

**THE CITY OF TORONTO**

**City Clerk's Division**

**Minutes of the North York Community Council**

**Meeting No. 7**

**Wednesday, September 10, 2003.**

The North York Community Council met on Wednesday, September 10, 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.	2:15 p.m. to 4:50 p.m.
Councillor Mammoliti, Chair	x	x
Councillor Augimeri, Vice-Chair	x	x
Councillor Filion	x	x
Councillor Feldman	x	x
Councillor Li Preti	x	x
Councillor Shiner	x	x
Councillor Sutherland		x

On motion by Councillor Shiner, Ward 24 - Willowdale, the minutes of the meeting of the North York Community Council held on July 9, 2003 were confirmed.

**7.1 Improvements to the Nomination Process for Community Preservation Panels (All Wards).**

The North York Community Council had before it a communication (July 28, 2003) from the City Clerk, forwarding, for information, Clause No. 11 of Report No. 6 of the Economic Development and Park Committee, headed "Improvements to the Nomination Process for Community Preservation Panels (All Wards)", which was adopted, without amendment, by the Council of the City of Toronto, at its meeting held on July 22, 23 and 24, 2003.

The North York Community Council received the foregoing communication.

**(Report No. 7 – Clause No. 40(a))**

**7.2 Boulevard Leasing Agreement – 3788 Bathurst Street (Ward 10 – York Centre).**

The North York Community Council had before it a report (July 18, 2003) from the North District Manager, Municipal Licensing and Standards, Urban Development Services, reporting on an application to lease a portion of the municipal boulevard on the west side of Bathurst Street, north of Charleswood Drive, for the purpose of a boulevard cafe at 3788 Bathurst Street; and recommending that the encroachment be approved by the City, subject to the following conditions:

- (1) that the owner(s) enter into a Boulevard Lease Agreement with the City to the satisfaction of the City Solicitor and the Commissioner of Urban Development Services;
- (2) that the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto;
- (3) that no claims will be made against the City by the owner(s) for damage occurring to the patio, equipment or enclosure during snow removal;
- (4) that the life of the Agreement be limited to 1 year from the date of registration or to the date of removal of the encroachment, at which time the City may consider the Agreement for further extension, if required by the applicant;
- (5) the indemnification of the City by the owner(s) of the encroachments for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor in an amount not less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
- (6) in the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Commissioner of Urban Development Services;
- (7) the owner(s) will, at their expense and to the satisfaction of the Commissioner of Urban Development Services, keep and maintain the encroachment in a good and proper state of repair and safety and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;
- (8) all encroachments be subject to a legal agreement being entered into between the City and the owner of the property abutting the encroachment, such agreement be

North York Community Council Minutes  
Wednesday, September 10, 2003

---

to the satisfaction of the City Solicitor and the Commissioner of Urban Development Services;

- (9) not more than 6 (six) tables and an occupancy of not more than 24 (twenty four) people;
- (10) no loud music;
- (11) hours of operation from 10:00 a.m. to 10:00 p.m.;
- (12) approval be obtained from the Alcohol and Gaming Commission of Ontario, as necessary;
- (13) a new endorsement be obtained from Municipal Licensing and Standards;
- (14) the owner pays the following fees:

Application fees based on the occupancy of 165 square feet, and 2003 road allowance leasing rates, established by the City of Toronto, Corporate Services, Facilities and Real Estate, of \$8.42. Total fee: \$8.42 x 165 square feet = \$1389.30.

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

**(Report No. 7 – Clause No. 1)**

**7.3 Political Demonstrations at Mel Lastman Square (Ward 23 – Willowdale).**

The North York Community Council had before it a report (August 18, 2003) from the Commissioner of Economic Development, Culture and Tourism, seeking Council's approval to treat organizations requesting permits at Mel Lastman Square for the purpose of political demonstrations or protests as non-profit or charitable organizations in accordance with the Public Space Policy; and recommending that:

- (1) external organizations requesting permits at Mel Lastman Square for the purpose of political demonstrations or protests be treated as non-profit or charitable organizations in accordance with the Public Space Policy, specifically, these organizations must obtain the sponsorship of a City Councillor; and
- (2) these organizations be required to adhere to all City By-laws and regulations governing Mel Lastman Square; and
- (3) these organizations be required to hire Corporate Security Officers to attend and provide security to all participants and to City property, where appropriate; and

North York Community Council Minutes  
Wednesday, September 10, 2003

---

- (4) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.
- A. Councillor Filion, Ward 23 – Willowdale, moved that no political demonstrations be permitted in Mel Lastman Square.
- B. Councillor Augimeri, Ward 9 – York Centre, moved that the City Solicitor report directly to City Council with an opinion on the legality of banning political demonstrations in Mel Lastman Square.

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

FOR: Councillors Li Preti, Feldman, Augimeri

AGAINST: Councillors Filion, Shiner, Mammoliti

ABSENT: Councillor Sutherland

Lost on a Tie Vote.

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

FOR: Councillors Filion, Shiner, Mammoliti

AGAINST: Councillors Li Preti, Feldman, Augimeri

ABSENT: Councillor Sutherland

Lost on a Tie Vote.

- C. Councillor Filion, Ward 23 – Willowdale, moved that consideration of this matter be re-opened.

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

FOR: Councillors Feldman, Filion, Shiner, Mammoliti

AGAINST: Councillor Augimeri and LiPreti

ABSENT: Councillor Sutherland

Carried.

- D. Councillor Filion, Ward 23 – Willowdale, moved that the North York Community Council defer consideration of the report to the first regular meeting of the Toronto North Community Council, to be held in January 2004, in order that the appropriate staff in the Legal Division may be in attendance to respond to questions.

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

**(Report No. 7 – Clause No. 40(b))**

**7.4 Parkland Encroachment – 2 Pineway Boulevard (Ward 24 – Willowdale).**

The North York Community Council had before it a report (August 18, 2003) from the Commissioner of Economic Development, Culture and Tourism, forwarding the recommendation of the Encroachment Review Committee, that the City recommend a land sale by the Toronto and Region Conservation Authority to resolve an encroachment at 2 Pineway Boulevard; and recommending that:

- (1) the City of Toronto recommend that the Toronto and Region Conservation Authority sell parkland related to the encroachment at 2 Pineway Boulevard subject to conditions and approvals outlined in the Parkland Encroachment Policy and Procedure and Protocol for resolving Parkland Encroachments and upon the following conditions set by the Toronto and Region Conservation Authority:
  - (a) the owner be responsible for all related costs including survey, registration, etc.
  - (b) a restrictive covenant be registered on title defining the use of the purchased land; 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. 2)**

**7.5 Parkland Encroachment – 5 Eldorado Court (Ward 9 – York Centre).**

The North York Community Council had before it a report (August 18, 2003) from the Commissioner of Economic Development, Culture and Tourism, forwarding the recommendation of the Encroachment Review Committee, that the City recommend a land sale by the Toronto and Region Conservation Authority to resolve an encroachment at 5 Eldorado Court; and recommending that:

- (1) the City of Toronto recommend that the Toronto and Region Conservation Authority sell parkland related to the encroachment at 5 Eldorado Court subject to conditions and approvals outlined in the Parkland Encroachment Policy and Procedure and Protocol for resolving Parkland Encroachments and upon the following conditions set by the Toronto and Region Conservation Authority:
  - (a) the owner be responsible for all related costs including survey, registration, etc.
  - (b) a restrictive covenant be registered on title indicating that the owner of 5 Eldorado is responsible for the long-term maintenance of the gabion wall located on the land being sold and indemnifying the Authority and the City from any related action; 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. 3)**

**7.6 Ontario Municipal Board Proceedings – Application for Official Plan and Zoning Amendments – 40 Fountainhead Road and 470 Sentinel Road – Met Cap Living Management Inc. (Ward 8 – York West).**

The North York Community Council had before it a report (August 21, 2003) from the City Solicitor, advising of the outcome of the Ontario Municipal Board (“Board”) appeals; and recommending that City Council:

- (1) receive this report for information; and
- (2) authorize execution of a Section 37 agreement prepared by the City Solicitor that includes the benefits directed by the Ontario Municipal Board and described in a report of the City Solicitor dated August 21, 2003.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council deferred consideration of the foregoing report to the first regular meeting of the Toronto North Community Council, to be held in January 2004, in order to:

- (1) allow the applicant to hold a community consultation meeting as directed by the Ontario Municipal Board; and
- (2) allow the City Solicitor to submit a further report describing the details of the benefits in the Section 37 Agreement.

**(Report No. 7 – Clause No. 40(c))**

**7.7 Surplus Land Declaration and Proposed Closing of portions of the Kenaston Gardens Road Allowance (Ward 24 – Willowdale).**

The North York Community Council had before it a report (July 31, 2003) from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, recommending that portions of the Kenaston Gardens road allowance, shown as Parts 1 and 2 on the attached Sketch No. PS-2003-028 (the “Highway”) be permanently closed and declared surplus to municipal requirements; and recommending that:

- (1) the Highway be declared surplus to the City’s requirements and the Commissioner of Corporate Services be authorized to invite an offer to purchase from the owner of the adjoining lands;
- (2) all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;
- (3) subject to compliance with the requirements of the *Municipal Act, 2001*, and following Council’s approval of a sale of the Highway, the Highway be permanently closed as a public highway;
- (4) following Council’s approval of a sale of the Highway, notice be given to the public of a proposed by-law to permanently close the Highway, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code and the North York Community Council hear any member of the public who wishes to speak to this matter;
- (5) following the closure of the Highway, easements be granted to any affected utility companies for the existing utilities plant located in the Highway or, with the consent of the said utility companies, the utilities plant be relocated, adjusted or

abandoned, at the sole cost of the purchaser of the Highway, with such costs to be determined by the appropriate utility companies; and

- (6) 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 joint report.

**(Report No. 7 – Clause No. 4)**

**7.8 Parking Prohibitions – High Meadow Place (Ward 7 – York West).**

The North York Community Council had before it a report (July 29, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the existing parking regulations on High Meadow Place; 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 south and east sides of High Meadow Place, from the westerly limit of Signet Drive to the southerly limit of High Meadow Place.

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

**(Report No. 7 – Clause No. 5)**

**7.9 40 km/h Speed Limit – Maxwell Street, Wilmington Avenue to Elder Street (Ward 10 – York Centre).**

The North York Community Council had before it a report (August 19, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on reducing the speed limit on Maxwell Street to 40 km/h; and recommending that By-law No. 31878, of the former City of North York, be amended to reduce the speed limit on Maxwell Street, from the easterly limit of Wilmington Avenue to the easterly limit of Elder Street, to 40 km/h.

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. 7 – Clause No. 6)**



**7.10 Stopping Prohibitions – Richelieu Road (Ward 10 – York Centre).**

The North York Community Council had before it a report (August 19, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the existing stopping prohibitions on Richelieu Road; 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 6:00 p.m., Monday to Saturday prohibitions on the east side of Richelieu Road, from the southerly limit of Wilson Avenue to a point 91.5 metres south of the southerly limit of Wilson Avenue;
- (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 6:00 p.m., Monday to Saturday prohibitions on the east side of Richelieu Road, from the southerly limit of Wilson Avenue to the southerly limit of Richelieu Road.

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. 7 – Clause No. 7)**

**7.11 Parking Prohibitions – Maureen Drive (Ward 24 – Willowdale).**

The North York Community Council had before it a report (August 21, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the parking regulations on Maureen Drive; and recommending that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 9:00 a.m. to 6:00 p.m., Monday to Friday, on the north side of Maureen Drive, from the easterly limit of Blue Ridge Road to the westerly limit of Ambrose Road; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 9:00 a.m. to 6:00 p.m., Monday to Friday, on the south side of Maureen Drive, from the easterly limit of Blue Ridge Road to a point 50 metres west of Ambrose Road.

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

**(Report No. 7 – Clause No. 8)**

**7.12 On-Street Metered Parking – Yonge Street between Church Avenue and Byng Avenue (Ward 23 – Willowdale).**

The North York Community Council had before it a report (August 21, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the existing parking regulations on the east side of Yonge Street to facilitate additional on-street metered parking spaces; and recommending that:

- (1) the limit of the prohibited no stopping anytime on the east side of Yonge Street between Byng Avenue and a point 128 metres north of Church Avenue be reduced to prohibit stopping at anytime on the east side of Yonge Street, from Byng Avenue to a point 145 metres north of Church Avenue;
- (2) the northerly limit of the prohibited stopping zone between the hours of 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m., Monday to Friday, on the east side of Yonge Street, from Greenfield Avenue to a point 128 metres north of Church Avenue be extended by 17 metres to a point 145 metres north of Church Avenue;
- (3) the City Solicitor be directed to prepare the appropriate bills for the installation of metered parking on the east side of Yonge Street between a point 128 metres north of Church Avenue and a point 17 metres northerly thereof; and
- (4) all appropriate by-laws be amended, accordingly.

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

**(Report No. 7 – Clause No. 9)**

**7.13 Stopping Prohibitions – Sheppard Avenue West (Ward 10 – York Centre).**

The North York Community Council had before it a report (August 20, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the parking and stopping regulations on the south side of Sheppard Avenue West, east of W.R. Allen Road adjacent to Downsview Subway Station; and recommending that:

- (1) stopping be prohibited at anytime (buses excepted) on the south side of Sheppard Avenue West, from the easterly limit of W.R. Allen Road to a point 202 metres easterly thereof; and
- (2) that 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. 10)**

**7.14 Stopping/Parking Amendments – Gosford Boulevard (Ward 8 – York West).**

The North York Community Council had before it a report (August 21, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the existing stopping/parking regulations on Gosford Boulevard, in the vicinity of Gosford Public School; 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 6:00 p.m., Monday to Friday prohibitions on the west side of Gosford Boulevard, from a point 33.55 metres north of the northerly limit of Artech Court to a point 244 metres north of the northerly limit of Artech Court;
- (2) Schedule IX of By-law No. 31001, of the former City of North York, be amended by installing No Stopping Anytime prohibitions on the west side of Gosford Boulevard, from the northerly limit of Artech Court to a point 149 metres north of the northerly limit of Artech Court;
- (3) Schedule IX of By-law No. 31001, of the former City of North York, be amended by installing No Stopping, 4:00 p.m. to 8:00 a.m., prohibitions on the west side of Gosford Boulevard, from the southerly limit of Secroft Crescent (south leg) to a point 119 metres south of the southerly limit of Secroft Crescent;
- (4) Schedule X of By-law No. 31001, of the former City of North York, be amended by installing 15 Minute Permitted Parking, 8:00 a.m. to 4:00 p.m., on the west side of Gosford Boulevard, from the southerly limit of Secroft Crescent (south leg) to a point 119 metres south of the southerly limit of Secroft Crescent; and
- (5) 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 4:00 p.m., prohibitions on the east side of Gosford Boulevard, from the northerly limit of Artech Court to the southerly limit of Secroft Crescent (south leg).

The North York Community Council also had before it, for information, Clause No. 1 of North York Community Council Report No. 6, titled “All Way Stop Control – Gosford Boulevard and Milo Park Gate (Ward 8 – York West)”, which was adopted, without amendment by City Council, at its meeting held on July 22, 23 and 24, 2003.

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

**(Report No. 7 – Clause No. 11)**

Councillor Augimeri, Vice-Chair, assumed the Chair.

**7.15 Installation of Neighbourhood Identification Signage – Henry Farm Community (Ward 33 – Don Valley East).**

The North York Community Council had before it a report (August 21, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request from representatives of the Henry Farms Community to install a Neighbourhood Identification Sign on Shaughnessy Boulevard, south of Sheppard Avenue East; seeking Council's authorization to enter into an appropriate agreement and recommending that:

- (1) staff be authorized to enter into an agreement, with representatives of the Henry Farm Community, subject to all terms and conditions associated with the Identification and Directional Road Signage Policy;
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council also had before it a memorandum (September 8, 2003) from Councillor Sutherland, Ward 33 – Don Valley East.

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

**(Report No. 7 – Clause No. 12)**

Councillor Mammoliti resumed the Chair.

**7.16 Request for Driveway Entrance Widening – 115 Giltspur Drive (Ward 8 – York West).**

The North York Community Council had before it a report (August 21, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request to widen the driveway entrance at 115 Giltspur Drive from 3.5 metres to 5.0 metres; and recommending that the request for a variance from the driveway entrance policy be approved, pending sign-off from Toronto Hydro.

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

**(Report No. 7 – Clause No. 13)**

**7.17 Request for Driveway Entrance Widening – 114 Fisherville Road (Ward 10 – York Centre).**

The North York Community Council had before it a report (August 18, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request to widen the driveway entrance at 144 Fisherville Road from 4.5 metres to 6.0 metres; and recommending that the request for a variance from the residential driveway entrance policy be approved.

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. 7 – Clause No. 14)**

**7.18 Request for Driveway Entrance Widening – 174 Armour Boulevard (Ward 10 – York Centre).**

The North York Community Council had before it a report (August 19, 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 5.0 metres at 174 Armour 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. 7 – Clause No. 15)**

**7.19 Request for Driveway Entrance Widening – 14 Tumbleweed Road (Ward 33 – Don Valley East).**

The North York Community Council had before it a report (August 25, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request to widen the driveway entrance at 14 Tumbleweed Road from 5.6 metres to 7.2 metres; 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. 7 – Clause No. 16)**

**7.20 Preliminary Report – Application to Amend North York Zoning By-law No. 7625 – TB ZBL 2003 0010 (03 035296 NNY 23 OZ) – Alent X-Ray Management Inc. (c/o Franco Romano) – 139 Finch Avenue West (Ward 23 – Willowdale).**

The North York Community Council had before it a report (August 18, 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. 7 – Clause No. 40(d))**

**7.21 Preliminary Report – Application to Amend North York By-law 7625 – TB ZBL 2003 0009 – Edit and Laszlo Papp – 132 Gorman Park Road (Ward 10 – York Centre).**

The North York Community Council had before it a report (August 18, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, providing preliminary information on the aforementioned application and seeking Community Council's direction on further processing of the application and on the community consultation process; and recommending that:

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

The North York Community Council approved the foregoing report.

**(Report No. 7 – Clause No. 40(e))**

**7.22 Preliminary Report – Application to Amend North York Official Plan and Zoning By-law – 03 160478 NNY 10 OZ – 801 Sheppard Avenue West Ltd. – 801 to 807 Sheppard Avenue West (Ward 10 – York Centre)**

The North York Community Council had before it a report (August 22, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, providing preliminary information on the aforementioned application and seeking Community Council's direction on further processing of the applications to permit a 6-storey residential building with ground floor commercial office uses, 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. 7 – Clause No. 40(f))**

**7.23 Appeal of Site Plan Control Application – TB SPC 2002 0107 – Passionist Community of Canada – 650 & 672 Sheppard Avenue East (Ward 24 – Willowdale).**

The North York Community Council had before it a report (August 13, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on a site plan control application and seeking Council's direction on an appeal for a new place of worship at 650 Sheppard Avenue East; and recommending that City Council:

- (1) instruct City Legal and other appropriate staff to attend at the Ontario Municipal Board Hearing and request the Board to approve the application subject to the site plan conditions listed in Attachment 6 and the plans and drawings listed in Attachment 7: and
- (2) The City Solicitor advise the OMB of any other conditions of approval which may arise as a result of further review of the application.

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

- (1) the adoption of the report (August 13, 2003) from the Acting Director, Community Planning, North District, Urban Development Services;
- (2) that construction traffic only have access to and from Sheppard Avenue East;
- (3) that upon completion of the construction and prior to occupancy of the Church, the current access to Elkhorn Drive which is to the east of the new site, be closed; and
- (4) that Condition No. (6) contained in Attachment 6 – Conditions of Site Plan Approval, attached to the report (August 13, 2003) from the Acting Director, Community Planning, North District, be amended by deleting the word "Director" in the last line and inserting the word "Council", so that it now reads as follows:

"No signage, satellite dishes, cellular telephone antennae or associated equipment shall be provided on the roof of the building, without the prior approval of Council."



**(Report No. 7 – Clause No. 17)**

**7.24 Direction Report – Ontario Municipal Board Appeal for an Application to Amend the Official Plan, Zoning By-law 7625 and Draft Plan of Subdivision – TB ZBL 2002 0015 & TB SUB 2002 0003 – Joseph Maffei, Grazia Maffei, 1143287 Ontario Inc. Yuet Hoi Yeung, Yu Sun Yeung – 292, 294, 296 & 298 Cummer Avenue (Ward 24 – Willowdale).**

The North York Community Council had before it a report (August 18, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan, Zoning By-law and a Draft Plan of Subdivision to permit 17 new single detached dwellings on the properties known as 292, 294, 296 and 298 Cummer Avenue; which has been appealed to the Ontario Municipal Board, and recommending that the City Solicitor be authorized to bring forward City Council's position on the application at the hearing and further recommending that City Council:

- (1) Refuse the applications for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, on the basis of the reasons outlined in this report;
- (2) Request the City Solicitor to attend the Ontario Municipal Board hearing in support of such refusal;
- (3) Authorize the City Solicitor and appropriate City staff to take such actions as necessary to give affect to the above recommendation; and
- (4) Authorize City staff to continue discussions with the applicant to revise his proposal so it is more in keeping and compatible with the surrounding neighbourhood lot sizes.

The North York Community Council also had before it a communication (September 8, 2003) from Mr. Tony Smears submitting a communication (September 4, 2003) signed by nine area residents.

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

**(Report No. 7 – Clause No. 18)**

**7.25 Final Report – Application for Part Lot Control Exemption – TB PLC 2002 0003 – 1379288 Ontario Limited – 4691 Bathurst Street, 500 Ellerslie Avenue, 47-51 Farrell Avenue (Ward 23 – Willowdale).**

The North York Community Council had before it a report (July 28, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to request exemption from part lot control in order that 60 townhouses may be conveyed into separate ownership; and recommending that:

- (1) the Owner of the subject lands first register a Section 118 Restriction under the Land Titles Act to the satisfaction of the City Solicitor, agreeing not to convey or mortgage any part of the lands without the prior written consent of the Chief Planner or his designate;
- (2) staff obtain proof of payment of all current property taxes for the subject site from the owner prior to the enactment of the Part Lot Control Exemption By-law;
- (3) City Council enact a Part-Lot Control Exemption By-law, prepared to the satisfaction of the City Solicitor, to be registered on title, and to expire two years after it has been enacted; and
- (4) the Director of Community Planning, North District be authorized to consent to the release of the Section 118 Restriction once the Common Element Condominium is registered.

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

“WHEREAS the Final Report on Part Lot Control dated July 28, 2003, for 4691 Bathurst Street, 500 Ellerslie Avenue, 47-51 Farrell Avenue recommends that City Council enact a Part Lot Control Exemption By-law for the 60 unit townhouse project; and

WHEREAS the project approved by the Ontario Municipal Board on June 13, 2003, will have private garbage pick-up; and

WHEREAS the City is introducing measures to reduce solid waste;

THEREFORE BE IT RESOLVED THAT the Planning staff report (July 28, 2003) on this application, be adopted on the condition that the owner agrees to include in the Condominium Documents, a requirement that the private garbage pick-up have standards similar to the City’s with respect to waste reduction and recycling, satisfactory to the Commissioner of Works and Emergency Services.”

**(Report No. 7 – Clause No. 19)**

**7.26 Draft By-law – To Permanently Close a Portion of the Murray Ross Parkway Road Allowance, extending southerly from Shoreham Drive (Ward 8 – York West).**

The North York Community Council had before it a report from the City Solicitor, submitting a Draft By-law to Permanently Close a Portion of the Murray Ross Parkway Road Allowance, extending southerly from Shoreham Drive.

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

- communication (July 8, 2003) from the City Clerk, advising that City Council, at its meeting held on June 24, 25 and 26, 2003, adopted, without amendment, a Motion respecting a Long Term Lease of a Portion of the Murray Ross Parkway Road Allowance (Ward 8 – York West).
- Clause No. 21 of North York Community Council Report No. 4, titled “Surplus Land Declaration and Proposed Closing of a Portion of Murray Ross Parkway Road Allowance (Ward 8 – York West)”, which was amended and adopted by City Council, at its meeting held on May 21, 22 and 23, 2003.

On motion by Councillor LiPreti, Ward 8 – York West, the North York Community Council recommended to City Council, that a by-law in the form of the foregoing draft by-law be enacted, and that the necessary Bill be introduced in Council to give effect thereto.

**(Report No. 7 – Clause No. 20)**

**7.27 Amendment to the Sign By-law for the former City of North York to Restrict Signs on Office and Industrial Buildings in the Yonge Street City Centre Area (Ward 23 – Willowdale).**

The North York Community Council had before it a communication (July 30, 2003) from the City Clerk, advising that Clause No. 16 of North York Community Council Report No. 6, titled “Amendment to the Sign By-law for the former City of North York, to restrict Signs on Office and Industrial Buildings in the Yonge Street City Centre area (Ward 23 – Willowdale)”, which City Council, at its meeting held on July 22, 23 and 24, 2003, was struck out and referred back to the North York Community Council for further consideration at its next meeting scheduled to be held on September 10, 2003, and that the Commissioner of Urban Development Services, was requested to submit a further report to the North York Community Council, for consideration therewith, on

North York Community Council Minutes  
Wednesday, September 10, 2003

---

amendments to the By-law to address potential impacts and other uses within office and industrial buildings.

The North York Community Council also had before it a report (August 22, 2003) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on an amendment to the North York Sign By-law (the "By-law") to restrict the content of signs on office and industrial buildings in the Yonge Street City Centre area to the display of the names of lawful businesses operating from the buildings and their business logos or symbols; and recommending that:

- (1) the draft by-law amendment attached to this report be approved; and
- (2) the City Solicitor be directed to introduce a Bill into Council substantially in the form of the draft amendment.
  - A. Councillor Shiner, Ward 24 – Willowdale, moved that the proposed Sign By-law Amendment apply to Ward 23 only and that the Draft By-law be amended accordingly.
  - B. Councillor Filion, Ward 23 – Willowdale, moved that the North York Community Council recommend to City Council, the adoption of the report (August 22, 2003) from the Director of Building and the Deputy Chief Building Official, Urban Development Services.
  - C. Councillor Shiner, Ward 23 – Willowdale, moved that the report (August 22, 2003) from the Director of Building and the Deputy Chief Building Official, Urban Development Services, be received.

Upon the question of the adoption of Motion A., moved by Councillor Shiner, it was lost.

Upon the question of the adoption of Motion B., moved by Councillor Filion, it was lost on a tie vote.

Upon the question of the adoption of Motion C., moved by Councillor Shiner, it was lost on a tie vote.

The matter was forwarded to City Council without recommendation.

**(Report No. 7 – Clause No. 21)**

**7.28 Final Report – Application to Amend North York Zoning By-law No. 7625 – TB ZBL 2003 0005 (03 035353 NNY 24 OZ) – Yu-Min Zhang (c/o Action Planning Consultants) – 230 Finch Avenue East (Ward 24 – Willowdale).**

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 as directed and in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (August 18, 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 drugless practice/holistic centre that includes acupuncture, massage, and herbal treatments as a home occupation use within the existing residential dwelling at 230 Finch Avenue East; and recommending that City Council:

- (1) Amend 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.
- (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 Bill to City Council for enactment, require the owner to:
  - (a) Convey or cause to be conveyed to the City for a nominal sum, free of all encumbrances, 4.89 m in perpendicular width across the entire frontage of the property along Finch Avenue East.
  - (b) Obtain Site Plan Approval from the Acting Director, Community Planning, North District, under Section 41 of the Planning Act.

A staff presentation was made by Ms. Toula Nessinis, 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 Community Council:

- (undated ) from Mr. Joe Vaessen;
- (September 10, 2003) from Reza Akbari; and
- (undated) from Oi Ieng She

North York Community Council Minutes  
Wednesday, September 10, 2003

---

- (undated) from Sit Kai Seh.

- A. On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council requested the appropriate City Officials to visit the site in order to determine whether the interior layout of the building would allow more than the applicant to practice in the dwelling and to allow the Commissioner of Urban Development Services to report thereon directly to City Council for its meeting scheduled for September 22, 23 and 24, 2003.
- B. On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council submitted this matter to Council without recommendation.

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

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

**(Report No. 7 – Clause No. 22)**

**7.29 Final Report – Application to Amend Zoning By-law 7625 – TB ZBL 2002 0009 – Pacifico and Presentacion Rementilla (EMVD International Design and Project) – 209 Finch Avenue West (Ward 23 – Willowdale).**

As directed by the North York Community Council, at its meeting held on October 16, 2002, appropriate notice of this statutory public meeting was given as directed and in accordance with the Planning Act and the regulations thereunder. No one appeared before the North York Community Council in connection with the foregoing matter.

The North York Community Council had before it a report (August 25, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law for a new two-storey professional medical office building at 209 Finch Avenue West, on the south side of Finch Avenue West between Senlac Road and Finchurst Drive; and recommending that City Council:

- (1) amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 6;
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required; and
- (3) before introducing the necessary Bill to City Council for enactment, require the owner to:

North York Community Council Minutes  
Wednesday, September 10, 2003

---

- (a) convey to the City, for a nominal sum and free and clear of all encumbrances, a road widening measuring approximately 2.76 m along the full extent of the site's Finch Avenue West frontage; and
- (b) have obtained Site Plan Approval under Section 41 of the Planning Act from the Acting Director, Community Planning, North District.

The North York Community Council also had before it a communication (September 8, 2003) from Shane A. Steuernol, Principal, Planterra Development Services Limited.

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. 23)**

Councillor Augimeri, Vice-Chair, assumed the Chair.

**7.30 Progress Report – TB CMB 2002 0012 & TB SPC 2002 0106 – Application to Lift the (H) - Centrillium Inc. – 15-19, 21 and 23 Toryork Drive and vacant lands located at the north-west corner of Toryork Drive and Weston Road (Ward 7 – York West).**

The North York Community Council had before it a report (September 3, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, updating the status of the above-noted application for the development of 1,227 apartment residential units and 1,100 m<sup>2</sup> of commercial floor area on lands on the north and south side of Toryork Drive, west of Weston Road and seeking authority, as appropriate, to request the Ontario Municipal Board to lift the holding provisions related to the subject lands; and recommending that:

- (1) The City Solicitor and relevant City staff be authorized to request the Ontario Municipal Board, at the appeal of the Emery Village implementing zoning by-law 422-2003 (as amended), lift the (H1) holding provision in relation to the applicant's lands, provided the applicant has satisfied the (H1) holding provision conditions as set out in the by-law and has undertaken the necessary actions and entered into the necessary agreements to address City Council's direction of November 26-28, 2002 and May 21-23, 2003 regarding the application as follows:
  - (a) In the event that the required Traffic Impact Study for Phase I does not require the construction of the local road connecting Toryork Drive to Finch Avenue as shown in the Emery Village Secondary Plan, then prior

North York Community Council Minutes  
Wednesday, September 10, 2003

---

to the issuance of a building permit for Phase II, the applicant shall construct or provide the necessary funds to the City for the construction of this road.

- (b) Prior to the issuance of a building permit for Phase II, the applicant shall construct or provide the necessary funds to the City for the construction of the 110 metre flagpole proposed at the northwest corner of Finch Avenue and Weston Road.
- (c) Prior to the issuance of a building permit for Phase III, the applicant shall provide the necessary funds for the construction of 50% of the traffic circle at the Finch Avenue and Weston Road intersection, if the traffic circle receives approval through the Municipal Class Environmental Assessment process. In the event that the traffic circle is not approved through this process, such funds shall be used by the City for other community facilities in the immediate area.
- (d) The proponents for the development applications located in the north-west quadrant of Finch Avenue and Weston Road and at Toryork Drive and Weston Road (TB CMB 2002 0012 and TB SPC 2002 01016) submitted by Centrillium Inc.; and the proponents for the south-east quadrant of Finch Avenue and Weston Road (UDOZ-99-06, UDSB-1245 and UDSP-99-021) submitted by Medallion Properties) each contribute \$50,000 towards the Emery Village Heritage and Cultural Plan and that these funds be forwarded to the Emery Village Arts and Heritage Committee once the applicant is in receipt of the permit to build.

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

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

- Mr. Jude Tersigni of Armstrong, Goldberg Winter, on behalf of Imperial Oil;
- Mr. Adam Brown, Solicitor, of the law firm of Sherman Brown Dryer Karol Gold Lebow, on behalf of the applicant;
- Mr. Tim Lambrinos, Chair, Emery Village Historical & Arts Advisory Committee; and
- Mr. Jorma Palomaki.

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



North York Community Council Minutes  
Wednesday, September 10, 2003

---

- (1) the adoption of the report (September 3, 2003) from the Acting Director, Community Planning, North District, Urban Development Services; subject to the following amendments:
  - (a) that Recommendation (1) embodied in the aforementioned report be amended to read as follows:

"(1) The City Solicitor and relevant City Staff be authorized to request the Ontario Municipal Board, in responding to the appeal of the Emery Village implementing Zoning By-law 422-2003 (as amended), to lift the (H1) holding provision in relation to the applicant's lands, with the applicant being directed to satisfy the (H1) holding provision conditions as set out in the by-law and provided the applicant has undertaken the necessary actions and entered into the necessary agreements prior to the Ontario Municipal Board hearing to address the following:"
  - (b) that Recommendation 1(a) embodied in the aforementioned report be amended to read as follows:

"1(a) In the event that the required Traffic Impact Study for Phase I does not require the construction of the road connecting Toryork Drive to Finch Avenue as shown in the Emery Village Secondary Plan then prior to the issuance of a building permit for Phase II, the applicant shall construct or provide the necessary funds to the City for the construction of the road."
  - (c) that Recommendation 1(b) embodied in the aforementioned report be amended to read as follows:

"1(b) Prior to the issuance of a building permit for Phase II, the applicant shall construct or provide the necessary funds to the City for the construction of the 110 m flagpole proposed at the south end of the Emery Yard Lands."
  - (d) that Recommendation 1(d) embodied in the aforementioned report be amended to read as follows:

"1(d) The proponents for the development applications located in the north-west quadrant of Finch Avenue and Weston Road and at Toryork Drive and Weston Road (TB CMB 2002 0012 and TB SPC 2002 01016) submitted by Centrillum

North York Community Council Minutes  
Wednesday, September 10, 2003

---

Inc.; and the proponents for the south-east quadrant of Finch Avenue and Weston Road (UDOZ-99-06, UDSB-1245 and UDSP-99-021) submitted by Medallion Properties; each contribute \$50,000 towards the Emery Village Heritage and Cultural Plan and that these funds be forwarded to the Emery Village Arts and Heritage Committee prior to the lifting of the 'H'."

(e) the following additional Recommendation, to read as follows:

"1(e) Subsequent to the issuance of a building permit for Phase II and prior to the issuance of a building permit for Phase III, the applicant will pay for the cost of constructing and operating an outdoor ice arena and associated concession stands on the Emery Yard Lands or such other site agreed to by Council, on the condition that the City leases such lands to the applicant for \$1.00 for a period of 25 years and on the further condition that the revenues associated with such outdoor ice arena and associated concession stands will accrue to the applicant for that same 25 year period."

(2) the adoption of the following Resolution by Councillor Mammoliti, Ward 7 - York West:

"WHEREAS at its meeting of December 4-6, 2001, City Council adopted the following motion related to Clause 11, Report No. 9 of North York Community Council being the Emery Village Secondary Plan – Finch Avenue and Weston Road – UD03-FW (York West, Ward 7):

"(4) The Commissioner of Economic Development, Culture and Tourism be requested to report to the Economic Development and Parks Committee on the feasibility and budget implications of the following Emery Village Plan implementation items:

- (a) Developing an outdoor ice rink in the Emery Parks Yard:
- (b) Additional seating and planting for Lindylou Park."

AND WHEREAS at its meeting of February 13-15, 2002, City Council received for information Clause 14, Report No. 1 of the Economic Development and Parks Committee of which item (c) therein was a report related to the above-noted motion of which the Economic Development and Parks Committee reported having:

(1) Received the report for information: and,

North York Community Council Minutes  
Wednesday, September 10, 2003

---

- (2) Requested the Commissioner of Economic Development, Culture and Tourism to report on dedicating five percent cash in lieu from developers and pursuing partnerships with respect to the development of an outdoor ice facility on Emery Yard lands."

NOW THEREFORE BE IT RESOLVED THAT further to Recommendation 1 of the staff report, the applicant shall:

- (e)(1) consult with the Department of Economic Development, Culture and Tourism regarding the development of an outdoor artificial ice facility on the Emery Yard lands, including the required technical studies for establishing this use on this site; and,

- (2) prior to the issuance of a building permit for Phase I, construct or provide the necessary funds to the City for construction and all related costs associated with the development of an outdoor artificial ice facility on the Emery Yard lands."

- (3) the adoption of the following Resolution by Councillor Mammoliti, Ward 7 - York West:

"WHEREAS on May 23, 2003 City Council adopted Zoning By-law No. 422-2003 which amends Zoning By-law 7625 of the former City of North York as it relates to lands within the Emery Village Secondary Plan area;

AND WHEREAS the lands at 3514 Weston Road which are owned by Imperial Oil Limited and currently support a gasoline station are subject to Zoning By-law No. 422-2003;

AND WHEREAS Zoning By-law No. 422-2003 has the effect of changing the zone on the lands at 3514 Weston Road from an Industrial-Commercial MC(H) zone which permits gasoline station and car wash uses to a Mixed Use Zone (C5) which does not permit gasoline station or car wash uses;

AND WHEREAS on April 25, 2003 Imperial Oil Limited filed a site plan application pursuant to Section 41(12) of the Planning Act for their lands at 3514 Weston Road to permit the redevelopment of the lands for a gasoline station, car wash and retail kiosk (File: TB SPC 2003 0024);

AND WHEREAS on April 25, 2003 Imperial Oil Limited filed a Minor Variance application pursuant to Section 45 of the Planning Act for their lands at 3514 Weston Road to permit reduced front and side yard setbacks to facilitate the redevelopment of the lands in accordance with the above-

North York Community Council Minutes  
Wednesday, September 10, 2003

---

noted site plan application (File: A105/03 NY). This application was adjourned *sine die* by the Committee of Adjustment on May 29, 2003;

AND WHEREAS Imperial Oil Limited appealed Zoning By-law No. 422-2003 and Minor Variance application A105/03NY to the Ontario Municipal Board on June 20, 2003, and referred Site Plan Application TB SPC 2003 0024 on July 8, 2003;

AND WHEREAS the appellant has requested the Ontario Municipal Board to consolidate the three matters;

AND WHEREAS the City Solicitor has standing authority to support zoning by-law amendments adopted by City Council at the Ontario Municipal Board;

AND WHEREAS the City Solicitor requires City Council authority to attend at the Ontario Municipal Board in relation to site plan or minor variance appeals;

NOW THEREFORE BE IT RESOLVED THAT City Council authorize the City Solicitor to attend at the Ontario Municipal Board at a consolidated hearing for the appeals to the zoning by-law, the site plan application and the minor variance application as they relate to the lands at 3514 Weston Road to support the position that the redevelopment proposed does not represent appropriate land use planning.”

**(Report No. 7 – Clause No. 24)**

**7.31 Progress Report – Application to amend Zoning By-law 7625 and Lift the (H) – UDOZ-99-06 – Medallion Properties Inc. – 3415 Weston Road & 2345 Finch Avenue West (Ward 7 – York West).**

The North York Community Council had before it a report (September 3, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, updating the status of the above-noted application for a mixed-use residential and commercial development on lands at the south-east corner of Finch Avenue and Weston Road; and recommending that this report be received for information.

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

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

North York Community Council Minutes  
Wednesday, September 10, 2003

- 
- Mr. Tim Lambrinos, Chair, Emery Village Historical and Arts Advisory Committee;
  - Mr. Jorma Palomaki; and
  - Mr. Jude Tersigni, of Armstrong, Goldberg Winter, on behalf of Imperial Oil.

On motion by Councillor Mammoliti, Ward 7 – York West, the North York Community Council received the foregoing report.

**(Report No. 7 – Clause No. 40(g))**

Councillor Mammoliti resumed the Chair.

**7.32 Request for Approval of Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of a full-colour programmable display at the Sheppard Centre at 4841 Yonge Street (Ward 23 – Willowdale).**

The North York Community Council had before it a report (June 9, 2003) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Jeremy Kramer of Kramer Design Associates Limited, on behalf of Cadillac Fairview Corporation Ltd., for approval of the variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a full-colour programmable display at the above-noted location; and recommending that the request for the variances be refused for the reasons outlined in this report.

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

- Mr. David Sciuk, Outdoor Broadcast Network;
- Ms. Rosa Micallef, Property Manager, Sheppard Centre;
- Mr. Allen Yu, Classi Frames, Sheppard Centre; and
- Mr. Firoz Shariff, Basic Essentials, Sheppard Centre.

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. 25)**

---

**7.33 Request for Approval of Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of a third party advertising roof sign at 795 Wilson Avenue (Ward 9 – York Centre).**

The North York Community Council had before it a report (June 23, 2003) from the Director of Building and Deputy Chief Building Official, North District, Urban Development Services, reporting on a request by Leroy Cassanova of Astral Media Outdoor, on behalf of Automated Management Ltd., for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a back to back off premise roof sign on a commercial building; and recommending that the request for a variance be refused for the reasons outlined in this report.

The North York Community Council also had before it a communication (September 9, 2003) from Ms. Susan Riches, Operations Coordinator, Astral Media Outdoor requesting that the application for a variance from the Sign By-law, submitted by Leroy Cassanova of Astral Media Outdoor, on behalf of Automated Management Ltd., be withdrawn.

The North York Community Council received the foregoing report and took no action with respect thereto having regard that the application was withdrawn at the request of the applicant.

**(Report No. 7 – Clause No. 40(h))**

**7.34 Request for Approval of a Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of a 240 sq. ft. double faced, non-illuminated land development ground sign at 25 Finch Avenue West (Ward 23 – Willowdale).**

The North York Community Council had before it a report (July 14, 2003) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Stephen Armstrong of Empire Limited, for approval of a variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of a 240 sq. ft. double faced, non-illuminated land development ground sign at 25 Finch Avenue West; and recommending that:

- (1) the request for the variance be approved for the reasons outlined in this report; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit.

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. 26)**

**7.35 Request for Approval of a Variance from the former City of North York Sign By-law, as amended, for the erection of an off-premise roof sign at 4949 Bathurst Street (Ward 23 – Willowdale).**

The North York Community Council had before it a report (August 22, 2003) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Roy Dzeko of Skyscape Outdoor Inc. on behalf of Daughton Management for approval of a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of an 18.58 sq. m. (200 square feet) double illuminated off-premise roof sign at the above noted location; and recommending that:

- (1) the request for variance be approved, subject to the following condition:
  - (a) that the illumination of the proposed roof sign be turned off from 11:00 p.m. to 7:00 a.m. with a timer; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permit.

The North York Community Council also had before it a communication (September 8, 2003) from Mr. Roy Dzeko, on behalf of Daughton Management, requesting a deferral of the application.

On motion by Councillor Filion, Ward 23 - Willowdale, the North York Community Council deferred consideration of the foregoing report to the first regular meeting of the Toronto North Community Council to be held January, 2004.

**(Report No. 7 – Clause No. 40(i))**

**7.36 Request for Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of a third party Billboard Sign in the Railway Corridor adjacent to 1000 Wilson Avenue (Ward 9 – York Centre).**

The North York Community Council had before it a report (August 18, 2003) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on an request by Tony Romanelli of RCC Media, for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a third party billboard sign (23.3 m<sup>2</sup> (250 sq. ft.) in the railway corridor adjacent to 1000 Wilson Avenue; and recommending that:

North York Community Council Minutes  
Wednesday, September 10, 2003

---

- (1) The request for variance be refused for the reasons outlined in this report.

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

**(Report No. 7 – Clause No. 27)**

**7.37 Final Report – Application to Amend the Official Plan and Zoning By-law – TB OPA 2003 0001 and TB ZBL 2002 0011 – Berkley Homes (Finch) Inc. (RN Design) – 134, 136 & 138 Finch Avenue West, rear portions of 16, 18 & 18A Altamont Road and Part of Lot 23, Registered Plan 2056 (Ward 23 – Willowdale).**

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 as directed and in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (August 28, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and Zoning By-law for a 73 unit townhouse development on the north side of Finch Avenue West, west of Yonge Street between Altamont Road and Carney Road; and recommending that City Council:

- (1) amend the Official Plan substantially in accordance with the draft Official Plan Amendments attached as Attachments 7a and 7b;
- (2) amend Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 8;
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendments and 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) convey to the City, for a nominal sum and free and clear of all encumbrances, a road widening measuring approximately 2.76 m along the full extent of the site's Finch Avenue West frontage, to the satisfaction of the Commissioner of Works and Emergency Services (Director, Development Engineering);



North York Community Council Minutes  
Wednesday, September 10, 2003

---

- (b) have submitted to and have approved by the Commissioner of Works and Emergency Services (Director, Development Engineering) a satisfactory stormwater management plan and any necessary supporting materials addressing among other matters management of the overland flow system and stormwater storage capacity;
- (c) have entered into a stormwater management agreement with the City to the satisfaction of the City Solicitor and the Commissioner of Works and Emergency Services (Director, Development Engineering), to register on title of all the residential units that are to be built under this application, to include, but not be limited to, the following conditions:
  - (i) that the owner/condominium corporation promises, covenants and agrees to protect and save harmless the City of Toronto from any claims whatsoever arising from or in any way due to the presence of the stormwater management facility, and forever releases and discharges the City of Toronto from any and all claims therefor;
  - (ii) that the owner/condominium corporation promises, covenants and agrees to construct, maintain and keep safe the stormwater management facility solely at the cost of the owner/condominium corporation. At no time shall the owner/condominium corporation request the City of Toronto to assume maintenance or cost of maintenance of the stormwater management facility; and
  - (iii) the owner agrees that there shall be no building openings to habitable space below the flood line contour of 182.19 m;
- (d) have deposited with the Commissioner of Works and Emergency Services (Director, Development Engineering) a letter of credit or certified cheque for the estimated cost of construction and a certified cheque for the 3% engineering review fee for the following works:
  - (i) the relocation of the existing sidewalk across the entire development site frontage to the standard location 1.0 m from the widened property line, at the estimated cost of construction of \$14,500.00;
  - (ii) \$435.00 representing the 3% engineering review fee for the sidewalk construction work referenced in (i) above; and
  - (iii) \$14,400.00 representing the 3% engineering review fee for the stormwater management facility;

North York Community Council Minutes  
Wednesday, September 10, 2003

---

- (e) have obtained Site Plan Approval under section 41 of the Planning Act from the Acting Director, Community Planning, North District, with the Site Plan Application having addressed to the City's satisfaction the following specific requirements, among others:
  - (i) a revised grading plan that includes appropriate grading adjacent to property lines to minimize the need for retaining walls;
  - (ii) complete elevations for each of the townhouse blocks, including appropriate treatment of front, rear and side facades;
  - (iii) a revised landscape plan and landscape details that address, among other matters, appropriate streetscape treatment, tree and shrub plantings and fencing; and
  - (iv) any matters that the Commissioner of Works and Emergency Services (Director, Development Engineering) may require to be addressed;
- (f) have provided to the satisfaction of Economic Development, Culture and Tourism (Supervisor, Urban Forestry Services) a letter of credit in the amount of \$6,245.00 for a tree protection security deposit for the City-owned tree to be protected on Finch Avenue West; and
- (g) have obtained from the Medical Officer of Health approval of a Demolition and Excavation Dust Control Plan for the project;
- (5) authorize the City Solicitor to sign, execute and register a release of the agreements regarding development by plan of subdivision that are registered on title on the portion of the site described as part of Lot 23, Registered Plan 2056, dated December 1, 1961 and October 14, 1964 (Instrument Nos. 376624 and 444871, respectively), following registration of any Site Plan Agreement for this project.

A staff presentation was made by Ms. Catherine Cieply, 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:

- (August 28, 2003) from Sau Mei Lai;
- (September 4, 2003) from Robert & Claire Penczak;

North York Community Council Minutes  
Wednesday, September 10, 2003

---

- (September 8, 2003) from Mr. William deBacker, President, Edithvale-Yonge Community Association;
- (September 9, 2003) from Robert & Claire Penczak; and
- (September 10, 2003) from Mr. Wilbert Tuey.

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

- Mr. Adam Brown, Solicitor, of the law firm of Sherman Brown Dryer Karol Gold Lebow, on behalf of the applicant; and
- Ms. Claire Penczak.

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

- (1) the adoption of the following Resolution:

“WHEREAS the Final Report dated August 26, 2003, for 134, 136 and 138 Finch Avenue West, the rear portion of 16, 18 and 18A Altamont Road and part of Lot 23, Registered Plan 2056, recommends approval of a 73-unit townhouse development at a maximum height of 3.5 storeys and 10 metres, and includes a private road system;

AND WHEREAS the Final Report recommends that the owner, prior to the introduction of Bills to City Council submit to and have approved by the Department of Works and Emergency Services, a stormwater management plan;

AND WHEREAS a 1954 agreement registered on a portion of the lands, requires among other matters, that the improvement of the lands be undertaken in such a way so as not to interfere with the management of the watercourse on the property and the Department of Works and Emergency Services has recommended that the agreement be updated and extended to include the entire development site;

AND WHEREAS local area residents have expressed an interest in stormwater management for the site, and in having an opportunity to review the draft by-laws for the project before they are finalized;

AND WHEREAS the draft zoning by-law requires two townhouse blocks along the Finch Avenue West frontage, and the Commissioner of Works

North York Community Council Minutes  
Wednesday, September 10, 2003

---

and Emergency Services requires that the driveway from Finch Avenue West line up with Edithvale Road;

AND WHEREAS the developer has proposed that the site be serviced with private garbage pick-up;

AND WHEREAS a concern expressed by the community was that the approval of this development could be used as a precedent for future developments within the adjacent stable, single detached residential neighbourhood;

THEREFORE BE IT RESOLVED:

THAT the final report dated August 28, 2003, from the Acting Director, Community Planning, North District, be adopted, subject to the following additional requirements;

THAT Attachments 7a and 7b, the Draft Official Plan Amendments, be amended to add "or 10 metres, whichever is the lesser" after "3.5 storeys" in paragraph 3.6.8 (iii);

THAT the private road system forming part of the development be permitted a minimum pavement width of 6.0 metres for those segments shown on the submitted plans;

THAT the stormwater management plan and the amendment to the 1954 agreement required by the Works and Emergency Services Department in Recommendations (4)(b) and (c) of the August 28, 2003 final report be reviewed with the Ward Councillor, in consultation with local area residents, prior to finalization;

THAT draft Schedule RM1(55) be amended to consolidate townhouse Blocks 1 and 2 fronting on Finch Avenue West, to allow for the intersection of the driveway at Finch Avenue West to align with Edithvale Drive;

THAT the requirements for garbage pick-up be resolved through the Site Plan process, with public garbage pick-up preferred, or if private garbage pick-up is the more suitable solution, the developer will ensure standards similar to those of public service with respect to waste reduction and recycling, satisfactory to the Commissioner of Works and Emergency Services;

THAT the City Solicitor be authorized to make such stylistic and technical changes to the draft official plan and zoning by-law amendments as may

North York Community Council Minutes  
Wednesday, September 10, 2003

---

be required, with adequate opportunity for review provided to the Ward Councillor, the applicant and any other public meeting deputant who has so requested;

AND THAT the development application be approved on the understanding that approval of the townhouses is not intended to constitute a precedent for approval of additional townhouse projects either within the adjacent, stable, single detached residential neighbourhood or elsewhere within the Central Finch Area Secondary Plan; and

- (2) that if land cannot be provided on site or immediately adjacent to it, any funds for parkland dedication be used to acquire land related to the construction of a new Edithvale Community Centre;

**(Report No. 7 – Clause No. 28)**

**7.38 Final Report – Application to Amend Zoning By-law 7625 – TB ZBL 2003 0008 – Chestnut Hill Homes, Av Shwartz Architect Inc., Architect – 8, 10 & 12 Clairtrell Road (Ward 23 – Willowdale).**

As directed by the North York Community Council, at its meeting held on June 11, 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 (August 20, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law for a 23 unit townhouse development at 8, 10 & 12 Clairtrell Road; and recommending that City Council:

- (1) amend Zoning By-law 7625 substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No.5.
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) before introducing the necessary Bills to City Council for enactment, the applicant is required to enter into a Site Plan Agreement under Section 41 of the Planning Act.

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

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

North York Community Council Minutes  
Wednesday, September 10, 2003

---

- (undated) from Dr. Michael Lai;
- (August 27, 2003) from Dr. Alice Lai;
- (September 8, 2003) from Mr. Kevin Lai;
- (September 8, 2003) from Mr. Evelyn Dewar, Sheppard Corridor Ratepayers;
- Petition signed by 45 area residents;
- (September 5, 2003) from Mr. Seok-Kwon Ahn;
- (September 5, 2003) from K. Lau, Lau Siu Kwan, K. Lam, I. Hazell and H. Lee;  
and
- (September 9, 2003) from Kwong Hing Lau & Jenny Lai Chun Pang.

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

- Mr. Barry McMonagle, President, Bayview Willowdale Homeowners' Association;
- Mr. Tom Tucker;
- Mr. Seok-Kwon Ahn; and
- Mr. Moiz Behar, on behalf of the applicant.

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

- (1) the North York Community Council recommended to City Council, the adoption of the report (August 20, 2003) from the Acting Director, Community Planning, North District, Urban Development Services; and
- (2) the applicant be requested to make every effort to address the concerns expressed by the property owner of 365 Greenfield Avenue with respect to privacy and drainage, prior to this matter being considered by City Council at its meeting scheduled for September 22, 23 and 24, 2003 and throughout the site plan approval process.

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

**(Report No. 7 – Clause No. 29)**

**7.39 Final Report – Application to Amend the Zoning By-law – TB ZBL 2002 0020 – Daniels Kenaston North Corporation “The Rockefeller” – 12-26, 23 Kenaston Gardens (Ward 24 – Willowdale).**

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 as directed and in accordance with the Planning Act and the regulations thereunder.

The North York Community Council had before it a report (August 5, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law for a 20-storey condominium apartment building with grade related units on the west side of Kenaston Gardens, located south of Sheppard Avenue and east of Bayview Avenue; and recommending that City Council:

- (1) Amend 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.
- (2) Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) Before introducing the necessary Bills to City Council for enactment, the owner is required to satisfy the following conditions:
  - (i) enter into an Agreement under Section 37 of the Planning Act for:
    - the exemption of indoor private recreational amenity area from the calculation of gross floor area to a maximum of 542.8m<sup>2</sup>; and,
    - depositing a letter of credit or certified cheque in the amount of \$10,000.00 to the satisfaction of the Chief Financial Officer and Treasurer, for future traffic monitoring to be undertaken;
  - (ii) obtain Site Plan approval under Section 41 of the Planning Act; and,
  - (iii) provide confirmation that arrangements have been made to satisfy the requirements of the Works and Emergency Services Department as outlined in their memorandum dated July 30, 2003.
  - (iv) an option for the City of Toronto to obtain lands at a nominal fee to accommodate a 20m wide right of way generally across the south end of the site in order to construct a connection from Kenaston Gardens to

North York Community Council Minutes  
Wednesday, September 10, 2003

---

Bayview Avenue be secured through an agreement to the satisfaction of the City Solicitor.

A staff presentation was made by Mr. Steve Forrester, 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:

- Ms. Michelle Kwong;
- Mr. Lawrence Loamonen; and
- Mr. Taymour Katirai.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 7 – Clause No. 30)**

**7.40 Final Report – Application to Amend the Official Plan and Zoning By-law – Combined Application – TB CMB 2002 0018 – 1465334 Ontario Inc., c/o Tor-Bel Group (Thomas Browne Architects) – 929, 931, 933, 935, 937, 939 Sheppard Avenue West (Ward 10 – York Centre).**

As directed by the North York Community Council, at its meeting held on January 21, 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 (August 20, 2003) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and the Zoning By-law to permit a 9 storey apartment building containing 111 dwelling units at 929 to 939 Sheppard Avenue West; and recommending that City Council:

- (1) amend the Official Plan substantially in accordance with the draft Official Plan Amendments attached as Attachments 12 and 13.
- (2) amend the Zoning By-law for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 14.



North York Community Council Minutes  
Wednesday, September 10, 2003

---

- (3) 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.
- (4) 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 the following facilities, services and/or matters:
  - (a) \$100,000 for capital improvements to parks and/or community facilities in Ward 10, the expenditure of which is to be determined by Economic Development, Culture and Tourism and the local Councillor.
- (5) Before introducing the necessary Bills to City Council for enactment, the owner is required to:
  - (a) obtain site plan approval from the Director, Community Planning, North District under Section 41 of the Planning Act.
  - (b) submit to the Chief Financial Officer and Treasurer as a deposit a letter of credit or certified cheque for the value of the proposed trees to be planted on the neighbouring properties municipally known as 41 to 51 Findley Avenue in the amount of \$36,000[as discussed in section Land Use (iii)] .
  - (c) have conveyed to the City for a nominal sum, a widening measuring approximately 4.9 metres across the entire frontage of the property to satisfy the requirements of a 36-metre right-of-way for Sheppard Avenue West.

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:

- (August 28, 2003) from Ms. Chrystal Shephard;
- (September 9, 2003) from May Chow, Fiona Chau, Chu Chau and Bryan Chau;  
and
- (September 10, 2003) from Mr. Leo Kabalisa.

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

- Mr. Harold G. Elston, Elston Watt, on behalf of the applicant;

North York Community Council Minutes  
Wednesday, September 10, 2003

---

- Mr. Tom Stephenson;
- Mrs. Sophie Stephenson;
- Mr. Lando Sisti;
- Mr. Larry Lukkarinen;
- Mr. Paul Lordly; and
- Mr. Maurice Amzallage.

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council recommended to City Council, the adoption of the foregoing report, subject to the built form of the proposed building being changed in order to incorporate a stepped roof design by recessing the upper three floors and balconies on the southerly perimeter of the building, which building design was derived through extensive community consultation, as described in the community consultation section of the aforementioned report.

**(Report No. 7 – Clause No. 31)**

**7.41 Request for Driveway Entrance Widening – 156 Burbank Drive (Ward 24 – Willowdale).**

The North York Community Council had before it a report (August 28, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request for a driveway entrance widening from 5.7 metres to 7.9 metres at 156 Burbank Drive; and recommending that the request for the variance from the driveway entrance policy be approved.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council deferred consideration of the foregoing report to the first regular meeting of the Toronto North Community Council to be held January, 2004.

**(Report No. 7 – Clause No. 40(j))**

**7.42 Sale of Surplus Property – Parcel of Vacant Land, Part of Block H, Plan 5345, Northwest side of Averill Crescent, adjacent to 53 Cummer Avenue (Ward 24 – Willowdale).**

The North York Community Council had before it a report (August 27, 2003) from the Commissioner of Corporate Services, reporting on the results of negotiations for the sale of Block H on Plan 5345, save and except a one-foot strip fronting on Averill Crescent, collectively referred to as “Block H” and to secure authority to execute an Offer to Purchase with the Trustees of the Newtonbrook Congregation of the United Church of Canada (the “Church”) so that the land may be used by the Church for the development of affordable rental housing; and recommending that:

- (1) the Offer to Purchase from the Trustees of the Newtonbrook Congregation of the United Church of Canada to purchase Block H be accepted on the terms and conditions outlined in the body of this report and in a form acceptable to the City Solicitor 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) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 7 – Clause No. 32)**

**7.43 Sale of Surplus Vacant Land – Part of Nos. 7 and 11 Blakeley Road (Ward 23 – Willowdale).**

The North York Community Council had before it a report (September 4, 2003) from the Commissioner of Corporate Services, reporting on authorizing the sale of two parcels of vacant land comprising part of Nos. 7 and 11 Blakeley Road; and recommending that:

- (1) the Offer to Purchase from Empire (Continental Towers) Limited to purchase two parcels of vacant land comprising part of Nos. 7 and 11 Blakeley Road, being part of Lots 86 and 88, Plan 3705, also shown as Parts 1 and 2 on Sketch No. PS-2003-081, in the amount of \$3,150.00, be accepted on the terms outlined in the

North York Community Council Minutes  
Wednesday, September 10, 2003

---

body of this report, and that either one of the Commissioner of Corporate Services or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;

- (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to the property;
- (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date as she considers reasonable; and
- (4) the appropriate City Officials be authorized and directed to take 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. 33)**

**7.44 Traffic Calming - Request for Speed Hump– Shawnee Circle, between Cherokee Boulevard and Micmac Crescent (north leg) (Ward 33 – Don Valley East).**

The North York Community Council had before it the following Resolution submitted by Councillor Sutherland, Ward 33 – Don Valley East:

“WHEREAS the residents of Shawnee Circle have expressed concern with regards to the rate of speed of vehicles on the roadway between Cherokee Boulevard and Micmac Crescent (north leg);

WHEREAS staff of District 3, Transportation Services Division has confirmed that the 85<sup>th</sup> percentile speed of the 1800 vehicles on Shawnee Circle, between Cherokee Boulevard and Micmac Crescent (north leg) is 52 km/h within the 40 km/h speed zone;

THEREFORE BE IT RESOLVED that the appropriate staff be authorized to conduct a poll of eligible residents on Shawnee Circle, between Cherokee Boulevard and Micmac Crescent (north leg) to determine resident support for the speed hump plan, in accordance with the City of Toronto Traffic Calming Policy, and public notice be given pursuant to the Municipal Class Environmental Assessment Act including Notice of Study Commencement to the Ministry of Environment, Fire Services, Emergency Services and Toronto Police Services;

BE IT FURTHER RESOLVED that subject to favourable results of the poll;

North York Community Council Minutes  
Wednesday, September 10, 2003

---

- (i) A by-law be prepared for the alteration of sections of the roadway on Shawnee Circle, between Cherokee Boulevard and Micmac Crescent (north leg), for traffic calming purposes as shown in the attached speed hump plan No. NY-1490; and
- (ii) Pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued.

BE IT FURTHER RESOLVED that the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.”

The North York Community Council also had before it a memorandum (September 8, 2003) from Councillor Sutherland, Ward 33 – Don Valley East.

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

**(Report No. 7 – Clause No. 34)**

**7.45 Request for Reduction in Speed Limit from 50 km/h to 40 km/h on King High Avenue, between Wilson Avenue and Invermay Avenue and Request for an All Way Stop Control at the intersection of King High Avenue and De Quincy Boulevard (Ward 10 – York Centre).**

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

“WHEREAS residents of King High Avenue, between Wilson Avenue and Invermay Avenue, have expressed concern with regards to the vehicle speed and volume of traffic on the roadway, and concern for pedestrian safety;

WHEREAS staff of the Transportation Services Division has confirmed that vehicles are travelling at speeds in excess of the 50 km/h regulatory speed limit;

WHEREAS there are no stop controls on King High Avenue between Wilson Avenue and Invermay Avenue;

WHEREAS King High Avenue is a local road on which there is significant vegetation on private properties which limit the visibility of motorists on King High Avenue of egressing traffic from private driveways and intersecting roadways;

THEREFORE BE IT RESOLVED that the regulatory speed limit on King High Avenue, between Wilson Avenue and Invermay Avenue, be reduced to 40 km/h;

North York Community Council Minutes  
Wednesday, September 10, 2003

---

BE IT FURTHER RESOLVED that an all way stop control be introduced at the intersection of King High Avenue and De Quincy Boulevard;

BE IT FURTHER RESOLVED that the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any bills that may be required.”

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

**(Report No. 7 – Clause No. 35)**

**7.46 Ontario Municipal Board Hearing – Committee of Adjustment Application – 3070 Bayview Avenue (Ward 23 – Willowdale).**

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

“WHEREAS the Deputy Secretary Treasurer for the City of Toronto (North District) refused an application by Beth Tikvah Synagogue, the owner of 3070 Bayview Avenue for the division of a parcel of residential lands into two parts and for the granting of easements/rights-of-way.

WHEREAS the applicant has appealed the Deputy Secretary Treasurer’s decision to the Ontario Municipal Board.

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

THEREFORE BE IT RESOLVED that Council authorize the City Solicitor to attend the Ontario Municipal Board hearing to defend the Deputy Secretary Treasurer’s decision.”

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

**(Report No. 7 – Clause No. 36)**

**7.47 Special Occasion Permit Request – 6<sup>th</sup> Annual Celebration – Festival of la Pupusa – The Canadian Hispanic Congress at Downsview Arena on September 13 & 14, 2003.**

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

North York Community Council Minutes  
Wednesday, September 10, 2003

---

“WHEREAS The Canadian Hispanic Congress will be hosting a FESTIVAL OF LA PUPUSA, to be held at Downsview Arena on Saturday, September 13 and Sunday September 14, 2003 between the hours of 11:00 a.m. and 11:00 p.m.; and

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

WHEREAS This event will require a Special Occasion Permit; and

WHEREAS The Alcohol and Gaming Commission 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 Permit event;
- (2) A Special Occasion Permit from the Alcohol and Gaming Commission 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;

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.

The North York Community Council:

- (1) (a) adopted the foregoing Resolution; and
- (b) for liquor licensing purposes, declared the “Festival of La Puposa”, to be an event of municipal and/or community significance; that it

North York Community Council Minutes  
Wednesday, September 10, 2003

---

has no objection to this event taking place, and that the Alcohol and Gaming Commission of Ontario be so advised; and

- (2) recommended to City Council, that the action taken by the North York Community Council be confirmed, in light of the "Festival of La Pupusa" event taking place prior to the City Council meeting scheduled for September 22, 23 and 24, 2003.

(Report No. 7 – Clause No. 37)

7.48 Amendments to On-Street Parking Prohibitions – Manorcrest Drive (Ward 24 – Willowdale).

The North York Community Council had before it a report (September 8, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on amending the current on-street parking prohibitions on the east side of Manorcrest Drive; 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, 9:00 a.m. to 6:00 p.m., Monday to Friday prohibition on the east side of Manorcrest Drive, from Finch Avenue East to the north limits of Manorcrest Drive; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by prohibiting parking on the east side of Manorcrest Drive, from 9:00 a.m. to 6:00 p.m., Monday to Friday, from a point 75 metres north of Finch Avenue East to the north limit of Manorcrest Drive.

On motion by Councillor Shiner, Ward 24 – 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.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council recommended to City Council, the adoption of the foregoing report.

(Report No. 7 – Clause No. 38)

Councillor Augimeri, Vice-Chair, assumed the Chair.



**7.49 Request for Building Permit Fee Refund – Ghanaian Presbyterian Church – 51 High Meadow Place (Ward 7 – York West).**

The North York Community Council had before it a communication (September 4, 2003) from the Rev. Enoch Adjei Pobee, Senior Pastor-In-Charge and Dr. Martin La-Kumi, Trustee, Ghanaian Presbyterian Church, Toronto, requesting that their building permit fees be refunded.

On motion by Councillor Mammoliti, Ward 7 – 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 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.

On motion by Councillor Mammoliti, Ward 7 – York West, the North York Community Council deferred consideration of the foregoing communication from the Ghanaian Presbyterian Church, Toronto until such time as a City-wide Policy comes forward, and that the request by the Ghanaian Presbyterian Church for a refund of the building permit fees be considered at that time.

**(Report No. 7 – Clause No. 40k)**

**7.50 Request for Driveway Entrance Widening – 169 Lanyard Road (Ward 7 – York West).**

The North York Community Council had before it a report (September 8, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request to widen the driveway entrance at 169 Lanyard Road from 3.7 metres to 5.8 metres; and recommending that the request for a variance from the driveway access policy be denied.

On motion by Councillor Mammoliti, the North York Community Council recommended to City Council that:

- (1) the report (September 8, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, not be adopted; and
- (2) the request to widen the driveway entrance at 169 Lanyard Road from 3.7 metres to 5.8 metres, be approved.

**(Report No. 7 – Clause No. 39)**

Councillor Mammoliti resumed the Chair.

**7.51 Request by Downsview Lands Community Voice Association to address the North York Community Council (Ward 9 – York Centre).**

The North York Community Council had before it a communication (September 10, 2003) from Councillor Li Preti, Ward 8 – York West, forwarding a petition from the Downsview Lands Community Voice Association and requesting that Mr. Vince Lombardi, President, be given an opportunity to address Community Council.

A. Councillor Li Preti, Ward 8 – York West, moved that Mr. Lombardi be given an opportunity to address the North York Community Council.

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

Mr. Vince Lombardi addressed the North York Community Council in connection with the foregoing matter.

The North York Community Council received the foregoing communication and the petition submitted by the Downsview Lands Community Voice Association.

**(Report No. 7 – Clause No. 40(l))**

**Adjournment:**

The North York Community Council adjourned its meeting at 4:50 p.m. on Wednesday, September 10, 2003.

---

Chair.