

**THE CITY OF TORONTO**

**City Clerk's Division**

**Minutes of the North York Community Council**

**Meeting No. 5**

**Wednesday, June 11, 2003.**

The North York Community Council met on Wednesday, June 11, 2003, 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.	2:10 p.m. to 4:45 p.m.
Councillor Mammoliti, Chair	x	x
Councillor Augimeri, Vice-Chair		
Councillor Fillion	x	x
Councillor Feldman	x	x
Councillor Li Preti	x	x
Councillor Shiner	x	
Councillor Sutherland	x	x

On motion by Councillor Li Preti, Ward 8 – York West, the minutes of the meeting of the North York Community Council held on May 7, 2003 were confirmed.

**5.1 Special Occasion Beer Garden Permit Request for Community Event (Ward 23 – Willowdale).**

The North York Community Council had before it a report (May 13, 2003) from the Commissioner of Economic Development, Culture and Tourism, seeking Council's approval to grant Special Occasion Beer Garden Permit to the Consulate General of Chile for the

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Celebration of National Day of Chile to be held at Mel Lastman Square on September 20, 2003; and recommending that:

- (1) permission be granted to the Consulate General of Chile, to hold a Special Occasion Beer Garden Permit event at Mel Lastman Square on September 20, 2003;
- (2) the group be required to obtain a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario;
- (3) the group be charged the approved \$50.00 facility permit fee and additional costs incurred by the Parks and Recreation Division for goods and services not readily available at the site;
- (4) the group provide proof of liability insurance coverage in the amount of \$2M, naming the City as additional insured;
- (5) all bartenders and servers be required to attend a Smart Serve Training Program at the group's expense;
- (6) the group comply with all regulations outlined in all City policies pertaining to alcohol consumption at the time of the event; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council recommended to City Council:

- (a) the adoption of the report (May 13, 2003) from the Commissioner of Economic Development, Culture and Tourism; and
- (b) that City Council, for liquor licensing purposes, declare the Celebration of the National Day of Chile, to be held on September 20, 2003, by the Consulate General of Chile, at Mel Lastman Square, 5100 Yonge 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 be so advised.

**(Report No. 5 – Clause No. 1)****5.2 Request for Exemption to City of Toronto Municipal Code, Chapter 591 – Noise – Earth Tech Canada Inc. – Highway 401 Westbound and Collector Rehabilitation from Allen Road to East of Leslie Street (Wards 9 & 10 – York Centre, Wards 23 & 24 – Willowdale and Ward 33 – Don Valley East).**

The North York Community Council had before it a report (May 15, 2003) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, reporting on a request by Earth Tech Canada Inc. on behalf of the Ministry of Transportation of Ontario for an exemption to the By-law for the period commencing May 15, 2003 to November 15, 2003, so that the rehabilitation work will preserve the long-term integrity of the highway to improve/upgrade roadside safety, bring the facility into conformance with present MTO standards, minimize future user costs, provide relief of bottlenecks and improve overall traffic operations; and recommending that the exemption request be approved in view of the responsible management of the construction activities involving the Ministry of Transportation of Ontario to date.

- A. Councillor Filion, Ward 23 – Willowdale, moved that the North York Community Council recommend to City Council the adoption of the report (May 15, 2003) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, provided that any excessively noisy machine operation, such as hammer drilling, not be conducted between the hours of 11:00 p.m. and 7:00 a.m. any day of the week;
- B. Councillor Shiner, Ward 24 – Willowdale, moved that it be further recommended to City Council, that:
  - (a) appropriate signage be displayed at multiple locations on the Don Valley Parkway and Highway 404, including a sign just south of Eglinton Avenue, which clearly indicates, on a daily basis, the evening lane closures; and
  - (b) the location of such signs be determined in consultation with the appropriate City Officials in the Transportation Services Division of the Works and Emergency Services Department.

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- C. Councillor Fillion, Ward 10 – York Centre, moved that the communication (June 10, 2003) from the City Clerk, Humber York Community Council be received, and the exemption request be approved from Highway 401 Westbound and Collector Rehabilitation from Allen Road to east of Leslie Street, as outlined in the report (May 15, 2003) from the North District Manager, Municipal Licensing & Standards, Urban Development Services.

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

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

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

**(Report No. 5 – Clause No. 2)**

**5.3 Parking Prohibitions – Rockford Road (Ward 10 – York Centre).**

The North York Community Council had before it a report (April 16, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of parking prohibitions on Rockford Road, east of Stonedene Boulevard; and recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended by prohibiting parking at anytime on the north side of Rockford Road, from the easterly limit of Stonedene Boulevard to a point 75 metres easterly thereof.

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

**(Report No. 5 – Clause No. 3)**

**5.4 All Way Stop Control – Rockford Road at Stonedene Boulevard (Ward 10 – York Centre).**

The North York Community Council had before it a report (May 16, 2003) from the

Director, Transportation Services, District 3, Works and Emergency Services, reporting on the introduction of an all way stop control at the intersection of Rockford Road with Stonedene Boulevard; and recommending that Schedules XVIII and XIX of By-law No. 31001, of the former City of Toronto of North York, be amended to require traffic to stop on all approaches to the intersection of Rockford Road and Stonedene Boulevard.

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

**(Report No. 5 – Clause No. 4)**

**5.5 Parking Prohibitions – Stonedene Boulevard (Ward 10 – York Centre).**

The North York Community Council had before it a report (May 26, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of parking prohibitions on the north and east side of Stonedene Boulevard; and recommending that Schedule VIII of By-law No. 31001, of the former City of North York, be amended by prohibiting parking at anytime on the north and east side of Stonedene Boulevard from the easterly limit of Renoak Drive to the northerly limit of Rockford Road.

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

**(Report No. 5 – Clause No. 5)**

**5.6 Traffic Control Signal Installation – William R. Allen Road at Toronto Transit Commuter Parking Lot, south of Sheppard Avenue West (Ward 9 – York Centre and Ward 10 – York Centre).**

The North York Community Council had before it a report (May 26, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, seeking approval for the installation of traffic control signals at the intersection of William R. Allen Road at the new Toronto Transit Commuter Parking Lot, approximately 510 metres south of Sheppard Avenue West; and recommending that:

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- (1) traffic control signals be installed at the intersection of William R. Allen Road at the Toronto Transit Commission Parking Lot access, located approximately 510 metres south of Sheppard Avenue West;
- (2) coincidental with the installation of the signals referenced in Recommendation No. (1):
  - (a) William R. Allen Road be widened from the southerly limit of Sheppard Avenue West to a point approximately 600 metres southerly thereof to facilitate the installation of a southbound left turn lane and extension of the northbound left turn lane at Sheppard Avenue West;
  - (b) pedestrian crossings be prohibited on William R. Allen Road, between a point 30.5 metres south of the south curb line of the Toronto Transit Commission Parking Lot access and a point 30.5 metres north of the north curb line of the Toronto Transit Commission Parking Lot access;
  - (c) northbound right turns be prohibited at anytime at the new signalized intersection of the new Toronto Transit Commission Parking Lot access located approximately 510 metres south of Sheppard Avenue West and William R. Allen Road;
  - (d) westbound left turns be prohibited at anytime at the signalized intersection of William R. Allen Road and the Toronto Transit Commission Parking Lot;
  - (e) the High Occupancy Vehicle Lane designation of the northbound and southbound curb lanes on the William R. Allen Road, between Transit Road and Sheppard Avenue West, be deleted;
  - (f) a by-law be prepared for the widening of William R. Allen Road, between Transit Road and Sheppard Avenue West and the installation of traffic control signals at the intersection of William R. Allen Road at the Toronto Transit Commission Parking Lot access, located approximately 510 metres south of Sheppard Avenue West, as shown in Drawing No. PM-641-32; and
- (3) all other appropriate by-law(s) be amended accordingly.

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On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council deferred consideration of the foregoing report, until such time as the site plan application by the Toronto Transit Commission for the proposed commuter parking lot has been approved.

**(Report No. 5 – Clause No. 27(a))**

**5.7 All Way Stop Control – Bogert Avenue at Beaman Road and Fennell Street (Ward 23 – Willowdale).**

The North York Community Council had before it a report (May 26, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of an all way stop control at the intersections of Bogert Avenue with Brennan Road and Fennell Street; 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 Bogert Avenue and Beaman Road; and
- (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 Bogert Avenue and Fennell Street.

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

**(Report No. 5 – Clause No. 6)**

**5.8 All Way Stop Control – Gorman Park Road and Reiner Road (Ward 10 – York Centre).**

The North York Community Council had before it a report (May 26, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the feasibility of installing an all way stop control at the intersection of Gorman Park Road and Reiner Road; and recommending that Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on all approaches to the

intersection of Gorman Park Road and Reiner Road.

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

**(Report No. 5 – Clause No. 7)**

**5.9 Turning Restrictions – Poyntz Avenue and Botham Road (Ward 23 – Willowdale).**

The North York Community Council had before it a report (May 26, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on prohibiting westbound left turns from Poyntz Avenue to Botham Road; and recommending that Schedule XV of By-law No. 31001, of the former City of North York, be amended to prohibit westbound left turns at the intersection of Poyntz Avenue and Botham Road, between the hours of 7:00 a.m. and 9:00 a.m. and 4:00 p.m. and 6:00 p.m., Monday to Friday.

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

**(Report No. 5 – Clause No. 8)**

**5.10 Traffic Control Signal Installation – Rimrock Road and William R. Allen Road (Ward 8 – York West and Ward 10 – York Centre).**

The North York Community Council had before it a report (May 16, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the installation of traffic control signals at the intersection of Rimrock Road and William R. Allen Road; and recommending that:

- (1) coincidental with the development of the northwest quadrant of Rimrock Road and Allen Road and the associated road improvements that form part of the overall site plan conditions:
  - (a) traffic control signals be installed at the intersection of Rimrock Road and William R. Allen Road, the cost of these signals to be borne by the developer;
  - (b) pedestrian crossings be prohibited on William R. Allen Road, between the



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north curb line of Rimrock Road and a point 30.5 metres south of the south curb line of Rimrock Road;

- (c) pedestrian crossings be prohibited on William R. Allen Road, between the south curb line of Rimrock Road and a point 30.5 metres north of the north curb line of Rimrock Road;
  - (d) that the current by-law prohibiting pedestrians on the entire length of William R. Allen Road be amended to prohibit pedestrians on the west side of William R. Allen Road from the southerly limit of William R. Allen Road to the southerly limit of Rimrock Road and on the east side of William R. Allen Road from the southerly limit of the William R. Allen Road to the northerly limit of the William R. Allen Road;
  - (e) a by-law be prepared for the alteration of the intersection of William R. Allen Road and Rimrock Road; to accommodate the installation of Traffic Control Signals, as shown in Drawing No. PM-641-35; and
- (2) all other appropriate by-law(s) be amended accordingly.

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

**(Report No. 5 – Clause No. 9)**

**5.11 Parking Prohibitions – Godstone Road (Ward 24 – Willowdale).**

The North York Community Council had before it a report (May 28, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending By-law No. 31001, of the former City of North York, to match the existing parking restrictions posted on Godstone Road; and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the parking prohibitions on the north and east sides of Godstone Road, from the easterly limit of Don Mills Road to the southerly limit of Godstone Road;

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- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the parking prohibitions on the south and west sides of Godstone Road, from the easterly limit of Don Mills Road to a point 30.5 metres north of the northerly leg of Kempself Crescent; and
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on both sides of Godstone Road, from the easterly limit of Don Mills Road to the northerly limit of Fairview Mall Drive.

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

**(Report No. 5 – Clause No. 10)**

**5.12 Parking Prohibitions – Gossamer Avenue (Ward 24 – Willowdale).**

The North York Community Council had before it a report (May 28, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending By-law No. 31001, of the former City of North York, to match the existing parking restrictions posted on Gossamer Avenue; and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the parking prohibitions on both sides of Gossamer Avenue, from the easterly limit of Nevada Avenue to the westerly limit of Gossamer Avenue, between the hours of 8:00 a.m. and 4:00 p.m., Monday to Friday; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on both sides of Gossamer Avenue, from the westerly limit of Gossamer Avenue to the easterly limit of Gossamer Avenue, between the hours of 8:00 a.m. and 4:00 p.m., Monday to Friday.

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

**(Report No. 5 – Clause No. 11)**

**5.13 Request for Driveway Entrance Widening – 78 Westgate Boulevard (Ward 10 – York Centre).**

The North York Community Council had before it a report (May 26, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request for a driveway entrance widening from 3.8 metres to 6.0 metres at 78 Westgate Boulevard; and recommending that the request for a variance from the residential driveway entrance policy be approved.

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

**(Report No. 5 – Clause No. 12)**

**5.14 Preliminary Report – Application to Amend the Zoning By-law – TB ZBL 2003 0003 – Amica Rean Drive Corporation (Arsenault Architect Inc.) – 12, 14, 16 Rean Drive (Ward 24 – Willowdale).**

The North York Community Council had before it a report (May 13, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and seeking Community Council's directions on further processing of the application and on the community consultation process; and recommending that:

- (1) Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
- (2) Notice for the community consultation meeting be given to landowners and residents

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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 approved the foregoing report (May 13, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, subject to:

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

“(2) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site, including all Ratepayer and Tenants’ Associations in the Bayview Village area.”

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

“(3) Notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act and to all Ratepayer and Tenants’ Associations in the Bayview Village area.”

**(Report No. 5 – Clause No. 27(b))**

**5.15 Preliminary Report – Application to Amend the Official Plan and Zoning By-law – TB CMB 2002 0017 – BBT Devgroup Inc. (Rafael + Bigauskas Architects) – 650 & 672 Sheppard Avenue East (Ward 24 – Willowdale).**

The North York Community Council had before it a report (May 27, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and seeking Community Council’s directions on further processing of the application and on the community consultation process; and recommending that:

- (1) Staff be directed to schedule a community consultation meeting together with the Ward Councillor;

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- (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 also had before it a communication (November 8, 2002) from Mr. Adam J. Brown, Solicitor with the law firm of Brown Dryer Karol, on behalf of the applicant, BBT Devgroup Inc.

The North York Community Council approved the foregoing report.

**(Report No. 5 – Clause No. 27(c))**

**5.16 Preliminary Report – Application to Amend North York Zoning By-law 7625 – TB ZBL 2003 0006 – Young Doo Kim (c/o Henry Chiu Architect) – 183 Finch Avenue West (Ward 23 – Willowdale).**

The North York Community Council had before it a report (May 27, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and seeking Community Council's direction on further processing the application and on the community consultation process; and recommending that:

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

The North York Community Council approved the foregoing report.

**(Report No. 5 – Clause No. 27(d))**

**5.17 Preliminary Report – Application to Amend the North York Zoning By-law No. 7625 – TB ZBL 2003 0007 – Noel Frias (c/o Ambrosio Frias, Jr.) – 117 – 119 Finch Avenue West (Ward 23 – Willowdale).**

The North York Community Council had before it a report (May 27, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and seeking Community Council's direction on future processing 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 Filion, Ward 23 – Willowdale, the North York Community Council approved the following Resolution:

“WHEREAS the Preliminary Report dated May 27, 2003 (Noel Frias c/o Ambrosio Frias, Jr.) recommends that staff be directed to schedule a community consultation meeting together with the Ward Councillor, and that notice of the community consultation meeting be given to landowners and residents within 120 metres of the site.

THEREFORE BE IT RESOLVED:

That the Preliminary Report be approved subject to the notice area being extended to include all residents and landowners within the block bounded on the north by Hendon Avenue; the west by Carney Road, north of Finch Avenue West and just west of Edithvale Road on the south side of Finch Avenue West; the east by Talbot Road; and the south by Holcolm Road; and the cost of the expanded notice area shall be the responsibility of the applicant.”

**(Report No. 5 – Clause No. 27(e))**

**5.18 Preliminary Report – Application to Amend the Zoning By-law – TB ZBL 2003 0008 & TB SPC 2003 0033 – Chestnut Hill Homes, Av Shwartz Architect Inc., Architect – 8, 10, 12 Clairtrell Road (Ward 23 – Willowdale).**

The North York Community Council had before it a report (May 22, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and seeking Community Council's directions on further processing of the application and on the community consultation process; and recommending that:

- (1) Staff be directed to schedule a community consultation meeting together with the Ward Councillor.
  - (2) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
  - (3) Notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.
- A. On motion by Councillor Filion, Ward 23 – Willowdale, moved that the North York Community Council:
- (1) approve the foregoing report (May 22, 2003) from the Acting Director, Community Planning, North District, Urban Development Services; and
  - (2) approve the following Resolution submitted by Councillor Filion:

“WHEREAS Recommendation No. 2 of the Preliminary Report for the application at 8, 10 & 12 Clairtrell Road dated May 22, 2003 from the Acting Director, Community Planning, North District, Urban Development Services, recommends that a community consultation meeting be held; and

WHEREAS the requirement for notice for the community consultation

meeting is for landowners and residents within 120 metres of the site;

THEREFORE BE IT RESOLVED that notice be given to landowners and residents within an expanded area which includes; along the north, 348 Spring Garden Avenue to Bayview Avenue, along the east Spring Garden Avenue, south to Granlea Road along Bayview Avenue, along the south, properties fronting onto the north side of Granlea Road to 8 Granlea Road, along the west of Granlea Road, north to 349 Spring Garden Avenue; and the cost of the expanded notice shall be the responsibility of the applicant.

- B. Councillor Shiner, Ward 24 – Willowdale, moved in amendment to Motion A., that the Operative Paragraph of the Resolution by Councillor Filion, be amended by adding the words “as well as notice to the Bayview Village Association”, after the words “north to 349 Spring Garden Avenue”.

Upon the question of the adoption of Motion B., moved by Councillor Shiner, in amendment to Motion A., moved by Councillor Filion, it was carried.

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

**(Report No. 5 – Clause No. 27(f))**

**5.19 Request for Fence Exemption – City of Toronto Municipal Code Chapter 447 – Fences – 291 Dunforest Avenue (Ward 23 – Willowdale).**

The North York Community Council had before it a report (May 12, 2003) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, reporting on a request for an exemption from the City of Toronto Municipal Code, Chapter 447 Fences, in order to erect a fence 2.5 metres (approximately 8 feet) in height in the rear yard adjoining 293 Dunforest Avenue; and recommending that this application be approved.

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. 5 – Clause No. 13)**

**5.20 Sale of Part of Terlean Road (Ward 23 – Willowdale).**

The North York Community Council had before it a report (May 28, 2003) from the Commissioner of Corporate Services, seeking authorization for the disposal of the portion of Terlean Road declared surplus; and recommending that:

- (1) the Offer to Purchase from BBT Devgroup Inc. to purchase the City-owned portion of Terlean Road extending south of Avondale Road east of Yonge Street, shown as Parts 1 and 2 on the attached Sketch No. PS-2001-084 (the “Highway”), in the amount of \$807.86 per square metre, be accepted on the terms outlined in the body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
- (2) an easement be granted by the City to Bell Canada Inc. or its designate for nominal consideration, to be registered on closing, in connection with an existing works and service plant located on the property;
- (3) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this property;
- (4) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
- (5) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

Mr. Adam Brown, Solicitor, of the law firm of Sherman Brown Dryer Karol Gold Lebow, appeared before the North York Community Council in connection with the foregoing matter, on behalf of BBT Devgroup Inc.

- A. Councillor Filion, Ward 23 - Willowdale, moved that the North York Community

Council recommend to City Council, the adoption of the foregoing report.

- B. Councillor Shiner, Ward 24 - Willowdale, moved that the Director of Real Estate Services be requested to provide further information regarding all land transactions near this site and within the Yonge Street Centre area, to Councillor Feldman and Councillor Shiner, prior to the matter being forwarded to City Council.
  
- C. Councillor Filion, Ward 23 – Willowdale, moved in amendment to Motion B., moved by Councillor Shiner, that the words, “Councillor Feldman and Councillor Shiner”, be deleted and the following words be inserted in lieu thereof:

“all Members of Council requesting such information and that it be forwarded to the interested Councillors”, so that the Recommendation shall now read as follows:

“the Director of Real Estate Services be requested to provide further information regarding all land transactions near this site and within the Yonge Street Centre area, to all Members of Council requesting such information, and that it be forwarded to the interested Councillors prior to the matter being considered by City Council”.

Upon the question of the adoption of Motion C., moved by Councillor Filion, in amendment to Motion B., moved by Councillor Shiner, it was carried.

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

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

Councillor Shiner was opposed to Motion A.

**(Report No. 5 – Clause No. 14)**

**5.21 Discoverability Poster Competition.**

Councillor Mammoliti, on behalf of the North York Community Council, welcomed the art students who had each provided 10 hours of community service as their contribution to local charities and participated in raising \$10,000.00 for local charities as part of the 2003 Discoverability Children's Arts Festival.

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Councillor Mammoliti introduced Councillors Sutherland and Li Preti who presented, a City of Toronto scroll to Irene Udo, Founder of DiscoverAbility Inc.; Teresa Booth, Board Member and three "Young Artists" who had exhibited and auctioned their work for charity at the DiscoverAbility Children's Arts Festival.

Councillor Li Preti acknowledged the numerous sponsors for their support of the festival, the arts and athletic workshops conducted in elementary schools and community centres. In addition Councillor Li Preti congratulated the Principals of the "Participating Schools" for supporting the DiscoverAbility Children's annual Arts Festival by giving children an opportunity to show their talents by exhibiting and auctioning their works of art for charity.

Councillor Sutherland then congratulated the Young Artists who donated their art pieces to raise \$10,000 for local charities and listed the charities that would be receiving donations.

Councillors Sutherland and Li Preti, with the assistance of Irene Udo presented a cheque in the amount of \$1,000.00 to Doreen Wicks from the Ben Wicks' I Can Foundation; a cheque in the amount of \$853.00 to Father Raymond Falzon from St. Francis - Food Bank and Sister Veronica, Carmelite Day Nursery

In closing, Irene Udo, President, Discoverability Arts and Athletic Programs addressed the North York Community Council and outlined the future goals and activities of DiscoverAbility Inc. for 2004.

Councillor Mammoliti invited all those in attendance to the Members' Lounge for the presentation of the Young Artists Certificates to be presented by the sponsors and the presentation of the Toronto appreciation pins by Councillors Li Preti and Sutherland.

The North York Community Council received the presentation to the students who participated in the 2003 DiscoverAbility Children's Arts Festival.

**(Report No. 5 – Clause No. 27(g))**

- 5.22 Draft By-laws to Amend the Official Plan and Zoning By-law 7625 – TB CMB 2002 0013 – 974443 Ontario Ltd. (Core Architects Inc.) – 230 Milvan Drive (Ward 7 – York West).**

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As directed by the North York Community Council, at its meeting held on May 7, 2003, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (May 27, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, bringing forward the Draft By-laws to Amend the Official Plan and Zoning By-law as directed by City Council, at its meeting held on May 21, 22 and 23, 2003; and recommending that City Council:

- (1) receive this report for information.
- (2) if Council decides to approve the Official Plan and Zoning By-law Amendment applications:
  - (a) amend the Official Plan for the former City of North York substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 3A.
  - (b) amend the Official Plan for the City of Toronto substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 3B.
  - (c) 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. 4.
  - (d) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendments and draft Zoning By-law Amendment as may be required.

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

- communication (June 2, 2003) from Mrs. Lucy Di Schiavi, Luel & Joehma Investments Ltd.;
- petition (June 9, 2003) submitted by Mr. Sanjeev Sharma and signed by 25 area

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residents;

- communication (undated) from Mr. Sanjeev Sharma;
- communication (June 9, 2003) from Ms. Neelem Sharma; and
- communication (June 9, 2003) from Mr. Adam J. Brown, Solicitor of the law firm of Sherman Brown Dryer Karol Gold Lebow, on behalf of Villa Rosa Adult Lifestyle Inc.

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

- Mr. Vincenzo Scida, President, North Islington Seniors
- Mr. Robert Chabot;
- Mr. Sanjeev Sharma; and
  
- Mr. Adam Brown, Solicitor of the law firm of Sherman Brown Dryer Karol Gold Lebow, on behalf of the applicant.

Councillor Feldman assumed the Chair.

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

- (1) that the Official Plan and Zoning By-law Amendment Applications to permit an eight (8) storey apartment building with at-grade retail uses, be approved;
- (2) that the Official Plan for the former City of North York be amended substantially in accordance with the Draft Official Plan Amendment attached as Attachment No. 3A to the report (May 27, 2003) from the Acting Director, Community Planning, North District, Urban Development Services;
- (3) that the Official Plan for the City of Toronto be amended substantially in accordance with the Draft Official Plan Amendment attached as Attachment No. 3B to the report (May 27, 2003) from the Acting Director, Community Planning, North District, Urban Development Services;

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- (4) that the Zoning By-law 7625 for the former City of North York be amended substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 4 to the report (May 27, 2003) from the Acting Director, Community Planning, North District, Urban Development Services;

- (5) that the following Resolution submitted by Councillor Mammoliti, Ward 7 – York West, be adopted:

“WHEREAS the owner originally requested a total retail gross floor area on the ground floor of 398 square metres;

AND WHEREAS staff have been directed to bring forward the Zoning By-law and Official Plan Amendment to implement the proposal, for consideration at a statutory public meeting to be held by the North York Community Council at its meeting scheduled for June 11, 2003;

AND WHEREAS the draft Zoning By-law contained in the report dated May 27, 2003, states that the maximum combined gross floor area for retail store, restaurant, professional medical office and personal service shop uses shall be 398 square metres;

AND WHEREAS the applicant has now confirmed that the total requested commercial gross floor area on the ground floor shall be 525 square metres;

THEREFORE BE IT RESOLVED THAT the Acting Director, Community Planning, North District, Urban Development Services, be directed to modify the draft Zoning By-law as follows:

“The maximum combined gross floor area for retail store; restaurant; professional medical office; and personal service shop uses shall be 525 square metres.”

- (6) that the City Solicitor be authorized to make such stylistic and technical changes to the draft Official Plan Amendments and draft Zoning By-law Amendment as may be required; and

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- (7) that the report (May 27, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, be received, for information.

**(Report No. 5 – Clause No. 15)**

Councillor Mammoliti resumed the Chair.

**5.23 Final Report – Application to Amend the Zoning By-law – TB ZBL 2002 0006 – 2015174 Ontario Inc., c/o Patrick Berne – 5566 Yonge Street (Ward 23 – Willowdale).**

As directed by the North York Community Council, at its meeting held on September 18, 2002, appropriate notice of this statutory public meeting was given as directed and in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (May 26, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law to permit a mixed use building with retail uses at grade and two apartment buildings (26 and 27 storeys) containing a total of 510 units; and recommending that City Council:

- (1) amend the Zoning By-law for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 12.
- (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 convey or cause to be conveyed to the City for a nominal sum, free of all encumbrances, the following lands for dedication as public roadway, and deposit deeds for these lands, in a satisfactory form, to be registered by the City prior to any amending by-law coming into effect:
  - (a) the necessary lands for the public right-of-way as generally shown as Parts 1, 2, 3 and 4 on draft Reference Plan filed in the North District Planning

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Division offices date-stamped received on May 8, 2003.

- (b) have provided a signed and dated reference plan confirming the road dedications described above and in the attached draft by-law.
- (4) In the event the owner wishes to increase the height, density and unit count beyond the amounts prescribed in the attached draft zoning by-law (Attachment 12), before introducing the necessary Bills to City Council for enactment, the owner shall be required to enter into a Section 37 Agreement with the City, to the satisfaction of the City Solicitor, to provide or fund the following facilities, services and/or matters:
- (a) to obtain additional density as specified under the Section 37 provisions of the attached draft zoning by-law, the owner shall provide funds for the construction of a community centre serving the North York Centre to the satisfaction of the Chief Financial Officer and Treasurer.
- (5) It is recommended that City Council approve the 26 and 27 storey residential apartment buildings with one-storey podium containing grade-related retail uses as indicated on the following drawings and subject to the site plan conditions found in Attachment 13.

Drawing Number	Date	Date Received in North District Planning Division	Plan Title
A101	April, 16, 2003	April 17, 2003	Site Plan and Statistics
A102	April, 16, 2003	April 17, 2003	Context Plan
A103	April, 16, 2003	April 17, 2003	Existing Grading
A201	April, 16, 2003	April 17, 2003	Garage Floor Plan
A202	April, 16, 2003	April 17, 2003	Garage Floor Plan Level P2
A203	April, 16, 2003	April 17, 2003	Garage Floor Plan Level P3



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A301	April, 16, 2003	April 17, 2003	Ground Floor Plan
A302	April, 16, 2003	April 17, 2003	2 <sup>nd</sup> Floor Plan
A303	April, 16, 2003	April 17, 2003	Typical Floor Plan
A306	April, 16, 2003	April 17, 2003	Upper Roof Plan
A307	April, 16, 2003	April 17, 2003	Typical Floor Plan
A401	April, 16, 2003	April 17, 2003	Building Elevations – East & North
A402	April, 16, 2003	April 17, 2003	Building Elevations – West and South
A403	April, 16, 2003	April 17, 2003	Yonge Street – Elevation Detail
A403	April, 16, 2003	April 17, 2003	Yonge Street – Elevation Detail
L1	April, 16, 2003	April 17, 2003	Landscape Masterplan
LD1	April, 16, 2003	April 17, 2003	Details
LD2	April, 16, 2003	April 17, 2003	Details

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

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, 2003) from Mrs. Constance Jones and Mr. Cameron Jones;
- (undated) from M. Porter;
- (May 31, 2003) from Dr. W.D. Shuster;
- (June 2, 2003) from Mr. George Tso;
- (June 4, 2003) from Mr. Frank Bartimek;

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- (June 2, 2003) from residents of 23 Lorraine Drive;
- (June 5, 2003) from Mr. William deBacker, President, Edithvale-Yonge Community Association;
- (June 5, 2003) from Mr. Rodney L.K. Smith, Blaney McMurtry, on behalf of Nivlog Investments Limited and MIPO Sales Limited, owners of 5568-5576 Yonge Street;
- (June 6, 2003) from Mr. Paul Merrick, Bratty and Partners, addressed to Mr. Rodney L.K. Smith, Blaney McMurtry;
- (May 26, 2003) from Mr. Robert Truman, Robert Truman & Associates, Planning & Development Consultants, on behalf of the owners of 5568 and 5576 Yonge Street;
- (June 10, 2003) from Mr. Rodney L.K. Smith, Blaney McMurtry, addressed to Mr. Paul Merrick, Bratty & Partners; and
- (June 10, 2003) from Mr. Paul Merrick, Bratty and Partners, addressed to Mr. Rodney L.K. Smith, Blaney, McMurtry.

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

- Mr. Patrick Berne, on behalf of the applicant.
- Mr. Perry Copses, on behalf of the Yonge Corridor Condominium Association;
- Mr. Rodney L.K. Smith, Blaney, McMurtry, on behalf of Nivlog and MIPO Sales Limited;
- Mr. Peter Cusimano, on behalf of Mr. Scott Cusimano; and
- Mr. Scott Cusimano.

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

- (1) the adoption of the report (May 26, 2003) from the Acting Director, Community Planning, North District, Urban Development Services;
- (2) the adoption of the following Resolution:

“WHEREAS the Final Report on the application for the 5566 Yonge Street site recommends approval of the mixed use building with retail at grade and two apartment buildings (26 and a 27 storey) containing a total of 510 units.

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WHEREAS the Final Report recommends Site Plan Approval subject to submission of revised landscape plans before any building permit is issued.

WHEREAS the Final Report requires that before introducing the necessary Bills to City Council for enactment, the owner conveys or cause to be conveyed to the City for a nominal sum, free of all encumbrances, the following lands for dedication as public roadway, and deposit deeds for these lands, in a satisfactory form, to be registered by the City prior to any amending by-law coming into effect:

- (i) the necessary lands for the public right-of-way as generally shown as Parts 1, 2, 3 and 4 on draft Reference Plan filed in the North District Planning Division offices date-stamped received on May 8, 2003; and
- (ii) have provided a signed and dated reference plan confirming the road dedications described above and in the attached draft by-law.

WHEREAS Schedule RM6(136) of the draft by-law (Attachment 12) attached to the Final Report proposes that Building A have a maximum height of 75 metres or 27 storeys and Building B have a maximum height of 72 metres or 26 storeys.

WHEREAS Section (m)(iii) of the draft by-law attached to the Final Report allows the height to be increased to 87 metres and does not specify the number of storeys.

WHEREAS the draft by-law attached to the staff report defines “Bicycle Storage Space” and does not require that it be located below grade.

THEREFORE BE IT RESOLVED:

- (a) That the first paragraph of Recommendation No. (5) to read as follows:

“It is recommended that City Council approve the 26 and 27 storey residential apartment buildings with one-storey podium containing

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grade-related retail uses as indicated on the following drawings and subject to the Site Plan Conditions found in attachment 13. Site Plan Condition 13(b) of Attachment 13 is revised to require the owner to submit 3 copies of revised detailed landscape plan and any other amendments to the site plan to be approved by the Acting Director, Community Planning, North District, Urban Development Services, in consultation with the Ward Councillor.”

(b) That Recommendation No. 3(a) to read as follows:

“3(a) the necessary lands for the public right-of-way as generally shown as Parts 1, 2, and 5 on draft Reference Plan filed in the North District Planning Division offices, date-stamped received on June 6, 2003.”

(c) That Schedule RM6(136) of draft by-law attached to the Final Report on Application TB ZBL 2002 0006 be amended as follows:

“Building A, Height 77 metres or 27 storeys; Building B, Height 74 metres or 26 storeys.”

(d) That Section (m)(iii) in the draft by-law be amended as follows:

“Notwithstanding paragraph (h), the building height may be increased to 87 metres or 32 storeys.”

(e) That the definition for “Bicycle Storage Space” in the draft by-law be amended as follows:

“For the purpose of this exception, “Bicycle Storage Space” shall mean an area below grade that is equipped with a bicycle rack or locker for the purpose of parking and securing bicycles, but is not intended for general storage use.”

B. Councillor Filion, Ward 23 – Willowdale, moved that it be further recommended to City Council:

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- (1) that there be no further development on properties fronting onto the west side of Yonge Street, between Kempford Boulevard and Finch Avenue, in the North York City Centre, until the service road is completed between Kempford Boulevard and Finch Avenue; and
  - (2) that the road between Yonge Street and Lorraine Drive not be connected to Lorraine Drive until such time as the Uptown Service Road has been built in the area, with a signal light at Finch Avenue West;
- C. Councillor Filion, Ward 23 – Willowdale, moved that the Director, Transportation Services, District 3, Works and Emergency Services, be requested to submit a report to the first meeting of the North York Community Council in 2004, on the status of negotiations with the Separate School Board for the lands required for the west service road.

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

**(Report No. 5 – Clause No. 16)**

**5.24 Final Report – Application to Amend the Zoning By-law 7625 – TB ZBL 2002 0016 – Frank Fisco (BXB Design) – 51 Fairchild Avenue and 4 Inez Court (Ward 23 – Willowdale).**

As directed by the North York Community Council, at its meeting held on April 2, 2003, 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 26, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law to permit 5 single detached dwellings at 51 Fairchild Avenue and 4 Inez Court; and recommending that City Council:

- (1) Amend the Zoning By-law 7625 for the City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.6;

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

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

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:

- (June 10, 2003) from Mr. Tony Campone;
- (June 11, 2003) from Helen and Ray Laakso; and
- (June 9, 2003) from Ms. Deborah Gonsalves.

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

- Mr. Frank Reiss, Terraventure Realty Group Ltd., agent for the applicant; and
- Mr. Frank Wimmer.

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. 5 – Clause No. 17)**

**5.25 Final Report – Application to Amend the Official Plan and Zoning By-law – TB CMB 2002 0014 – BBT Development Group Inc. – Rafael & Bigauskas Architects - Southeast corner of Yonge Street and Avondale Avenue – Part of Block 4, Plan 66M-2354 (Ward 23 – Willowdale).**

The North York Community Council had before it a report (May 26, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an

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application for an Official Plan and Zoning By-law amendment to permit density incentives for proposed private indoor recreational space and the provision of covered, at-grade retail uses which are directly accessible from a public street or public pedestrian walkway; and, to permit an increase in the total number of dwelling units permitted in the Wittington subdivision; and recommending that City Council:

- (1) Amend the Official Plan for the former City of North York and the new Toronto Official Plan substantially in accordance with the draft Official Plan Amendments attached as Attachment 6 and 7.
- (2) Amend Zoning By-law No. 7625 for the former City of North York generally in accordance with the draft Zoning By-law Amendment attached as Attachment No. 8.
- (3) Authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and Zoning By-law Amendment as may be required.
- (4) Before introducing the necessary Bills to City Council for enactment, the owner is required to enter into a Section 37 Agreement to implement the matters as noted in the draft by-law included as Attachment 8.

The North York Community Council also had before it a communication (May 27, 2003) from Mr. Hugh Fyffe, Central Region, Corridor Management Office, Ministry of Transportation, outlining their requirements.

On motion by Councillor Filion, Ward 23 - Willowdale, the North York Community Council deferred consideration of the foregoing report, to the next meeting scheduled for July 9, 2003, in order to allow proper notice to be given.

**(Report No. 5 – Clause No. 27(h))**

**5.26 Final Report – Application to Amend the Zoning By-law and Draft Plan of Subdivision – TB ZBL 2002 0012 and TB SUB 2002 0002 – Tribute Communities (York) Inc. & York University – North of Murray Ross Parkway, east and west of Sentinel Road (Ward 8 – York West).**

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As directed by the North York Community Council, at its meeting held on November 13, 2002, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (May 27, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law and a Draft Plan of Subdivision to permit the development of single detached, semi-detached and townhouse residential uses on lands north of Murray Ross Parkway, east and west of Sentinel Road; and recommending that City Council:

- (1) amend the Zoning By-law for the former City of North York substantially in accordance with the draft Zoning By-law Amendments attached as Attachment No. 4.
- (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 bills to City Council for enactment, York University shall withdraw their appeal to the new Official Plan to the satisfaction of the City Solicitor.
- (4) Council be advised that the Chief Planner, who has been delegated authority to approve conditions of draft plan subdivision approval, proposes to approve the application on the following conditions:
  - (a) This approval applies to the draft plan of subdivision prepared by Walker, Nott, Dragicevic Associates Limited, revision date May 2, 2003 included as Attachment 1 to this report.
  - (b) Prior to final approval and registration of this plan, Council adoption of the Bills involving the zoning by-law amendments shall be obtained and finalized.
  - (c) Streets A to G (inclusive), Street Y, Street Z, and that portion of Sentinel Road within the plan shall be dedicated to the City of Toronto as public highway on the final plan.



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- (d) Block C shall be dedicated to the City as a park on the final plan.
- (e) Urban Design Guidelines shall be prepared at the Owner's expense by an Urban Design Consultant acceptable to the Commissioner of Urban Development Services Department and shall form part of the Subdivision Agreement.
- (f) The Owner shall covenant and agree in the Subdivision Agreement to retain a Control Architect, at the owner's expense and acceptable to the Commissioner of Urban Development Services, to implement and administer the Urban Design Guidelines.
- (g) The standard conditions of approval for subdivisions (Attachment 6).
- (h) The conditions of Works and Emergency Services (Attachment 5(a), subject to condition (c) above and any addendums thereafter.
- (i) The conditions of Economic Development, Culture and Tourism (Attachment 5(b)) subject to condition (d) above and any addendums thereafter. The owner and City shall determine the appropriate timing of the dedication of Block C in base park condition to the City prior to final approval and registration of any portion of the plan of subdivision.
- (j) The conditions of Community and Neighbourhood Services, Public Health Division (Attachment 5(c)).
- (k) The conditions of the Toronto and Region Conservation Authority (Attachment 5(d)) and any addendums thereafter.
- (l) The conditions of the Toronto District School Board (Attachment 5(e)).
- (m) The conditions of the Toronto Catholic District School Board (Attachment 5(f)).
- (n) Prior to final approval and registration of this plan, modifications to the plan resulting from Council's amendment at its meeting of May 21-23, 2003 to Clause No. 21 of Report No. 4 of North York Community Council ("Surplus

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Lane Declaration and Proposed Closing of a Portion of Murray Ross Parkway Road Allowance”) may be required to achieve a minimum park block of 3 acres (1.2 hectares) of tableland contiguous to the Black Creek at the north end of Murray Ross Parkway.

Notes to Draft Plan Approval

- A. Toronto Hydro is to confirm that the Owner has made satisfactory arrangements, financial and otherwise with Toronto Hydro for the installation of an underground electrical distribution system and street lighting system.
- B. Bell Canada is to confirm that the Owner has made satisfactory arrangements, financial and otherwise, for any Bell Canada facilities servicing this draft plan of subdivision which are required by the City to be installed underground.
- C. The Owner shall make satisfactory arrangements, financial and otherwise, with a gas provider such as Enbridge Consumers Gas satisfactory to the City Solicitor, for the delivery of gas services to the plan of subdivision.
- D. Enbridge Consumers Gas standard minimum clearances of 0.3 metres vertically and 0.6 metres horizontally are to be maintained.
- E. The Owner shall enter into an agreement with an electricity provider.

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

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

- Mr. Robert Dragicevic, Walker Nott Dragicevic, on behalf of Tribute Communities Inc. and York University;
- Mr. Ivan Fleischmann, Miller Thomson, on behalf of Tribute Communities Inc.;
- Ms. Cynthia McDougall, McCarthy Tetrault, on behalf of York University;

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- Ms. Elizabeth Dolan; and
  - Mr. Bud Purves, President, York University Development Corporation.
- A. Councillor Li Preti, Ward 8 – York West, moved that the North York Community Council recommend to City Council:
- (1) the adoption of the report (May 27, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, as amended by the following:
    - (a) that the withdrawal of the appeal referred to in Recommendation (3) only be required to relate to lands subject to the zoning by-law amendment, and may be conditional upon:
      - (i) the zoning by-law amendment becoming final and binding;
      - (ii) the approval of the draft plan conditions becoming final and binding; and such conditions being substantially in accordance with the conditions reflected in Recommendation (4), subject to the amendments to the recommendations below;
      - (iii) City Council advising the Ontario Municipal Board that the references to the Fred Young Park in the City's new Official Plan shall be revised appropriately to reflect that the additional conveyance of parkland by York University referred to above provides for the Fred Young Park; and
      - (iv) York University undertaking not to continue to object to the new Official Plan with respect to Fred Young Park on condition that the above modifications are made by the Ontario Municipal Board to the new Official Plan.
  - (2) that the Chief Planner be directed to incorporate the following provisions in

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the conditions of draft plan approval of the plan of subdivision:

- (a) that further to Recommendation (4)(n), the proposed park block of 3 acres as shown generally on Attachment 1 and York University's voluntary parkland contribution providing for an additional dedication of 1.24 acres by York University, for a total parkland dedication of 3.0 acres will:
    - (i) meet any and all outstanding obligations of York University to provide parkland or cash-in-lieu to the City, including, without limitation, any and all obligations to provide Fred Young Park under the existing and proposed Official Plans of the City, and any outstanding obligations to convey 0.5 acres;
    - (ii) that York's contribution of 0.74 acres be a credit against any future requirements for parkland dedication or cash-in-lieu related to the development of York University lands;
    - (iii) that such parkland be conveyed by the University at the time of the registration of the Plan of Subdivision; and
    - (iv) that subject to the approval of Department of Economic Development, Culture and Tourism, such parkland be contiguous to the Tribute park block and is generally within Block "J" on the draft plan of subdivision;
  - (3) that further to Recommendation (4)(k), the local Councillor, City staff, York University, Tribute Communities (York) Inc. and the Toronto and Region Conservation Authority meet to discuss the possibility of York University retaining the lands located below top of bank, other than the lands required for stormwater management pond which are intended to be conveyed to the City;
- B. Councillor Li Preti, Ward 8 – York West, moved that the North York Community Council further recommend to City Council that:

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- (1) the development be approved with public rear laneways;
- (2) the developer be required to contribute the sum of \$250,000.00 at the time of issuance of building permits. These funds are to be dedicated to Works and Emergency Services for life-cycle maintenance costs and asset management regarding public rear laneways in this development; and that City Council allocate an additional \$60,000.00 to the Transportation Division's Operating Budget, starting in 2005 and indexed appropriately on an annual basis, to cover the anticipated life-cycle maintenance costs and asset management regarding public rear laneways in this development; and
- (3) the Commissioner of Works and Emergency Services be requested to report back on the operational and budgetary implications of providing future public rear laneways in new developments, in consideration of the different levels of service that provided in areas of the City;

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

“WHEREAS the Parks and Recreation component of the development charge is 15.2% such that the Parks and Recreation component from this development will be in the range of \$350,000.00;

THEREFORE BE IT RESOLVED THAT City Council authorize the allocation of \$75,000.00 from the development charge contribution towards improved facilities in the Fountainhead Community Centre.”

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

Councillor Filion was opposed to the motions.

**(Report No. 5 – Clause No. 18)**

**5.27 Final Report – Application to Amend the Official Plan and Zoning By-law 7625 – TB**

**ZBL 2002 0005 – Equilateral Investments Inc. (Haim Riback Architect) – 85 & 87 Finch Avenue East (Ward 23 – Willowdale).**

The North York Community Council had before it a report (April 23, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law to permit a 3-storey townhouse building with eight residential units at 85 & 87 Finch 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 as 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 as attached as Attachment No. 7;
- (3) Authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and Zoning By-law Amendment as may be required.
- (4) Before introducing the necessary Bills to Council for enactment, require the applicant to:
  - (i) obtain site plan approval for this application from the Acting Director, Community Planning, North District; and
  - (ii) convey a 4.9 metre road widening along the entire Finch Avenue East frontage of this site to the City of Toronto, and
  - (iii) enter into an agreement with Works and Emergency Services to allow for any encroachment of the stairs of the northernmost unit, which may partially encroach on the Finch Avenue East road allowance.
- (5) Council request the appropriate civic officials to take the necessary actions to modify the new City of Toronto Official Plan adopted by Council on November 26, 27 and 28 2002, to reflect any changes resulting from the adoption of the Official Plan Amendment attached to this report.

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The North York Community Council also had before it a further report (June 10, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on the results of a community consultation meeting regarding an Official Plan amendment and rezoning for the proposed townhouse building at 85 & 87 Finch Avenue East; and recommending that this report be received for information.

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

- Clause 23(g) of Report No. 4 of the North York Community Council, titled “Final Report – Application to Amend the Official Plan and Zoning By-law 7625 – TB ZBL 2002 0005 – Equilateral Investments Inc. (Haim Riback Architect) – 85 & 87 Finch Avenue East (Ward 23 – Willowdale)”, which was received for information by City Council, at its meeting held on May 21, 22 and 23, 2003;
- communication (May 21, 2003) from Adam J. Brown, Solicitor with the law firm of Sherman Brown Dryer Karol Gold Lebow, on behalf of the applicant;
- petition signed by 25 area residents; and
- communication (June 11, 2003) from Mr. Jenson Chow.

Mr. Adam Brown, Solicitor with the law firm of Sherman Brown Dryer Karol Gold Lebow, appeared before the North York Community Council in connection with the foregoing matter.

On motion by Councillor Filion, Ward 23 - Willowdale, the North York Community Council:

- (1) deferred consideration of the report (April 23, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, to its meeting scheduled for July 9, 2003;
- (2) received the further report (June 10, 2003) from the Acting Director, Community Planning, North District, Urban Development Services; and
- (3) adopted the following Resolution submitted by Councillor Filion, Ward 23 –

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Willowdale:

“WHEREAS the application before Community Council does not conform to the Central Finch Secondary Plan with respect to the rear yard setback and height limit; and

WHEREAS at a community consultation meeting held on Monday, June 9, 2003, community representatives unanimously stated their opposition to any proposal which does not comply with the Central Finch Secondary Plan; and

WHEREAS the applicant could build townhouse units fronting onto Finch Avenue in full conformity to the Plan;

THEREFORE BE IT RESOLVED THAT North York Community Council approve in principle a townhouse project fronting on Finch Avenue East that conforms with the Central Finch Secondary Plan, subject to Site Plan Approval, and that the revised proposal be considered for formal adoption by North York Community Council at a continuation of this public meeting on July 9, 2003; and further that staff report on the revised proposal including a comparison of this option and the applicant’s proposal.”

**(Report No. 5 – Clause No. 26(i))**

**5.28 Appointment to the North York Community Preservation Panel to replace a vacancy.**

The North York Community Council had before it a communication (May 29, 2003) from the Chair, North York Community Preservation Panel, respecting an Appointment of a Citizen Member to the North York Community Preservation Panel to replace a vacancy, and requesting that the North York Community Council recommend that the Community Council appoint the individual identified in the attached confidential communication for the remainder of the term of office, ending November 30, 2003; and the relevant provisions of Council’s Policy for Citizen Appointments through the Nominating Committee be waived to allow this.

The North York Community Council also had before it a confidential communication (May 29, 2003) from the Chair, North York Community Preservation Panel respecting an individual interested in being a member of the North York Community Preservation Panel, having regard



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that the subject matter may contain personal matters about an identifiable individual, including municipal or local board employees.

On motion by Councillor Filion, Ward 23 - Willowdale, the North York Community Council recommend to City Council:

- (1) the adoption of the recommendation contained in the communication (May 29, 2003) from the Chair, North York Community Preservation Panel; and
- (2) the adoption of the recommendation contained in the confidential communication (May 29, 2003) from the Chair, North York Community Preservation Panel respecting the appointment of a citizen member to the North York Community Preservation Panel" which was forwarded to all Members of Council under separate cover; and further that, in accordance with the Municipal Act, discussions pertaining to this Clause be held in camera, having regard that the subject matter relates to personal information about an identifiable individual.

**(Report No. 5 – Clause No. 19)**

Councillor Feldman assumed the Chair.

**5.29 Road Alteration – Closure of Flindon Road west of Acacia Avenue (Ward 7 – York West).**

The North York Community Council had before it a report (June 3, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, seeking approval to investigate the feasibility of closing Flindon Road, at a point west of 38 Flindon Road; and recommending that:

- (1) Staff be directed to investigate the feasibility of permanently closing Flindon Road at a point west of 38 Flindon Road, by preventing access to vehicular traffic;
- (2) Facilities and Real Estate staff be directed to enter into negotiations with the owner(s) of 65 Flindon Road, to agree to a change of municipal address to Acacia Avenue; and

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- (3) Coincidental with negotiations with the affected property owner(s), staff be directed to investigate the temporary closure of Flindon Road west of 65 Flindon Road, to vehicular traffic.

On motion by Councillor Mammoliti, Ward 7 – York West, the North York Community Council recommended to City Council, the adoption of the foregoing report, subject to any requirements that the City is obligated to impose.

**(Report No. 5 – Clause No. 20)**

Councillor Mammoliti resumed the Chair.

**5.30 Ontario Municipal Board Hearing – Committee of Adjustment Application – 1345855 Ontario Limited and Metro Financial Corporation – 25 and 27 Southgate Avenue (Ward 10 – York Centre).**

The North York Community Council had before it the following Resolution submitted by Councillor Feldman, Ward 10 – York Centre:

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused applications by 1345855 Ontario Limited and Metro Financial Corporation, the owners of 25 and 27 Southgate Avenue, respectively, for consent to sever two residential property fronting onto the south side of Southgate Avenue into three residential properties having frontages of 9.65m each;

WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused the consent and the three associated variance applications requesting variances for lot frontage and width, building height, and finished first floor elevation;

WHEREAS the decisions of the Committee of Adjustment for the severance and minor variance applications have been appealed to the Ontario Municipal Board;

WHEREAS no date has been set for the hearing of the appeals;

THEREFORE BE IT RESOLVED that Council authorize the City Solicitor to attend the Ontario Municipal Board hearing to uphold the City’s By-law and defend the Committee of

Adjustment decision.

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

**(Report No. 5 – Clause No. 21)**

**5.31 Proposed Naming of the New Park located at the Corner of Milvan Drive and Toryork Drive to Knights of Columbus Westbridge Park (Ward 7 – York West).**

The North York Community Council had before it a report (June 5, 2003) from the Commissioner of Economic Development, Culture and Tourism, seeking Council's approval for the naming of the new park located at the corner of Milvan and Toryork in honour of the Knights of Columbus Westbridge Council; and recommending that:

- (1) Council approve the naming of the new park located at the corner of Milvan Drive and Toryork Drive to Knights of Columbus Westbridge Park pending approval by members of the local community via a public meeting to be held in the near future and subject to meeting all other criteria outlined in the Parkland Naming Policy, as approved by Council on November 25, 26, 27, 1998; 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. 5 – Clause No. 22)**

**5.32 Road Alteration – Beecroft Road, Sheppard Avenue West to Park Home Avenue (Ward 23 – Willowdale).**

The North York Community Council had before it a report (June 10, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on the

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introduction of a Road Alterations By-law to allow for the widening of Beecroft Road, between Sheppard Avenue West and Park Home Avenue; and recommending that:

- (1) Beecroft Road be widened from the southerly limit of Park Home Avenue to the northerly limit of Sheppard Avenue West, to facilitate the installation of southbound left turn lanes at required public and private roadways, and public driveways; and
- (2) a by-law be prepared for the widening of Beecroft Road, between Park Home Avenue and Sheppard Avenue West.

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

**(Report No. 5 – Clause No. 23)**

**5.33 Special Occasion Permit Request – Community Event – Canada Salutes Icons 2003 – A Cultural Festival – Jamaican Canadian Centre at 995 Arrow Road – June 30, 2003.**

The North York Community Council had before it a communication (June 5, 2003) from Ms. Carol Walker, Project Director, [www.reggaecanada.com](http://www.reggaecanada.com), Division of See We Yah Enterprises Ltd., requesting that the North York Community Council, for liquor licensing purposes, declare the 4<sup>th</sup> Annual Canada Salutes Icon 2003 Festival to be held on June 30, 2003 located at the Jamaican Canadian Centre at 995 Arrow Road, to be an event of municipal and/or community significance.

The North York Community Council recommended to City Council, that for liquor licensing purposes, the 4th Annual Canada Salutes Icon 2003 Festival, to be held on June 30, 2003 by [www.reggaecanada.com](http://www.reggaecanada.com) at the Jamaican Canadian Centre at 995 Arrow Road, be declared 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 be so advised.

**(Report No. 5 – Clause No. 24)**

**5.34 Appeal by St. Gabriel Church to Deferral of Consent Application – Committee of Adjustment Consent Application B-065/02NY – 650 – 672 Sheppard Avenue East - OMB Hearing – June 2 and 3, 2003 (Ward 24 – Willowdale).**

The North York Community Council had before it a report (June 9, 2003) from the City Solicitor, reporting on the outcome of the above-noted OMB Hearing and to obtain authority to enter into the Consent Agreement imposed by the OMB as a condition to the granting of the consent to sever; and recommending that the Chief Planner, or his designate, be authorized to execute the Consent Agreement imposed by the OMB as a condition to granting consent to sever, and as further described in this report.

On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council submitted this matter to City Council, without recommendation.

**(Report No. 5 – Clause No. 25)**

**5.35 Request for Proposed Amendment to the Sign By-law for the former City of North York.**

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

“WHEREAS the Building Division has received an inquiry for an interpretation of whether it would permit a sign which advertises a product, (Nesquick), made by Nestle Company, to be installed on the exterior glass wall of the Nestle office building at 25 Sheppard Avenue West; and

WHEREAS the proposed sign would appear to be a billboard advertisement or third party advertising or an “off premise sign” on the side of a multi-storey office building; and

WHEREAS Community Council has previously refused a similar sign at this location;

THEREFORE BE IT RESOLVED THAT the Sign By-law be amended, if necessary, to restrict signs on office or industrial buildings to only display the name of the lawful businesses and any associated company logos or symbols.”

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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 regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present having voted in the affirmative.

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

“WHEREAS the Building Division has received an inquiry for an interpretation of whether it would permit a sign which advertises a product, (Nesquick), made by Nestle Company, to be installed on the exterior glass wall of the Nestle office building at 25 Sheppard Avenue West; and

WHEREAS the proposed sign would appear to be a billboard advertisement or third party advertising or an “off premise sign” on the side of a multi-storey office building; and

WHEREAS Community Council has previously refused a similar sign at this location; and

THEREFORE BE IT RESOLVED THAT the Sign By-law be amended, if necessary, to restrict signs on office or industrial buildings, to allow only the display of the name of the lawful businesses and any associated company logos or symbols.”

- B. Councillor Shiner, moved in amendment to Motion A., that the Operative Paragraph of the Resolution by Councillor Filion be amended, by inserting the words, “in the Yonge Street Area only”, after the words, “industrial buildings.”
- C. Councillor Feldman, Ward 10 – York Centre, moved that the North York Community Council recommend to City Council that there be a moratorium on all similar type sign applications for the Yonge Street City Centre area only, until such time as the Sign By-law has been clarified.

Upon the question of the adoption of Motion B., moved by Councillor Shiner, in amendment to Motion A., moved by Councillor Filion, it was carried.

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

**(Report No. 5 – Clause No. 26)**

**Adjournment:**

The North York Community Council adjourned its meeting at 4:45 p.m., Wednesday, June 11, 2003.

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Chair.