

**THE CITY OF TORONTO**

**City Clerk's Division**

**Minutes of the Toronto North Community Council**

**Meeting No. 3**

**To be confirmed on April 7, 2004**

**Tuesday, February 17, 2004.**

The Toronto North Community Council met on Tuesday, February 17, 2004, in the Council Chamber, North York Civic Centre, commencing at 9:40 a.m.

**Attendance:**

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

	9:40 a.m. to 12:30 p.m.	2:15 p.m. to 6:05 p.m.
Councillor Minnan-Wong, Chair	x	x
Councillor Augimeri, Vice-Chair	x	x
Councillor Carroll	x	x
Councillor Feldman	x	x
Councillor Fillion	x	x
Councillor Jenkins	x	x
Councillor Li Preti	x	x
Councillor Moscoe		
Councillor Pitfield	x	
Councillor Shiner	x	x
Councillor Stintz	x	x

On motion by Councillor Augimeri, Ward 9 – York Centre, the minutes of the meeting of the Toronto North Community Council held on January 5, 2004 were confirmed.

**3.1 Encroachment Report – 2928 Dufferin Street (Ward 15 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (January 14, 2004) from the North District Manager, Municipal Licensing and Standards Division, Urban Development Services, reporting on a request for the renewal of an existing encroachment agreement consisting of a wall sign for MR. SUB, located on the first floor

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of a two-storey commercial building at the Glen Grove Avenue West flankage of the building.

Recommendations:

It is recommended that the encroachment be approved, subject to the following conditions:

- (1) That the owner(s) enter into an Encroachment 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 wall sign;
- (4) That the life of the Agreement be limited to 5 years from the date of registration or to the date of removal of the encroachment, at which time, the City may consider the Agreement for further extension if requested by the applicant;
- (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; and to provide proof of annual renewal by no later than the anniversary date of the Agreement.
- (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) The owners pay the following fees:
  - (i) application fees of \$423.07; and
  - (ii) legal administration cost and registration of \$391.70 (includes GST).

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

**(Report No. 2 – Clause No. 1)**

**3.2 Request for Fence Exemption – 51 Artreeva Drive (Ward 10 – York Centre)**

The Toronto North Community Council had before it a report (January 27, 2004) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, reporting on a request for an exemption from the City of Toronto's Municipal Code, Chapter 447 – Fences, in order to maintain a board with lattice fence, approximately 56.85 metres (186' 6") in length around the perimeter of the rear and flankage yard, with a height varying from 2.06 metres (6' 9") to 2.36 metres (7' 9"), to the top of post and 1.82 metres (6' 0") to 2.08 metres (6' 10") to top of lattice..

Recommendation:

That the application not be approved.

The Toronto North Community Council also had before it a communication (January 14, 2004) from Gail Mostyn and Stuart Ziegler.

Mr. Stuart Ziegler appeared before the Toronto North Community Council in connection with the foregoing matter.

On motion by Councillor Feldman, Ward 10 – York Centre, the Toronto North Community Council recommended to City Council that:

- (1) the report (January 27, 2004) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, not be adopted; and
- (2) City Council approve the request for a fence exemption from the City of Toronto's Municipal Code, Chapter 447 – Fences, subject to the applicant removing the portion of the fence situated along the neighbour's driveway at 61 Artreeva Drive, so that the fence at that location is no more than three (3) feet in height.

**(Report No. 2 – Clause No. 2)**

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**3.3 Request for Approval of a Variance from the former Borough of East York Sign By-law No. 64-87, as amended, to erect various signs for Mercedes Benz Canada at 849 Eglinton Avenue East (Ward 26 – Don Valley West)**

The Toronto North Community Council had before it a report (December 4, 2003) from the Deputy Chief Building Official and Director of Building, Urban Development Services, reporting on a request by Dominic Rotundo, Pattison Sign Group on behalf of Mercedes Benz Canada for approval of variances from the former Borough of East York Sign By-law No. 64-87, as amended, to permit one activated roof sign, two fascia signs and four directional signs at the above location; and recommending that:

- (1) the request for 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 Pitfield, Ward 26 – Don Valley West, the Toronto North Community Council deferred consideration of the foregoing report to the next meeting of the Toronto North Community Council scheduled for April 7, 2004.

**(Report No. 2 – Clause No. 43(a))**

**3.4 Residential Demolition Application – 565 Duplex Avenue (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (January 21, 2004) from the Deputy Chief Building Official and Director, Building Division, North District, Urban Development Services, referring the demolition application for 565 Duplex Avenue to City Council on whether to grant or refuse the application, including any conditions, if any, to be attached to the permit, in accordance with the Section 33 of the Planning Act and the former City of Toronto Municipal Code Chapter 146, Article II, Demolition Control.

Recommendations:

That City Council either:

- (1) refuse the application to demolish the subject residential building because there is no permit for a replacement building on the site; or,
- (2) approve the application to demolish the subject residential building with the following conditions:

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- (a) The application for Development approval to establish the site as a municipal parking lot is approved and any conditions of approval are satisfied.
- (b) That a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Deputy Chief Building Official;
- (c) That all debris and rubble be removed immediately after demolition;
- (d) That the site be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623-5 and 629-10, Paragraph B;
- (e) That any holes on the property are backfilled with clean fill.
- (f) The removal and disposal of all hazardous materials are conducted in accordance with the Ministry of Environment and Ministry of Labour regulations and guidelines.
- (g) The removal and disposal of the above-ground storage tank (AST) are conducted in accordance with Technical Standards and Safety Authority (TSSA) regulations and guidelines.
- (h) The daily, or more frequently if required, wetting of all soft and hard surfaces and any excavation face on the site, with the addition of calcium chloride or other recognized materials as a dust suppressant, if required.
- (i) The daily cleaning of the road pavement and sidewalks for the entire frontage of the property to a distance of twenty five (25) metres from the property line.
- (j) The designation of truck loading points to avoid trucks tracking potentially contaminated soil and demolition debris off site. Such loading points should be on a gravel base to minimize tracking of soil onto sidewalk and the street. If the loading point becomes contaminated it should be cleaned and replaced.
- (k) All trucks and vans leaving the site should be cleaned of all loose soil and dust from demolition debris including the washing of tires and sweeping or washing of exteriors and tailgates by a designated labourer. A daily log of each truck leaving the site should be kept by the applicant (developer) noting when the truck was cleaned and by whom.
- (l) Tarping all trucks leaving the site which have been loaded with indigenous soil or demolition debris.

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- (m) An air monitoring program, if necessary, as determined through consultation with the Medical Officer of Health.
- (n) Supervision of the dust control measures by a qualified environmental consultant if necessary, as determined through consultation with the Medical Officer of Health.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the Toronto North Community Council recommended to City Council, the adoption of Recommendation No. (2) in the report (January 21, 2004) from the Deputy Chief Building Official and Director, Building Division North District, Urban Development Services, viz:

- “(2) the application to demolish the subject residential building be approved with the following conditions:
  - (a) the application for Development approval to establish the site as a municipal parking lot is approved and any conditions of approval are satisfied;
  - (b) that a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Deputy Chief Building Official;
  - (c) that all debris and rubble be removed immediately after demolition;
  - (d) that the site be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623-5 and 629-10, Paragraph B;
  - (e) that any holes on the property are back-filled with clean fill;
  - (f) the removal and disposal of all hazardous materials are conducted in accordance with the Ministry of Environment and Ministry of Labour regulations and guidelines;
  - (g) the removal and disposal of the above-ground storage tank (AST) are conducted in accordance with Technical Standards and Safety Authority (TSSA) regulations and guidelines;

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- (h) the daily, or more frequently if required, wetting of all soft and hard surfaces and any excavation face on the site, with the addition of calcium chloride or other recognized materials as a dust suppressant, if required;
- (i) the daily cleaning of the road pavement and sidewalks for the entire frontage of the property to a distance of twenty five (25) metres from the property line;
- (j) the designation of truck loading points to avoid trucks tracking potentially contaminated soil and demolition debris off site. Such loading points should be on a gravel base to minimize tracking of soil onto sidewalk and the street. If the loading point becomes contaminated it should be cleaned and replaced;
- (k) all trucks and vans leaving the site should be cleaned of all loose soil and dust from demolition debris including the washing of tires and sweeping or washing of exteriors and tailgates by a designated labourer. A daily log of each truck leaving the site should be kept by the applicant (developer) noting when the truck was cleaned and by whom;
- (l) tarping all trucks leaving the site which have been loaded with indigenous soil or demolition debris;
- (m) an air monitoring program, if necessary, as determined through consultation with the Medical Officer of Health; and
- (n) supervision of the dust control measures by a qualified environmental consultant if necessary, as determined through consultation with the Medical Officer of Health.

**(Report No. 2 – Clause No. 3)**

**3.5 Request to Remove One City-owned Tree – 64 Haven Road (Ward 15 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (December 15, 2003) from the Commissioner of Economic Development, Culture and Tourism, reporting on a request to remove one City-owned tree situated on the City road allowance adjacent to 64 Haven Road.

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Recommendations:

- (1) Toronto North Community Council deny the request for the removal of one City owned tree located at 64 Haven Road; or
- (2) Toronto North Community Council approve the request for the removal of one City owned tree located at 64 Haven Road conditional on:
  - (i) The applicant paying for the value of the Colorado Blue Spruce tree and for all associated removal and replacement costs, that is \$2,110.00; and
  - (ii) the subject tree not being removed until permitted excavation related activities in accordance with approved plans commence and warrant the destruction of the trees; and
  - (iii) the applicant planting one 70 mm replacement tree, species and location to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and
  - (iv) the applicant furnishing a two-year renewable guarantee for the proposed tree planting, in the form of a letter of credit/certified cheque for \$588.00 to cover the costs of planting and maintenance of the 70 mm tree on City property.

On motion by Councillor Filion, Ward 23 - Willowdale, the Toronto North Community Council recommended to City Council, the adoption of Recommendation No. (1) in the report (December 15, 2003) from the Commissioner of Economic Development, Culture and Tourism, viz:

- “(1) that the request for the removal of one City owned tree located at 64 Haven Road be denied.”

**(Report No. 2 – Clause No. 4)**

**3.6 Request to Remove One City-owned Tree – 60 Fairmeadow Avenue (Ward 25 – Don Valley West)**

The Toronto North Community Council had before it a report (December 15, 2003) from the Commissioner of Economic Development, Culture and Tourism, reporting on a request to remove one City-owned tree situated on the City road allowance adjacent to the above noted property.

Recommendations:



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- (1) Toronto North Community Council deny the request for the removal of the 26 cm diameter City owned European horse chestnut tree located at 60 Fairmeadow Avenue; or
- (2) North Community Council approve the request for the removal of the 26 cm diameter City owned horse chestnut tree located at 60 Fairmeadow Avenue conditional on:
  - (i) The applicant paying for the value of the horse chestnut tree and for all associated removal and replacement costs, that is \$1,691.00; and
  - (ii) the applicant planting one 70 mm replacement tree to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and
  - (iii) the applicant furnishing a two-year renewable guarantee for the proposed tree planting, in the form of a letter of credit/certified cheque for \$588.00 to cover the costs of planting and maintenance of the 70-mm tree on City property.

The Toronto North Community Council also had before it a communication (February 16, 2004) from the Director, of Parks & Recreation, North District, Economic Development, Culture & Tourism, advising that a new workable site plan had been received, which site plan had both EDCT Urban Forestry Services and WES Right of Way Management approval; that both the City and privately owned trees could be maintained, without the requirement for their removal; and that a formal request was being made to close the subject file.

On motion by Councillor Li Preti, Ward 8 – York West, the Toronto North Community Council received the foregoing report.

**(Report No. 2 – Clause No. 43(b))**

**3.7 Request to Remove One City-owned Tree – 19 Carmichael Avenue (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (January 29, 2004) from the Commissioner of Economic Development, Culture and Tourism, reporting on a request for permission to remove one City-owned tree situated on the City road allowance adjacent to 19 Carmichael Avenue.

Recommendations:

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- (1) Toronto North Community Council deny the request for the removal of the one subject City owned tree at 19 Carmichael Avenue; or
- (2) Toronto North Community Council approve the request for the removal of one City owned tree located at 19 Carmichael Avenue conditional on:
  - (i) the applicant paying for the value of the white ash tree and for all associated removal and replacement costs, that is \$7,029.00; and
  - (ii) the subject tree not being removed until permitted construction and/or demolition related activities in accordance with plans commence and warrant the destruction of the tree; and
  - (iii) the applicant planting one 70-mm replacement tree to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and
  - (iv) the applicant furnishing a two-year renewable guarantee for the proposed tree planting, in the form of a letter of credit/certified cheque for \$588.00 to cover the costs of removal, maintenance and replacement of the 70-mm tree planted on City property.

Ms. Karen Denovellis, appeared before the Toronto North Community Council in connection with the foregoing matter.

On motion by Councillor Stintz, Ward 16- Eglinton-Lawrence, the Toronto North Community Council deferred sine die, the foregoing report.

**(Report No. 2 – Clause No. 43(c))**

**3.8 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening for a second parking space at 137 Roselawn Avenue (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (December 2, 2003) from the Director, Transportation Services, District 3, Works and Emergency Services, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening for a second parking space at 137 Roselawn Avenue, which does not meet the requirements of the Code.

**Recommendation:**

That City Council deny the request for driveway widening for a second parking space at 137 Roselawn Avenue.

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The Toronto North Community Council also had before it a report (January 26, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request for parking of a second vehicle on the existing asphalt paved surface for a second parking space at 137 Roselawn Avenue, which does not meet the requirements of the Code.

Recommendation:

That City Council deny the application for driveway widening for a second parking space fronting 137 Roselawn Avenue.

Mr. Sam Zeifman, appeared before the Toronto North Community Council in connection with the foregoing matter.

- A. Councillor Filion, Ward 23 – Willowdale, moved that the Toronto North Community Council recommend to City Council that the reports (December 2, 2003 and January 26, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, be adopted and the request for a driveway widening for a second parking space be denied.
- B. Councillor Stintz, Ward 16 – Eglinton-Lawrence, moved that the Toronto North Community Council recommend that City Council approve the application for driveway widening for a second parking space fronting 137 Roselawn Avenue, as shown on Appendix “B” of the report (January 26, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, subject to:
  - (a) the parking area for the second parking space not exceeding 2.6 m by 4.89 m in dimension; and
  - (b) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.

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

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

**(Report No. 2 – Clause No. 5)**

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**3.9 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit the Excess Paving to Remain in Connection with Driveway Widening at 45 Craighurst Avenue (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (January 16, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit the excess paving to remain in connection with driveway widening at 45 Craighurst Avenue.

Recommendation:

That City Council deny the request to maintain the excess paving in connection with driveway widening at 45 Craighurst Avenue.

The Toronto North Community Council also had before it the following undated communications, in support of the applicant's request, copies of which are on file in the office of the City Clerk, North York Civic Centre:

- Resident on Craighurst Avenue;
- Rosemary Pattison;
- John Allan Vardy;
- S. LeBlanc;
- R.W. Chalmers;
- Betty L. Stewart;
- Ruth Parker;
- M. Merrill;
- Harry Forbes;
- S. Humphrey;
- George Shoe;
- Kristine Capotosta;
- W. Young;
- A. Parker;
- M. Deibert;
- Deborah Benoit Aspler;
- Valerie Owen;
- Rita Rosenbloom;
- A.S. Aspler;
- Patti Harris;
- M. Weir;
- Resident of 41
- Henry Zaluski;
- J.M. Smith;
- Lynda Dufour;
- J. Smith;

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- David McRobert;
- Resident of 8 Craighurst Avenue;
- Ken Foreman;
- P. Carr;
- P. Keigh;
- J. Vardy; and
- M. Wigle.

Mrs. Joanne Smith appeared before the Toronto North Community Council in connection with the foregoing matter.

- A. Councillor Stintz, Ward 16 – Eglinton-Lawrence, moved that the Toronto North Community Council recommend that City Council approve the request for an exemption from Municipal Code 248, Parking Licences, of the former City of Toronto Municipal Code, to permit the excess paving to remain in connection with the driveway widening at 45 Craighurst Avenue, provided that only one vehicle, is licensed to park on that driveway.
- B. Councillor Carroll, Ward 33 – Don Valley East, moved that the Toronto North Community Council recommend to City Council, the adoption of the report (January 16, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, and that City Council deny the request to maintain the excess paving.

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

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

**(Report No. 2 – Clause No. 6)**

**3.10 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit the Excess Paving to Remain in Connection with Driveway Widening at 154 Lawrence Avenue West (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (January 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit the excess paving to remain in connection with driveway widening at 154 Lawrence Avenue West.

Recommendation:

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That City Council deny the request to maintain the excess paving in connection with driveway widening at 154 Lawrence Avenue West.

Mr. Rudolph Romberg, appeared before the Toronto North Community Council in connection with the foregoing matter.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the Toronto North Community Council recommended that City Council approve the request to maintain the existing paving at 154 Lawrence Avenue West, as shown on Appendix 'B' of the report (January 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, notwithstanding that there is excess paving, and the required landscaped open space and setback clearances cannot be provided, subject to:

- (a) the parking area not exceeding 2.0 m by 5.0 m in dimension;
- (b) not more than one vehicle parking on the paved area; and
- (c) the applicant paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.

Councillors Carroll and Pitfield were opposed to the motion.

**(Report No. 2 – Clause No. 7)**

**3.11 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening at 49 Briar Hill Avenue (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (January 22, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening at 49 Briar Hill Avenue.

Recommendation:

That City Council deny the application for driveway widening at 49 Briar Hill Avenue.

The Toronto North Community Council also had before it a communication (February 15, 2004) from Clare & Ed Trzeciak.

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Mr. Ed Trzeciak appeared before the Toronto North Community Council in connection with the foregoing matter.

- A. Councillor Stintz, Ward 16 – Eglinton-Lawrence, moved that the Toronto North Community Council recommend that City Council approve the application for driveway widening at 49 Briar Hill Avenue, as shown on Appendix 'A' of the report (January 22, 2004) from the Director, Transportation Services, North District, Works and Emergency Services.
- B. Councillor Feldman, Ward 10 – York Centre, moved that the Toronto North Community Council refer the following recommendation to the Planning and Transportation Committee:
  - (i) that in light of the number of requests for exemption from Chapter 248, Parking Licences, of the former City of Toronto Municipal Code that are submitted to Community Councils for consideration, and in light of the number of these requests that are routinely approved, that the Commissioner of Works and Emergency Services be requested to review Chapter 248 – Parking Licenses of the former City of Toronto Municipal Code, with a view to amending the Code to permit these types of requests without obtaining Community Council and City Council approval.

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

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

**(Report No. 2 – Clause No. 8)**

**3.12 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to Permit Driveway Widening at 178 Broadway Avenue (Ward 25 – Don Valley West)**

The Toronto North Community Council had before it a report (January 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit driveway widening at 178 Broadway Avenue.

Recommendation:

That City Council deny the application for driveway widening at 178 Broadway Avenue.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the Toronto North Community Council deferred consideration of the foregoing report to the next meeting of the Toronto North Community Council scheduled for April 7, 2004.

**(Report No. 2 – Clause 43(d))**

**3.13 Driveway Entrance Width – 110 Caribou Road (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (January 16, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on maintaining a second driveway with a width of 5.6 metres.

Recommendation:

That the request for a variance to the residential driveway entrance policy be denied.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the Toronto North Community Council recommended to City Council that:

- (1) the report (January 16, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, be adopted; and
- (2) the 5.6 metre driveway entrance width at 110 Caribou Road be reduced to 3 metres to comply with the residential driveway entrance policy.

**(Report No. 2 – Clause No. 9)**

**3.14 Request for an exemption from Chapter 248 of the Former City of Toronto Municipal Code to permit Driveway Widening at 68 Chudleigh Avenue (Ward 16, Eglinton – Lawrence)**

The Toronto North Community Council had before it the following Resolution submitted by Councillor Stintz, Ward 16 – Eglinton – Lawrence for consideration by the Toronto North Community Council:

“WHEREAS an application had been received by the City of Toronto from the property owner of 68 Chudleigh Avenue in 2003 for an exemption from the requirements of the Municipal Code to permit a Driveway Widening; and

WHEREAS the Midtown Community Council and subsequently City Council, at its meeting held on September 22, 23, 24 and 25, 2003 (Clause 6, Report No. 7 of the



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Midtown Community Council), received the report (August 19, 2003) from the Manager, Right of Way Management, Transportation Services; and

WHEREAS the access to the original parking spot is obstructed by an approved addition to the property; and

WHEREAS the applicant had requested that the City allow one parking space, to maintain the existing asphalt paving and to allow that excess asphalt paving to remain; and

WHEREAS the August 19, 2003 report from the Manager, Right of Way Management, Transportation Services provided an option # 2 to approve the application subject to:

- (a) the parking area not exceeding 2.6m by 5.9m in dimension;
- (b) not more than one vehicle parking on the paved area;
- (c) the applicant providing the landscape features substantially in accordance with the plan to the satisfaction of the Commissioner of Works and Emergency Services; and
- (d) the applicant paying all applicable fees and complying with all other criteria set out in the Municipal Code Chapter 248, Parking Licenses, of the former City of Toronto Municipal Code.

NOW THEREFORE BE IT RESOLVED that the Request for an exemption from Chapter 248 of the Former City of Toronto Municipal Code to permit Driveway Widening at 68 Chudleigh Avenue be approved subject to the requirements set out in the report from staff dated August 19, 2003.”

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the Toronto North Community Council recommended to City Council, the adoption of the foregoing Resolution.

**(Report No. 2 – Clause No. 10)**

Councillor Augimeri, Vice-Chair, assumed the Chair.

**3.15 Designation of 108 Stayner Avenue (Jacob P. Ross House) (Ward 15 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a communication (February 5, 2004) from the City Clerk, Toronto North Community Council, forwarding Clause No. 28 of the Toronto North Community Council Report No. 1, titled “Designation of 108

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Stayner Avenue (Jacob P. Ross House) (Ward 15 – Eglinton-Lawrence)”, which was referred back to the Toronto North Community Council for further consideration, by City Council at its meeting held on January 27, 28, 29 and 30, 2004.

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

- Ms. Maria Coiro;
  - Mr. Anthony Coiro;
  - Mr. Claudio Ricci; and
  - Mr. Adam Brown, Sherman Brown Dryer Karol Lebow Gold, on behalf of the property owner of 108 Stayner Avenue.
- A. Councillor Feldman, Ward 10 – York Centre, moved that the Toronto North Community Council recommend to City Council the adoption of the report (September 17, 2003) from the City Clerk.
- B. Councillor Fillion, Ward 23 – Willowdale, moved that it be further recommended to City Council that:
- (1) in order to preserve the historical integrity of the farmhouse, the City of Toronto ensure that measures are in place to fully protect the heritage designation of this property;
  - (2) upon any application to develop this site, that no below-grade garages be allowed; that the height of any new buildings not exceed 8.8 metres and that the Committee of Adjustment – North York Panel, be advised of this Council position; and
  - (3) a heritage easement be required, as per policy, if and when this property is redeveloped.

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

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

**(Report No. 2 – Clause No. 11)**

Councillor Minnan-Wong resumed the Chair.

### **3.16 Black History Month**

Councillor Minnan-Wong, on behalf of the Toronto North Community Council welcomed Mr. Morley Wolfe of Toronto Residents in Partnership and the recipients of the 2004 Community Unity Alliance Black History Month Poster.

Mr. Morley Wolfe advised that the Community Alliance and Toronto Residents in Partnership began the poster series seven years ago as an initiative to educate Canadians about significant contributions made by African Canadians past and present, and to provide a medium for up and coming artists to reveal their talents. He then gave a brief description of the significance of the four individuals illustrated on the 2004 poster.

Mr. Wolfe then introduced the following recipients of the Black History Month commemorative poster and provided information regarding their outstanding accomplishments:

- Lennox Holford
- Detective Constable Samuel J. Samm, Toronto Police Services, Hate Crime Unit
- George Fynn
- Shirley Bown,
- Abdi Osman,
- Superintendent Roy Pilkington and Staff Sgt. Lino Muaraotto, Toronto Police Services
- Toronto Emergency Medical Services – accepted by Deputy Chief Norm Lambert
- Ahmed Olhaye Mohamed
- The Royal Canadian Mounted Police – accepted by Constable Howard Adams
- Colin Benjamin
- Hameed Shaqq
- Toronto Community Housing Corporation - accepted by Dereck Ballantyne, Kimmie Jacobs and Ann MacGregor

On behalf of the Toronto North Community Council, Councillor Denzil Minnan-Wong presented each award recipient with a framed copy of the 2004 Community Alliance Black History Month Poster.

The Toronto North Community Council received the presentation from Mr. Morley Wolfe of Toronto Residents in Partnership, in commemoration of Black History Month 2004.

**(Report No. 2 – Clause No. 43(e))**

**3.17 Special Occasion Beer Garden Permit Requests for Community Events (Ward 23 – Willowdale)**

The Toronto North Community Council had before it a report (January 21, 2004) from the Commissioner of Economic Development, Culture and Tourism, seeking Council's approval to grant Special Occasion Beer Garden Permits to the groups listed in Attachment No. 1.

Recommendations:

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

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

**(Report No. 2 – Clause No. 12)**

**3.18 Parkland Encroachment – 1 Jennifer Court (Ward 9 – York Centre)**

The Toronto North Community Council had before it a report (January 29, 2004) from the Commissioner of Economic Development, Culture and Tourism, forwarding the recommendation of the Encroachment Review Committee, that the City recommend a

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land sale by the Toronto and Region Conservation Authority (TRCA) to resolve an Encroachment at 1 Jennifer Court.

Recommendation:

The City of Toronto recommend to the Toronto and Region Conservation Authority to sell parkland related to the encroachment at 1 Jennifer Court subject to conditions and approvals outlined in the Parkland Encroachment Policy and Procedures and Protocol for resolving Parkland Encroachments including that the applicant will be responsible for all costs associated with the process, and must provide an updated survey.

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

**(Report No. 2 – Clause No. 13)**

**3.19 Recommended Candidates for Nomination to the Toronto North Community Preservation Panel (All Toronto North Wards – 8, 9, 10, 15, 16, 23, 24, 25, 26, 33, and 34)**

The Toronto North Community Council had before it a report (January 30, 2004) from the Commissioner of Economic Development, Culture and Tourism, reporting on the process used to evaluate candidates for the Toronto Community Preservation Panels and to recommend the selected candidates for nomination to the Toronto North Community Preservation Panel.

Recommendations:

- (1) The Toronto North Community Council nominate the selected individuals listed in Attachment No. 1 to the Toronto North Preservation Panel for a period of three (3) years or until their successors are appointed in accordance with Section 103-18 of the Municipal Code.
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The Toronto North Community Council recommended to City Council:

- (1) that the selected individuals listed in Confidential Attachment No. 1, be appointed to the Toronto North Preservation Panel for a period of three (3) years or until their successors are appointed in accordance with Section 103-18 of the Municipal Code; and

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- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

(Attachment No. 1 to the aforementioned report was distributed under separate confidential cover to Members of the Toronto North Community Council and selected officials only, having regard that the subject matter relates to personal matters about identifiable individuals including municipal or local board employees)

**(Report No. 2 – Clause No. 14)**

**3.20 Renaming of the Forest Hill Memorial Arena to Larry Grossman Memorial Arena (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before it the following Motion submitted by Councillor Stintz, Ward 16 – Eglinton-Lawrence:

“WHEREAS the Forest Hill Memorial Arena is located at 340 Chaplin Crescent in Ward 16; and

WHEREAS the Forest Hill Memorial Arena Board has stated that they will “accept any decision made by Council regarding this matter”; and

WHEREAS Larry Grossman spent numerous hours playing, coaching and watching his sons and other community members play hockey at the Arena and had received the Coach of the Year trophy (renamed the Larry Grossman Coach of the Year Award by the Forest Hill Hockey Association); and

WHEREAS Larry Grossman was a well respected Member of Provincial Parliament from 1975 to 1987 in the riding of St. Andrew – St. Patrick, the riding his father Allan held as an MPP for 20 years prior (1955 to 1975); and

WHEREAS Larry Grossman held many cabinet positions during his years in public life including Minister of Consumer and Commercial Relations, Minister of Industry and Tourism, Minister of Health, Minister of Economics, Minister of Education and Colleges and Universities; and

WHEREAS Larry Grossman was elected Leader of the Progressive Conservative Party of Ontario, becoming the first person of Jewish faith to lead the party and Leader of the Official Opposition in 1985; and

WHEREAS Larry Grossman was awarded the Canadian Mental Health Association, Special Recognition Award in 1984, the Canadian Public Service Award in 1985 and was a recipient of the Order of Ontario in 1997 for his outstanding contribution to charitable and community organizations; and

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WHEREAS Larry Grossman passed away in June of 1997 and his funeral was attended by 1,000 people; and

WHEREAS the Larry Grossman Foundation for Kids was created in honour of Larry Grossman's tireless efforts to promote the well-being of children; and

WHEREAS various community members and organizations including the University Settlement Recreation Centre and the United Jewish Appeal Foundation have requested that a facility be renamed to recognize Larry Grossman's accomplishments and commitment to his community.

NOW THEREFORE BE IT RESOLVED THAT the Economic Development, Culture and Tourism Department be requested to review this request in accordance with the Naming and Renaming of Parks and Recreation Facilities Policy; and

BE IT FURTHER RESOLVED THAT Economic Development, Culture and Tourism Department be requested to report back to North York (Toronto North) Community Council at its meeting on June 8, 2004".

The Toronto North Community Council adopted the foregoing Motion.

**(Report No. 2 – Clause No. 43(f))**

**3.21 Turn Restrictions – Endell Street (Ward 23 – Willowdale)**

The Toronto North Community Council had before it a report (January 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on prohibiting access to the driveway associated with the property located at 252 Finch Avenue West.

**Recommendations:**

- (1) Schedule XV of By-law No. 31001, of the former City of North York, be amended to prohibit northbound left turns on Endell Street, at a point 26 metres north of the northerly limit of Finch Avenue West; and
- (2) Schedule XV of By-law No. 31001, of the former City of North York, be amended to prohibit eastbound left turns on Endell Street, at a point 26 metres north of the northerly limit of Finch Avenue West.

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

**(Report No. 2 – Clause No. 15)**

**3.22 Installation of Parking Prohibitions, Stop Controls and 40 km/h Speed Zones – Vanderhoof Avenue, Aerodrome Crescent, Thomas Elgie Drive and Brian Peck Crescent (Ward 26 – Don Valley West)**

The Toronto North Community Council had before it a report (January 22, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on regulating parking, stop controls and rate of speed on roadways within the Hyde Park residential development.

Recommendations:

- (1) parking be prohibited at anytime on the north and east sides of Vanderhoof Avenue, from the easterly limit of Brentcliffe Road to the northerly limit of Research Road;
- (2) parking be prohibited at anytime on both sides of Aerodrome Crescent, between the east and west intersection with Vanderhoof Avenue;
- (3) the maximum speed limit on Aerodrome Crescent be reduced to 40 km/h;
- (4) the maximum speed limit on Thomas Elgie Drive be reduced to 40 km/h;
- (5) the maximum speed limit on Brian Peck Crescent be reduced to 40 km/h;
- (6) the maximum speed limit on Vanderhoof Avenue be reduced to 40 km/h, between Brentcliffe Road and Research Road;
- (7) southbound traffic on Aerodrome Crescent be required to stop at the east and west intersections with Vanderhoof Avenue;
- (8) northbound traffic on Thomas Elgie Drive at Aerodrome Crescent and southbound traffic at Vanderhoof Avenue be required to stop;
- (9) westbound traffic on Brian Peck Crescent at Aerodrome Crescent and southbound traffic at Vanderhoof Avenue be required to stop; and
- (10) all appropriate by-law(s) be amended, accordingly.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.



**(Report No. 2 – Clause No. 16)**

**3.23 Stopping Prohibitions – Beecroft Road (Ward 23 – Willowdale)**

The Toronto North Community Council had before it a report (January 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, seeking approval to amend the stopping regulations on Beecroft Road.

Recommendations:

- (1) Schedule IX of By-law No. 31001, of the former City of North York, be amended to delete the No Stopping Anytime prohibition on the east side of Beecroft Road, from a point 88 metres south of the southerly limit of North York Boulevard to a point 123 metres south of the southerly limit of North York Boulevard;
- (2) Schedule IX of By-law No. 31001, of the former City of North York, be amended to delete the No Stopping Anytime prohibition on the east side of Beecroft Road, from a point 126 metres south of the southerly limit of Park Home Avenue to a point 35 metres south of the southerly limit of North York Boulevard;
- (3) Schedule IX of By-law No. 31001, of the former City of North York, be amended to delete the No Stopping Anytime prohibition on the east side of Beecroft Road, from a point 15 metres south of the southerly limit of Harlandale Avenue to a point 228 metres north of the northerly limit of Elmhurst Avenue;
- (4) Schedule IX of By-law No. 31001, of the former City of North York, be amended to delete the No Stopping Anytime prohibition on the west side of Beecroft Road, from a point 126 metres south of the southerly limit of Park Home Avenue to a point 198 metres south of the southerly limit of Park Home Avenue;
- (5) Schedule IX of By-law No. 31001, of the former City of North York, be amended to add a No Stopping Anytime prohibition on the east side of Beecroft Road, from a point 15 metres south of the southerly limit of Harlandale Avenue to the southerly limit of Park Home Avenue; and
- (6) Schedule IX of By-law No. 31001, of the former City of North York, be amended to add a No Stopping Anytime prohibition on the west side of Beecroft Road, from a point 126 metres south of the southerly limit of Park Home Avenue to a point opposite 19 metres south of the southerly limit of North York Boulevard.

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

**(Report No. 2 – Clause No. 17)**

**3.24 Turn Restrictions – Lawrence Avenue East at Mildenhall Road (Ward 25 – Don Valley West)**

The Toronto North Community Council had before it a report (January 14, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on amending the eastbound right turn prohibitions at the Lawrence Avenue and Mildenhall Road intersection.

Recommendations:

- (1) eastbound right turns from Lawrence Avenue East to Mildenhall Road be prohibited from 7:00 a.m. to 9:00 a.m., Monday to Friday, buses and bicycles excepted; and
- (2) that the appropriate by-law(s) be enacted.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 2 – Clause No. 18)**

**3.25 Installation of On-Street Parking Spaces for Persons with Disabilities (Ward 15 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (January 20, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the installation of on-street disabled persons' parking spaces on Whitmore Avenue.

Recommendations:

- (1) the installation of disabled persons' on-street parking spaces as noted in Table "A" of this report be approved; and
- (2) the appropriate City officials be requested to take any action necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.

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

**(Report No. 2 – Clause No. 19)**

**3.26 Installation of On-Street Parking Spaces for Persons with Disabilities (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (January 20, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the installation of on-street disabled persons' parking spaces on Edith Drive.

Recommendations:

- (1) the installation of disabled persons' on-street parking spaces as noted in Table "A" of this report be approved; and
- (2) the appropriate City officials be requested to take any action necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.

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

**(Report No. 2 – Clause No. 20)**

**3.27 Parking Prohibitions – Betty Ann Drive (Ward 23 – Willowdale)**

The Toronto North Community Council had before it a report (January 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on amending the existing parking regulations on Betty Ann Drive.

Recommendations:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No Parking, 8:30 a.m. to 4:30 p.m., Monday to Friday, prohibition on the south side of Betty Ann Drive, from the westerly limit of Diagonal Road to a point 99.2 metres westerly thereof; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from 8:30 a.m. to 4:30 p.m., Monday to Friday, on the south side of Betty Ann Drive, from the westerly limit of Diagonal Road to a point 132 metres westerly thereof.

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

**(Report No. 2 – Clause No. 21)**

**3.28 Parking/Stopping Prohibitions – Rippleton Road (Rippleton Public School) (Ward 25 – Don Valley West)**

The Toronto North Community Council had before it a report (January 20, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on amending the existing parking/stopping regulations on Rippleton Road.

Recommendations:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No Parking Anytime prohibition on the north and west sides of Rippleton Road, from the easterly limit of Larkfield Drive to a point 152.5 metres east of the easterly limit of Larkfield Drive;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No Parking, 8:30 a.m. to 6:00 p.m., Monday to Saturday, prohibition on the south and east sides of Rippleton Road, from the easterly limit of Larkfield Drive to the easterly limit of the intersection of Rippleton Road and Grangemill Crescent;
- (3) Schedule IX of By-law No. 31001, of the former City of North York, be amended to delete the No Stopping, 8:00 a.m. to 6:00 p.m., Monday to Friday, prohibition on the east side of Rippleton Road, from 143.35 metres west of the westerly limit of Terrington Court to a point 320.25 metres west of the westerly limit of Terrington Court;
- (4) Schedule IX of By-law No. 31001, of the former City of North York, be amended to delete the No Stopping, 8:00 a.m. to 6:00 p.m., Monday to Friday, prohibition on the east side of Rippleton Road, from the westerly limit of lot 240, plan 4758 to the northerly limit of block G, plan 4758;
- (5) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping at anytime on the north side of Rippleton Road, from the easterly limit of Larkfield Drive to the westerly limit of Grangemill Crescent; and
- (6) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping between 8:00 a.m. and 6:00 p.m., Monday to Friday, on the south/east side of Rippleton Road, from a point 150 metres east of the easterly limit of Larkfield Drive to the westerly limit of Grangemill Crescent.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 2 – Clause No. 22)**

**3.29 Amendments to Pedestrian Prohibitions on William R. Allen Road and at the Rimrock Road/William R. Allen Road Intersection – Rimrock Road at William R. Allen Road (Ward 8 – York West and Ward 10 York Centre)**

The Toronto North Community Council had before it a report (January 20, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, seeking approval to amend by-laws affecting the movement of pedestrians on the east side of William R. Allen Road and at the signalized intersection of Rimrock Road and William R. Allen Road.

Recommendations:

- (1) The pedestrian crossing prohibition on William R. Allen Road, between the south curb line of Rimrock Road and a point 30.5 metres north of the north curb line of Rimrock Road, be deleted;
- (2) The current by-law prohibiting pedestrians on the east side of William R. Allen Road be amended to prohibit pedestrians only from the southerly limit of William R. Allen Road to the southerly limit of Rimrock Road; and
- (3) All appropriate and necessary by-law(s) be amended accordingly.

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

**(Report No. 2 – Clause No. 23)**

**3.30 Traffic Regulations Associated with the Assumption of the Roadway – The Pond Road and Sentinel Road (Ward 8 – York West)**

The Toronto North Community Council had before it a report (January 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, seeking approval from Council to regulate parking and the movement of traffic on The Pond Road, from Keele Street to Sentinel Road, and Sentinel Road, from The Pond Road to Murray Ross Parkway.

Recommendations:

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- (1) Coincidental with the dedication of The Pond Road, from Keele Street to Sentinel Road, as a public highway;
  - (i) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on both sides of The Pond Road, from the westerly limit of Keele Street to the easterly limit of Sentinel Road;
  - (ii) By-law No. 31878, of the former City of North York, be amended by prescribing a maximum 40 km/h speed limit on The Pond Road, from the westerly limit of Keele Street to the easterly limit of Sentinel Road;
  - (iii) Schedule XIII of By-law No. 31001, of the former City of North York, be amended to designate the eastbound curb lane on The Pond Road, from Keele Street to a point 90 metres westerly thereof, for through and right turning vehicles only;
  - (iv) Schedule XX of By-law No. 31001, of the former City of North York, be amended by introducing a No Heavy Truck prohibition on The Pond Road, from the westerly limit of Keele Street to the easterly limit of Sentinel Road;
  - (v) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by introducing The Pond Road as a designated through street from the westerly limit of Keele Street to the easterly limit of Sentinel Road; and
  - (vi) All traffic control devices that do not conform with the Ontario Traffic Manual, Highway Traffic Act of Ontario and the City's Signage and Pavement Marking practices be removed.
- (2) Coincidental with the dedication of Sentinel Road, from The Pond Road to Murray Ross Parkway, as public highway;
  - (i) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on both sides of Sentinel Road, from the northerly limit of Murray Ross Parkway to the southerly limit of The Pond Road;
  - (ii) By-law No. 31878, of the former City of North York, be amended by prescribing a maximum 40 km/h speed limit on Sentinel Road, from the northerly limit of Murray Ross Parkway to the southerly limit of The Pond Road;

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- (iii) Schedule XIII of By-law No. 31001, of the former City of North York, be amended to designate the northbound curb lane on Sentinel Road, from The Pond Road to a point 60 metres southerly thereof, for through and left turning vehicles only;
  - (iv) Schedule XX of By-law No. 31001, of the former City of North York, be amended by deleting the No Heavy Truck prohibition on Sentinel Road, from the northerly limit of Finch Avenue West to the southerly limit of Murray Ross Parkway;
  - (v) Schedule XX of By-law No. 31001, of the former City of North York, be amended by introducing a No Heavy Truck prohibition on Sentinel Road, from the northerly limit of Finch Avenue West to the southerly limit of The Pond Road;
  - (vi) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by deleting the through street designation on Sentinel Road, from the northerly limit of Finch Avenue West to the southerly limit of Murray Ross Parkway;
  - (vii) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by introducing a through street designation on Sentinel Road, from the northerly limit of Finch Avenue West to the southerly limit of Sentinel Road; and
  - (viii) All traffic control devices that do not conform with the Ontario Traffic Manual, Highway Traffic Act of Ontario and the City's Signage and Pavement Marking practices be removed.
- (3) Schedule XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop at all approaches to the intersection of The Pond Road and Sentinel Road.

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

**(Report No. 2 – Clause No. 24)**

**3.31 Turn Prohibitions – 1 Glen Park Avenue (Ward 15 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (January 22, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on prohibiting traffic movements at the driveway access to the development at 1 Glen Park Avenue.

Recommendations:

- (1) Schedule XV of By-law No. 31001, of the former City of North York, be amended to prohibit northbound left turns at anytime from the development driveway located on the south side of Glen Park Avenue, 48 metres west of Bathurst Street;
- (2) Schedule XV of By-law No. 31001, of the former City of North York, be amended to prohibit eastbound right turns at anytime from Glen Park Avenue to the development driveway located on the south side of Glen Park Avenue, 48 metres west of Bathurst Street;
- (3) Entry be prohibited at anytime from Bathurst Street to the development driveway located on the west side of Bathurst Street, 50 metres south of Glen Park Avenue;
- (4) Eastbound left turns be prohibited at anytime from the development driveway located on the west side of Bathurst Street, 50 metres south of Glen Park Avenue; and
- (5) the appropriate by-law(s) be amended, accordingly.

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

- (February 13, 2004) from Mr. Sheldon I.J. Saloman, Vice-President, Board of Condominium Corporation No. 1547; and
- (February 16, 2004) from Mr. Nicholas T. Macos of the law firm of Heenan Blaikie, on behalf of Leon Gasner.

On motion by Councillor Feldman, Ward 10 – York Centre, the Toronto North Community Council deferred consideration of the foregoing report to the next meeting of the Toronto North Community Council scheduled for April 7, 2004.

**(Report No. 2 – Clause No. 43(g))**

**3.32 Parking Prohibitions – York Ridge Road (Ward 25 – Don Valley West)**

The Toronto North Community Council had before it a report (January 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on amending the existing parking regulations on York Ridge Road.

Recommendations:



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- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the west side of York Ridge Road, from the northerly limit of York Mills Road to a point 140 metres west of the westerly limit of Old Yonge Street; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by adding a No Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the west and north sides of York Ridge Road, from the northerly limit of York Mills Road to the westerly limit of Old Yonge Street.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 2 – Clause No. 25)**

**3.33 Stopping Regulations – York Mills Road (Ward 25 – Don Valley West)**

The Toronto North Community Council had before it a report (January 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on amending the existing stopping regulations on the south side of York Mills Road, from Yonge Street to Hedgewood Road.

Recommendations:

- (1) the existing No Parking Anytime prohibition on the south side of York Mills Road, between Old Yonge Street and Old York Mills Road be deleted;
- (2) the existing No Standing prohibition on the south side of York Mills Road, between Yonge Street and Old York Mills Road be deleted;
- (3) stopping be prohibited at anytime on the south side of York Mills Road, between Yonge Street and Hedgewood Road; and
- (4) all appropriate by-law(s) be amended, accordingly.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the Toronto North Community Council recommended to City Council, the adoption of the foregoing report.

**(Report No. 2 – Clause No. 26)**

**3.34 Turn Restrictions – Transwell Avenue (Ward 23 – Willowdale)**

The Toronto North Community Council had before it a report (January 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on prohibiting access at the driveway to 5901 Bathurst Street.

Recommendations:

- (1) Schedule XV of By-law No. 31001, of the former City of North York, be amended to prohibit westbound left turns on Transwell Avenue at a point 30 metres east of Bathurst Street; and
- (2) Schedule XV of By-law No. 31001, of the former City of North York, be amended to prohibit northbound right turns on Transwell Avenue at a point 30 metres east of Bathurst Street.

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

**(Report No. 2 – Clause No. 27)**

**3.35 Turn Restrictions – Don Mills Road at Don Mills Subway Access Driveway (Ward 33 – Don Valley East)**

The Toronto North Community Council had before it a report (January 22, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on restricting access from Don Mills Road to the Don Mills Station Access Driveway, for buses only.

Recommendations:

- (1) southbound left turns be prohibited at anytime, buses excepted, on Don Mills Road at the entrance to the Don Mills Subway Access Driveway;
- (2) northbound right turns be prohibited at anytime, buses excepted, on Don Mills Road at the entrance to the Don Mills Subway Access Driveway; and
- (3) the appropriate by-laws(s) be amended, accordingly.

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

**(Report No. 2 – Clause No. 28)**

**3.36 All Way Stop Control – Fisherville Road and Rockford Road (Ward 10 – York Centre)**

The Toronto North Community Council had before it a report (February 2, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the installation of an all way stop control at the intersection of Fisherville Road and Rockford Road.

Recommendation:

That Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on all approaches to the intersection of Fisherville Road and Rockford Road.

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

**(Report No. 2 – Clause No. 29)**

**3.37 All Way Stop Control – Lumley Avenue and Moore Avenue (Ward 26 – Don Valley West)**

The Toronto North Community Council had before it a report (January 23, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the installation of an all way stop control at the intersection of Lumley Avenue and Moore Avenue.

Recommendation:

It is recommended that this report be received for information purposes only.

- A. Councillor Pitfield, Ward 26 – Don Valley West, moved that the Toronto North Community Council recommend to City Council that:
- (1) the report (January 23, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, not be adopted; and
  - (2) an all way stop control be installed at the intersection of Lumley Avenue and Moore Avenue.

- B. Councillor Jenkins, Ward 25 – Don Valley West, moved that the Director, Transportation Services, North District, Works and Emergency Services, be requested to submit a report to the Toronto North Community Council on the applicability of a signalized traffic light at the intersection of Lumley Avenue and Moore Avenue.

Upon the question of the adoption of Motion B., moved by Councillor Jenkins, it was lost.

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

Councillor Stintz was opposed to Motion A.

**(Report No. 2 – Clause No. 30)**

**3.38 Request for Exemption to Municipal Code Chapter 591, Noise, for the Don Valley Parkway Bridges at York Mills Road and Underpass Gate, Structure Rehabilitation, Contract 04FS-04S**

The Toronto North Community Council had before it a report (January 29, 2004) from the Manager, Structures & Expressways, Technical Services, Works and Emergency Services, reporting on a request for an exemption to the Municipal Code Chapter 591, Noise, for the period between April 1, 2004 to November 30, 2004, so that the rehabilitation of the Don Valley Parkway Bridges at York Mills Road and Underpass Gate can be completed within the construction schedule and minimizing disruption to the users of the Don Valley Parkway, York Mills Road, Underpass Gate and the surrounding residences.

Recommendation:

As the rehabilitation work is required to maintain the integrity of the bridges, it is recommended that an exemption to Municipal Code Chapter 591, Noise, in connection with the structural rehabilitation of the Don Valley Parkway Bridges at York Mills Road and Underpass Gate be approved.

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

**(Report No. 2 – Clause No. 31)**

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**3.39 Poll Results – Request for the Introduction of Overnight On-Street Permit Parking on Times Road, between Roselawn Avenue and Briarhill Avenue (Ward 15 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (January 14, 2004) from the City Clerk, providing the results of a resident poll to determine support for the introduction of Overnight On-street Parking on Times Road, between Roselawn Avenue and Briarhill Avenue, to operate during the hours of 12:00 midnight and 6:00 a.m., 7 days a week.

Recommendation:

That this report be received for information.

The Toronto North Community Council received the foregoing report.

**(Report No. 2 – Clause No. 43(h))**

**3.40 Procedural Motion Respecting Hearing of Deputations**

The Toronto North Community Council had before it the following Motion:

“Moved by: Councillor Minnan-Wong

WHEREAS the Toronto Municipal Code, Council Procedures, §27-132(B) provides that any person wishing to make oral submissions at any public meeting of a Committee shall give notice in writing to the secretary of the committee no later than 12:00 noon on the third working day before the agenda material is to be delivered, and

WHEREAS the Council Procedures, §27-132(D), permit a committee to decide, by majority vote, to hear oral submissions for matters on the agenda, notwithstanding the above-noted requirement; and

WHEREAS it is the general practice for many committees of Council to accept deputations from the floor, and it is appropriate that such practice be formalized;

NOW THEREFORE BE IT RESOLVED THAT the Toronto North Community Council, hear oral submissions of any individual, organization or group, either in person or through a representative, in respect of matters on the agenda for any meeting of the Toronto North Community Council, without the requirement for written notice, unless the Community Council specifically decides otherwise.”

The Toronto North Community Council adopted the foregoing motion.

**(Report No. 2 – Clause No. 43(i))**

**3.41 Meeting Voting System Costs and Alternatives**

The Toronto North Community Council had before it a report (February 2, 2004) from the Commissioner of Corporate Services, reporting on identifying costs associated with repairing the existing equipment used for recorded votes during Toronto North Community Council meetings and any other automated alternatives that may be available to record votes.

Recommendation:

That this report be received for information.

Mr. Mark Bekkering, Project Manager, Service Improvement and Innovation, Corporate Services, Mr. Doug Reid, Customer Support Manager, Customer Support Services, Corporate Services and Mr. Chris Tannis, Audiovisual Engineering Supervisor, Customer Support Services, Corporate Services, addressed the Toronto North Community Council in response to questions raised by the Community Council Members.

- A. Councillor Carroll, Ward 33 – Don Valley East, moved that the report (February 2, 2004) from the Commissioner of Corporate Services be received for information.
- B. Councillor Li Preti, Ward 8 – York West, moved that a maximum of \$10,000.00 be spent on repairing the wall clocks, updating the Council Member names on the voting display boards and repairing the existing system and equipment used for recorded votes.

Councillor Filion assumed the Chair.

- C. Councillor Minnan-Wong, Ward 34 – Don Valley East, moved that the Toronto North Community Council refer the foregoing report back to staff with a request that a further report be submitted to the next meeting of the Toronto North Community Council scheduled for April 7, 2004, detailing actual cost estimates with regard to:
  - (a) updating the Council Member names, which appear on the voting display boards, to reflect the current membership of the Toronto North Community Council;
  - (b) repairing the wall clocks located on the voting display boards; and
  - (c) repairing the existing system and equipment used for recorded votes.

Councillor Minnan-Wong resumed the Chair.

A recorded vote on the Recommendation moved by Councillor Minnan-Wong, Ward 34, Don Valley East was as follows:

FOR: Councillors Li Preti, Fillion, Jenkins, Minnan-Wong, Carroll

AGAINST: Councillor Pitfield

ABSENT: Councillors Moscoe, Augimeri, Feldman, Stintz, Shiner

Carried.

Having regard for the foregoing decision of the Toronto North Community Council, Motions A. & B., were not voted upon.

**(Report No. 2 – Clause No. 43(j))**

#### **3.42 Interim Procedures during Council Election (All Wards)**

The Toronto North Community Council had before it a communication (January 12, 2004) from the City Clerk, advising that the Planning and Transportation Committee, at its meeting held on January 8, 2004:

- (1) received the report (December 12, 2003) from the Commissioner of Urban Development Services, respecting Interim Procedures during Council Election, for information; and
- (2) forwarded a copy of the aforementioned report, to the South, North, East and West Community Councils for their information.

The Toronto North Community Council received the foregoing communication.

**(Report No. 2 – Clause No. 43(k))**

#### **3.43 Budgetary and Staffing Implications of City Council's Amendments to the Revised Organization Structure for the Committee of Adjustment, August 14, 2003 (All Wards)**

The Toronto North Community Council had before it a communication (January 12, 2004) from the City Clerk, advising that the Planning and Transportation Committee, at its meeting held on January 8, 2004, amongst other things, referred the issue of the

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starting times of the Committees of Adjustment meetings to the Community Councils for consideration and report back, as soon as possible, to the Planning and Transportation Committee.

- A. Councillor Filion, Ward 23 - Willowdale, moved that the Toronto North Community Council refer the following recommendation to the Planning and Transportation Committee:

“That the starting time for the meetings of the Committee of Adjustment – North York Panel, remain at 2:00 p.m.”

- B. Councillor Shiner, Ward 24 – Willowdale, moved that the remuneration for Members of the Committee of Adjustment be increased to \$500.00 for only those members who sit on the Committee of Adjustment Panels that commence their hearings at 2:00 p.m.

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

Councillor Minnan-Wong, Chair, ruled Motion B., moved by Councillor Shiner out of order because the issue of remuneration was not properly before the Toronto North Community Council.

**(Report No. 2 – Clause No. 43(l))**

**3.44 Appeal of North York Committee of Adjustment Decision refusing applications for Consent to Sever and Associated Minor Variances – OMB Hearing – 25 and 27 Southgate Avenue (Ward 10 – York Centre)**

The Toronto North Community Council had before it a report (January 9, 2004) from the City Solicitor, reporting on an appeal to the Ontario Municipal Board of a decision of the North York Committee of Adjustment refusal of applications for consent to sever two lots into three and associated minor variances regarding lot frontage, building height and finished first floor elevation.

Recommendation:

That this report be received for information.

The Toronto North Community Council received the foregoing report.

**(Report No. 2 – Clause No. 43(m))**



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**3.45 Ontario Municipal Board Proceedings – Appeal of Official Plan Amendment No. 34 and Zoning By-law No. 573-2003 – 237, 239 and 241 McRae Avenue and 207 & 209 Randolph Road (Ward 26 – Don Valley West)**

The Toronto North Community Council had before it a report (February 2, 2004) from the City Solicitor, advising Council as to the outcome of the Ontario Municipal Board proceedings related to an appeal of Official Plan Amendment No. 34 and Zoning By-law No. 573-2003.

Recommendation:

That this report be received for information.

The Toronto North Community Council received the foregoing report:

**(Report No. 2 – Clause No. 43(n))**

**3.46 Preliminary Report – OPA & Rezoning Application 03 202173 SMI 16 OZ – Judy Josefowicz, Urban Strategies Inc. – Henry Schefter, Schefter & McCallum – 21-45 St. Clements Avenue, 575-583 Duplex Avenue (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before it a report (January 19, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted applications and seeking Community Council's directions on further processing of the applications and on the community consultation process.

Recommendations:

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

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the Toronto North Community Council approved the foregoing report, subject to Recommendation No. (2) being amended to read as follows:

- “(2) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site and to

individuals residing within the area bounded by Yonge Street, Rosewell Avenue, Castlefield Avenue and Albertus Avenue.”

**(Report No. 2 – Clause No. 43(o))**

**3.47 Preliminary Report – OPA & Rezoning Application 03 183175 NMI 26 OZ – Stephen H. Diamond – Page & Steele Architects – 1929 Bayview Avenue (Ward 26 – Don Valley West)**

The Toronto North Community Council had before it a report (January 30, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted applications and seeking Community Council’s directions on further processing of the applications and on the community consultation process.

Recommendations:

- (1) Staff be directed to develop a community consultation program, in consultation with the Ward Councillor and that such consultation consider the proposal within the context of the larger Bayview Avenue and Bayview Institutional area.
- (2) The applicant be advised that the community consultation meeting on the proposed development will be part of the program developed with the local Councillor as contained in Recommendation 1 above.
- (3) Notice for the community consultation meeting be given to landowners and residents within 120 metres of the site.
- (4) Notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

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

- (January 31, 2004) from Patricia A. Douglas;
- (January 31, 2004) from Donald A. Douglas;
- (January 31, 2004) from T.J. Will;
- (January 2004) from Kenneth & Becky White;
- (January 31, 2004) from Tim and Susan Wright;
- (February 3, 2004) from J.A. Grierson;
- (January 31, 2004) from Sandra Geddes;
- (January 2004) from Doris Liscumb;
- (February 2, 2004) from Carmen Lee;
- (January 2004) from Terry Michael;

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- (February 3, 2004) from Beth Lopresti;
- (January 2004) from C. Hollingshead;
- (January 2004) from Neil Hollingshead;
- (January 31, 2004) from Brent Peirce;
- (February 3, 2004) from Bruce Shepherd;
- (January 29, 2004) from B. Mohen;
- (January 29, 2004) from D.T. Moni;
- (February 5, 2004) from Michael Ragson;
- (February 4, 2004) from Andrea Wentcel;
- (January 2004) from Brenda French;
- (January 2004) from R.C. Pashby;
- (January 30) from Leslie and Adrian Coleman;
- (February 3, 2004) from Joan Norris;
- (February 4, 2004) from Tom Fife;
- (January 31, 2004) from Susan Fresnik;
- (January 2004) from Elmar Maripug;
- (February 4, 2004) from Rick Comish;
- (January 30, 2004) from Joe Hoffman;
- (January 31, 2004) from Nadine Budd;
- (January 2004) from H. Goldsmith;
- (January 31, 2004) from Lisa Parsons;
- (January 2004) from B. Elora;
- (February 5, 2004) from Simon Stevenson;
- (January 2004) from Paul Gordon;
- (February 9, 2004) from Shirley and R. Sellon;
- (February 8, 2004) from Beverley Vanstone & Mark Zaremba;
- (January 28, 2004) from R.L. Hamel;
- (January 2004) from Ted Southey;
- (January 31, 2004) from David & Mary Allan;
- (January 2004) from Ossie & Alex Campbell;
- (February 5, 2004) from Mary Griffith;
- (January 31, 2004) from T. Ester;
- (February 9, 2004) from Lois & Ron Scott;
- (January 30, 2004) from Barbara Passmore;
- (January 2004) from D.R. Stadilinson;
- (January 31, 2004) from D.T. Clee;
- (February 7, 2004) from Phil and Lynn van Steenburgh;
- (February 5, 2004) from Mark & Alyna van Graft;
- (January 31, 2004) from P. James Krafchik;
- (January 2004) from Richard Flaxman;
- (February 4, 2004) from John and Rosalind Dekker;
- (February 9, 2004) from Robert K. Heyding;
- (February 6, 2004) from Anne Medlock;
- (February 5, 2004) from Dana Lexovsky;
- (January 30, 2004) from Susan Montgomery;

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- (February 6, 2004) from Bob Brown;
  - (February 8, 2004) from Julia Mary Spence;
  - (January 2004) from Rudy & Greg Brandes;
  - (January 2004) from John & Vita Churchill;
  - (January 31, 2004) from Richard Rivard;
  - (February 3, 2004) from Lee Goldman;
  - (January 2004) from Joyce A. Bartlett;
  - (January 2004) from Linda Martin;
  - (February 12, 2004) from Paul S. Monczka;
  - (February 12, 2004) from Monica Monczka;
  - (February 10, 2004) Charlene Kaliu & Dino Sergnese;
  - (January 2004) from Randy Young;
  - (January 2004) from C.M. and Grange Smith;
  - (February 6, 2004) from Patricia Prentice, Secretary, Leaside Property Owners' Association Incorporated;
  - (January 2004) from Carl Condon; and
  - (January 31, 2004) from Laura Simmons.
- A. Councillor Pitfield, Ward 26 – Don Valley West, moved that the Toronto North Community Council hear deputations, in this proposal from only two residents.

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

The following persons addressed the Toronto North Community Council in connection with the foregoing matter:

- Mr. Robert Dunfield, on behalf of the North Leaside Residents' Association, who also filed a written submission, a copy of which is on file in the office of City Clerk, North York Civic Centre; and
  - Mr. Fred Conlin, on behalf of the Bayview Blythwood Ratepayers' Association and the Lawrence Park Bayview Ratepayers' Association.
- B. Councillor Pitfield, Ward 26 – Don Valley West, moved that the Toronto North Community Council approve the report (January 30, 2004) from the Acting Director, Community Planning, North District, Urban Development Services.
- C. Councillor Jenkins, Ward 25 – Don Valley West, moved in amendment to Motion B., moved by Councillor Pitfield that the report (January 30, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, be approved subject to:

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- (1) Recommendation No. (1) being amended to specifically exclude the property at 1900 Bayview Avenue known as the Canadian Memorial Chiropractic College; and
- (2) Recommendation No. (3) being amended to specifically include notice to landowners on Sunnydene Crescent and the lands bounded to the west by Blyth Hill Road, Mildenhall Road and to the North by Lawrence Avenue East.

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

Upon the question of the adoption of Motion B., moved by Councillor Pitfield, as amended, it was carried.

**(Report No. 2 – Clause No. 43(p))**

**3.48 Final Report – Part Lot Control Application – 04 103266 NMI 34 PL – Ghasem Ghods English Lane Homes Inc. – 18-42 David Dunlap Circle – Parts 1-26 Inclusive, Part of Block 2, Plan 66M-2365 and 242-264 David Dunlap Circle – Parts 1 – 24 Inclusive, Part of Block 6, Plan 66M-2365 (Ward 34 – Don Valley East)**

The Toronto North Community Council had before it a report (February 16, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on a request for an exemption from part lot control in order that 25 street townhouse dwelling units may be conveyed into separate ownership.

Recommendations:

- (1) the application be approved;
- (2) the City Solicitor be authorized to introduce the necessary Bills in Council to give effect to recommendation 1;
- (3) 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;
- (4) the by-law shall expire two years from the date of enactment; and
- (5) the appropriate City Officials be authorized and directed to register the By-law on title.

The Toronto North Community Council also had before it a communication (February 13, 2004) from Ms. Clara Green, English Lane Homes Inc., addressed to the Planning

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Department, City of Toronto, outlining the correct municipal addresses for this application.

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

**(Report No. 2 – Clause No. 32)**

**3.49 Further Report on the Removal of a Holding Zone – TD ZBL 2002 0006 - Don Greenbelt Developments Inc. – 45 Green Belt Drive (Ward 34 – Don Valley East)**

The Toronto North Community Council had before it a report (January 29, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, responding to Council's direction of February 4, 5 and 6, 2003 (Clause 39, Midtown Community Council Report No. 1) which directs staff to report on a request to remove the Holding Zone for the lands zoned RM6(84-2)(H) on the south end of the property at 45 Green Belt Drive.

Recommendations:

That City Council:

- (1) Amend the Zoning By-law No. 7625 for the City of North York to remove the Holding Symbol from the lands zoned RM6(84-2)(H) substantially in accordance with the draft Zoning By-law amendment attached as Attachment No. 3, and
- (2) Authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law amendment as may be required.

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

**(Report No. 2 – Clause No. 33)**

**3.50 Final Report – Rezoning Application – 03 035296 NNY 23 OZ – Franco Romano – 139 Finch Avenue West (Ward 23 – Willowdale)**

As directed by the North York Community Council, at its meeting held on September 10, 2003, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

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The Toronto North Community Council had before it a report (January 30, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law to convert the existing single detached, one and a half storey dwelling into a professional medical office for a dental practice at 139 Finch Avenue West, on the south side of Finch Avenue West just west of Edithvale Road.

Recommendations:

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. 5;
- (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 applicant 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.
- (4) approve under Section 41 of the Planning Act the proposed conversion of the existing single detached, one and a half storey dwelling into a professional medical office, as indicated on the following plans and subject to the Conditions of Site Plan Approval found in Attachment 6:

Plans prepared by Mastech Design:

Plan No.	Plan Title	Date Stamped
1 of 1	Site and Landscape Plan	January 28, 2004
P4	Floor Plan, Main Floor	November 24, 2003
L1	Landscape Details	January 28, 2004
L2	Landscape Details	January 28, 2004
L3	Landscape Details	January 28, 2004
L4	Landscape Details	January 28, 2004

The Toronto North Community Council also had before it a communication (February 13, 2004) from Peter and Grace Chan.

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

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- Mr. Franco Romano, applicant; and
- Mr. Peter Chan.

On motion by Councillor Filion, Ward 23 - Willowdale, the Toronto North Community Council recommended to City Council, the adoption of the report (January 30, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, with the following amendments:

- (1) the draft Zoning By-law (Attachment 6) be amended by:
  - (i) limiting the number of medical practitioners to two;
  - (ii) requiring a minimum of 8 parking spaces on site; and
  - (iii) that paragraph (b)(ii) – front yard setback be amended from “3.0 metres” to “2.0 metres”
- (2) Conditions of Approval (Attachment 7) be amended by adding a new paragraph 14(i) to read as:

“14(i) 3 copies of revised detailed landscape plan, including lighting, revised site plan and front elevations to be approved by the Acting Director, Community Planning, North District, Urban Development Services, in consultation with the Ward Councillor.”
- (3) that the location and design of any signage on the site be in consultation with the local Councillor and to comply with the sign by-law.

**(Report No. 2 – Clause No. 34)**

**3.51 Request for Direction – Ontario Municipal Board Appeal – Site Plan Control Application – 03 169839 SA – Canadian Tire Corporation – 2701 Keele Street (Ward 9 – York Centre)**

The Toronto North Community Council had before it a report (January 30, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, advising the Toronto North Community Council of an appeal to the Ontario Municipal Board of this site plan control application and seeking Council’s direction on whether the City Solicitor should be directed to attend the Ontario Municipal Board to support the position outlined in this report.



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Recommendations:

That the City Solicitor and appropriate City staff be instructed to attend at the Ontario Municipal Board to support the position outlined in this report.

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

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

- (February 10, 2004) from Mr. Rob Freeman, John D. Rogers & Associates Inc., Planning Consultants on behalf of Independence Way Inc.; and
- (February 13, 2004) from Mr. Karl Jaffary, Barrister & Solicitor, on behalf of Independence Way Inc.

Mr. Rob Freeman, John D. Rogers & Associates Inc., appeared before the Toronto North Community Council in connection with the foregoing matter, on behalf of Mr. Karl Jaffary, Solicitor, on behalf of the applicant.

- A. Councillor Augimeri, Ward 9 – York Centre, moved that the Toronto North Community Council recommend to City Council that:
  - (1) the report (January 30, 2004) from the Acting Director, Community Planning, North District, be adopted; and
  - (2) the applicant be requested to submit formal revised plans to the Acting Director, Community Planning, North District, Urban Development Services.
- B. Councillor Li Preti, Ward 8 – York Centre, moved that consideration of the report (January 20, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, be deferred in order to allow the applicant an opportunity to meet with planning staff and the Ward Councillor in order to arrive at a solution, prior to this matter be heard by the Ontario Municipal Board.

Upon the question of the adoption of Motion B., moved by Councillor Li Preti, it was lost.

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

**(Report No. 2 – Clause No. 35)**

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

The Toronto North Community Council had before it a report (February 5, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, reporting on an appeal by the applicant on applications to amend the Official Plan and Zoning to permit a mixed use development at 650 & 672 Sheppard Avenue East.

Recommendations:

- (1) Subject to the changes set out in this report, the overall site at 650 & 672 Sheppard Avenue East be considered a key development area in the Sheppard East Subway Corridor Secondary Plan;
- (2) The proposed development in its present form be refused and that the application be revised to include the following changes:
  - (i) The height of Building ‘B’ be reduced from 24 storeys (71.1 metres) to 19 storeys (53.6 metres);
  - (ii) The height of Building ‘C’ be reduced from 21 storeys (62.25 metres) to 19 storeys (53.6 metres);
  - (iii) The height of building ‘D’ be reduced to a maximum of 6 storeys, unless it can be demonstrated that the urban design intent of the Secondary Plan has been respected, and, that the height of the building or any portion thereof does not exceed the horizontal distance separating the building or portion thereof from the north property line;
  - (iv) That the townhouse blocks be revised to address the City’s Infill Townhouse Design Guidelines, particularly with respect to separation distances between buildings; and,
  - (v) That the reductions in height and built form changes set out above be reflected in an overall reduction in density from a gross FSI density of 2.6 to 2.3 and a net FSI density from 3.6 to 3.3;
- (3) That the detailed zoning by-law incorporate performance standards which include building envelopes to reflect the revised submission including details such as the 45-degree chamfered building corners, parking standards, maximum building heights, maximum gross floor area, minimum setbacks, maximum number of units, minimum unit sizes, provision of locker space, and appropriate Section 37 benefits.

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- (4) The City Solicitor and City staff be authorized to continue discussions with the applicant concerning appropriate public benefits that would be exchanged for the increased height and density that may be approved for the site pursuant to Section 37 of the Planning Act; and,
- (5) Prior to the implementing zoning by-law coming into full force and effect, the owner be required to:
  - (i) enter into an Agreement under Section 37 of the Planning Act concerning appropriate public benefits that would be exchanged for the increased height and density that may be approved for the site pursuant to Section 37 of the Planning Act and that the Agreement include, but not be limited to, 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) enter into an Agreement under Section 41 of the Planning Act; and,
  - (iii) satisfy the requirements of the Works & Emergency Service Department as outlined in their memorandum dated January 28, 2004.
- (6) That City staff be authorized to attend the Ontario Municipal Board Hearing in support of the proposed development as revised pursuant to the recommendations above and authorize the City Solicitor and any other appropriate City staff to take such actions as necessary to give effect to the recommendations of this report.

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

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

- (February 10, 2004) from Shane Baghai, Shane Baghai Group of Companies, forwarding communications respecting this proposal, from the following individuals:
  - (January 21, 2004) from Gail & Julian Jacobs
  - (undated) from Dr. A. Mossanen, Taymour Katirai & Mitra Katirai
  - (April 8, 2003) from Dr. Vahe Manook
  - (April 8, 2003) from Dr. Arsahan Mohajer & Mathew Ansari
  - (April 8, 2003) from Satar Riazzi
  - (May 2, 2003) from Leon M. King
  - (January 20, 2004) from Mark A. Yarmand
  - (January 20, 2004) from Dr. A. Hadian

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- (undated) from J. Vatani
- (January 15, 2004) from Robert L. Burton, Burton-Lesbury Holdings Limited; and
- (January 13, 2004) from the Minister of the Environment, addressed to the Director, Transportation Services, District 3, Works and Emergency Services
  
- (February 11, 2004) from Mr. Robert L. Burton, Burton-Lesbury Holdings Limited
  
- (February 16, 2004) from Mr. Keith McKey, President, Bayview Village Association;
  
- (February 17, 2004) from E. Armstrong, V.P., Bayview Manor Ratepayers'; and
  
- (February 16, 2004) from Mr. Keith McKey, President, Bayview Village Association, submitted by Poonan Jain.

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

- Mr. Adam Brown, Sherman Brown Dryer Karol Lebow Gold, on behalf of the applicant;
  - Ms. Lyn Assness, President, Bayview Village Place Tenants' Association;
  - Ms. Poonam Jain, Member, Bayview Village Association;
  - Ms. Carla Sterling, Secretary, Bayview Village Association;
  - Mr. Steve Kerper;
  - Mr. Bruce Brown;
  - Mr. Keith McKey, President, Bayview Village Association;
  - Mr. Dawson Catton;
  - Ms. Judy Codd;
  - Ms. Sharon Brubacher;
  - Mr. Alan Auyang, GWL Realty Advisors, on behalf of owners of 640-644 Sheppard Avenue East
  - Alasdair Robertson, on behalf of the Bayview Cummer Neighbourhood Association; and
  - Ms. Marcia Stevenson.
- A. Councillor Shiner, Ward 24 – Willowdale, moved that the Toronto North Community Council recommend to City Council, the adoption of the following Resolution submitted by Councillor Shiner, Ward 24 – Willowdale:

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“WHEREAS BBT Devgroup Inc. has appealed to the Ontario Municipal Board applications for an Official Plan amendment, a zoning by-law amendment and site plan approval for a proposed development at 650-672 Sheppard Avenue East consisting of 960 residential units and 980 square metres of commercial Gross Floor Area, the built form of which is proposed to consist of three blocks of townhouses and buildings ranging in height from 6 to 24 storeys, at a Floor Space Index of 2.6 over the total site;

AND WHEREAS the appeals were made to the Ontario Municipal Board without North York Community Council, City Council, City staff and the public having a full opportunity to review and provide comments with respect to the proposed project;

AND WHEREAS Bill 26, the proposed Strong Communities (Planning Amendment) Act, 2003, recognizes that the statutory time period should be increased for making decisions before appeals may be made to the Ontario Municipal Board;

AND WHEREAS the Ontario Municipal Board Hearing with respect to these appeals is scheduled to commence on March 8, 2004;

AND WHEREAS the Ontario Municipal Board has refused the City’s request to adjourn the Hearing of the appeals to a later date to afford further community consultation;

AND WHEREAS the Acting Director, Community Planning, North District, by his OMB Direction Report dated February 5, 2004 (the “OMB Direction Report”) recommended that the proposed development be revised;

AND WHEREAS the applicant at a meeting on February 15, 2004 with the local Councillor and representatives of the community indicated his willingness to revise the development substantially in compliance with the OMB Direction Report and to make a Section 37 community benefit contribution in order to reach a settlement of this matter;

NOW THEREFORE BE IT RESOLVED THAT Toronto North Community Council recommend to City Council that:

- (1) The City Solicitor be authorized to sign Minutes of Settlement on behalf of the City settling the subject appeals substantially on the basis of the recommendations contained in the OMB Direction Report.

Such terms of settlement to include:

- (i) a maximum gross Floor Space Index of 2.35;

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- (ii) a maximum of 724 regular residential units and a maximum of 103 senior/nursing home residential units;
  - (iii) a maximum height of 19 storeys or 53.6 metres so that the maximum height (excluding mechanical penthouses and one storey roof access enclosure) shall not exceed the height of the apartment development at 640-644 Sheppard Avenue East, whichever is lesser;
  - (iv) Traffic Certification satisfactory to the Commissioner of Works and Emergency Services to be received prior to issuance of the OMB Order approving the site specific zoning by-law;
  - (v) the maximum number of parking spaces on the site shall not exceed:
    - 963 spaces for the regular residential units;
    - 43 spaces for the senior/nursing home units; and
    - 79 spaces for the townhouse units.(these standards include 0.25 visitor spaces per unit.)
  - (vi) the detailed zoning by-law incorporate performance standards as set out in recommendation 3 of the OMB Direction report to the satisfaction of the Acting Director of community Planning, North District;
  - (vii) the site specific zoning by-law to limit the gross floor area and uses permitted on the portion of the site to be occupied by the church;
  - (viii) The Elkor Drive vehicular access be restricted to only provide access for the townhouse component of the development and the service access;
  - (ix) Section 37 community benefits be secured for the following purposes:
    - (a) \$400,000 for park improvements and community facilities in the area
    - (b) \$10,000 for traffic monitoring
    - (c) a letter of credit for public art to the value of 1% of the land valueall payable at the issuance of the first building permit
- (2) Prior to the March 1, 2 and 3, 2004 City Council meeting and prior to the signing of the Minutes of Settlement, the applicant shall conclude negotiations with the owner of the lands to the west with respect to the relocation of the outdoor swimming pool to another outdoor location on those lands or with respect to some other equal amenities for the tenants of the buildings on those lands, such alternative amenities to be determined in consultation with the tenants and the local Councillor. In the event that the parties cannot reach agreement a \$60,000 contribution to the City for community benefits will be included in the Section 37 agreement;

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- (3) In the event that the Sheppard Avenue widening has not occurred at the time of development, staff be requested to report to Toronto North Community Council on the widening of the north side of Sheppard Avenue only adjacent to the site to accommodate the planned streetscape improvements and the incorporation of on street parking;
  - (4) The Commissioners of Urban Development Services and of Works and Emergency Services be directed to jointly report to Toronto North Community Council with respect to the appropriateness of the methodology used to prepare Traffic Certifications in the Sheppard Corridor, such report to include a review of existing parameters;
  - (5) City Council not approve any further amendments to the Sheppard East Subway Corridor Secondary Plan with respect to any new applications received after February 17, 2004 for development proposals on the north side of Sheppard Avenue East, between Bayview Avenue and Leslie Street, and the lands west of Bayview Avenue, within the Sheppard East Subway Corridor Secondary Plan, until City Council has considered the Commissioners of Urban Development Services and of Works and Emergency Services report referred to in Recommendation (4) above;
  - (6) That staff be requested to report on development activity in the Sheppard Corridor and to include in such report the identification of issues which were raised during the processing of recent development approvals, potential issues which may arise from future applications and outline recommendations to address these concerns.
  - (7) Prior to the approval of any new applications in the Sheppard Corridor City Council will have regard for the report referred to in recommendation (7) above;
  - (8) The parkland contribution arising from the revised development be used in the local neighbourhood as determined by the local Councillor in consultation with the Commissioner of Economic Development, Culture and Tourism.
  - (9) City staff be authorized to attend the Ontario Municipal Board Hearing in support of the proposed development as revised pursuant to the Minutes of Settlement and authorize the City Solicitor or any other appropriate City staff to take such actions as necessary to give effect to the recommendations contained herein.”
- B. Councillor Jenkins, Ward 25 – Don Valley West, moved that the terms of settlement identified as (i)(ii)(iii) and (ix) in the Resolution submitted by Councillor Shiner be amended to the following:

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- (i) the maximum gross floor space index be reduced from 2.35 to 2.00;
- (ii) the number of regular residential units be reduced from a maximum of 724 to 650 and
- (iii) the maximum height be reduced from 19 storeys or 53.6 metres to 16 storeys or 47 metres; and
- (ix) Section 37 community benefits be secured for the following purposes:
  - (a) \$400,000 for park improvements and community facilities in the area
  - (b) \$10,000 for traffic monitoring
  - (c) a letter of credit for public art to the value of 1% of the land value all payable at the issuance of the first building permit, if the applicant accepts.

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

FOR: Councillors Jenkins, Filion

AGAINST: Councillors Stintz, Feldman, Carroll, Shiner, Pitfield, Minnan-Wong, Li Preti

ABSENT: Councillors Augimeri, Moscoe

Lost

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

FOR: Councillors Li Preti, Stintz, Feldman, Jenkins, Carroll, Pitfield, Minnan-Wong

AGAINST: Councillors Shiner, Filion

ABSENT: Councillors Augimeri, Moscoe

Carried.

**(Report No. 2 – Clause No. 36)**



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**3.53 Repeal of Part Lot Control Exemption affecting 946 Lawrence Avenue East (Ward 25 – Don Valley West)**

The Toronto North Community Council had before it the following Resolution submitted by Councillor Jenkins, Ward 25 – Don Valley West:

“WHEREAS the Council of the former City of North York passed By-law Number 29345 on September 17, 1984; and

WHEREAS By-law No. 29345 exempted certain lands, including 946 Lawrence Avenue East, from the part lot control provisions of the Planning Act; and

WHEREAS the purpose of this exemption is no longer applicable; and

WHEREAS it would be appropriate to repeal By-law No. 29345;

NOW THEREFORE BE IT RESOLVED THAT:

- (1) By-law No. 29345 be repealed.
- (2) That the City Solicitor be authorized to submit the necessary Bills to Council that are required to give effect to the foregoing.”

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

- (February 6, 2004) from Mr. Adam J. Brown, Sherman Brown Dryer Karol Gold Lebow, on behalf of the owner of 946 Lawrence Avenue East;
- (undated) from W.H. Willis;
- (February 9, 2004) from Mrs. E. Munro;
- (February 10, 2004) from William F. McMahan;
- (undated) from Ms. Barbara Campbell;
- (February 12, 2004) from D.E. Blaine;
- (February 12, 2004) from J.S. Berry;
- (February 12, 2004) from Mr. Murray Levinter;
- (February 12, 2004) from Ms. Carol Forster;
- (undated) from Norma & Alan McNerney;
- (February 12, 2004) from Ms. June L. Alloway;
- (undated) from Ms. Janette Hahn, Tapestry; and
- (February 16, 2004) from Mr. John Lloyd.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the Toronto North Community Council recommended to City Council, the adoption of the foregoing Resolution submitted by Councillor Jenkins, Ward 25 – Don Valley West.

**(Report No. 2 – Clause No. 37)**

**3.54 Sale of Portions of Kenaston Gardens Road Allowance in Exchange for Certain Lands for Future Public Highway Purposes (Ward 24 – Willowdale)**

The Toronto North Community Council had before it a report (February 9, 2004) from the Commissioner of Corporate Services, recommending that portions of Kenaston Gardens road allowance described in this report be sold in exchange for certain lands to be conveyed to the City for future public highway purposes and a cash payment.

Recommendations:

- (1) authority be granted for the City to enter into a Land Exchange Agreement (the “Agreement”) with Daniels Kenaston North Corporation (“Daniels”), pursuant to which the City will agree to convey portions of Kenaston Gardens road allowance, designated as Parts 2 and 3 on a draft Reference Plan (the “City Lands”), to Daniels in exchange for certain lands to be conveyed to the City for a future public highway, designated as Part 6 on said draft Reference Plan (the “New Highway Lands”), on the terms outlined in the body of this report;
- (2) the City Solicitor be authorized to complete the land exchange transaction on behalf of the City, including payment of any necessary expenses and amending the closing date to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable; and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any bills necessary to give effect thereto.

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

**(Report No. 2 – Clause No. 38)**

**3.55 Preliminary Report – OPA & Rezoning Application 04 107621 NNY 23 OZ – Benjamin Schultz Architect – 1 Kenton Drive (Ward 23 – Willowdale)**

The Toronto North Community Council had before it a report (February 10, 2004) from the Acting Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and seeking

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Community Council's directions on further processing of the application and on the community consultation process.

Recommendations:

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

On motion by Councillor Filion, Ward 23 – Willowdale, the Toronto North Community Council:

- (1) approved the foregoing report (February 10, 2004) from the Acting Director, Community Planning, North District, Urban Development Services; and
- (2) approved the following Resolution submitted by Councillor Filion, Ward 23, Willowdale:

“WHEREAS the Preliminary Report dated February 10, 2004 (1 Kenton Drive) recommends that staff be directed to schedule a community consultation meeting together with the Ward Councillor, and that notice of the community consultation meeting be given to landowners and residents within 120 metres of the site;

THEREFORE BE IT RESOLVED THAT the Preliminary Report be approved subject to the notice area for the community consultation meeting being extended to include in addition to the 120 metre area, all residents and landowners in the area bounded by Transwell Avenue and Dallas Road to the north, Grantbrook Street to the east, Bathurst Street to the west, and to the south Calderon Crescent, Devondale Avenue west of Claderon Crescent, Ancona Street, and Brenthall Street.”

**(Report No. 2 – Clause No. 43(q))**

**3.56 Ontario Municipal Board Hearing – 118 and 124 Castlewood Road (Ward 16 – Eglinton-Lawrence)**

The Toronto North Community Council had before it the following Resolution submitted by Councillor Stintz, Ward 16 – Eglinton-Lawrence:

“WHEREAS the Midtown Committee of Adjustment on November 13, 2003 refused a Minor Variance application for the construction of a new two storey dwelling with integral garage as well as a deck attached to the rear of the proposed dwelling; and

WHEREAS the Committee of Adjustment did NOT approve this variance application for the following reasons:

- The general intent and purpose of the Official Plan is not maintained.
- The general intent and purpose of the Zoning By-law is not maintained.
- The variance(s) is not considered desirable for the appropriate development of the land.
- In the opinion of the Committee, the variance(s) is not minor.

WHEREAS the applicant has appealed the Committee's decision to the Ontario Municipal Board scheduled for April 2, 2004;

NOW THEREFORE BE IT RESOLVED THAT the City Solicitor be requested to attend the Ontario Municipal Board hearing to defend the decision of the Committee of Adjustment refusing the applications for the construction of a new two storey dwelling with integral garage as well as a deck attached to the rear of the proposed dwelling at 118 and 124 Castlewood Road.”

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

**(Report No. 2 – Clause No. 39)**

**3.57 Nomination for the Agnes Macphail Award**

The Toronto North Community Council had before it a confidential communication (February 10, 2004) from Graham Mitchell, Administrative Support, Agnes Macphail Recognition Committee, respecting the Nomination for the Agnes Macphail Award - 2004; such communication to be considered in camera, having regard that the subject matter may contain personal matters about identifiable individuals.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the Toronto North Community Council recommended to City Council, the adoption of the

recommendation contained in the confidential communication (February 10, 2004) from Graham Mitchell, Administrative Support, Agnes Macphail Recognition Committee, Nomination for the Agnes Macphail Award – 2004, to be forwarded to all Members of Council under separate cover; and further, that in accordance with the Municipal Act, discussions pertaining to the individuals named in the aforementioned communication be held in camera, having regard that the subject matter relates to personal matter about an identifiable individual, including municipal or local board employees.

**(Report No. 2 – Clause No. 40)**

**3.58 Parking Prohibitions – Everson Drive, Harrison Garden Boulevard and Humberstone Drive (Ward 23 – Willowdale)**

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

“WHEREAS residents of Everson Drive, Humberstone Drive and Harrison Garden Boulevard have expressed concerns for excessive on-street parking;

WHEREAS Toronto Fire and Ambulance Services have expressed concerns with delayed response times to the community due to excessive on-street parking;

WHEREAS precedent has been established in Ontario for a municipality to enact enforceable traffic by-laws on unassumed streets to ensure public safety, without the assumption of maintenance;

THEREFORE BE IT RESOLVED THAT parking be prohibited at anytime on the east/north side of Harrison Garden Boulevard, between the southerly limit of Avondale Avenue and the easterly limit of Harrison Garden Boulevard;

THEREFORE BE IT FURTHER RESOLVED THAT parking be prohibited at anytime on the south side of Humberstone Drive, between the easterly limit of Harrison Garden Boulevard and the westerly limit of Everson Drive;

THEREFORE BE IT FURTHER RESOLVED THAT parking be prohibited at anytime on the west side of Everson Drive, between the northlerly limit of Harrison Garden Boulevard and the southerly limit of Avondale Avenue.”

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

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meeting, which carried, more than two-thirds of members present having voted in the affirmative.

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

**(Report No. 2 – Clause No. 41)**

**3.59 Ontario Municipal Board Hearing – Committee of Adjustment Application – Northam Realty Limited – 5255 Yonge Street (Ward 23 – Willowdale)**

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

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused an application by Northam Realty Limited, the owner of 5255 Yonge Street, for a minor variance application to permit a professional medical office use (dental office);

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

WHEREAS planning staff did not support the application; and

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

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

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

**(Report No. 2 – Clause No. 42)**

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Adjournment:

The Toronto North Community Council adjourned its meeting at 6:00 p.m. on Tuesday, February 17, 2004.

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Chair.