regarding the height of the proposed dwellings and who requested an opportunity to review the elevation drawings to determine if there is an issue that needs to be addressed in that regard.
- A. Councillor Augimeri, Ward 9 – York Centre, moved that the North York Community Council after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the reports (January 9, 2002 and March 18, 2002) 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:
- (1) the adoption of the following Resolution submitted by Councillor

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Augimeri, Ward 9 - York Centre:

“WHEREAS the applicant has submitted a revised site plan as per Council’s directions to implement the R7 zoning as recommended by the Director, Community Planning, North District, and the revised proposal is for 23 homes, and the neighbours have expressed site plan concerns with the proposed development;

AND WHEREAS there has been a slight modification to the boundary of the site at the southwest corner;

NOW THEREFORE BE IT RESOLVED THAT the following additional recommendations be added to the Final Report of the Director, Community Planning, North District, dated January 9, 2002;

“(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 Site Plan Approval will be subject to the following: (1) grading, drainage and stormwater management plans to the satisfaction of the Director, Works and Emergency Services; (2) fencing around the perimeter of the site; (3) adequate measures for the provision of snow removal; and (4) windows, roof lines and setbacks for lots adjacent to existing homes on Ridge Road and Highview Avenue to address privacy and shadow impacts.”

“(5) Before introducing the Zoning Bill to City Council for enactment, the applicant shall provide evidence satisfactory to the City Solicitor that the applicant is either the registered owner of the site and/or has entered into binding agreements of purchase and sale with the respect to the lands which are in effect as of the date of by-law enactment.”

AND BE IT FURTHER RESOLVED THAT Schedule 1 to the draft by-law attached to the Final Report of the Director, Community Planning, North District, dated January 9, 2002, be replaced by Schedule 1 to the draft by-law distributed at the

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meeting of the North York Community Council held on April 3, 2002, so as to reflect the boundary change at the southwest corner of the site.

AND BE IT FURTHER RESOLVED THAT the recommendations in the Final Report of the Director, Community Planning, North District, dated January 9, 2002, as amended above, be adopted.”

- B. Councillor Augimeri, Ward 9 – York Centre, moved that it be recommended to City Council that the following further Resolution submitted by Councillor Augimeri, Ward 9 – York Centre, be adopted:

“WHEREAS Plantactics (on behalf of Ashmont Estates Inc.) has made an application to amend the Zoning By-law No. 7625 on the lands known municipally as 25 Highview Avenue and 188-208 Downsview Avenue in order to permit the construction of 23 single family dwellings fronting on a private road;

WHEREAS the parkland dedication required for the application is by cash-in-lieu;

NOW THEREFORE BE IT RESOLVED THAT the required cash-in-lieu for parkland dedication for this development be directed towards improvements to Ridge Park;

AND BE IT FURTHER RESOLVED THAT such portion of the dedication is not to exceed \$50,000.00.”

- C. Councillor Mammoliti, Ward 7 – York West, moved that the applicant, upon approval by Council, be requested to address the issue with respect to shadowing and to provide affected property owners with copies of the shadow diagrams; as part of the site plan review process.

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

**(Report No. 3 – Clause No. 25)**

**– Nuc-Tuct Non-Profit Housing Corporation – 53 Cummer Avenue – Ward 24 – Willowdale.**

As directed by the North York Community Council, at its meeting held on February 26, 2002, appropriate notice of this continuation of the 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. a report (February 8, 2002) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the zoning by-law to permit the construction of a 57 unit 4-storey apartment building at 53 Cummer Avenue which is supported by the City's Let's Build Program; and recommending that City Council:
- (1) Amend the zoning by-law 7625 of the former City of North York for the subject site substantially in accordance with the Draft Zoning By-law Amendment attached as Attachment No. 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 is required to obtain from the Director, Community Planning, North District, site plan approval under Section 41 of the Planning Act; and
  - (4) Before introducing the necessary Bills to City Council for enactment, the applicant shall have resolved to the satisfaction of the Commissioner of Corporate Services, the issue with the City-owned property adjacent to the south-west portion of the site (Block H); and
- B. a report (April 2, 2002) from the Director, Community Planning, North District, Urban Development Services, outlining the changes to the proposed unit 57 unit, 4-storey apartment building at 53 Cummer Avenue upon further community consultation meetings, and recommending that City Council amend Schedule RM5(12) of the draft Zoning By-law attached as Attachment No. 13 to the Final Report to lower the height limit of the building to 12

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metres and amenity deck to 3.2 metres.

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

- (March 5, 002) from the City Clerk, North York Community Council, advising that the North York Community Council, at its meeting on February 26, 2002:
  - (a) had before it a report (February 8, 2002) from the Director, Community Planning, North District, Urban Development Services;
  - (b) had before it the following communications, which are on file in the office of the City Clerk, North York Civic Centre:
    - (February 9, 2002) from Mr. Milos Bily, expressing his objection to the proposed development;
    - (February 12, 2002) from Mr. Ian S. Miller, expressing his support for the proposed development;
    - (February 11, 2002) from David Tyrrell, Christianne & Cary Moretti, Morley Patterson, Halyna Davidovich, Betty Phillips and Sue Yun & Morris Reid, outlining their concerns and objections to the application and attaching a communication dated February 4, 2002, addressed to Paul Byrne, Senior Planner, Community Planning, North District, formally stating their opposition and outlining their concerns regarding the proposed rezoning and development of 53 Cummer Avenue; as well as a confidential communication outlining area testimonials and a confidential petition signed by 306 individuals which was circulated under separate cover to Members of the North York Community Council, having regard that the material contains personal information about identifiable individuals;
    - (February 12, 2002 and November 22, 2001) from Mr. Morris Reid, expressing his opposition to the proposed development;



- (February 12, 2002) from Ms. Marie Valge, expressing her opposition to the proposed development;
- (February 13, 2002) from Mr. Henry Wojciechowicz, expressing his opposition to the proposed development;
- (received February 15, 2002) from Mr. Rogers Ludgate, endorsing the concept of this project; commending the work done by the local church group to bring forth a modest proposal in their parking lot but also requesting that the following matters be reviewed and corrected; (1) the road proposed on the south-west corner of the project out into Averill Crescent; (2) the residential apartment unit on the lower floor on the south-west corner of the building; (3) the “cladding” and overall outside appearance of the proposed structure;
- (February 23, 2002) from Ms. Pauline Ma, expressing her opposition to the proposed development; and in particular with respect to increased traffic congestion and the possibility of this neighbourhood becoming a non-profit low income area;
- (February 23, 2002) from Ms. Jenny Sim, expressing her opposition to the proposed development due to traffic congestion and the negative impact of the proposed development on property values in the area;
- (February 23, 2002) from Ms. Anna Lee, expressing her opposition to the proposed development due to traffic congestion; the security of their neighbourhood being threatened by non-profit housing and the inappropriateness of a place of worship being involved in a business venture;
- (February 25, 2002) from Mr. Tony Volpentesta, Bousfield, Dale-Harris, Cutler & Smith Inc., Planning Consultants for Silvercore Properties Inc., owner of the Newtonbrook Plaza, immediately adjacent to the proposed

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development, outlining their concerns with respect to spillover parking; buffering and screening issues; and the loading area; and requesting that their name be added to the notification list of Council's decision with regard to this matter as well as being provided with notification of the adoption of the implementing Zoning By-law as applicable.

- (February 26, 2002) from Sun Lau, expressing her opposition to the proposed development; and
  - (February 11, 2002) from David Tyrrell and Halyna Davidovich forwarding a petition containing the signatures of 306 residents in opposition to the proposed rezoning and low-income housing development.
- (c) heard deputations from the following persons since they would not be able to attend the continuation of the statutory public meeting proposed for April 3, 2002:
- Mr. Sun Lau, who presented a written submission and expressed his objection to the proposed development, particularly with respect to various aspects relating to the appearance of the building and other site plan issues. He further expressed concern with regard to the increase in traffic, and the negative impact of the proposed development on property values in the immediate area.
  - Mr. Joseph Harshegyi, who presented a written submission and expressed his concern with regard to the height of the proposed building and stated that after looking at the plans it appeared that the building could be modified by the time construction starts and end up being a building that is eight, nine or even 10 storeys high. He further expressed the concern that the Church will eventually sell the remainder of its property to build another high rise building. In closing, he requested that the North York Community Council restrict the number of high rise buildings that are being proposed to be built for the next 10 to 15 years;

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- Ms. Barbara Cohan, who expressed her support for the proposed development and advised that she would like to apply for residency in the building. She further stated that she and her daughter live on a very limited income and although their income is low; they are still good people; adding that she has contributed significantly to the community for many years and has been a recipient of the “volunteer of the year” award. In closing, she indicated that the residents that are opposing high rise low rental housing are probably not aware that North York has the least amount of low rental housing than anywhere else within the City of Toronto; and
  - Reverend Jan Bush, on behalf of Newtonbrook United Church who expressed her support for the proposed development and commented on the merits of the application. She also clarified that the Church cannot sell the subject lands in five years, 10 years or 20 years and that lands cannot be sold to private interests.
- (d) noted that the following persons were in attendance on February 26, 2002, but indicated that they wish to reserve their right to address the North York Community Council at the continuation of the statutory public meeting to be scheduled for April 3, 2002:
- Mr. Norman Street;
  - Mr. Cary Moretti;
  - Ms. Oksana Davidovich;
  - Mr. Morley Patterson;
  - Ms. Christianne Moretti;
  - Ms. Betty Phillips;
  - Ms. Halyna Davidovich;
  - Mr. David Tyrrell;
  - Mr. Ian Miller;
  - The Rev. Dr. George McClintock;
  - Ms. Janet Love;
  - Ms. Evelyn Roberts, President, Nuc-Tuct Non-Profit Housing Corporation;
  - Mr. Maxwell Porter;

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- Ms. Zora Bily;
- Mr. Al Barnstaple;
- Ms. Norma Manson;
- Mr. John Sullivan;
- Mr. David Griffin;
- Ms. Irene Carriere;
- Mr. Danny Huang;
- Ms. Kay Hymers; and
- Ms. Cindy Taylor

- (e) took the following action:
- (i) deferred consideration of the report (February 8, 2002) from the Director, Community Planning, North District, Urban Development Services, in order to allow for a continuation of the statutory public meeting to be held at the next meeting of the North York Community Council scheduled for April 3, 2002 at 4:00 p.m.; and
  - (ii) directed that further notice be given by the City Clerk for the Statutory Public Meeting;
    - (a) that the further notice include notification that the North York Community Council will consider amending its Official Plan to permit an increased height and an increased unit count and possibly density incentives/transfers for the current application if it can be demonstrated that in doing so, the proposed parking for the housing can be within a fully enclosed below-grade parking area;
  - (iii) directed the Director, Community Planning, North District, to meet with the applicant and the Local Councillor and report back on the feasibility of locating residential parking below grade;
  - (iv) requested the applicant to provide further information on the elevation drawings for the proposed development and identify alternatives which could further enhance its

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overall appearance and street relationship to both Cummer Avenue and Averill Crescent; and

- (v) requested the Director, Community Planning, North District, to report to the April 3, 2002 meeting of the North York Community Council on these further negotiations and any proposed amendments to the Official Plan which should be considered at that meeting.

- (February 27, 2002) from Ms. Robin Collyer, Acting President, Silverview Community Association, clarifying misinformation given at the Community Council meeting of February 26, 2002;
- (March 18, 2002) from Mr. Evan Bickerton, expressing his support for the rezoning application;
- (March 18, 2002) from Mrs. Gloria Bickerton, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Ruth Bramham, expressing her support for the proposed development;
- (March 15, 2002) from Sun Lau, submitting a second submission in opposition to the application and indicating that no building other than the existing church is justified on these lands;
- (March 17, 2002) from Mr. Hartley Jackson, expressing his support for the proposed development;
- (March 17, 2002) from Mr. Eldon Comfort, expressing his support for the proposed development;
- (undated) from Donna Slater, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Elizabeth Comfort, expressing her support for the proposed development;
- (undated) signed by area resident in support of the proposed development;

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- (undated) from Mr. Harry Green, expressing his support for the proposed development;
- (undated) from Mr. Bob Woodrow, expressing his support for the proposed development;
- (undated) from Ms. Elizabeth Hayward-Mooney, expressing her support for the proposed development;
- (undated) from Ms. Noreen Slater, expressing her support for the proposed development;
- (March 19, 2002) from Ms. Helga Allan, Secretary, Board of Directors, Bazaar Non-Profit Housing Corp., expressing the Board of Directors' support for the proposed development;
- (undated) from Mr. Angelo Babaris, expressing his support for the proposed development;
- (March 20, 2002) from Ms. Susan Babaris, expressing her support for the proposed development;
- (March 19, 2002) from Ms. Elizabeth McQuillan, expressing her support for the proposed development;
- (March 17, 2002) from Mr. R.G. McQuillan, expressing his support for the proposed development;
- (March 16, 2002) from Peter & Andrea Journeaux, expressing their support for the proposed development;
- (March 18, 2002) from Ms. Barbara A. McNutt, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Linda Patrick, expressing her support for the proposed development;
- (March 19, 2002) from Mr. John Carriere, expressing his support for the proposed development;

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- (March 19, 2002) from Ms. Irene M. Carriere, expressing her support for the proposed development;
- (March 21, 2002) from Mr. Anthony J. Moscrop, expressing his concerns respecting the proposed development;
- (March 19, 2002) from Gordon & Evelyn Robertson, expressing their support for the proposed development;
- (March 18, 2002) from Ms. Jane Love, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Lillian Knaggs, expressing her support for the proposed development;
- (March 17, 2002) from C. Mark Reius, expressing his support for the proposed development;
- (March 17, 2002) from E.J. Mistele, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Edna Miller, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Lois Coulter-Mistele, expressing her support for the proposed development;
- (March 18, 2002) from Mr. Charles Wang, expressing his support for the proposed development;
- (March 18, 2002) from Ms. Judy Wang, expressing her support for the proposed development;
- (March 17, 2002) from S.W. Wang, expressing his support for the proposed development;
- (March 18, 2002) from Ph-Ling Lin, expressing his support for the proposed development;
- (March 17, 2002) from Ms. Christine McLean, expressing her support for the

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proposed development;

- (March 17, 2002) from Mr. Michael Stanton, expressing his support for the proposed development;
- (March 17, 2002) from Javi Yang, expressing his support for the proposed development;
- (March 17, 2002) from Ms. Peggy Pi-Yi Huang, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Peggy Chu, expressing her support for the proposed development;
- (March 17, 2002) from N. Liu Chu, expressing his support for the proposed development;
- (March 17, 2002) from Ms. Barbara MacBeth, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Alice Thompson, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Karen Pleasance, expressing her support for the proposed development;
- (March 17, 2002) from N. Preston Sanderson, expressing his support for the proposed development;
- (March 17, 2002) from T. June Sanderson, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Kim Vair, expressing her support for the proposed development;
- (March 17, 2002) from Mr. Jason Vair, expressing his support for the proposed development;
- (March 17, 2002) from Mr. R. Pat Bright, expressing his support for the proposed development;



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- (March 18, 2002) from Ms. Jessie Loi, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Kim Cheu, expressing her support for the proposed development;
- (undated) from Mr. Temple Lin, expressing his support for the proposed development;
- (undated) from Asuhmei Ling, expressing his support for the proposed development;
- (undated) from N. Nyng, expressing his support for the proposed development;
- (March 17, 2002) from Mr. Taylor Sullivan, expressing his support for the proposed development;
- (March 17, 2002) from Ms. Julie Raymond, expressing her support for the proposed development;
- (March 17, 2002) from Mrs. Marilyn Glanville, expressing her support for the proposed development;
- (undated) from Ms. Nancy Darnell, expressing her support for the proposed development;
- (March 17, 2002) from E. Joyce Day, expressing her support for the proposed development;
- (undated) from Ms. Suzanne R. Lee, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Corinne Fericy, expressing her support for the proposed development;
- (March 17, 2002) from Mr. William Cook, expressing his support for the proposed development;

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- (March 17, 2002) from Ms. Myra S. Porter, expressing her support for the proposed development;
- (undated) from Reverend Janet Elizabeth Bush, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Betty L. Spence, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Barbara A. Love, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Jeannette McCullough, expressing her support for the proposed development;
- (March 17, 2002) from S. Sheard, expressing her support for the proposed development;
- (March 17, 2002) from Mrs. Hazel Manning, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Juliet Liam, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Sue Chuan Chen, expressing her support for the proposed development;
- (March 18, 2002) from Vanier Lai, expressing her support for the proposed development;
- (March 18, 2002) from Ms. Kimberley Cheng, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Patricia Delgaty, expressing her support for the proposed development;
- (March 17, 2002) from Ms. Elizabeth Thompson, expressing her support for the proposed development;
- (March 17, 2002) from Mr. Thomas Thompson, expressing his support for

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the proposed development;

- (March 17, 2002) from Ms. Elizabeth S. Thompson, expressing her support for the proposed development;
- (March 21, 2002) from Dr. Judith Nagata, expressing her support for the proposed development;
- (March 27, 2002) from Mr. Albert Chiarandini, Ontario Society of Artists, expressing his objections to the proposed development;
- (undated) from Ms. Maura Payne, expressing her support for the proposed development;
- (April 2, 2002) from Ms. Zora Bily, expressing her opposition to the proposed development;
- (March 28, 2002) from Ms. Celestina Sy, expressing her concerns respecting the proposed development;
- (March 25, 2002) from Ms. Betty Philips, expressing her opposition to the proposed development;
- (March 26, 2002) from Ms. Barbara Petrocci Resnick, expressing her concerns respecting the proposed development;
- (April 2, 2002) from Mr. Murray D. Silverberg, Vice-President, Silvercore Properties Inc., commenting on the possibility of allowing placement of a hammerhead arrangement within their parking lot as suggested by the Ward Councillor;
- (April 2, 2002) from Debbie and Neil Parcher, expressing their concerns respecting the proposed development;
- (April 3, 2002) from Ms. Ann Fitzpatrick, Community Worker, Children's Aid Society of Toronto, expressing support for the proposed development.

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

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The following persons appeared before the North York Community Council in connection with the foregoing matter, at its meeting held on April 3, 2002:

- Mr. Norman Street, who presented a written submission and expressed his support for the proposed development. He then stated that the 40 affordable units are minimal compared to the thousands of units being built at Yonge and Finch at the present time. In addition he stated that it was a good location since it is close to a shopping mall and good transportation;
- Ms. Oksana Davidovich, who presented a written submission and expressed her objection to the proposed building, its warehouse-type appearance and poor design. She then questioned the ability of the Church and Nuc-Tuct to manage a mixed income property, coupled with the lack of sufficient capital to fund a well-designed building that is acceptable to the local community. She expressed the opinion that more time should be taken to raise adequate funds to amend the original design of the building which would result in a structure that the church and the community could both be proud of;
- Ms. Chritianne Moretti, who expressed the concern that there were still many issues outstanding with regard to the proposed development. In addition, he expressed the concern that Averill Crescent will be the access road for garbage collection and that the road will become a thoroughfare, thus creating a problem for the area residents. In closing she stated that she would like to see the access road eliminated;
- Ms. Betty Phillips, who presented a written submission and expressed her opposition to the use of Averill Crescent as an access road for the proposed development. She further added that the traffic at Cummer and Yonge is already horrendous and the use of Averill Crescent as an access road would aggravate the traffic congestion even further;
- Ms. Halyna Davidovich, who presented a written submission in opposition to the application and expressed her concerns regarding the decrease in property values that would result from the proposed development. She also expressed concerns regarding the increase in traffic that would result from the use of Averill Crescent as an access road, adding that the traffic at Cummer Avenue is completely backed up from Yonge Street to Willowdale during the morning and evening rush hours. In addition, she expressed a concern regarding neighbourhood safety and the potential problems associated with affordable housing, particularly in relation to drug and alcohol abuse and

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break-ins. With regard to the appearance of the building she advised that although the structure has been improved somewhat, it is still unappealing; and does not fit in with the overall appearance of the neighbourhood, since the building lacks a pitched roof and brick or stone façade. In closing, she requested that the Nuc-Tuct Committee be requested to withdraw the application and rework the proposal to standards acceptable to the local community;

- Mr. David Tyrrell, who presented a written submission dealing with building design, parking facilities, site location, and access road. In addition he expressed the concern that the parking garage should be built underground with full concealment, similar in design to that for the development at 33 Drewry Place. He then commented on the location and stated that the area of Yonge\Cummer to Willowdale Avenue already suffers extreme traffic build up at peak rush hour time. In addition, he stated that the across road on Averill Crescent should be eliminated as it would create a thoroughfare of service oriented traffic. In closing, he further stated that the plan for 53 Cummer is very inappropriate in its concept and design and that an alternate location should be found, such as the Church of St. Luke and Sister of St. Joseph on Bayview Avenue or St. John's Hospital on Cummer Avenue;
- Mr. Ian Miller, who presented a written submission and requested that the rezoning proposal be supported. In addition, he commented that the erection of a 3 storey building now ensures that a 6 storey monster building will not be built on this site at a later date. He further stated that a selection committee, including neighbourhood representation will choose potential tenants and that the occupants of the building will become a part of the community, people who will pay taxes, support the local merchants and hopefully become members of the Silverview Community Association. In closing, he urged the Community Council to support the rezoning project and stated that despite amalgamation, he believed that North York was still a City with heart;
- Ms. Janet Love, who presented a written submission and expressed her support for the proposed development. She advised that she is pleased to serve on the Board for Nuc-Tuct's proposed affordable because she knows from experience, the difference that can be made in people's lives in terms of quality of life and security, when the rent that is paid is more affordable;
- Ms. Evelyn Robertson, President, Nuc-Tuct Non-Profit Housing Corporation,

who presented a written submission and expressed her support for the affordable housing project. She advised that the Board of Nuc-Tuct is very appreciative of the leadership shown by the Council of the City of Toronto in providing 2<sup>nd</sup> mortgage support to this project through the Let's Build Program. She then pointed out that the allowable density on the church lands is three times that which is presented in the proposal. She further stated that the Board is aware of the responsibility it is assuming, not only for much needed housing, but to the neighbours and the community. In this regard she advised that the process has already begun with Community representation on the Capital Campagne Committee, the Community Liaison Committee and the Tree Preservation Task Force. She further indicated that this is a mixed-use building and it reflects a cross-section of the community. The building would be open to seniors, to disabled families and to single persons and some will pay market rent, some 10% below market and some of the units will be rent-geared-to-income. In closing, she urged that the Community Council assist them to help others by recommending the acceptance of the zoning request;

- Mr. Maxwell Porter, who presented a written submission and expressed his support for the proposed affordable housing project; advising that the building will provide comfortable accommodation for people with a variety of incomes, with one-third of the units being rented at market rates, one-third at rents 10% below market rates and one-third geared to income. He then advised that some seniors have already expressed an interest in renting units in the building. With regard to the concerns expressed that the building would be allowed to deteriorate because of inadequate management, he advised that that would not be allowed to happen. In closing, he expressed the opinion that the building will be an asset to the community in both function and appearance and recommended approval of the application;
- Ms. Zora Bily, who expressed her opposition to the proposed building and outlined her concerns with regard to the garage and the exterior design of the building which did not harmonize with the appearance of the existing neighbourhood. In closing, she advised that the many of the congregants attending Newtonbrook United Church do not live in the area;
- Mr. Al Barnstaple, who expressed his support for the proposed development. He commented that the new building would be more visually pleasing than the Newtonbook Plaza and that the proposed residential use is compatible with the neighbourhood. He further added that the building has to be

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economical and in closing urged the Community Council to support the application;

- Ms. Norma Manson, who expressed her support for the proposed development but expressed concerns regarding the increased traffic congestion and the possible decrease in property value that would result;
- Mr. John Sullivan, who expressed his support for the proposed development and his concerns with regard to the issues raised by the area residents who were opposed to the project;
- Ms. Irene Carriere, who has lived in the area for the past 50 years, is a member of the Newtonbrook United Church, and is on the Board of Directors of Nuc-Tuct Non-Profit Housing Corporation, spoke in support of the proposed development. During her submission she indicated that she would prefer no access road on Averill Crescent if at all possible. With respect to the design of the proposed building and the comments in opposition with its appearance, she pointed out that when the applicant was referring to the building located at Drewry Avenue, the applicant was referring to tenure. It was never suggested it would be the same, brick for brick, at any time;
- Rev. Danny Huang, Minister of the Taiwanese United Church, who presented a written submission and outlined his views in support of the proposed non-profit housing project. During his submission, he commented on two studies; one prepared for the Ministry looking at several communities across Ontario and the other study prepared for the Region of Peel looking at developments in Mississauga, Brampton and Caledon and each study came up with the same conclusion; namely, that there is no identifiable impact of social housing projects on the value of neighbouring properties. He then pointed out that the church could have planned a large high-rise type project or sold their density right to a developer for profit, but instead chose to respond to the desperate need of the greater community. Although there are some technical issues that need to be improved and the neighbourhood concerns need to be seriously considered and dealt with, the need for affordable housing is so desperate and urgent that 60,000 people are currently on the waiting list of the Metro Housing Authority. In closing he urged the neighbourhood community to come together and view the project with a positive outlook, adding that with understanding, support and participation, a better community can result, which everyone can feel a part of and be proud of;

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- Ms. Kay Hymers, who presented a written submission and expressed her objections to the proposed project. She expressed the opinion that the apartment should be for senior citizens and the handicapped only, since the removal of rent controls has caused many seniors who can now not afford the high rent, to move out. She then advised that many long-time members of the Church have approached her and have voiced their displeasure over the project;
- Mrs. Linda Schofield, who spoke in support of the proposed development especially since there is such a tremendous shortage of affordable housing in Toronto. She further indicated that while many residents were opposed to the project many of them were in support and would look with pride on this project. She concluded by requesting the North York Community Council to approve the application;
- Mr. Sun Lau, who expressed his opposition to the proposed development and advised that the appearance of the building is not compatible with the neighbourhood. He further commented on the increase in traffic that would be created by the use of Averill Crescent as an access road and suggested that the applicant find an alternate location;
- Mr. Joseph Harshegyi, who presented a written submission and expressed concerns that the building would exceed four storeys and questioned exactly how many storeys would be built. He then advised that 95% of the area residents and 25 of the surrounding businesses at the Newtonbrook Plaza are opposed to the development. In addition he expressed concern that there is an insufficient number of parking spaces that will be provided, which will cause a spillover into the plaza and the surrounding streets. He pointed out that there are already parking problems in the community because of the commuters that use the subway. In closing, he requested that the Community Council reconsider what is being proposed in an already overcrowded community;
- Ms. Barbara Petrocci Resnick, who presented a written submission, expressed her objections to the proposed affordable housing project. During her submission she also commented on the Church's mismanagement of the lunch program for the homeless; and stated that as a professional social worker specializing in volunteer management, she was appalled by this approach to client intervention which only fosters "learned dependency" amongst the homeless. In her opinion, instead of serving basic human needs



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like dignity, self-determination, and independence, this practice reinforces the real plight of this growing population at risk. She concluded by urging the Community Council to deny the request for rezoning;

- Ms. Celestina Sy, who expressed her opposition to the proposed affordable housing project and her concerns regarding the design and the use of Averill Crescent as an access road for service vehicles including garbage trucks. She pointed out that the development would be more compatible with the neighbourhood as a seniors residence or a recreation facility. In closing, she requested that the proposal be withdrawn until the community's concerns have been addressed;
- Ms. Kathleen Lui, who expressed her objections to the proposed affordable housing project. She requested that Averill Crescent not be used as a service road. In addition she advised that that she was in support of the community's request that brick or stone be used on the exterior of the proposed building and that it have a pitched roof. She then pointed out that the landscaping should be improved and that the garage should be constructed underground and enclosed;
- Mr. Jesse Sun, who expressed his concerns regarding the parking and the use of Averill Crescent as an access road. With regard to the parking, he pointed out that it appears parking will be insufficient for the tenants and visitors. In closing, he expressed further concerns with regard to the adequate capacity of the sewer system and the possibility of increased crime in the area;
- Mr. Gordon Henderson, who advised that most of the area residents are against the proposed application and expressed his concerns that crime would increase in the area. In addition, he pointed he was not against the construction of the building, but was of the opinion that each unit should have central air-conditioning, thereby eliminating any potential noise problems that could be created for abutting property owners by having occupants of the building installing their own air conditioning units at their windows;
- Mr. Roger Ludgate, who presented a written submission and commented that what the church has done is commendable and had his support, however, he advised that the use of Averill Crescent as an access road should not be permitted, since the truck traffic would increase considerably. He further advised that to the southwest corner of the building there could be enough

room to allow trucks to go out onto Cummer Avenue. With regard to the construction of the building, he commented that the lack of air conditioning was a concern and advised that centrally controlled heat pumps could also have a cooling effect. In closing, he stated that he supports the Nuc-Tuct proposal and that they should be commended for their efforts in providing affordable housing but would like to see no access to Averill Crescent and good noise buffering for the project's utilities.

- Mr. Robin Collyier, Acting President, Silverview Homeowners' Association, who expressed his concerns regarding the design of the building, the underground parking and the use of Averill Crescent as an access road. He acknowledged that there has been some attempts made to improve the design, and pointed out that some improvements were also needed with regard to the parking. With regard to the use of Averill Crescent, he advised that the community needs the co-operation of the Newtonbrook Plaza owners in order to eliminate the proposed use of Averill Crescent, and thereby alleviate the inevitable traffic problem;
- Ms. Anne Brooke, who advised that she was previously in favour of the project, but now had some concerns that the units will be small, with few amenities and that there would likely be insufficient parking for the resident's needs. She also requested that the promises being made by the applicant should be bind and enforceable. She then commented that some provision should be made to accommodate snow clearing and that a traffic study should be conducted to determine how the traffic problems can be resolved;
- Ms. Betty Phillips, who presented a written submission prepared by Sue Yun, outlining her objections to the proposed development and the use of Averill Crescent as an access road;
- Mr. Thomas Lane, who advised that he is in support of the affordable housing project and who indicated that in his opinion, property values will not be decreased as a result of the proposed development;
- Mr. Dimitri Lapin, who expressed his objections to the proposed affordable housing project and the use of Averill Crescent as an access road. He also requested that consideration of this application be deferred until such time as the Newtonbrook Plaza is redeveloped;
- Rev. Jan Bush, Newtonbrook United Church, who commented on the merits

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of the application. She also indicated that they are currently trying to resolve the concerns with respect to the access road on Averill Crescent and are continuing their discussions with the owners of the Newtonbrook Plaza regarding the provision of a hammerhead arrangement within the plaza's parking lot.

(Copies of the written submissions are on file in the office of the City Clerk, North York Civic Centre)

Mr. Evan Wood, City Planner, Let's Build Program, in response to a question from the North York Community Council, presented a verbal report providing background information regarding the City's "Lets Build Program".

- A. Councillor Shiner, Ward 24 – Willowdale, moved that the North York Community Council after considering the deputations and based on the findings of fact, conclusions and recommendations contained in the report (February 8, 2002) and the further report (April 2, 2002) from the Director, Community Planning, North District, Urban Development Services, and for the reasons that the proposal is an appropriate use of lands, recommended to City Council that:
- (1) the application submitted by Nuc-Tuct Non Profit Housing Corporation, regarding an application to amend the Zoning By-law to permit the construction of a 57 unit 4-storey apartment building at 53 Cummer Avenue, which is supported by the City's Let's Build Program; be approved, subject to the conditions outlined in the aforementioned reports and subject to the façade at grade-level being constructed in brick or stone;
  - (2) the following actions also be taken to assist in the development and operation of the building at 53 Cummer Avenue:
    - (a) In order to ensure that the diverse range of community interests are represented in the development and operation of the building, two residents of the local community, chosen in concert with the Acting Commissioner of Community and Neighbourhood Services, be invited to join the board of the Nuc-Tuct Non-Profit Housing Corporation;

- (b) The Nuc-Tuct Non-Profit Housing Corporation, outlines in detail, for the benefit of the local community, the manner in which the building will be operated and any community concerns addressed;
- (c) The Acting Commissioner of Community and Neighbourhood Services, through the contractual relationship between the City and Nuc-Tuct Non-Profit Housing Corporation, monitor on an on-going basis both the construction and operation of the building to ensure that the building is operated and maintained in a professional manner for the benefit of its tenants;
- (d) In the unlikely event that the contractual obligations are not met, the Acting Commissioner of Community and Neighbourhood Services, take the necessary steps, as set out in the contractual arrangement, to ensure that building standards are enforced and is run in accordance with the contract between Nuc-Tuct Non-Profit Housing Corporation and the City;
- (e) The project budget be revisited to address design changes, as a result of community and other input, along with an examination of other proposed upgrades such as installation of air-conditioning, and, in the event that an increase is necessary, the revised budget be submitted to City Council for approval; and
- (f) The Nuc-Tuct Non-Profit Housing Corporation notify the local Councillor in advance of the dates and times of board meetings.

B. Councillor Shiner, Ward 24 – Willowdale, moved that:

- (1) the Director, Community Planning, North District, Urban Development Services and the Director, Transportation Services, District 3, Works and Emergency Services, be requested to continue to meet with Silvercore Properties and Nuc-Tuct Non-Profit Housing Corporation, in an effort to reach an agreement to eliminate the access to Averill Crescent, by constructing a

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hammerhead for waste vehicles to turn around in; and the Commissioner of Urban Development Services and Commissioner of Works and Emergency Services report thereon directly to City Council for its meeting scheduled for April 16, 2002; and

- (2) the Commissioner of Works and Emergency Services also report directly to City Council, for its meeting scheduled for April 16, 2002, on options for garbage pick-up for the proposed development, without an access onto Averill Crescent.

- C. Councillor Shiner, Ward 24 – Willowdale, moved that it be recommended to City Council that the following Resolution by Councillor Shiner, Ward 24 – Willowdale; be adopted:

“WHEREAS the applicant has proposed 131 parking spaces, 83 for the church and 48 for the residential building; and

WHEREAS the main parking demand for both uses is not coincidental;

THEREFORE BE IT RESOLVED THAT the Commissioner of Urban Development Services and the Commissioner of Works and Emergency Services be requested to report directly to Toronto City Council for its meeting scheduled for April 16, 2002, on a mechanism for a shared parking arrangement between the Church and the residential building.”

- D. Councillor Feldman, Ward 10 – York Centre, moved in amendment to Motion A., moved by Councillor Shiner that Recommendation (2)(e) be amended by inserting the words, “if possible”, after the words, “design changes” and after the word, air conditioning”, so that the recommendation shall now read:

“(2)(e) The project budget be revised to address design changes, if possible, as a result of community and other input, along with an examination of other proposed upgrades such as installation of air conditioning, if possible, and, in the event that an increase is necessary, the revised budget be submitted to City Council for approval;”

Upon the question of the adoption of Motion D., moved by Councillor Feldman, in amendment to Motion A., moved by Councillor Shiner, it was lost on a tie vote.

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

**(Report No. 3 – Clause 26)**

**3.23 Final Report – Application to Amend the Official Plan and Zoning By-law – TB CBM 2001 0011 and Application for Site Plan Approval TB SPC 2001 0074 – Shenglin Holding Company (c/o Henry W. Chiu) – 170 Sheppard Avenue East – Ward 23 – Willowdale.**

As directed by the North York Community Council, at its meeting held on September 13, 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 report (March 19, 2002) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and the Zoning By-law to permit a 5 storey office building at 170 Sheppard Avenue East; and recommending that City Council:

- (1) amend the Official Plan for the former City of North York substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 11.
- (2) amend the Zoning By-law for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 12.
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
- (4) Before introducing the necessary Bills to City Council, the applicant shall:
  - (i) obtain site plan approval for this project from the Director, Community Planning, North District, with particular attention given to the comments of civic officials set out in Attachments 5 through 10 of this report.

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- (ii) have conveyed to the City for a nominal sum, a widening measuring approximately 2.6 metres across the entire frontage of the property to satisfy the requirements of a 36-metre right-of-way for Sheppard Avenue West.

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

- (April 2, 2002) from Norah A. Oulahan, President, 134872 Ontario Limited, indicating that while she understood and supported the need to increase density along Sheppard Avenue, there had been insufficient time to review the impact of the proposed change to OPA 446 which would oppose the initiatives and revitalization of the Sheppard Avenue East commercial corridor; suggesting that the Community Council request a full study and review of all properties along Sheppard Avenue; and further requesting that Community Council defer making any decision at this meeting in order to allow him an opportunity to discuss the implications of this Policy with City staff;
- (April 2, 2002) from Vincenzo Saracino, supporting the need to increase density along Sheppard Avenue; expressing concerns that the proposed development will have a negative impact on the area because it precludes any amalgamation of properties which would enable a more suitable, comprehensive development for the block and requesting that the Community Council defer consideration of the matter in order that discussions on the implications of the proposal can take place with City staff;
- (April 2, 2002) from Stephen A. Steele, supporting the need to increase density along Sheppard Avenue; expressing concerns that proposed development will have a negative impact on the area because it precludes any amalgamation of properties which would enable a more suitable, comprehensive development for the block and requesting that the Community Council defer consideration of the matter in order that discussions on the implications of the proposal can take place with City staff;
- (April 2, 2002) from Satar Riazi, Glory Gold Inc., supporting the need to increase density along Sheppard Avenue; expressing concerns that the proposed development will have a negative impact on the area because it precludes any amalgamation of properties which would enable a more suitable, comprehensive development for the block and requesting that the

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Community Council defer consideration of the matter in order that discussions on the implications of the proposal can take place with City staff; and

- copies of communications (October 17, 2001) from Vincenzo Saracino and Stephen A. Steele, addressed to Dennis Glasgow, Planner, advising that Mr. Paul R. Oulahen was representing their interests and has authorization to speak on their behalf as necessary.

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

- Mr. Henry Chiu, on behalf of the applicant, who commented on the merits of the application and advised that the applicant is prepared to do extensive landscaping around the building. During his submission, he also indicated that the applicant would like to exclude the floor area below-grade and the floor area used for mechanical space from the calculations of Gross Floor Area which have the effect of increasing the density.

In response to the suggestion by the North York Community Council that the matter be deferred to the next meeting of the North York Community Council scheduled for May 8, 2002, in order to allow planning staff an opportunity to report on the request to exclude the floor area below grade and the floor area used for mechanical space from the calculation of Gross Floor Area, Mr. Chiu advised that the applicant was willing to accept the parameters of the current proposal, as described and recommended in the staff report.

- Mr. Paul Oulahen, on behalf of 134872 Ontario Limited, Vincenzo Saracino, Stephen A. Steele and Satar Riazi, who advised that he supports the need to increase density along Sheppard Avenue, but had concerns that the proposed development will have a negative impact on the area because it precludes any amalgamation of properties which would enable a more suitable, comprehensive development for the block. In his opinion, this application is premature and Council should encourage more comprehensive development along Sheppard Avenue. In concluding, he suggested that Community Council request a study and review of all properties along Sheppard Avenue, extending from Yonge Street to Bayview Avenue to determine appropriate densities.
- Mr. Satar Riazi, who advised that he had no further comments to add to those



already made by his representative, Mr. Oulahen.

- Mr. Shenglin Xian, the applicant and owner of the property, who commented on the merits of the application.

On motion by Councillor Fillion, Ward 23 - Willowdale, the North York Community Council, after considering the depositions and based on the findings of fact, conclusions and recommendations contained in the report (March 19, 2002) from the Director, Community Planning, North District, Urban Development Services, and for the reasons that the proposal is an appropriate use of lands, recommended to City Council, that the application submitted by Shenglin Holding Company, regarding an application to amend the Official Plan and Zoning By-law to permit the construction of a 5-storey office building at 170 Sheppard Avenue East, be approved, subject to the conditions outlined in the aforementioned report.

**(Report No. 3 – Clause No. 27)**

**3.24 Final Report – Application to Amend the Zoning By-law – TB ZBL 2001 0016 – Blooming Forest Bhikkuni Buddhist Association of Canada – 960-962 Wilson Avenue at Murray Road – Ward 9 – York Centre.**

As directed by the North York Community Council, at its meeting held on February 26, 2002, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

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

- report (January 7, 2002) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law for an existing place of worship located at 960-962 Wilson Avenue at Murray Road; and recommending that City Council:
  - (1) refuse Zoning By-law Amendment Application No. TB ZBL 2001 0016; and
  - (2) should this application be appealed to the Ontario Municipal Board, the City Solicitor and City Staff be authorized to appear before the

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Ontario Municipal Board to defend the refusal of this application.

- communication (March 5, 2002) from the City Clerk, North York Civic Centre, advising that the North York Community Council, at its meeting held on February 26, 2002:
  - (a) had before it a report (January 7, 2002) from the Director, Community Planning, North District, Urban Development Services;
  - (b) had before it the following communications, which are on file in the office of the City Clerk, North York Civic Centre:
    - (February 21, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, addressed to the Director, Community Planning, North District, Urban Development Services, commenting on the parking assessment dated February 18, 2002, prepared by BA Group Transportation Consultants, on behalf of the applicant;
    - (February 25, 2002) from Nhu Tam and Nhu Linh, Nuns for The Blooming Forest Bhikkuni Buddhist Association of Canada, outlining the reasons for establishing a Temple at this location; and
    - (February 21, 2002) from Ms. Gayle Christie, Christie & Associates, on behalf of the Blooming Forest Bhikkuni Buddhist Association of Canada, commenting on the merits of the application and the issues with respect to parking and the existing easements on the property.
  - (d) received a presentation from Lynne Poole, Community Planning, North District, Urban Development Services;
  - (e) heard depositions from the following persons, in connection with the foregoing matter:
    - Ms. Tamara Cosby, on behalf of The Blooming Forest Bhikkuni Association of Canada;
    - Ms. Nhu Tam, Principal Nun for The Blooming Forest

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- Bhikkuni Association of Canada;
- Ms. Minh Phi Duong;
- Ms. Mimi Lam, on behalf of her parents, the adjacent property owners; and
- Ms. Gayle Christie, Christie & Associates, on behalf of The Blooming Forest Bhikkuni Buddhist Association of Canada.

- (f) deferred consideration of the foregoing report to the next meeting scheduled for April 3, 2002, in order to allow an opportunity for a statutory public meeting to be held on that date.

A staff presentation was made by Lynn Poole, Community Planning, North District, Urban Development Services.

The North York Community Council, at its meeting held on April 3, 2002, also had before it the following communications:

- (March 20, 2002) from Ms. Rochelle F. Cantor, Barrister and Solicitor, on behalf of the owners of 958 Wilson Avenue, outlining her clients' concerns and objections to the application; outlining the problems pertaining to the use of the building at 960 Wilson Avenue as a Buddhist temple and requesting that the Community Council refuse the application to amend the Zoning By-law;
- (March 21, 2002) from Minh-Phi Duong, on behalf of the members of The Blooming Forest Temple, outlining the activities and current use of the Temple;
- (March 28, 2002) from Mr. Geoff Woods, Development Review Coordinator, CN Railway Properties Inc., requesting that the following clause be inserted in all development agreements, offers to purchase, agreements of Purchase and Sale or Lease and include in a Noise Impact Statement:

“Warning: Canadian National Railway Company or its assigns or successors in interest has or have a right-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the rail facilities on such right-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity,

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notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid right-of-way.”

- (April 2, 2002) from Mr. Jack Rosati, expressing his concerns respecting the parking situation and indicating that while he has no objections to his neighbours parking on the premises during the weekend, he was not prepared to enter into any licence, lease or other agreement whereby a third party has any legal right to park on his premises;
- (April 2, 2002) from Steve Robinson, Zoning Examiner, Urban Development Services, addressed to the Director, Community Planning, North District, Urban Development Services; stating that the Committee of Adjustment Applications CA-64-224 and CA-96-46, do not impact the amendments to the zoning by-law required under the present proposal as noted below and advising that:
  - (i) Under file CA-64-224, a rear yard setback of 6.09 m (20 ft) and lot coverage of 234.29 m<sup>2</sup> (2,522 ft<sup>2</sup>) was approved. The rear yard setback appears to be approximately 5.0 m (16.4 ft). The variance with respect to lot coverage was for a building having three storeys with apartments above on a parcel of land, which has since been severed. Accordingly, lot coverage and gross floor area is calculated on the portion of the property that is subject of the zoning amendment application;
  - (ii) Under file CA-96-46, a rear yard setback of 1.6 m (5.2 ft) to the fire escape was approved. The zoning by-law requires 7.5 m (24.6 ft) between the rear lot line and the nearest wall of the building. As previously noted, the rear yard setback of the building appears to be approximately 5.0 m (16.4 ft).
- (April 3, 2002) from Councillor Augimeri, submitting the following Notice of Motion:

“WHEREAS the Wilson Avenue Revitalization Planning Study identified parking as an issue of concern, particularly between Keele Street and Dufferin Street;

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THEREFORE BE IT RESOLVED THAT Transportation Staff in conjunction with the Parking Authority review the area's need for additional parking, including the possibility of a parking lot structure and report back to Community Council;”

- Ms. Gayle Christie, Christie & Associates, Government Relations, on behalf of the applicant, commenting on the merits of the application; further commenting on the parking issue and stating that after meeting with their transportation consultants and staff from the Transportation Department, it was agreed that the applicant should provide 6 parking spaces for two hours on Sundays with additional spaces allowed for the three celebrations per year secured by a lease by one of the neighbours; and attaching copies of communications from Mr. Jack Rosati and Mr. Thongsouk Vongphyakdy, President, Lao Association of Toronto, indicating no objection to the use of their parking lots by the Blooming Forest Buddhist Association on Sundays and for special events.

The following persons appeared before the North York Community Council on April 3, 2002, in connection with the foregoing matter:

- Ms. Gayle Christie, Christie & Associates Government Relations on behalf of the Blooming Forest Bhikkuni Buddhist Association of Canada, who presented a written submission (April 3, 2002) and urged the Community Council to approve the application in principle for a period of one year. In addition, she advised that they wished to work with the neighbours to resolve any issues and subsequently suggested that the dialogue continue for an additional two months in an effort to resolve any existing problems. Ms. Tamara Cosby, on behalf of the Blooming Forest Bhikkuni Buddhist Association of Canada, assisted Gayle Christie during her presentation and submitted a number of photographs to illustrate the activities at the Temple.
- Ms. Rachelle Cantor, on behalf of the owners of 958 Wilson Avenue, who advised that she had a collection of photographs as well, taken during the last three years, to illustrate the parking congestion that occurs as a result of the operation of the Buddhist Temple at 960 Wilson Avenue. During her submission she also indicated that they had agreed earlier to continue dialogue with the applicants to try and arrive at resolutions. However, apart from the parking problems there are noise issues which also need to be addressed.

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The following persons were also in attendance on April 3, 2002, but indicated that they wish to reserve their right to address the North York Community Council at the continuation of the public hearing scheduled for June 5, 2002 at 4:00 p.m.:

- Mr. Vince Lombardi
- Mr. Jimmy Owis;
- Haa Anh Lam;
- Mr. Dung Do;
- Ms. Tamara Cosby, on behalf of The Blooming Forest Bhikkuni Association of Canada;
- Minh Phi Duong, The Blooming Forest Bhikkuni Association of Canada;
- Nhu Tam, Principal Nun for The Blooming Forest Bhikkuni Association of Canada; and
- Ms. Chau Nguyen, The Blooming Forest Bhikkuni Association of Canada.

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

- (1) deferred consideration of the aforementioned report (January 7, 2002) from the Director, Community Planning, North District, Urban Development Services, in order to allow for a continuation of the statutory public meeting at the North York Community Council meeting scheduled for June 5, 2002 at 4:00 p.m.;
- (2) requested the Director, Community Planning, North District, Urban Development Services, in consultation with the Director, Transportation Services, District 3, Works and Emergency Services, to:
  - (i) review the parking proposal that has been advanced by the neighbours and comment thereon to the North York Community Council for its meeting scheduled for June 5, 2002; and
  - (ii) continue to work with the applicant and the neighbours towards a resolution of the parking deficiency.

**(Report No. 3 – Clause No. 32(j))**

**3.25 Declaration as Surplus and Sale of Part of a Lane (closed), east of Yonge Street,**

**between Hollywood Avenue and Spring Garden Avenue – Ward 23 – Willowdale.**

The North York Community Council had before it a report (January 15, 2002) from the Commissioner of Corporate Services, recommending that the remaining portions of the closed public lane, designated as Parts 17, 28, 29 and 34 on Reference Plan 66R-16423 (the “Lane”), be declared surplus to municipal requirements and be offered for sale to the abutting owners in accordance with the requirements of the Municipal Act; and further recommending that:

- (1) the Lane be declared surplus to municipal requirements and notice of the proposed sale be given to the public in accordance with the requirements of Municipal Code Chapter 213;
- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding balance of Costing Unit No. RE3056;
- (3) an easement be granted to Bell Canada over the portion of the Lane designated as Part 34 on Plan 66R-16423 for access, operation, use, inspection, repair, maintenance, reconstruction or alteration of Bell Canada’s existing facilities and the construction of additional services;
- (4) the sale price for the Lane be set at \$30.00 per buildable square foot, for a total sale price of \$491,173.00, plus GST, if applicable, and the Lane be offered for sale to the abutting owners in accordance with the requirements of the *Municipal Act* on the following terms and conditions:
  - (a) the purchasers shall accept the conveyance of the Lane subject to the easement to be granted to Bell Canada over the portion of the Lane designated as Part 34 on Plan 66R-16423;
  - (b) the purchasers shall accept the conveyance of the Lane subject to an easement to be reserved by the City over the portion of the Lane designated as Part 29 on Plan 66R-16423 for access, operation, use, inspection, repair, maintenance, reconstruction or alteration of the existing sanitary sewer and the construction of additional services, on the following terms and conditions:
    - (i) the City shall have the right at all times without notice to enter the easement lands for the purpose of surveying, laying, constructing, operating, using, inspecting,

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- servicing, removing, renewing, replacing, altering, enlarging, reconstructing, repairing, expanding and maintaining the sanitary sewer or any other municipal services in, upon, under, through, over and along the easement lands;
- (ii) no work shall be carried out and no trees or temporary or permanent buildings or structures shall be erected or any other physical encumbrance placed on or over the easement lands without the prior written approval of the Commissioner of Works and Emergency Services (the “Commissioner”);
  - (iii) the owner shall protect the City’s services against damage during any construction or alteration of any buildings or other structures on any part of the owner’s property and prior to commencing any such work, the owner shall submit and obtain the Commissioner’s prior written approval of detailed engineering drawings showing the manner in which the services will be protected;
  - (iv) the owner shall not permit any other utilities to be located in, under, over, upon or through the easement lands, without the prior written approval of the Commissioner;
  - (v) the owner shall have no claim against the City for the loss of occupancy of the easement lands when the City is exercising its easement rights;
  - (vi) the owner shall indemnify and release the City in respect of any and all liability for loss or damage caused by the existence of the services and/or the easement reserved by the City, except for loss or damage caused by the City’s negligence; and
  - (vii) such other ancillary terms and conditions as the Commissioner and the City Solicitor may require to protect the interests of the City.
- (c) the purchasers shall accept the Lane in “as is” condition and on closing shall execute a release in favour of the City in respect of all loss, cost, damage, liability or actions relating to the environmental condition of the Lane, in form satisfactory to the City Solicitor;
  - (d) on closing, the purchasers shall convey the portions of the Lane designated as Parts 17 and 28 on Plan 66R-16423 back to the City



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for nominal consideration of \$2.00, for road widening purposes;

- (e) prior to closing, Rosedale Development Inc. (“Rosedale”) shall obtain and deposit in the appropriate Land Registry Office, at its sole cost and expense, a Reference Plan of Survey, integrated with the Ontario Co-ordinate System, satisfactory to the City Surveyor, necessary to complete the transactions referred to herein;
  - (f) on closing, each purchaser shall reimburse Rosedale for that purchaser’s proportionate share of the cost of the reference plan referred to in Recommendation (3)(e) above; and
  - (g) completion of the sale of the portion of the Lane designated as Parts 17 and 34 on Plan 66R-16423 shall be conditional upon completion of the sale of this entire portion of the Lane and completion of the sale of the portion of the Lane designated as Parts 28 and 29 on Plan 66R-16423 shall be conditional upon completion of the sale of this entire portion of the Lane.
- (5) if within 20 days of the City delivering its offers to the abutting owners, an abutting owner does not exercise its right to purchase the portion of the Lane which that abutting owner is entitled to purchase pursuant to section 315 of the *Municipal Act*, the said portion of the Lane be offered for sale on the same terms and conditions to the other abutting owner, if the other abutting owner has exercised its right to purchase its share of the Lane, and if neither abutting owner accepts the City’s offer, the Lane be listed for sale on the open market;
- (6) either the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to sign the Offer(s) on behalf of the City;
- (7) the City Solicitor be authorized to complete the transaction(s) referred to in Recommendation Nos. (3), (4) and (5) on behalf of the City, including payment of any necessary expenses; and
- (8) the appropriate City officials be authorized and directed to take all steps necessary to give effect to the foregoing.

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

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- report (March 25, 2002) from the Chief Financial Officer and Treasurer, responding to North York Community Council" request to report on the manner in which revenue derived from the sale of said lane can be placed in a reserve fund to be utilized for the acquisition of land for the North York Centre service road; and recommending that net proceeds from the sale of the subject property be deposited to the City's Land Acquisition Reserve fund.
- Clause No. 22(a) of North York Community Council Report No. 1, titled, "Declaration as Surplus and Sale of Part of Lane (Closed), East of Yonge Street, between Hollywood Avenue and Spring Garden Avenue --Ward 23 – Willowdale", which was received for information by City Council on February 13, 14 and 15, 2002;
- (March 27, 2002) from Mr. William S. Hollo, gsi Real Estate & Planning Advisors Inc., on behalf of the Royal Canadian Legion, Branch 66, requesting that he and a representative of the Legion be listed as delegations to address the Community Council on this matter;
- (April 1, 2002) from Ms. Susan Rosenthal, Davies Howe Partners, on behalf of Rosedale Developments Inc., requesting that the report dealing with the declaration as surplus and sale of part of a lane, east of Yonge Street between Hollywood Avenue and Spring Garden Avenue, be dealt with by the North York Community Council at its meeting on April 3, 2002;
- (April 2, 2002) from the City Solicitor, forwarding an e-mail, advising that original copies of the aforesaid Section 37 Agreement executed by Rosedale Developments Inc., owner of the lands; has just been received in the Legal Division, City of Toronto;
- (April 2, 2002) from Mr. Charles Harnick, Senior Advisor, The Jeffery Group Ltd., on behalf of Rosedale Developments Inc., requesting that this matter be an added starter to the North York Community Council's agenda and requesting an opportunity to address the Community Council in connection with the above matter; and
- (April 2, 2002) from Mr. William S. Hollo, gsi Real Estate & Planning Advisors Inc., on behalf of the Royal Canadian Legion, Branch 66, indicating that rather than delaying the entire process by requesting a deferral of the matter, that the items dealing with both Section 37 agreements, and the

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associated closure and sale of the lanes, go forward, with the condition that the Legion's Section 37 agreement be finalized prior to the actual conveyance of the lane.

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

- Mr. William S. Hollo, gsi Real Estate and Planning Advisors Inc., on behalf of the Royal Canadian Legion, Branch 66;
  - Mr. Charles Harnick, Senior Advisor, The Jeffery Group Limited, on behalf of Rosedale Developments Inc.; and
  - Ms. Susan Rosenthal, Davies Howe Partners, on behalf of Rosedale Developments Inc.
- A. Councillor Filion, Ward 23 – Willowdale, moved that the North York Community Council recess its public meeting to discuss this matter in camera, having regard that the subject matter also includes matters before administrative tribunals, affecting the municipality or local board, in accordance with the Municipal Act.

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

FOR: Councillors Shiner, Filion, Li Preti, Feldman, Augimeri and Mammoliti

AGAINST: Councillor Sutherland

ABSENT: Nil

Carried.

The North York Community Council resumed its public meeting.

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- B. Councillor Sutherland, Ward 33 – Don Valley East, moved that the North York Community Council recommend to City Council the adoption of the report (January 15, 2002) from the Commissioner of Corporate Services subject to both the Section 37 Agreement respecting Rosedale Developments Limited and the Section 37 Agreement respecting the Royal Canadian Legion, Branch 66, being finalized.
- C. Councillor Filion, Ward 23 – Willowdale, moved that the North York Community Council recommend to City Council, the adoption of the report (March 25, 2002) from the Chief Financial Officer subject to amending the recommendation by adding thereto, the following words: “and used for the purchase of land for the completion of the North York Centre ring road” so that the recommendation will now read as follows:

“It is recommended that net proceeds from the sale of the subject property be deposited to the City’s Land Acquisition Reserve fund and used for the purchase of land for the completion of the North York Centre ring road.”

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

FOR: Councillors Sutherland, Shiner, Li Preti, Feldman, Augimeri and Mammoliti

AGAINST: Councillor Filion

ABSENT: Nil

Carried.

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

**(Report No. 3 – Clause No. 28)**

**3.26 Zoning Issues respecting 3955 Keele Street and 1280, 1290 and 1300 Finch Avenue West – Ward 8 – York West.**

The North York Community Council had before it the following Resolution submitted by Councillor Li Preti, Ward 8 – York West:

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“WHEREAS the properties at 3955 Keele Street, and 1280, 1290 and 1300 Finch Avenue West are currently zoned MC(67)(H);

AND WHEREAS the MC(67)(H) zone permits a wide range and mix of uses;

AND WHEREAS there is concern that the current range and mix of uses on the lands has resulted in a concentration of parking intensive uses;

NOW THEREFORE BE IT RESOLVED THAT the Director, Community Planning, North District, Urban Development Services, submit a report to North York Community Council regarding the lands at 3955 Keele Street, and 1280, 1290 and 1300 Finch Avenue West with respect to the following matters:

- Zoning status, including a review of the range and mix of uses on the lands and their related parking standards;
- Parcel status, including information on the condominium corporations established for the lands;
- A summary of compliance issues related to the lands; and
- Options to improve the parking issues on the lands.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

- A. Councillor Li Preti, Ward 8 – York West, moved that the North York Community Council recommend to City Council, the adoption of the foregoing Resolution.

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

FOR: Councillors Sutherland, Filion, Li Preti

AGAINST: Councillors Augimeri, Mammoliti

ABSENT: Councillor Shiner, Feldman

Carried.

**(Report No. 3 – Clause No. 29)**

**3.27 Ontario Municipal Board Hearing – Committee of Adjustment Application – 85 and 87 Finch Avenue East – Ward 23 – Willowdale.**

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

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused an application by Manjit and Afaf Mangat, the owners of 85 and 87 Finch Avenue East for the consent to sever two residential properties fronting onto the south side of Finch Avenue East into five residential properties;

WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused the minor variance applications with the consent application;

WHEREAS the applicant has appealed the Committee of Adjustment’s refusal to the Ontario Municipal Board;

WHEREAS no date has been set for the Ontario Municipal Board Hearing;

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

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

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

Community Council recommended to City Council, the adoption of the foregoing Resolution.

**(Report No. 3 – Clause No. 30)**

**3.28 Request for Report – Regulations respecting the Amount of Hard Surface in the Side and Rear Yards for Single Detached Residential Corner Lots.**

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

“WHEREAS there is concern that some single detached residential lots near commercial areas are being used as parking lots; and

WHEREAS Zoning By-law 7625 regulates the amount of hard surface in the front yard; and

WHEREAS corner lots have front, side, and rear yards that abut a street; and

WHEREAS Zoning By-law 7625 has no hard surface regulation for the side or rear yards for corner lots;

THEREFORE BE IT RESOLVED THAT the Director, Community Planning, North District, Urban Development Services, provide a report on ways to regulate the amount of hard surface in the side and rear yards for single detached residential corner lots.”

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

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

**(Report No. 3 – Clause No. 31)**

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**Adjournment:**

The North York Community Council adjourned its meeting at 8:45 p.m., Wednesday, April 3, 2002.

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Chair.