

THE CITY OF TORONTO

City Clerk's Division

Minutes of the North York Community Council

Meeting No. 6

Wednesday, June 5, 2002.

The North York Community Council met on Wednesday, June 5, 2002, in the Council Chamber, North York Civic Centre, commencing at 10:10 a.m.

Attendance:

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

	10:10 a.m. to 12:30 p.m.	2:40 p.m. to 6:15 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 Mammoliti, Ward 7 – York West, the minutes of the meetings of the North York Community Council held on May 8, 2002 and May 21, 2002, were confirmed.

5.1 Request for Exemption to Noise By-law No. 31317 – City of Toronto, Works and Emergency Services, Engineering Services, District 3 – Pavement Resurfacing of Finch Avenue East at Victoria Park Avenue – Ward 33 – Don Valley East and Ward 24 – Willowdale.

The North York Community Council had before it a report (May 22, 2002) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, reporting on a request for an exemption to the former City of North York's Noise By-law No. 31317 by City of Toronto, Works and Emergency Services, Engineering Services, District 3, so that the pavement resurfacing of Finch Avenue East at Victoria Park Avenue can be completed by November, 2002 by working one weekend from June 1, 2002 and November 30, 2002; and recommending that in view of the responsible management of the construction activities in the past, that the application be approved.

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

(Report No. 7 – Clause No. 1)

5.2 Request for Exemption to Noise By-law No. 31317 – City of Toronto, Works and Emergency Services, Engineering Services, District 3 – Pavement Resurfacing of Finch Avenue East at Don Mills Road – Ward 24 – Willowdale.

The North York Community Council had before it a report (May 22, 2002) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, reporting on a request for an exemption to the former City of North York's Noise By-law No. 31317 by the City of Toronto, Works and Emergency Services, Engineering Services, District 3, so that the pavement resurfacing of Finch Avenue East at Don Mills Road can be completed by November, 2002, by working one weekend between June 1, 2002 and November 30, 2002; and recommending that in view of the responsible management of the construction activities in the past, that the application be approved.

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

(Report No. 7 – Clause No. 2)

Councillor Mammoliti, Vice-Chair, assumed the Chair.

5.3 Request for Curb Cut – 2 Wheelwright Crescent - Ward 8 – York West.

The North York Community Council had before it the following:

- (i) communication (May 21, 2002) from Councillor Li Preti, Ward 8 – York West, requesting that the matter respecting a curb cut at 2 Wheelwright Crescent, be considered at the North York Community Council meeting scheduled for June 5, 2002; and
- (ii) report (May 28, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reviewing a request to widen the driveway entrance at 2 Wheelwright Crescent located on Hullmar Drive, from 6.3 metres to 9.1 metres; and recommending that the application be denied as it does not conform to the driveway entrance policy approved by Council in August 2000.

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

- (1) the report (May 28, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, not be adopted; and
- (2) the request to widen the driveway entrance at 2 Wheelwright Crescent located on Hullmar Drive, from 6.3 metres to 9.1 metres, be approved.

(Report No. 7 – Clause No. 3)

Councillor Li Preti resumed the Chair.

5.4 Renaming of Sheppard Square as Rean Drive and Dedication and Naming of City Owned Lands to Form Part of Rean Drive – Ward 24 – Willowdale.

The North York Community Council had before it a report (May 16, 2002) from the City Surveyor, Works and Emergency Services, recommending that the unclosed

North York Community Council Minutes
Wednesday, June 5, 2002

portions of Sheppard Square be renamed to Rean Drive, and the City owned lands illustrated on Attachment No. 1, be dedicated and named to form part of Rean Drive; and further recommending that:

- (1) subject to the statutory requirements for changing the name of a street under the Municipal Act, the unclosed portions of Sheppard Square be renamed as “Rean Drive”;
- (2) the City owned lands illustrated on Attachment No. 1, be dedicated and named to form part of “Rean Drive”; 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. 7 – Clause No. 4)

5.5 Assumption of Services – Subdivision owned by Drewry Avenue Inc. – Plan 66M-343 - Subdivision File UDSB-1237 - Rodeo Court – Ward 23 – Willowdale.

The North York Community Council had before it a report (May 23, 2002) from the Director, Development Engineering, District 3, Works and Emergency Services, advising the Community Council that the municipal services installed under the terms of the Subdivision Agreement for Plan 66M-2343, dated October 27, 1999, between Drewry Avenue Inc. and the City of Toronto are in the required condition to be assumed by the City; and recommending that:

- (1) An assumption by-law be passed to assume the municipal services in Subdivision Plan 66M-2343; and
- (2) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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

(Report No. 7 – Clause No. 5)

5.6 DiscoverAbility Children's Mural as a Christmas Holiday Card.

The North York Community Council had before it a report (May 15, 2002) from the Commissioner of Corporate Services, reporting on using the design of the DiscoverAbility Children's Mural, "Celebrate Don't Hibernate" as a Christmas Holiday Card and offering said Card for sale to City of Toronto Councillors, all Departments, Service Clubs and residents of Toronto; and recommending that:

- (1) the "Celebrate Don't Hibernate" children's mural design be offered as one of the designs for the 2002 Holiday Card for Members of Council; and
 - (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.
- A. Councillor Sutherland, Ward 33 – Don Valley East, moved that the North York Community Council recommend to City Council, the adoption of the foregoing report.
 - B. Councillor Mammoliti, Ward 7 – York West, moved that the Chief of Protocol, in consultation with the Director, Corporate Communications, be requested to produce a "mock-up" of the proposed 2002 Holiday Card depicting the "Celebrate Don't Hibernate" children's mural design, for use as a Holiday Card by the North York Community Council; and that this "mock-up" be submitted to the North York Community Council for its consideration at its meeting scheduled for July 3, 2002.

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

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

(Report No. 7 – Clause No. 6)

5.7 Sports Fields Facility Needs Review Process – All Wards.

The North York Community Council had before it a report (May 15, 2002) from the Commissioner of Economic Development, Culture and Tourism, reporting as requested by North York Community Council, at its meeting of May 8, 2002; providing information relating to the recommended review process that would be followed in identifying and assessing need with respect to the provision of sports fields across the City; and recommending that this report be received for information.

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

- (1) received the report (May 15, 2002) from the Commissioner of Economic Development, Culture and Tourism; and
- (2) requested the Commissioner of Economic Development, Culture and Tourism to submit to the North York Community Council, for its meeting scheduled for July 3, 2002, the following:
 - (a) a report regarding the need for soccer fields and playing fields for other types of sports, based on current, anticipated and future demands within the North York Community Council boundary area, setting forth recommendations on how to proceed with such a review; and
 - (b) the information in the DMA Study on the Centennial Arena\Esther Shiner Stadium regarding sports fields.

(Report No. 7 – Clause No. 28(a))

5.8 Intersection Realignment – Milvan Drive at Toryork Drive – Ward 7 – York West.

The North York Community Council had before it a report (May 13, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on obtaining approval for the reconstruction of the intersection of Milvan Drive and Toryork Drive to facilitate the unrestricted flow of traffic; and recommending that:

- (1) a Road Alteration By-law be prepared and public notice be given pursuant to the Municipal Act for the alterations of the alignment of the intersection of

North York Community Council Minutes
Wednesday, June 5, 2002

Milvan Drive and Toryork Drive, as follows:

The intersection be realigned as such to promote free flow of northbound traffic on Toryork Drive onto westbound Milvan Drive and eastbound traffic on Milvan Drive onto southbound Toryork Drive, as per Drawing No. NY-1404A dated April 23, 2002;

- (2) authority be given by the North York Community Council to immediately advertise the proposed alterations, so that deputation can be held at the July 3, 2002 North York Community Council meeting; and
- (3) Schedule IX of By-law No. 31001, of the former City of North York, be amended to require southbound traffic on Toryork Drive to stop at Milvan Drive.

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

(Report No. 7 – Clause No. 7)

5.9 All Way Stop Control – Murray Ross Parkway at Shoreham Drive – Ward 8 – York West.

The North York Community Council had before it a report (May 8, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of an all way stop control at the intersection of Murray Ross Parkway with Shoreham Drive and to identify the appropriate intersection alignment modifications to improve pedestrian safety; and recommending that:

- (1) Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop at all approaches to the intersection;
- (2) the eastbound curb lane on Shoreham Drive be designated for right turns only, from Murray Ross Parkway to a point 70 metres westerly thereof; and
- (3) modifications to the alignment of the Murray Ross Parkway/Shoreham Drive intersection be considered as part of the 2003 Safety and Operational Improvement Capital Program, subject to available funding and competing

priorities.

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

(Report No. 7 – Clause No. 8)

5.10 Parking Prohibitions – Firgrove Crescent - North Leg – Ward 7 – York West.

The North York Community had before it a report (May 17, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the existing parking regulations on the south side of Firgrove Crescent, in the vicinity of Firgrove Public School; and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No Parking Anytime prohibitions on the south, east and north sides of Firgrove Crescent, from the westerly limit of Jane Street to the westerly limit of Jane Street;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to install No Parking Anytime prohibitions on the south side of Firgrove Crescent, from the westerly limit of Jane Street (north leg) to a point opposite the easterly limit of Picaro Drive;
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to install No Parking Anytime prohibitions on the south, east and north sides of Firgrove Crescent from a point opposite the westerly limit of Petiole Road to a point opposite the westerly limit of Jane Street (south leg); and
- (4) Schedule X of By-law No. 31001, of the former City of North York, be amended to install 15 Minute Permitted Parking, 8:00 a. m. to 6:00 p.m., Monday to Friday, on the south side of Firgrove Crescent, from a point opposite the easterly limit of Picaro Drive to a point opposite the westerly limit of Petiole Road.

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

(Report No. 7 – Clause No. 9)**5.11 Parking Prohibitions – Fairchild Avenue – Ward 23 – Willowdale.**

The North York Community Council had before it a report (April 18, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the existing parking regulations on Fairchild Avenue; and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the “No Parking Anytime” prohibitions on the east side of Fairchild Avenue, from a point 55 metres south of Inez Court to a point 64 metres southerly thereof;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the “No Parking, 9:00 a.m. to 4:00 p.m., Monday to Friday” prohibitions on the north and west side of Fairchild Avenue, from the easterly limit of Burke Street to a point opposite the southerly limit of Inez Court;
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking between the hours of 9:00 a.m. and 4:00 p.m., Monday to Friday, on the west side of Fairchild Avenue, from the southerly limit of Inez Court to Drewry Avenue; and
- (4) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking between the hours of 9:00 a.m. and 4:00 p.m., Monday to Friday, on the east side of Fairchild Avenue, from the southerly limit of Inez Court to a point opposite easterly limit of Burke Street.

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

(Report No. 7 – Clause No. 10)**5.12 Stopping Regulation Amendments – Johnston Avenue, Yonge Street and Botham Road – Ward 23 – Willowdale.**

The North York Community Council had before it a report (May 21, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the existing stopping by-law entry for the south side of Johnston Avenue, between Yonge Street and Botham Road, to reflect the current on street posted prohibitions; and recommending that:

- (1) Schedule IX of By-law No. 31001, of the former City of North York, be amended to delete the no stopping anytime prohibition on the south side of Johnston Avenue, from the westerly limit of Yonge Street to the easterly limit of Botham Road; and
- (2) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping on the south side of Johnston Avenue, from 8:00 a.m. to 6:00 p.m., Monday to Friday, from the westerly limit of Yonge Street to the easterly limit of Botham Road.

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

(Report No. 7 – Clause No. 11)

5.13 Installation of Two Way Left Turn Lane – Weston Road, Sheppard Avenue West to Habitant Drive – Ward 7 – York West.

The North York Community Council had before it a report (May 22, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the designation and installation of a two way left turn lane on Weston Road, from Sheppard Avenue West to Habitant Drive; and recommending that:

- (1) the pavement markings on Weston Road, between Sheppard Avenue West and Habitant Drive, be modified to provide for two northbound traffic lanes, two southbound traffic lanes and a centre lane designated for northbound and southbound left turns only; and
- (2) the appropriate by-law(s) be amended accordingly.

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

(Report No. 7 – Clause No. 12)

5.14 All Way Stop Controls – Highbury Road at Aura Lee Boulevard and Gaydon Avenue – 40 KM/H Speed Limit – Highbury Road – Ward 7 – York West.

The North York Community Council had before it a report (May 22, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of all way stop controls at the intersections of Highbury Road with Aura Lee Boulevard and Gaydon Avenue, and to reduce the posted speed limit on Highbury Road to 40 km/h; and recommending that:

- (1) Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on all approaches to the intersection of Highbury Road and Aura Lee Boulevard;
- (2) Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on all approaches to the intersection of Highbury Road and Gaydon Avenue; and
- (3) By-law No. 31878, of the former City of North York, be amended by introducing a 40 km/h speed zone on Highbury Road, from the northerly limit of Starview Drive to the southerly limit of Wallasey Avenue.

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

(Report No. 7 – Clause No. 13)

5.15 Right Turns on Red Prohibition – Poyntz Avenue at Yonge Street – Ward 23 – Willowdale.

The North York Community Council had before it a report (May 21, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the prohibition of eastbound right turns on a red signal at the intersection of Poyntz Avenue and Yonge Street; and recommending that:

- (1) eastbound right turns on a red signal be prohibited at all times from Poyntz Avenue to Yonge Street; and

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

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

(Report No. 7 – Clause No. 14)

5.16 Stopping/Parking Prohibitions – Gade Drive, Ianhall Road and Nash Drive – Designated On-Street Disabled Loading Zone – Gade Drive – Ward 9 – York Centre.

The North York Community Council had before it a report (May 23, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the stopping and parking regulations on Gade Drive, Ianhall Road and Nash Drive and to install an on-street loading zone for disabled person parking permit holders on Gade Drive; and recommending that:

- (1) Schedule IX of By-law No. 31001, of the former City of North York, be amended by deleting the “No Stopping, 8:00 a.m. to 4:30 p.m., Monday to Friday”, prohibitions on the east side of Gade Drive, from the southerly limit of Nash Drive to a point 91.5 metres south of the southerly limit of Nash Drive;
- (2) Schedule IX of By-law No. 31001, of the former City of North York, be amended by installing “No Stopping, 8:00 a.m. to 4:30 p.m., Monday to Friday”, prohibitions on the east side of Gade Drive, from a point 45 metres south of the southerly limit of Nash Drive to a point 45 metres southerly thereof;
- (3) Schedule F of By-law No. 31770, of the former City of North York, be amended by installing a designated on-street loading zone for disabled person parking permit holders on the east and south sides of Gade Drive, from a point 90 metres south of the southerly limit of Nash Drive to a point 10 metres westerly thereof;

North York Community Council Minutes
Wednesday, June 5, 2002

- (4) Schedule X of By-law No. 31001, of the former City of North York, be amended by installing a “15 Minute Permitted Parking, 8:00 a.m. to 4:30 p.m., Monday to Friday”, prohibition on the east side of Gade Drive, from the southerly limit of Nash Drive to a point 45 metres southerly thereof;
- (5) Schedule X of By-law No. 31001, of the former City of North York, be amended by installing a “15 Minute Permitted Parking, 8:00 a.m. to 4:30 p.m., Monday to Friday”, prohibition on the south side of Gade Drive, from a point 100 metres south of the southerly limit of Nash Drive to the easterly limit of Ianhall Drive;
- (6) Schedule IX of By-law No. 31001, of the former City of North York, be amended by installing “No Stopping, 8:00 a.m. to 4:30 p.m., Monday to Friday”, prohibitions on the west and north sides of Gade Drive, from the southerly limit of Nash Drive to the easterly limit of Ianhall Road;
- (7) Schedule IX of By-law No. 31001, of the former City of North York, be amended by deleting the “No Stopping, 8:00 a.m. to 4:30 p.m., Monday to Friday”, prohibitions on the south side of Nash Drive, from the easterly limit of Gade Drive to a point 91.5 metres easterly thereof;
- (8) Schedule IX of By-law No. 31001, of the former City of North York, be amended by installing “No Stopping, 8:00 a.m. to 4:30 p.m., Monday to Friday”, prohibitions on the north side of Nash Drive, from the westerly limit of Dorking Crescent (east leg) to the easterly limit of Dorking Crescent (west leg);
- (9) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by installing “No Parking, 8:00 a.m. to 4:30 p.m., Monday to Friday”, prohibitions on the south side of Nash Drive, from the westerly limit of Dorking Crescent (east leg) to the easterly limit of Dorking Crescent (west leg);
- (10) Schedule IX of By-Law No. 31001, of the former City of North York, be amended by deleting the No Stopping 8:00 a.m. to 4:30 p.m. Monday to Friday on the east and north sides of Ianhall Drive, from the northerly limit of Victory Drive to a point 137.25 metres north and west of Victory Drive;
- (11) Schedule IX of By-law No. 31001, of the former City of North York, be amended by installing “No Stopping, 8:00 a.m. to 4:30 p.m., Monday to

Friday”, prohibitions on the north side of Ianhall Drive, from a point 90 metres north of the northerly limit of Victory Drive to a point 47 metres westerly thereof; and

- (12) Schedule IX of By-law No. 31001, be amended by installing “No Stopping, 8:00 a.m. to 4:30 p.m., Monday to Friday”, prohibitions on the west and south sides of Ianhall Road, from the southerly limit of Gade Drive to the northerly limit of Victory Drive.

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

(Report No. 7 – Clause No. 15)

5.17 Preliminary Report – Application to Amend the Official Plan and Zoning By-law – TB CMB 2002 0006 – Met Cap Living – 40 Fountainhead Road and 470 Sentinel Road – Ward 8 – York West.

The North York Community Council had before it a report (May 21, 2002) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and seeking Community Council’s directions on further processing of the application and on the community consultation process; and recommending that:

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

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

- (1) approved the report (May 21, 2002), from the Director, Community Planning, North District, Urban Development Services; and

- (2) requested the Director, Community Planning, North District, Urban Development Services to:
 - (a) Identify the former landfill site in this area and comment in the Final Report to be submitted regarding this proposal whether the formal landfill site in this area will have any affect on this application; and
 - (b) Identify in future Preliminary Reports on development applications whether the lands subject of the application are within proximity of any identified landfill sites.

(Report No. 7 – Clause No. 28(b))

5.18 Preliminary Report – Application to Amend the Zoning By-law – TB ZBL 2002 0003 – Talisker GP Inc. – 2233 Sheppard Avenue West – Ward 7 – York West.

The North York Community Council had before it a report (May 21, 2002) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and seeking Community Council's directions on further processing of the application and on the community consultation process; and recommending that:

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

On motion by Councillor Mammoliti, Ward 7 – York West, the North York Community Council approved the foregoing report subject to Recommendation No. (1) and Recommendation No. (2) being deleted.

(Report No. 7 – Clause No. 28(c))

5.19 Preliminary Report – Application to Amend the Zoning By-law – TB ZBL 2002 0002 – 1 Litchou, c/o F. Romano – 8 Hove Street – Ward 10 – York Centre.

The North York Community Council had before it a report (May 16, 2002) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and seeking Community Council's directions on further processing of the application and on the community consultation process; and recommending that:

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

The North York Community Council approved the foregoing report.

(Report No. 7 – Clause No. 28(d))

5.20 Request for Exemption to the Sign By-law – Variance for Proposed Roof Sign – 3042 Keele Street – Ward 9 – York Centre.

The North York Community Council had before it a report (January 7, 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 Ms. Lorraine Sherman, to permit the construction of a third party roof sign on the existing two storey building on the subject property; and recommending that the request for a minor variance from the Sign By-law be refused.

The North York Community Council also had before it a communication (May 27, 2002) from Ms. Lorraine Sherman, 1420050 Ontario Inc. requesting that the sign permit application and request for a variance to the Sign By-law be withdrawn.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council received the foregoing report having regard that the applicant has withdrawn the request for a variance to the Sign By-law.

(Report No. 7 – Clause No. 28(e))

5.21 Tree Removal Request – 44 Jubilee Crescent – Ward 7 – York West.

The North York Community Council had before it a report (May 1, 2002) from the Commissioner of Economic Development, Culture and Tourism, reporting on an application from the owner of 44 Jubilee Crescent to permit the removal of a 75-cm diameter Silver Maple tree; and recommending that:

- (1) North York Community Council deny the request for the removal of one city-owned tree located at 44 Jubilee Crescent; or
- (2) North York Community Council approve the request for the removal of one City-owned tree located at 44 Jubilee Crescent conditional on:
 - (a) the applicant paying for the value of the Silver Maple tree and for all associated removal and replacement costs, that is \$8,431.00; and
 - (b) the applicant plant one 75-mm replacement tree to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and
 - (c) the applicant furnishing a two-year renewable guarantee for the proposed tree planting, in the form of a letter of credit/certified cheque for \$8,431.00 to cover the costs of removal, maintenance and replacement of the 75-mm tree planted on City property.

On motion by Councillor Mammoliti, Ward 7 – York West, the North York Community Council recommended to City Council, the adoption of Recommendation No. (2), contained in the foregoing report (May 1, 2002) from the Commissioner of Economic Development, Culture and Tourism and that the request for the removal of one City owned tree located at 44 Jubilee Crescent be approved, conditional on:

- (a) the applicant paying for the value of the Silver Maple tree and for all associated removal and replacement costs, that is \$8,431.00;
- (b) the applicant planting one 75-mm replacement tree to the satisfaction of

the Commissioner of Economic Development, Culture and Tourism; and

- (c) the applicant furnishing a two-year renewable guarantee for the proposed tree planting, in the form of a letter of credit/certified cheque for \$8,431.00 to cover the costs of removal, maintenance and replacement of the 75-mm tree planted on City property.

(Report No. 7 – Clause No. 16)

5.22 Presentation to Students who Participated in the Program Called “DiscoverAbility”.

Councillor Li Preti, on behalf of the North York Community Council, City staff and guests welcomed Ms. Irene Udo, President, DiscoverAbility Arts and Athletic Programs, the art students from Cardinal Carter Academy for the Performing Arts, the children who participated in creating a mural and a play for the Festival, students from Centennial College’s New Design Program, Centre for Communications who created a web-site for the Festival and also the sponsors of the 2002 DiscoverAbility Children’s Arts Festival.

Councillor Li Preti stated that these young artists not only express their talent in such beautiful ways but also raise funds for charity. He further advised it was a great honour for him to once again, along with Councillor Sutherland, host the DiscoverAbility Children’s Art Festival and Auction that took place at Metro Hall, where all submissions were featured in February during a week-long art exhibit and silent auction, with proceeds, which amounted to \$5,000.00, going to charity. He also commended Irene Udo who has been the ambitious force behind this ever-expanding program.

In response, Irene Udo, President, Discoverability Arts and Athletic Programs expressed her thanks and thanks on behalf of the artists for the opportunity to display the mural at the North York Civic Centre and display the art for the silent auction at Metro Hall.

Councillor Li Preti, assisted by Councillor Sutherland, presented a scroll to the students involved in the DiscoverAbility Program in recognition of their contribution to the arts.

The North York Community Council received the presentation to the students who participated in the 2002 DiscoverAbility Children’s Arts Festival.

(Report No. 7 – Clause No. 28(f))

5.23 Final Report – Application to Amend the Zoning By-law 7625 – TB ZBL 2001 0012 and TB SPC 2001 0083 – Eminent Construction Limited – 8 and 10 Northtown Way – 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 (May 17, 2002) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law for a 3-storey residential building with retail at grade and a 30-storey residential building with grade related retail at 8 and 10 Northtown Way; and recommending that City Council:

- (1) Amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 11.
- (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 require the owner to: enter into the necessary Section 37 Agreement; execute a Tree Preservation Agreement; and address the conditions noted in the memorandum of Works and Emergency Services (Technical Services Division) dated May 8, 2002.
- (4) It is recommended that City Council approve under Section 41 of the Planning Act, a 3-storey residential building with retail at grade, and a 30-storey residential building with retail at grade as indicated on the drawings entitled:
 - (a) Site Plan and Statistics, Plan No. A-101, date stamped as received May 13, 2002, prepared by Burka Varacelli Architects;
 - (b) Underground Parking Level D – P4, Plan No. A-201, date stamped

North York Community Council Minutes
Wednesday, June 5, 2002

- as received May 3, 2002, prepared by Burka Varacelli Architects;
- (c) Underground Parking Level C – P3, Plan No. A-202, date stamped as received May 3, 2002, prepared by Burka Varacelli Architects;
 - (d) Underground Parking Level B – P2, Plan No. A-203, date stamped as received May 3, 2002, prepared by Burka Varacelli Architects;
 - (e) Underground Parking Level A – P1, Plan No. A-204, date stamped as received May 3, 2002, prepared by Burka Varacelli Architects;
 - (f) East Elevation, Plan No. A-401, date stamped as received May 13, 2002, prepared by Burka Varacelli Architects;
 - (g) South Elevation, Plan No. A-402, date stamped as received May 13, 2002, prepared by Burka Varacelli Architects;
 - (h) West Elevation, Plan No. A-403, date stamped as received May 13, 2002, prepared by Burka Varacelli Architects;
 - (i) North Elevation, Plan No. A-404, date stamped as received May 13, 2002, prepared by Burka Varacelli Architects;
 - (j) East & West Courtyard Elevation, Plan No. A-405, date stamped as received May 13, 2002, prepared by Burka Varacelli Architects;
 - (k) Layout Plan, Plan No. L-1, date stamped as received May 13, 2002 prepared by The MBTW Group.

subject to the following conditions:

- 4(1) The lands shall be developed and maintained in accordance with the approved Site Plan drawings and conditions of approval. The Owner acknowledges that notwithstanding this approval, the lands shall be developed in accordance with the applicable zoning by-law(s) and that it is the responsibility of the Owner to ensure that the development is in conformity with the applicable zoning by-law to the satisfaction of the Chief Building Official.
- 4(2) All of the work shown on the approved drawings and all of the work

required by the conditions of this approval shall be completed within two year from the date of this approval failing which, this approval shall require an extension by the Director, Community Planning, North District (the "Director"), or his successor, prior to the issuance of any building permit.

- 4(3) All refuse and recycling storage shall be contained within the buildings. Refuse and recycling materials shall be transported to collection areas on collection days only. The Owner acknowledges that garbage shall be collected in accordance with garbage by-law 21732, as amended.
- 4(4) All driveways, loading and parking areas shall be paved with asphalt, turfstone, concrete or concrete unit pavers.
- 4(5) Designated parking spaces for persons with disabilities shall be identified with proper signage and logos to the satisfaction of the Director of Transportation Services - Works and Emergency Services Department, or his successor. All designated parking spaces, walkways and curb ramps shall conform with the City of Toronto (formerly North York), "Barrier-Free Accessibility, Design Guidelines and Policy Handbook (Exterior Guidelines)."
- 4(6) All site illumination shall be designed to prevent the spread of light onto adjacent properties.
- 4(7) No signage, satellite dishes, cellular telephone antennae or associated equipment shall be provided on the roof of the building, without the prior approval of the Director.
- 4(8) Above-grade electrical transformers, gas regulators, and other equipment are not permitted above grade unless within the mass of the building to the satisfaction of the Director, or his successor. All clearances from Toronto Hydro-Electric System Limited facilities must be maintained to the satisfaction of Toronto Hydro or such successor body. The owner shall make arrangements to the satisfaction of the affected Utility for the installation, relocation and protection of all utilities.
- 4(9) The municipal address of the project is to be well-illuminated,

North York Community Council Minutes
Wednesday, June 5, 2002

provided in a prominent location and designed to be easily readable from adjacent streets.

- 4(10) Site grading shall be designed to ensure that there are no drainage problems created on adjacent lands.
- 4(11) The Owner shall develop the lands in accordance with the requirements and conditions, as contained in the memorandum of (refer to attached):
- (a) Works & Emergency Services (Technical Services Division) memorandum dated May 8, 2002.
 - (b) Works & Emergency Services (Fire Services) memorandum dated April 23, 2002.
 - (c) Toronto Transit Commission, letter dated May 1, 2002
 - (d) Toronto District School Board, letter dated May 13, 2002.
- 4(12) The applicant shall submit the following to the satisfaction of the Director, Community Planning, North District, before any building permit other than a foundation permit is issued for any building:
- (a) Confirmation that arrangements have been made to satisfy the requirements of the Technical Services Division of the Works and Emergency Services Department as noted in their memorandum dated May 8, 2002;
 - (b) Confirmation that arrangements have been made to satisfy the requirements of the Fire Services Division of the Works and Emergency Services Department as noted in their memorandum dated April 23, 2002;
 - (c) The owner shall submit an estimate of the costs and letter of credit to cover landscaping (i.e., fencing, planting, decorative paving, etc.) in a form satisfactory to the City Treasurer; and
 - (d) The Owner shall execute a site plan agreement, prepared

to the satisfaction of the City Solicitor and the Director, to register the approved drawings and conditions of approval on title. The agreement shall stipulate the following:

- (i) 3 copies of revised detailed landscape plans.
- (ii) 3 copies of revised site plans addressing matters noted by Works and Emergency Services with respect to driveway radii, marking for driveway directions and revised parking lay-out.
- (iii) The Owner shall submit to the Chief Financial Officer and Treasurer as a deposit a letter of credit or certified cheque for 120% of the value of the landscaping including plantings, decorative paving and fencing. The letter of credit shall be in a form satisfactory to the City Treasurer in accordance with its standard format for letters of credit as of the date of submission of the letter of credit to the City, and which shall provide for automatic renewal rights at the end of the term, to complete all outstanding work required by these conditions. The deposit shall be returned to the Owner at such time as the Director, Community Planning, North District, is satisfied that the property has been developed in accordance with the approved drawings and the conditions of approval.
- (iv) The Owner acknowledges that where it fails to promptly complete the work required by this Agreement, the City, in addition to and without prejudice to any other rights which it may have pursuant to this Agreement or otherwise at law, may enter onto the lands, perform such work and take any steps as are required, in the sole discretion of the City, to carry out and complete the work.
- (v) The Owner agrees that the City has the right to

recover the total cost of all work and materials, plus a management fee equal to 20 percent of the total cost of such work and materials. In addition to any other remedies it may have, the City may collect the sums owing in like manner as municipal taxes, with all such amounts to be payable as directed by City Council pursuant to Section 326 of the Municipal Act.

- (vi) The Owner acknowledges that the City enters onto the lands solely as the agent of the Owner, and such entry shall not be deemed, for any purpose, to constitute acceptance or assumption of all or any portion of the work required by this Agreement.
- (vii) The Owner shall at all times, indemnify and save harmless the City from and against any and all claims, demands, losses, costs, charges, expenses, actions and other proceedings (including those in connection with workplace safety and insurance compensation or any similar or successor arrangements) made, brought against, suffered by or imposed on the City or its property in respect of any failure by the Owner to fulfil any of its obligations under this Agreement in respect of its responsibility for any potential soil contamination or remediation of the lands. and
- (viii) The Owner agrees:
 - (a) that it shall save harmless, defend and fully indemnify the City, and each of the persons under the City's jurisdiction, from and against all actions, suits, claims, and demands which may be brought against or made upon the City, and any persons under the City's jurisdiction, and from and against all loss, costs, charges, damages and expenses which may be sustained,

North York Community Council Minutes
Wednesday, June 5, 2002

incurred or paid by the City, and each of any persons under the City's jurisdiction, by reason of, or on account of, or in consequence of this clause;

- (b) it will pay to the City and to each of any persons under the City's jurisdiction, on demand, any loss, costs, or damages which may be sustained, incurred or paid by the City in consequence of any such action, suit, claim or demand; and
- (c) on default of such payment all such loss, costs or damages and all such monies so paid or payable may be recovered in any court of competent jurisdiction.

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

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

- Mr. Charles Brown, President, on behalf of the Yonge Corridor Condominium Association of Willowdale, who presented a written submission and provided background information regarding the Association. During his submission he expressed concerns with this application and pointed out that all residential neighbourhoods, as well as the Yonge Street Corridor neighbourhood should be protected. In his opinion, you cannot continue to increase the population densities in new condominiums at the expense of the quality of daily life in the Yonge Street Corridor, nor can you continue to increase the amount of automobile traffic emanating from, as well as passing through, the Yonge Street Corridor without completing at the earliest possible date the envisioned traffic arteries in Willowdale, such as the Ring Road. He further indicated that you cannot continue to approve new high rise developments without insisting that each developer make appropriate provisions for parkettes and open space and you cannot continue to provide housing for families whose children must be bussed outside the attendance areas because there is no classroom accommodation available to them in both the elementary and secondary public schools along the Yonge

Street Corridor.

In closing, Mr. Brown pointed out that he was not advocating no further development but stated that unless these issues are resolved by Council, with the advice of their professional staff; with the co-operation and material contributions of developers; and with the involvement of citizen groups such as the Yonge Street Condominium Association, then further development will simply exacerbate the problems such as overcrowding and increased traffic congestion.

- Mr. Perry Copses, on behalf of the Yonge Corridor Condominium Association of Willowdale, who presented a written submission, and expressed the concern that it was unclear whether the current proposal fits the vision and satisfies the requirements for infrastructure that the planners had when the North York Centre Plan was formulated. He then commented that they don't know whether this redevelopment has paid its fair share of the costs of the additional infrastructure that will be required or has made a sufficient contribution towards the Ring Road network that is basic and fundamental to the North York Centre Plan. The ring road network, in his opinion, is a fundamental requirement for the community if all of the proposed intensification is to take place. He then questioned what additional lands would be required for the completion of the Ring Road and what the cost would be to complete it. He further commented on the loss of open space, considering that what was once the Northtown Shopping Centre is now a residential development with approximately 2,500 residential units. In this regard, he added that developers should be required to include public open space, urban squares and public art in their developments.

Mr. Copses, also commented on the new Official Plan and indicated that their Association is aware that this community is targeted to bear the brunt of the intensification and growth being proposed by the new Official Plan. While this Association has a positive outlook about this and was not anti-development, the Association supported positive smart growth. In this regard, the Association was requesting Council to authorize a study of this community's future social facility requirements as well as proposals for funding their construction. He also indicated that it would be inequitable and unfair if all development fees are put into a common fund for the entire City of Toronto and the communities that are targeted to absorb all of the growth are forced to scramble for funds to cope with the problems that arise.

North York Community Council Minutes
Wednesday, June 5, 2002

Mr. Copses concluded by requesting that Council to help them protect the future of this community by insisting that strong, unambiguous language be incorporated into the new Official Plan; language that requires developments, in areas targeted for growth such as theirs, to make financial contributions to separate funds that have been established specifically to finance infrastructure in the affected community. In his opinion, planners and planning documents cannot change things by themselves; they need political leadership, stewardship and foresight; and

- Mr. Steve Upton, Director of Development Planning, Deltera Inc., on behalf of the applicant, who gave a brief overview of the history of this site and commented on the merits of the application. During his submission, he indicated that consideration had been given to the protection of the residential communities from the outset, which is evident by the fact that the townhouses are backing onto residential homes. With respect to the parks and open space issue raised by the previous speakers, he indicated that the parkland dedication requirement has already been satisfied through the conveyance of the Northtown Park by the applicant as part of previous development applications on the Northtown site. With respect to the school situation he advised that the Toronto District School Board has no objections to the evolving Master Plan for this site, which plan ensures that appropriate scale, massing and distribution of density would occur on the entire site, as development was to be phased over a number of years. Insofar as the ring road was concerned, the applicant has provided for a service road which runs through the Northtown lands where the grocery store used to be. The ring road contribution has been addressed and respected. In his opinion, the applicant has dealt with the issues of traffic, open space and unit counts and are working within the parameters of the Official Plan. The proposed development conforms to the policies of the North York Centre Plan. In closing he indicated that the applicant supported the staff recommendations and requested that the application be approved.
- A. Councillor Filion, Ward 23 - 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 (May 17, 2002) from the Director, Community Planning, North District, Urban Development Services, and for reasons that the proposal is an appropriate use of lands, recommend to City Council:
 - (1) that the application submitted by Eminent Construction Limited to

amend the Zoning By-law to permit the construction of a 3-storey residential building with retail at grade and a 30-storey residential building with grade-related retail at 8 and 10 Northtown Way be approved, subject to the conditions outlined in the aforementioned report; and

- (2) that Recommendation No. 4(12)(d)(i) be amended by adding thereto, the words, “and any other amendments to the site plan to be approved by the Director, Community Planning, North District, Urban Development Services, in consultation with the Ward Councillor” so that the Recommendation shall now read as follows:

“4(12)(d)(i) three copies of the revised detailed landscape plans and any other amendments to the site plan to be approved by the Director, Community Planning, North District, Urban Development Services in consultation with the Ward Councillor.”

- B. Councillor Filion, Ward 23 - Willowdale, moved that the Director, Community Planning, North District, Urban Development Services be requested to report to the July 3, 2002 meeting of the North York Community Council on:

- (1) the way in which the applicant and the Toronto District School Board will advise future purchasers of the constraints on school availability to accommodate this application; and
- (2) the way(s) in which developers in the North York Centre, in co-operation with the Toronto District School Board, can properly advise future residents of school availability.

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

(Report No. 7 – Clause No. 17)

- 5.24 Final Report – Application to Amend the Official Plan and Zoning By-law 7625 – UDOZ-00-17 – PMG Planning Consulting – 569 Sheppard Avenue West and 4383 Bathurst Street – Ward 10 – York Centre.**

North York Community Council Minutes
Wednesday, June 5, 2002

As directed by the North York Community Council, at its meeting held on May 8, 2002, appropriate notice of 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 the following reports:

- (April 24, 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 an additional 13 storey residential condominium building at the southeast corner of Bathurst Street and 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. 6.
 - (2) amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.
 - (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.
 - (4) Before introducing the necessary Bills to City Council for enactment, require the owner to:
 - (a) enter into a Section 37 Agreement under the Planning Act securing:
 - (i) the existing rental apartment building remaining as rental for a minimum period of fifteen years and an agreement that no application for condominium conversion or application to demolish be made during that time period,
 - (ii) a cash contribution by the owner of \$83,500 for capital improvements to undertake one or more or portions of the following improvements to the

30
North York Community Council Minutes
Wednesday, June 5, 2002

existing rental buildings such that the cost of the improvements up to \$83,500 cannot be passed through to the tenants through rent increases:

- (A) replacement of all windows in both buildings
- (B) balcony, concrete and railing improvements
- (C) underground parking garage remedial work
- (D) plumbing upgrades
- (E) elevator refurbishing and upgrades
- (F) security system
- (G) noise reduction of rooftop mechanical equipment

- (b) obtain Site Plan Approval from the Director, Community Planning, North District, under Section 41 of the Planning Act.
- (c) fully comply with any outstanding Orders issued under the Building Code Act for 4383 Bathurst Street or 569 Sheppard Avenue West to the satisfaction of the Municipal Licensing and Standards Division.

- (May 22, 2002) from the Director, Community Planning, North District, Urban Development Services, reviewing the written and verbal submissions provided by the deputants at the May 8, 2002 public meeting held by North York Community Council as directed; and recommending that City Council, receive this report for information.
- (May 23, 2002) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, identifying Property Standards violations on the subject properties; and recommending that this report be received as information on the condition of the subject properties.

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

North York Community Council Minutes
Wednesday, June 5, 2002

- Mr. Brad Smith, Property Manager for 569 Sheppard Avenue West and 4383 Bathurst Street, who spoke on behalf of the applicant, and who indicated that the applicant had just begun a program of renovating the existing buildings. He further indicated that many of the violations that have been identified in the report from the North District Manager, Municipal Licensing and Standards and Court Services have already been complied with or in the process of being complied with and expressed concern that the report was depicting an inaccurate picture. He further indicated that new windows were currently being installed and that over one million dollars per building was being spent to renovate and make the necessary repairs. In closing he advised that the work being undertaken would take approximately six months to complete and may result in a rent increase to tenants;

- Ms. Teresa Hyatt, who presented a written submission together with a copy of a memorandum respecting notes from the community consultation meeting held on February 11, 2002, as prepared by Karen Whitney, Senior Planner, Community Planning, North District, Urban Development Services; a copy of survey to determine community response to Application UD0Z-00-017; and a copy of a communication dated December 24, 2001 addressed to Mr. Howard Meyer, Principal, New Style Group regarding the building renovation programme at 4383 Bathurst Street and 569 Sheppard Avenue West, and requested that her communication of December 24, 2001 be included as Attachment 8A of the application for the purpose of clarity and community response. In addition she enquired whether impact studies have been performed on the sewer system and air quality assessments have been done with respect to the impact of vehicular traffic, both current and proposed as well as the other items mentioned in the conclusions of the staff report dated May 22, 2002. Since these studies have not been completed, she requested that the application be deferred until such time as they have. In concluding she indicated that the community is still opposed to the rezoning and proposed condominium building and would rather see the area remain as greenspace;

- Mr. Paul Fairman, who outlined the conditions throughout the building, the parking lot and the underground parking garage. In addition, he pointed out that during the window replacement work, windows were left blocking the fire exits. He concluded by requesting that no further development occur on these lands until all the property standards violations have been complied with; and

- Mr. Michael Klein, who indicated that the owner can get higher rent once a tenant leaves, therefore any repairs to an individual apartment are left until such

North York Community Council Minutes
Wednesday, June 5, 2002

time as the tenant moves out. He further commented that if any work is done within the apartment it is usually not completed properly. He then outlined numerous conditions within the building that require attention and expressed concerns regarding the elevators, that have broken down twice within the past two weeks. In his opinion, the proposed development does not address the community needs, such as more greenspace, less traffic and more affordable housing. He concluded by stating that the project does not benefit anyone except for the property owner.

The following persons were also in attendance but indicated that in light of the Ward Councillor's intention to put forward a motion to defer consideration of this matter, they would address the North York Community Council at a future meeting:

- Mr. Gary Kay, on behalf of the owner of the Bathurst-Sheppard Plaza;
- Ms. Judith Parnis;
- Mr. Downes; and
- Ms. Joan Lee

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

“WHEREAS the Final Report (dated April 24, 2002) from the Director, Community Planning, North District, Urban Development Services, recommends approval of the application by PMG Planning Consultants for an Official Plan and Zoning By-law Amendment (File UDOZ-00-17) on lands municipally known as 569 Sheppard Avenue West and 4383 Bathurst Street be approved subject to certain conditions including the entering into a Section 37 Agreement under the Planning Act securing a cash contribution of \$83,500 by the owner for capital contributions to the existing rental apartment buildings, such costs not to be passed through to the tenants through rent increases and a condition that the owners fully comply with any outstanding orders issued under the Building Code Act for the existing buildings at 4383 Bathurst Street and 569 Sheppard Avenue West, to the satisfaction of the Municipal Licensing and Standards Division; and

WHEREAS the Report (dated May 23, 2002) from the Manager, Municipal Licensing and Standards and Court Services, North District, identifies numerous Property Standards violations on the subject properties based upon recent inspections but does not provide any indication of the value of these required improvements;

THEREFORE BE IT RESOLVED:

THAT North York Community Council defer consideration of the Final Report (dated April 24, 2002) and the Supplementary Report (dated May 22, 2002) from the Director, Community Planning, North District, Urban Development Services and also defer consideration of the Report (dated May 23, 2002) from the Manager, Municipal Licensing and Standards and Court Services, North District; and

THAT the Director, Community Planning, North District, Urban Development Services and the Manager, Municipal Licensing and Standards and Court Services, North District, submit a joint report at a future North York Community Council on the status of the enforcement and/or completion of all the Property Standards violations identified in the Report (dated May 23, 2002) from the Manager, Municipal Licensing and Standards and Court Services, North District, and the costs associated with the value of these improvements; and

THAT the Director, Community Planning, North District, Urban Development Services, also report on the appropriateness of identifying any costs associated with the Property Standards violations within the matters to be secured under the Section 37 Agreement so that they are not included in the costs to be passed through to the tenants through rent increases; and

THAT further notice of the continuation of the public meeting be given at the appropriate time”.

(Report No. 7 – Clause No. 28(g))

5.25 Final Report – Application to Amend the North York Official Plan and Zoning By-law 7625 – TB CMB 2001 0015 - Berncray Holdings Inc. and Four Winds FBM Ltd. In Trust – 45-75 Four Winds Drive – Ward 8 – York West.

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

The North York Community Council had before it a report (May 22, 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 add 188 residential units to an existing retail plaza and parking lot located at 45-75 Four Winds 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.
- (4) Before introducing the necessary Bills to City Council for enactment, the applicant is required to obtain Site Plan Approval under Section 41 of the Planning Act.
- (5) Before introducing the necessary Bills to City Council for enactment, the applicant is required to address the conditions outlined in Attachment 7.

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:

- (May 16, 2002) from Ms. Teresa Gogel, Royal Alliance, expressing her concerns respecting the proposed development;
- (May 17, 2002) from Ms. Lidia Loria, expressing her concerns respecting the

35
North York Community Council Minutes
Wednesday, June 5, 2002

proposed development;

- (May 21, 2002) from Otello Antonioli, expressing his opposition to the proposed development;
- (May 14, 2002) from Ms. Anne Dobney, expressing her opposition to the proposed development;
- (May 22, 2002) from Ms. Elizabeth Portolese, expressing her opposition to the proposed development;
- (May 30, 2002) from Mahnaz Eslam, Fantasy Hail Salon, forwarding a petition signed by 111 residents/business owners/employees in the Four Winds community, in support of the proposed development;
- (June 3, 2002) from Ms. Rosemarie L. Humphries, Weston Consulting Group Inc., addressed to City Planning Division, North District, on behalf of the applicant; advising that a contribution will be made to the City for the purposes of facilitating improvements to the existing parking lot;
- (June 3, 2002) from Ms. Julie Leal, expressing her support for the proposed development;
- (June 3, 2002) from a resident on Four Winds Drive; expressing his support for the proposed development; and
- (June 4, 2002) from a resident on Four Winds Drive; expressing his support for the proposed development.
- (June 4, 2002) from Anna and Gus Youngsik Chung, Quartet Variety, expressing their support for the proposed development;
- (June 5, 2002) from Mr. Charlie Siracusa, expressing his support for the proposed development;
- (June 5, 2002) from Ms. Rosemarie L. Humphries, Weston Consulting Group Inc., addressed to City Planning Division, North District, on behalf of the applicant, advising that after further discussion, this communication replaces the contents of their letter dated June 3, 2002; and advising that the applicant has indicated that a contribution to the City in an amount not to exceed \$50,000

North York Community Council Minutes
Wednesday, June 5, 2002

will be made either in a cash contribution or actual completion of works which facilitate improvements to the existing parking lot located on the east side of Sentinel Road and south of the University City Recreation Centre; and that timing of completion of the parking lot improvements or cash contribution will not be subject to Phase 1 of the project, but will occur prior to the completion of construction of Phase II of the project.

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

- Ms. Elizabeth Ujvari who expressed concern regarding the structural soundness of the present building and suggested that a comprehensive geographical study be undertaken, since there had been water seepage into the existing parking garage two years ago. In addition she expressed concern with respect to garbage storage and was of the opinion, that it should be contained to avoid odour and the spread of rodents. She also commented on the proposed residential units and commercial space and suggested that the proposed commercial area be occupied with stores and services that will survive, such as a hair stylist, variety store, cleaners, chinese restaurant, small grocery store, pizzeria, pharmacy and walk-in clinic;
- Ms. Mahanz Estami, who spoke in support of the application and advised that she has had a hair salon in the existing commercial space for many years. She further indicated that her business was beneficial to both the tenants and the community and therefore she would like to continue doing business on this site;
- Mr. Gus Youngsik Chung, who commented in support of the application. During his submission he indicated that retail revitalization is needed especially since existing business have deteriorated due to lack of pedestrian and vehicular traffic and other issues with the existing plaza; and
- Ms. Rosemarie Humphries, Weston Consulting Group Inc., on behalf of the applicant, who commented on the formal, informal and sometimes weekly meetings with Planning staff and commended them for their hard work. She also expressed her thanks to the residents and the people of the community for taking so much interest in the application. With respect to the underground parking garage, she advised that there is an agreement registered on title between the owners and the applicant which addresses the structural issues relating to the garage and leakages. With regard to the 16 units, she advised that a change was made to the plan, thereby reducing the height of the

North York Community Council Minutes
Wednesday, June 5, 2002

apartment building by one floor. She then stated that the units were then transferred to the rear of the commercial block. With regard to the garbage area she advised that this has been relocated. She further advised that the entire project will be condominiums, not rental units and that the commercial area has been reduced in size by approximately half; adding that the present commercial tenants will be within the newly re-configured commercial space; further adding that the applicant has been working with them to address their concerns. In closing, she advised that she could provide documentation by the end of the week to give assurance that the present tenants would be entitled to occupy the proposed commercial space in the development.

Councillor Mammoliti, Vice-Chair, assumed the Chair.

- 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 (May 22, 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) that the application submitted by Berncray Holdings Inc. and Four Winds FBM Limited in Trust regarding an application to amend the Official Plan and Zoning By-law to add 188 residential units to an existing retail plaza and parking lot located at 45 – 75 Four Winds Drive; be approved, subject to:
 - (a) the conditions outlined in the aforementioned report; and
 - (b) the applicant providing a comprehensive geographical structural study to the satisfaction of the Director, Community Planning, North District, Urban Development Services and the Director\Deputy Chief Building Official, North District, Urban Development Services, prior to the issuance of a building permit;
 - (c) provisions being made for the garbage to be contained on site to the satisfaction of the Director, Community Planning, North District, Urban Development Services, the Director, Solid Waste Collections, Districts 3 and 4, Solid Waste Management Services, Works and

Emergency Services and the Ward Councillor; and

- (d) that every effort be made to ensure that the existing stores be protected in this plaza.

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

“WHEREAS the developer of the above lands has made application to the City for an official plan amendment and zoning by-law amendment in respect of the above lands which will include 188 dwelling units located in apartment buildings and stacked townhouses;

AND WHEREAS the developer desires to facilitate improvements to the parking lot for the tennis facility located in Fountainhead Park on the east side of Sentinel Road for the use of residents in the proposed development as well as existing residents in the area of the proposed development;

AND WHEREAS the developer has indicated that it is prepared to make arrangements to facilitate the improvement through construction of, or payment to the City for the City to improve the parking lot for the tennis facility located in Fountainhead Park.

THEREFORE BE IT RESOLVED THAT:

1. the developer will make arrangements to improve the parking lot for the tennis facility located in Fountainhead Park or make a contribution to a maximum of \$50,000 for the City to improve the parking lot, or some other community use, in all cases to the satisfaction of the Commissioner of Economic Development, Culture and Tourism.
2. Such improvements will be completed prior to the issuance of the building permit of Phase 2 of the development, which will be secured by the City through the site plan approval process.

- C. Councillor Augimeri, Ward 9 – York Centre, moved that Recommendation (1)(d) of Motion A., moved by Councillor Li Preti, be amended to read as follows:

“the applicant providing documentary evidence through leases and/or other documentation that the current commercial tenants will be legally entitled to occupy the proposed commercial space in the development, prior to the introduction of the necessary Bills to City Council for enactment.”

A recorded vote on Motion C., moved by Councillor Augimeri, Ward 9 – York Centre, was as follows:

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

AGAINST: Nil

ABSENT: Councillor Shiner

Carried.

A recorded vote on Motion A., as amended by Motion C., moved by Councillor Augimeri; and Motion B., moved by Councillor Li Preti, was as follows:

FOR: Councillors Sutherland, Li Preti, Feldman, Mammoliti

AGAINST: Councillors Filion, Augimeri

ABSENT: Councillor Shiner

Carried.

(Report No. 7 – Clause No. 18)

Councillor Li Preti resumed the Chair.

5.26 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 April 3, 2002, appropriate notice of the continuation of the statutory public meeting was given as directed and in accordance with the Planning Act and the regulations thereunder.

North York Community Council Minutes
Wednesday, June 5, 2002

The North York Community Council had before it a 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 Ontario Municipal Board to defend the refusal of this application.

The North York Community Council also had before it an Information Report (May 27, 2002) from the Director, Community Planning, North District, Urban Development Services, respecting 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, responding to the Council request to review the parking proposal that has been advanced by the neighbours (958 Wilson Avenue) respecting the existing place of worship located at 960-962 Wilson Avenue at Murray Road; and recommending that City Council receive this report as information.

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:

- (May 22, 2002) from Geoff Woods, Development Review Coordinator, CN Rail, responding to the May 14, 2002 letter sent to CN from the City of Toronto, regarding the above-noted application and commenting that the Railway's previous comments dated March 28, 2002, are still valid; and
- (undated) from Ms. Emile Dung Do, c/o Hue Lam Temple, expressing her support for the proposed development.

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

- Mr. Vince Lombardi, on behalf of the Downsview Community Voice Association, who expressed his opposition to the application and advised that the occupants are not complying with the by-law. During his submission he expressed concern with respect to the increase in membership, especially

North York Community Council Minutes
Wednesday, June 5, 2002

since the Temple started off by occupying one unit, and are now occupying two units and was of the opinion, that over time, that membership would grow thereby exacerbating the existing parking problems. He concluded by expressing his concern with the precedent setting nature of this application and the negative impact on existing commercial uses along Wilson Avenue should this significant shortfall in parking by the applicant, be approved;

- Ms. Tamara Cosby, on behalf of The Blooming Forest Bhikkuni Association of Canada, who expressed her support for the application and advised that the nuns are peace loving women who want to continue their work at the Buddhist Temple. She then distributed photographs to illustrate the parking activities at the Temple and at the adjacent property. She also indicated that the Nuns have tried to work with the community and other property owners in the area who have agreed to allow the members of the Buddhist Temple to utilize their parking areas during the week-ends. In concluding, she was of the opinion, that residents in the area should assist the Nuns in any way they can to help them integrate into the community;

- Ms. Gayle Christie, Christie & Associates, Government Relations, on behalf of the Blooming Forest Bhikkuni Buddhist Association of Canada, who presented a written submission in support of the application. During her submission she made reference to the traffic consultant report prepared by John Barrington from the BA Group and pointed out that, after examining this report, transportation staff agreed that the applicant should provide six 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. However, the neighbours are not willing to give a lease on title for one or ten years but have provided letters of permission to the Temple. She further indicated that the Temple purchased the first building located at 962 Wilson Avenue in 1995 and the sign in front of the building has been in existence for the last 15 years. She also clarified that the Temple does not operate as a lunch room but does provide refreshments after service or worship, as most places of worship. In order to address other concerns expressed by neighbours, the covered arbor at the rear of the building was removed and the gong is now only used three minutes before and three minutes after the service on Sunday.

Ms. Christie concluded by stating that the applicants would be pleased to cooperate in any way possible with the City to ensure that their Temple is approved and she requested that the North York Community Council

recommend approval of the application;

- Ms. Hong Lam, who presented a written submission and advised that her family lives and has a business at 958 Wilson Avenue, next to the Temple. She stated that people attending the temple have no respect for their property and no parking etiquette, since they park in a way that blocks the entrance and does not allow her family's car to leave the property. She pointed out that there are three buildings with one parking entrance and commented that at the last meeting it was mentioned that possibly the entrance to the parking lot could be extended, but as yet they have heard nothing and only received phone calls asking how much they want to sell the property;
- Mr. Jimmy Owis, on behalf of Hong Lam's father, who expressed his opposition to the application. He commented on the parking situation and stated that while there has been some improvement, the problem will reoccur once approval is granted. In closing, he requested that the Community Council refuse the application;
- Mr. Dung Do, on behalf of The Blooming Forest Bhikkuni Buddhist Association of Canada, who acknowledged the parking problem at the Temple, sometimes caused by a driver dropping off people at the Temple or the inattention of a visitor who has parked their car inappropriately. He expressed the assurance that there would be no future parking problem since all members are now aware of the neighbour's complaint. He pointed out that so far they have five parking spaces in the front yard, additional parking offered by the neighbour, Mr. Jack Rosati, also The Lao Community, and access to the coin parking lot, as well as parking on Murray and Regent street which is never used. In closing, he requested the Community Council to be flexible with regards to the parking space requirement, adding that they have only Sunday service and only one evening service for the New Year. He further added that the Temple, which operates without funding, is not only a place to worship but is a social centre and helps to alleviate a small part of the burden of Public Health Canada;
- Ms. Rochelle Cantor, Barrister and Solicitor, on behalf of the owners of 958 Wilson Avenue, who spoke in opposition to the application and who filed a copy of report, prepared by Dr. Janet McLellan, headed, "Buddhism in the Multicultural Context of Toronto, Canada: Local Communities, Global Networks". During her submission, she made reference to the report prepared by Dr. McLellan, and in particular, the comments regarding the

North York Community Council Minutes
Wednesday, June 5, 2002

increased number of Asian immigrants since 1967.

Ms. Cantor expressed concerns regarding the parking problem that occurs as a result of the operation of the Buddhist Temple at 960 Wilson Avenue and pointed out that the membership at the Temple will continue to increase and that the parking problem will only become worse. In closing, she requested the Community Council to adopt the staff report and to refuse the application;

- Ms. Truong Hong on behalf of The Blooming Forest Bhikkuni Association of Canada, who expressed her support for the continued operation of the Temple and requested that the application be approved.

- 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 report (January 7, 2002) and the further report (May 27, 2002) from the Director, Community Planning, North District, Urban Development Services, recommend to City Council that:

- (1) Zoning By-law Amendment Application No. TB ZBL 2001 0016 submitted by Blooming Forest Bhikkuni Buddhist Association of Canada to amend the Zoning By-law for an existing place of worship located at 960-962 Wilson Avenue at Murray Road, be refused;
- (2) that should this application be appealed to the Ontario Municipal Board, the City Solicitor and City Staff be authorized to appear before the Ontario Municipal Board to defend the refusal of this application.

- B. Councillor Sutherland, Ward 33 – Don Valley East, moved that in the event the motion moved by Councillor Augimeri does not carry, the following motion be considered:

“That Zoning By-law Amendment Application No. TB ZBL 2001 0016 by the Blooming Forest Bhikkuni Buddhist Association of Canada, be approved; and

That the Commissioner of Urban Development Services, report directly to the June 18, 2002 meeting of Council with a draft zoning by-law implementing

the approval of the application to bring the existing temple into compliance with the zoning for the property.”

A recorded vote on Motion A., moved by Councillor Augimeri, Ward 9 – York Centre, was as follows:

FOR: Councillors Augimeri, Filion, Mammoliti

AGAINST: Councillors Sutherland, Li Preti

ABSENT: Councillors Feldman, Shiner

Carried.

Having regard for the foregoing decision of the North York Community Council, Motion B., moved by Councillor Sutherland, was not voted upon.

(Report No. 7 – Clause No. 19)

5.27 Parking Prohibitions – Bowerbank Drive, Cushendale Drive and Deering Crescent – Ward 24 – Willowdale.

The North York Community Council had before it a report (May 30, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on prohibiting parking on both sides of Bowerbank Drive, Cushendale Drive and Deering Crescent; and recommending that:

- (1) 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 4:00 p.m., Monday to Friday, on both sides of Bowerbank Drive;
- (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 4:00 p.m., Monday to Friday, on both sides of Cushendale Drive; and
- (3) 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 4:00 p.m., Monday to Friday, on both sides of Deering Crescent; and

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

(Report No. 7 – Clause No. 20)

5.28 On-Street Parking Prohibitions – Longmore Street – Ward 24 – Willowdale

The North York Community Council had before it a report (May 30, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on prohibiting parking on Longmore Street, between Bishop Avenue and Pemberton Avenue; and recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the east side of Longmore Street, between Bishop Avenue and Pemberton Avenue.

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

(Report No. 7 – Clause No. 21)

5.29 On-Street Parking Prohibitions – Maxome Avenue – Ward 24 – Willowdale.

The North York Community Council had before it a report (May 30, 2002) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on prohibiting parking on Maxome Avenue, between Steeles Avenue East and Regis Drive; and recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the west side of Maxome Avenue, from 8:00 a.m. to 6:00 p.m., Monday to Friday, between Steeles Avenue East and Regis Drive.

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

(Report No. 7 – Clause No. 22)

5.30 Special Occasion Permit Request – Community Event – East Indian Drama Festival – August 2, 3 and 4, 2002 – Leah Posluns Theatre in Bathurst Jewish Community Centre – 4588 Bathurst Street – Ward 10 – York Centre.

North York Community Council Minutes
Wednesday, June 5, 2002

The North York Community Council had before it the following communication (May 30, 2002) from Sujoy Kanungo, President, Indo Canada Overseas Broadcasting Corporation:

“Please accept this letter as a request to obtain liquor license from LCBO. I am hosting a three day East Indian Drama festival in Leah Posluns Theatre in Bathurst Jewish Community Centre located at 4588 Bathurst Avenue on August 2, 3 and 4, 2002. I am expecting about 1500 guests for this event and quite a few numbers are from United States of America.

This 2nd International Bengali Drama competition is unique; one of its kind and brings all the Bengalis from GTA and abroad under one roof. This is organized by Indo-Canada Overseas Broadcasting Corporation registration number 1449041.

I also have Sleeman Brewery as a major sponsor for this event and they will be putting up a stall in the theatre. Please consider my request as a prime sensitive issue as it takes about 30 days to obtain a license from LCBO, from the date of application.

I would wait for your reply as you can reach me in the following way.”

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

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council recommended to City Council, that City Council, for liquor licensing purposes, declare the East Indian Drama Festival, to be held on August 2, 3 and 4, 2002, by Springar Radio Program, a branch of Indo-Canada Overseas Broadcasting Corporation, in Leah Posluns Theatre, located in the Bathurst Jewish Community Centre at 4588 Bathurst Street, 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. 7 – Clause No. 23)

**5.31 Ontario Municipal Board Hearing – Committee of Adjustment Application
– 96 Cameron Avenue – Ward 23 – Willowdale.**

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

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused an application by Sean Burke, the owner of 96 Cameron Avenue, for consent to sever one residential property fronting onto the north side of Cameron Avenue into two residential properties having frontages of 7.62 m each.

WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused the two associated variance applications requesting variances for lot frontage and width, east and west side yard setbacks, length of dwelling and below grade garages.

WHEREAS the applicant has appealed the consent and minor variance decisions of the Committee of Adjustment (North District) to the Ontario Municipal Board.

WHEREAS no date has been set for the hearing of the consent application appeal.

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

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. 7 – Clause No. 24)

Councillor Mammoliti assumed the Chair.

5.32 Special Occasion Permit Request – Tennis Masters Canada – National Tennis Centre – 3111 Steeles Avenue West – Saturday, July 27, 2002 to Sunday, August 4, 2002 – Ward 8 – York West.

The North York Community Council had before it the following communication (undated) from Mr. Geoff Rempel, Tournament Operations Manager, Tennis Canada:

“Tennis Canada is seeking a resolution from Community Council declaring the Tennis Masters Canada to be held from Saturday, July 27 to Sunday, August 4, 2002 to be a community event of “municipal significance”. The event will be held at the National Tennis Centre located at 3111 Steeles Avenue West. Gate Opening times for the tournament are attached (Schedule A).

This resolution is required by the Alcohol and Gaming Commission of Ontario to issue a special occasion permit at the National Tennis Centre. Please see the attached site plans which indicates points of sale of alcohol (Schedule B) and event security (Schedule C).

The Tennis Masters Canada (Canada’s international championships for men) and the Rogers AT&T Cup (the international tennis championships for women) take place at the National Tennis Centre. The events will be held in alternate years in Toronto. For greater clarity the men’s event will be held in 2002, 2004, 2006, and so on. The women’s event will be held in 2003, 2005, 2007 for the foreseeable future. The championships have been held at its current location since 1976.

The Tennis Masters Canada and the Rogers AT&T Cup events attract the world’s greatest tennis players and outside of tennis’ Grand Slam events, are looked upon as the premier events in the world and are watched on television by viewers in over 150 countries. The 2001 Tournament alone generated a record \$75 million in economic activity for Ontario and the Greater Toronto Area. Attendance for the 9 day event is approximately 150,000.

Tennis Canada is a not-for-profit organization. It’s two major business enterprises (Tennis Masters Canada and the Rogers AT&T Cup) are the lifeblood of tennis in Canada. The proceeds from these events fund the development of the sport in Canada by Tennis Canada – including high performance player development, national teams programs, competitive structure and grass roots development opportunities for youths,

North York Community Council Minutes
Wednesday, June 5, 2002

adults, and seniors locally and across the country.

Thank you for your consideration of this resolution. If you have any questions, please do not hesitate to contact me at 416-665-9777 ext. 287.”

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.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council recommended to City Council, that City Council, for liquor licensing purposes, declare the Tennis Masters Canada to be held on Saturday, July 27, 2002 to Sunday, August 4, 2002, at the National Tennis Centre, 3111 Steeles Avenue West, to be an event of municipal and/or community significance; that it has no objection to the event taking place; that it has no objection to the consumption of alcoholic beverages in those areas as set out in the communication from Geoff Rempel, Tournament Operations Manager, Tennis Canada, in conjunction with this event; and that the Alcohol and Gaming Commission of Ontario be so advised.

(Report No. 7 – Clause No. 25)

5.33 Special Occasion Permit Request – Community Event – Canada Day Celebration Hosted by University City – Fountainhead Park – Saturday, July 13, 2002 – Ward 8 – York West.

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

“WHEREAS University City will be hosting a Canada Day celebration at Fountainhead Park on Saturday, July 13, 2002; and

WHEREAS This event is considered to be a community event; and

WHEREAS This event will include a Special Occasion Beer Garden; and

50
North York Community Council Minutes
Wednesday, June 5, 2002

WHEREAS The Liquor License Board of Ontario requires that for events of this nature, approval be granted by City Council; and

WHEREAS it is recommended that:

- (1) Permission be granted to hold this Special Occasion Beer Garden Permit event;
- (2) A Special Occasion Permit from the Liquor Licensing Board of Ontario be obtained;
- (3) A \$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 be charged;
- (4) Proof of liability insurance coverage in the amount of \$2M, naming the City as additional insured be provided;
- (5) All bartenders and servers be required to attend a Smart Serve Training Program at the group's expense;
- (6) All regulations outlined in all City policies pertaining to alcohol consumption at the time of the event be complied with; and
- (7) The appropriate City officials be authorized and directed to take the necessary action to give effect thereto;

THEREFORE BE IT RESOLVED THAT City Council, for liquor licensing purposes, declare this community event to be an event of municipal and/or community significance; that it has no objection to this event taking place, and that the Alcohol and Gaming Commission of Ontario be so advised."

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.

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

- (1) the adoption of the foregoing Resolution by Councillor Li Preti, Ward 8 – York West; and
- (2) that City Council, for liquor licensing purposes, declare the Canada Day celebration to be hosted by University City, on Saturday, July 13, 2002 at Fountainhead Park, to be an event of municipal and/or community significance; that it has no objection to the event taking place and that the Alcohol and Gaming Commission of Ontario be so advised.

(Report No. 7 – Clause No. 26)

Councillor Li Preti, resumed the Chair.

5.34 Bombardier Aerospace Evidence Submission to Transport Canada Lands on West Side of Beffort Road West of Bombardier Aerospace Airport Runway – Ward 9 – York Centre.

The North York Community Council had before it the following Resolution submitted by Councillor Augimeri, Ward 9 – York Centre:

“WHEREAS the lands on the west side of Beffort Road, west of the Bombardier Aerospace airport runway are zoned “A” – Airport Hazard Area Zone;

AND WHEREAS the lands were formerly under the ownership of the Department of National Defence and are now under the ownership of Bombardier Aerospace;

AND WHEREAS the “A” zone provides that when any land or portion thereof under the ownership or jurisdiction of the Department of National Defence or a public authority, is conveyed to ownership other than that of the Department of National Defence or a public authority, such land or portion thereof shall be subject to the provisions of the zoning by-law which apply to lands of those zones which are situated on the opposite side if fronting on an existing street, or if fronting on a new street, to the provisions which apply to the nearest zones;

North York Community Council Minutes
Wednesday, June 5, 2002

AND WHEREAS the lands on the opposite side of the existing streets and the provisions of the nearest zones are zoned and subject to the “R4” – Residential Density Four and “R6” – Residential Density Six zone provisions;

AND WHEREAS those lands on the west side of Beffort Road are subject to the Transport Canada NEF/NEP (Noise Exposure Forecast/Noise Exposure Projection) contour lines;

AND WHEREAS the Transport Canada Land Use in the Vicinity of Airports Guideline TP 1247E, identifies that new residential development is not compatible with values above the 30 NEF/NEP contour line;

AND WHEREAS in order to protect airports from incompatible development, the Provincial Policy Statement establishes that:

- New residential development and other sensitive land uses will not be permitted in areas near airports above 30 NEF/NEP as set out on maps (as revised from time to time) approved by Transport Canada; but
- Redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses may be considered above 30 NEF/NEP if it has been demonstrated that there will be no negative impacts on the long-term function of the airport;

AND WHEREAS those lands on the west side of Beffort Road are located within and above the 35 NEF/NEP contour line;

AND WHEREAS the Transport Canada Land Use in The Vicinity of Airports Guideline TP 1247E sets out a procedure for requests for minor variances from the NEF/NEP contours in order to accommodate local property characteristics, such procedures including the requirements that:

- the proponent provide evidence that the NEF/NEP contours do not take into account certain factors that would affect aircraft noise attenuation or propagation;
- Transport Canada will evaluate the evidence and make recommendations thereon to the municipality; and, that
- the municipality will make a determination regarding zoning for the subject

lands taking into account the recommendations of Transport Canada and advising the proponent, Provincial Ministries concerned and Transport Canada of the municipality's determination.

AND WHEREAS it is premature to make a determination regarding new residential development on the lands on the west side of Beffort Road in the absence of evidence and a recommendation from Transport Canada regarding the potential for a local variance to the NEF/NEP contours for these lands;

AND WHEREAS it appears that Bombardier Aerospace has submitted evidence to Transport Canada in support of a request for a minor variance to the NEF/NEP contours for these lands;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) Bombardier Aerospace be requested to provide a copy of its evidence submission to Transport Canada to the Director, Community Planning, North District, Urban Development Services, in order that the City can undertake a review and evaluation and determine whether a variance in respect of the lands is appropriate; and
- (2) The Director, Community Planning, North District, Urban Development Services, advise Bombardier Aerospace of the peer review costs associated with the City of Toronto review and evaluation of this evidence and request their reimbursement to the City for these costs."

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

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

(Report No. 7 – Clause No. 27)

5.35 Deputations Respecting the Enactment of a Municipal Shelter By-law – All Wards.

On motion by Councillor Mammoliti, Ward 7 – York West, the North York Community Council endorsed the following motion:

“THAT the City Clerk be requested to schedule deputations on this matter at 7:00 p.m., for the regular meeting of the North York Community Council scheduled for July 3, 2002.”

(Report No. 7 – Clause No. 28(h))

Waiving of the provisions of the Council Procedures related to meeting times:

Councillor Sutherland, at 12:25 p.m. moved that, in accordance with the provisions of §27-11F, Adjournment, of Chapter 27 of the City of Toronto Municipal Code, North York Community Council, waive the requirement of the 12:30 p.m. recess until 2:00 p.m. and that it recess at 12:25 p.m. until 2:30 p.m., in order to consider the statutory public meeting items scheduled 2:30 p.m. and beyond, having regard that all other items on the agenda have been considered, which was carried, more than two-thirds of members present having voted in the affirmative.

Adjournment:

The North York Community Council adjourned its meeting at 6:15 p.m., Wednesday, June 5, 2002.

Chair.