

THE CITY OF TORONTO

City Clerk's Office

Minutes of the North York Community Council

Meeting 7

Tuesday, July 6, 2004.

The North York Community Council met on Tuesday, July 6, 2004, in the Council Chambers, 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.	2:05 p.m. to 9:20 p.m.
Councillor Minnan-Wong, Chair	x	x
Councillor Augimeri, Vice-Chair		
Councillor Carroll	x	x
Councillor Feldman	x	x
Councillor Filion	x	x
Councillor Jenkins	x	x
Councillor Li Preti	x	x
Councillor Moscoe	x	x
Councillor Pitfield	x	x
Councillor Shiner	x	x
Councillor Stintz	x	x

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the minutes of the meeting of the North York Community Council held on June 8, 2004 were confirmed.

7.1 Draft By-law – To Permanently Close a portion of the Terlean Road Road Allowance – Parts 1 and 2 on Registered Plan 66R-20663(Ward 23 – Willowdale)

The North York Community Council considered a Draft By-law from the City Solicitor, to permanently close a portion of the Terlean Road Road Allowance shown as Parts 1 and 2 on Registered Plan 66R-20663).

The North York Community Council had before it, for information, Clause 14 of North York Community Council Report No. 5, titled “Sale of Part of Terlean Road

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(Ward 23 – Willowdale)”, which was adopted as amended by City Council at its meeting held on June 24, 25 and 26, 2003.

The North York Community Council held a public meeting and notice, in accordance with the Municipal Act, 2001 of the proposed enactment of the draft by-law was posted on the Public Notices page of the City’s internet web site for at least the two week period immediately preceding the North York Community meeting held on July 6, 2004.

Belinda Morales, of the law firm of Brown Dryer Karol Sherman Lebow, appeared before the North York Community Council, in support of the draft by-law.

On motion by Councillor Filion, Ward 23 - Willowdale, the North York Community Council recommended to City Council, that a by-law in the form of the draft by-law be enacted, and that the necessary Bill be introduced in Council to give effect thereto.

Report 6, Clause 1

7.2 Interim Report - Archaeological Master Plan

The North York Community Council considered a communication (May 25, 2004) from the City Clerk, forwarding Clause 2 contained in Report 3 of the Economic Development and Parks Committee, headed “Archaeological Master Plan – Interim Report (All Wards)”, which was adopted, as amended, by the Council of the City of Toronto at its meeting on May 18, 19 and 20, 2004; and further advising that Council referred the Interim Report to each Community Council for comment to the Economic Development and Parks Committee.

The following persons appeared before the North York Community Council:

- Susan Hughes, Heritage Preservation Services, Culture Division, Economic Development, Culture and Tourism;
- Dr. Ron Williamson, Consultant, Archaeological Services Inc.; and
- Peter Carruthers, Consultant, Archaeological Services Inc.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council referred the following recommendations to the Economic Development and Parks Committee:

- (1) that the recommendations contained in Clause 2 of Report 3 of the Economic Development and Parks Committee, as amended by City

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Council on May 18, 19 and 20, 2004, be endorsed, in addition to the Black Creek Area between Black Creek Village and Black Creek Ravine, and the Parsons Site located directly south of York University being considered in the Archaeological Master Plan; and

- (2) that the Commissioner of Economic Development, Culture and Tourism, be requested to do an assessment of the Baby Point Site to include the possibility of extending the study area to include the entire village of Tiaigon.

Report 6, Other Items Clause 48(a)

Councillor Filion assumed the Chair.

7.3 Harmonized City-wide Private Tree By-law (All Wards)

The North York Community Council considered a communication (June 1, 2004) from the Planning and Transportation Committee advising that the Committee, at its meeting held on June 1, 2004:

- (1) referred the report (May 7, 2004) from the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism to the Community Councils for further public consultation and report back to the Planning and Transportation Committee for its meeting scheduled to be held on September 7, 2004;
- (2) requested the Community Council Administrators to advise ratepayer associations when this item will be considered by the Community Councils;
- (3) reiterated the fact that the fee be waived for trees which are dead, dying or diseased or in serious decline as determined by City Arborist staff;
- (4) referred the tree canopy issue to the Roundtable on a Beautiful City for consideration and report to the Planning and Transportation Committee for its meeting to be held on September 7, 2004; and
- (5) requested the Commissioner of Urban Development Services to submit a report to the meeting of the Planning and Transportation Committee scheduled to be held on June 28, 2004 on the use of site plan control specifically for the purpose of protecting City trees on public property for unauthorized removal and that this report include a cost recovery proposal.

The North York Community Council also considered communications:

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- (June 15, 2004) from Norman and Nell Hardie
 - (June 23, 2004) from Shelley Petrie, tea (Toronto Environmental Alliance)
 - (July 7, 2004) from Mack Williams;
 - (June 29, 2004) from Jim Milton, President, Empress-Longmore Ratepayers' Association;
 - (June 30, 2004) from Pinky Franklin, Chair, Environment Committee, York Mills Valley Association;
 - (June 30, 2004) from John Wilson, Chair, Task Force to Bring Back the Don;
 - (June 30, 2004) from Seana Irvine, Program Director, Evergreen;
 - (June 29, 2004) from Janet McKay, Executive Director, Local Enhancement and Appreciation of Forests (LEAF);
 - (July 6, 2004) Written submission from Yvonne Chan, Ward 8 (now Ward 25) Ratepayers for Rational Planning; and
 - (July 6, 2004) from Timothy P. Bates.
- A. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the North York Community Council refer the following recommendation to the Planning and Transportation Committee:
- “that the proposed harmonized City-wide Private Tree By-law be adopted.”
- B. Councillor Jenkins, Ward 25 – Don Valley West, moved that the North York Community Council refer the following recommendation to the Planning and Transportation Committee:
- “that the proposed harmonized City-wide Private Tree By-law be amended to provide that:
- (1) in any calendar year, a property owner may remove a single tree having a maximum diameter of 0.6 metres through submission of an application form without a fee and a replacement tree planting plan; and

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- (2) in each subsequent year, the owner of the same property will have the same removal right only if previous plantings under the above clause remain healthy.”

C. Councillor Filion, Ward 23 – Willowdale, moved that Motion A., moved by Councillor Moscoe, be amended, as follows:

- “(1) that the aforementioned City-wide Private Tree By-law be amended to provide that a fee of \$25.00 be charged to residents for the removal of each tree; and
- (2) adding the followings words after the words “that the proposed harmonized City-wide Private Tree be adopted”

“subject to Section 441 of the By-law dealing with Tree Permit Fees being amended to provide that the permit application fees payable under Section 813-12A (2) for permits to injure or destroy trees for development related applications being \$200.00 per tree;”

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

Upon the question of the adoption of Part (1) of Motion C., by Councillor Filion, it was lost.

Upon the question of the adoption of Part (2) of Motion C., by Councillor Filion, it was carried.

Upon the question of the adoption of Motion A, moved by Councillor Moscoe, as amended by Part (2) of Motion C., by Councillor Filion, it was carried.

Report 6, Other Items Clause 48(b)

Councillor Minnan-Wong resumed the Chair.

7.4 Request to Remove One Privately Owned Tree – 281 Fairlawn Avenue (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (May 3, 2004) from the Commissioner of Economic Development, Culture and Tourism, reporting on an

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application for a permit to remove one 51 cm diameter white spruce tree on private property.

Recommendations:

It is recommended that:

- (1) Toronto North Community Council deny the request for the removal of one privately owned tree at 281 Fairlawn Avenue; or
- (2) Toronto North Community Council approve the request for the removal of one privately owned tree at 281 Fairlawn Avenue, conditional on the owner agreeing to implement the planting plan on file with Urban Forestry Services.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt staff Recommendation 2 in the Recommendations Section of the report (May 3, 2004) from the Commissioner of Economic Development, Culture and Tourism, subject to Recommendation 2 being amended to read as follows:

- “(2) North York Community Council approve the request for the removal of one privately-owned tree at 281 Fairlawn Avenue, conditional upon the owner:
 - (a) planting one tree in a neighbourhood park, the species of the tree and the exact neighbourhood park location to be approved by the Director, Parks and Recreation, Central Services; and
 - (b) the owner agreeing to plant one 70mm tree on his property.”

Report 6, Clause 2

7.5 Request to Remove One Privately Owned Tree – 210 Ranleigh Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (May 3, 2004) from the Commissioner of Economic Development, Culture and Tourism, reporting on an application for a permit to remove on 71 cm diameter silver maple tree on private property.

Recommendations:

It is recommended that:

- (1) Toronto North Community Council deny the request for the removal of one privately owned tree at 210 Ranleigh Avenue; or
- (2) Toronto North Community Council approve the request for the removal of one privately owned tree at 210 Ranleigh, conditional on the owner agreeing to implement the planting plan on file with Urban Forestry Services.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council deferred consideration of the report to the next meeting of the North York Community Council on September 14, 2004.

Report 6, Other Items Clause 48(c)

7.6 Request for Fence Exemption – 21 Wimpole Drive (Ward 25 – Don Valley West)

The North York Community Council considered a report (June 7, 2004) from the North District Manager, Municipal Licensing and Standards, Urban Development Services, reporting on a request by the owner for an exemption from the City of Toronto's Municipal Code Chapter 447 Fences, in order to exempt a portion of perimeter chain link pool fencing from the required post spacing of 2.4 metres maximum.

Recommendation:

It is recommended that the application be approved.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the foregoing report.

Report 6, Clause 3

7.7 Request for Fence Exemption – 2 Candis Drive (Ward 10 – York Centre)

The North York Community Council considered a report (June 21, 2004) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, reporting on a request by the owner for an exemption from the City of Toronto Municipal Code Chapter 447 Fences, in order to permit a 2 metre high fence in the front yard.

Recommendation:

It is recommended that the application be approved.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the foregoing report.

Report 6, Clause 4

7.8 Boulevard Leasing Agreement – 1610 Eglinton Avenue West (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (June 19, 2004) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, reporting on an application to lease a portion of the municipal boulevard on the north side of Eglinton Avenue West, west of Oakwood Avenue, for the purpose of a boulevard café at 1610 Eglinton Avenue West.

Recommendations:

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

- (1) that the encroachment be approved by the City, subject to the condition that the owner(s) enter into an Boulevard Lease Agreement with the City to the satisfaction of the City Solicitor and the Commissioner of Urban Development Services;
- (2) that the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto;
- (3) that no claims will be made against the City by the owner(s) for damage occurring to the patio, equipment or enclosure during snow removal;
- (4) that the life of the Agreement be limited to 1 year from the date of registration or to the date of removal of the encroachment, at which time, the City may consider the Agreement for further extension, if 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 or such greater amount as the City Solicitor may require;

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- (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 modification to the encroachment beyond what is allowed under the terms of the Agreement;
 - (8) All encroachments be subject to a legal agreement being entered into between the City and the owner of the property abutting the encroachment;
 - (9) Such agreement be to the satisfaction of the City Solicitor and the Commissioner of Urban Development Services;
 - (10) No loud music;
 - (11) Approval be obtained from the Alcohol and Gaming Commission of Ontario;
 - (12) A new endorsement be obtained from Toronto Licencing;
 - (13) The owner pays the following fees:
 - (i) Application fees \$ 436.19 based on Corporate Services, Facilities and Real Estate;
 - (ii) Annual fee of \$25.00 plus \$5.50 per square metre for the outdoor café for which the permit relates.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 5

7.9 Request for Approval of Variances from the former City of York Sign By-law No. 3369-79, as amended, for the erection of a ground sign at 2460 Dufferin Street (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (June 21, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Dominic Rotundo of Pattison Sign Group on

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behalf of Toronto Hyundai, for a variance from the former City of York Sign By-law No. 3369-79, as amended, to permit the erection of a pylon sign on public property adjacent to 2460 Dufferin Street.

Recommendations:

It is recommended that Toronto North Community Council:

- (1) approve the request for variance with the following conditions:
 - (a) the applicant enter into a lease agreement with the City of Toronto, subject to approval of Works and Emergency Services, Transportation Division and Public Utilities,
 - (b) upon approval of the variance, the applicant be advised, of the requirements to obtain the necessary sign permit from the Commissioner of Urban Development Services.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 6

7.10 Request for Approval of Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of a non-illuminated development ground sign at 20 Sheppard Avenue West (Ward 23 – Willowdale)

The North York Community Council considered a report (June 22, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Robert Blazeovski of Minto Gardens Inc., for approval of variances from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a 5.73 metres (18 feet 10 inches) high, 37.26 square metres (400 square feet) non-illuminated land development ground sign.

Recommendation:

It is recommended that the request for the variances be refused for the reasons outlined in this report.

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the foregoing report.

Report 6, Clause 7

7.11 Request for Approval of a Variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a video display screen at 100 Wynford Drive (Ward 26 – Don Valley West)

The North York Community Council considered a report (June 22, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Marc Choquete of Aedifica, on behalf of his client “Bell Canada”, for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a video display screen at the above location.

Recommendation:

It is recommended that the request for the sign variance be refused for the reasons outlined in this report.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 8

7.12 Request for Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of an illuminated ground sign with an electronic message display on the public road allowance adjacent to the Canadian Memorial Chiropractic College (CMCC) at 6100 Leslie Street (Ward 24 – Willowdale)

The North York Community Council considered a report (June 22, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Samuel Markle of The Brother Markle Inc., on behalf of the Canadian Memorial Chiropractic College (CMCC) for variances from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a 3.4 metres (11 feet 2 inches) high with an area of 5.7 square metres (61.75 square feet) illuminated ground sign with an electronic message display on the public road allowance adjacent to the CMCC at 6100 Leslie Street.

Recommendations:

It is recommended that:

- (1) The variance for the increase in maximum permitted sign area be approved;
- (2) The variance to locate the sign on public property be refused;
- (3) If the variance to locate the sign on public property is approved, the applicant be notified
 - (a) of the need to obtain the approval from the Works and Emergency Services Department, Transportation Services Division; and
 - (b) no permit shall be issued for such signs until an agreement satisfactory to the City Solicitor or his designate has been completed between the City and the owner wherein the owner has agreed to indemnify and save harmless the City from any liability relating to the erection of the sign and that the sign be removed forthwith at the expense of the owner, if so directed by the Chief Building Official, and that the Chief Building Official has the right and authority to cause the sign to be removed if the owner fails to do so.
- (4) The applicant be notified if the variances are approved of the need to obtain the necessary sign permit.

The North York Community Council also considered a communication (June 18, 2004) from Robert Dragicevic, Walker, Nott Dragicevic Associates Limited, on behalf of the Canadian Memorial Chiropractic College (CMCC).

On motion by Councillor Shiner, Ward 24 - Willowdale, the North York Community Council deferred consideration of the foregoing report to the next meeting of the North York Community Council on September 14, 2004.

Report 6, Other Items Clause 48(d)

7.13 Dedication and naming of the 0.3 metre wide reserve strip to form part of Dufferin Street (Ward 10 – York Centre)

The North York Community Council considered a report (June 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, seeking authorization for the dedication and naming of the 0.3 metre wide reserve strip (the “Reserve”), shown as Part 1 and Part 2 on the attached Sketch No. PS-2004-095, for public highway purposes and to incorporate these lands in the Dufferin Street road allowance.

Recommendations:

It is recommended that:

- (1) the Reserve, shown as Part 1 and Part 2 on Plan 66R-20339, be dedicated and named for public highway purposes, to form part of Dufferin Street; and
- (2) the appropriate City officials be authorized to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that might be necessary.

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 9

7.14 Dedication and Naming of the 0.3 metre wide reserve strip to form part of Victoria Park Avenue (Ward 24 – Willowdale)

The North York Community Council considered a report (June 11, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, seeking authorization for the dedication and naming of the 0.3 metre wide reserve strip (the “Reserve”), shown as PART 1 on the attached Sketch No. PS-2004-085, for public highway purposes and to incorporate these lands into the Victoria Park Avenue road allowance.

Recommendations:

It is recommended that:

- (1) the Reserve, shown as Part 1 on Plan 66R-21122, be dedicated and named for public highway purposes, to form part of Victoria Park Avenue; and
- (2) the appropriate City officials be authorized to take whatever action is necessary to give effect thereto, including the introduction in Council of any bills that might be necessary.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 10

7.15 Pedestrian Crossing Restrictions – Don Valley Parkway at York Mills Road (east intersection) (Ward 34 – Don Valley East)

The North York Community Council considered a report (May 31, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to prohibit north-south pedestrian crossings on the west side of the signalized intersection of the northbound Don Valley Parkway off-ramp and York Mills Road.

Recommendations:

It is recommended that:

- (1) pedestrian crossings be prohibited on the west side of the signalized intersection of the northbound Don Valley Parkway off-ramp and York Mills Road, between the west curb line of the northbound Don Valley Parkway off-ramp and a point 120 metres westerly thereof; and
- (2) the appropriate by-law be amended, accordingly.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 11

7.16 Pedestrian Crossover – Lawrence Avenue West, Corona Street to Bolingbroke Road (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (June 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request to install a Pedestrian Crossover (PXO) on Lawrence Avenue West, in the vicinity of 760 Lawrence Avenue West.

Recommendation:

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

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council received the report.

Report 6, Other Items Clause 48(e)

7.17 Parking Prohibitions – Vaughan Road (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (June 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request to amend parking regulations on Vaughan Road.

Recommendations:

It is recommended that:

- (1) the former City of York Traffic By-law No's. 196-84 and 2958-94 be amended by deleting the No Parking Anytime prohibition on the north side of Vaughan Road, from Glenholme Avenue to a point 40.5 metres east thereof;
- (2) the former City of York Traffic By-law No's. 196-84 and 2958-94 be amended by prohibiting parking at anytime on the north side of Vaughan Road, from the easterly limit of Glenholme Avenue to a point 28.5 metres easterly thereof; and
- (3) the appropriate City Officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 12

7.18 Parking Prohibitions – Leacrest Road (Ward 26 – Don Valley West)

The North York Community Council considered a report (June 16, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request to prohibit parking on Leacrest Road.

Recommendations:

It is recommended that:

- (1) parking be prohibited at any time on the north side of Leacrest Road, from the easterly limit of Mallory Crescent (east leg) to the westerly limit of Rolph Road; and

- (2) that the appropriate by-law(s) be enacted.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 13

7.19 Parking Prohibitions – Empress Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (June 10, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request to prohibit parking on a portion of Empress Avenue.

Recommendation:

It is recommended that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at any time on the south side of Empress Avenue, from the westerly limit of Bayview Avenue to a point 65 metres westerly thereof.

The North York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the foregoing report.

Report 6, Clause 14

7.20 Stopping Prohibitions – Belgravia Avenue, Dufferin Street to Locksley Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 31, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on amending the existing stopping prohibitions on Belgravia Avenue, from Dufferin Street to Locksley Avenue.

Recommendations:

It is recommended that:

- (1) the existing No Stopping Anytime prohibition on the south side of Belgravia Avenue, from Dufferin Street to a point 61 metres easterly, be deleted;

- (2) stopping be prohibited at anytime on the south side of Belgravia Avenue, from Dufferin Street to a point 69 metres east; and
- (3) the existing limits for permit parking be amended to accommodate the extension of the No Stopping limits.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 15

7.21 Stopping Prohibitions – Longmore Street (Ward 24 – Willowdale)

The North York Community Council considered a report (June 15, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request to prohibit stopping at any time on a portion of Longmore Street.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by deleting the No Parking Anytime prohibition on the east side of Longmore Street, from the northerly limit of Sheppard Avenue East to the southerly limit of Greenfield Avenue;
- (2) Schedule IX of By-law No. 31001, of the former City of North York, be amended prohibiting stopping at anytime on both sides of Longmore Street, from the northerly limit of Sheppard Avenue East to a point 30 metres northerly thereof; and
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by prohibiting parking at anytime on the east side of Longmore Street, from a point 30 metres north of the northerly limit of Sheppard Avenue East to the southerly limit of Greenfield Avenue.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 5, Clause 16

7.22 Parking Amendments – Lea Avenue, Airdrie Road to Randolph Road (Ward 26 – Don Valley West)

The North York Community Council considered a report (June 16, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on amending the parking prohibitions on Lea Avenue.

Recommendations:

It is recommended that:

- (1) the existing No Parking, 8:00 a.m. to 6:00 p.m., Monday to Saturday, prohibition on the north side of Lea Avenue, between Airdrie Road and Randolph Road, be rescinded;
- (2) parking be prohibited from 10:00 a.m. to 4:00 p.m., Monday to Saturday, on the north side of Lea Avenue, from Airdrie Road to Randolph Road; and
- (3) the appropriate City officials be requested to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 17

7.23 Designated Taxi Stand – Harlandale Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (May 31, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the installation of a designated taxi stand on Harlandale Avenue.

Recommendation:

It is recommended that Schedule IV of By-law No. 31001, of the former City of North York, be amended to permit, at anytime, a taxi stand for a maximum of two taxis on the south side of Harlandale Avenue, from a point six metres west of the westerly limit of Yonge Street to a point 12 metres westerly thereof.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council:

- (1) adopt the staff recommendation in the Recommendations Section of the report (May 31, 2004) from the Director, Transportation Services, North District, Works and Emergency Services; and
- (2) request the Toronto Transit Commission to provide signage within the Yonge-Sheppard subway station which will direct passengers to the taxi stand on Harlandale Avenue.

Report 6, Clause 18

7.24 40 km/h Speed Limit – Esgore Drive, Saunders Street and Apsley Road (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (June 18, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request to reduce the speed limit on Esgore Drive, Saunders Street and Apsley Road.

Recommendations:

It is recommended that:

- (1) By-law No. 31878, of the former City of North York, be amended to reduce the speed limit on Esgore Drive, from the westerly limit of Yonge Boulevard to the northerly limit of Brooke Avenue, to 40 km/h;
- (2) By-law No. 31878, of the former City of North York, be amended to reduce the speed limit on Saunders Street, from the southerly limit of Wilson Avenue to the westerly limit of Esgore Drive, to 40 km/h; and
- (3) By-law No. 31878, of the former City of North York, be amended to reduce the speed limit on Apsley Road, from the easterly limit of Esgore Drive to the westerly limit of Yonge Boulevard, to 40 km/h.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 19

7.25 Permitted Parking Amendments – Little Boulevard (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (June 18, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request to amend the existing parking restrictions on Little Boulevard.

Recommendations:

It is recommended that:

- (1) the former City of York Traffic By-law numbers 196-84 and 2958-94 be amended by deleting the one hour permitted parking from 8:00 a.m. to 7:00 p.m., on the east side of Little Boulevard, from the southerly limit of Bowie Avenue to the northerly limit of Eglinton Avenue West; and
- (2) the appropriate City Officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

The North York Community Council also considered a communication (June 29, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, advising that the Ward Councillor's Office was requesting that the report be withdrawn from the July meeting.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council deferred consideration of the report to the meeting of the North York Community Council on October 12, 2004.

Report 6, Other Items Clause 48(f)

7.26 Traffic Calming (Speed Humps) – Rockvale Avenue, Hanson Road to Rogers Road (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (May 31, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the results of the traffic calming poll of residents on Rockvale Avenue, Hanson Road to Rogers Road.

Recommendation:

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

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council received the report.

Report 6, Other Items Clause 48(g)

7.27 Pedestrian Crossover: Caledonia Road at Glengrove Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (June 21, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request to install a Pedestrian Crossover (PXO) on Caledonia Road.

Recommendation:

It is recommended that Schedule A of By-law No. 30518, of the former City of North York, be amended to include a Pedestrian Crossover on the north leg of the intersection of Caledonia Road and Glengrove Avenue.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the foregoing report.

Report 6, Clause 20

7.28 Provision of a “Passenger Loading Zone” - Eglinton Avenue West, south side, between Castle Knock Road and Avenue Road, fronting premises no. 400 Eglinton Avenue West (Eglinton Grand Event Venue) (Ward 16 Eglinton-Lawrence)

The North York Community Council considered a report (May 14, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on keeping the area fronting premises No. 400 Eglinton Avenue West clear of parked vehicles and enhance pick-up/drop-off opportunities for persons attending events at the Eglinton Grand Event Venue.

Recommendations:

It is recommended that:

- (1) standing be prohibited on the north side of Eglinton Avenue West, from a point 85 metres east of Castle Knock Road to a point 12 metres further east; and

-
- (2) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any bills that are required.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 21

7.29 Request for Poll – Speed Hump Plan – Robina Avenue between Holland Park Avenue and Vaughan Road (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered the following Resolution submitted by Councillor Moscoe, Ward 15 – Eglinton-Lawrence:

“WHEREAS residents of Robina Ave between Holland Park Ave and Vaughan Rd have expressed concern with regards to vehicle speeds on the roadway; and

WHEREAS residents of Robina Ave between Holland Park Ave and Vaughan Rd have expressed concern with regards to the volume of traffic on the roadway; and

THEREFORE BE IT RESOLVED that the appropriate staff be authorized to conduct a poll of eligible residents of Robina Ave between Holland Park Ave and Vaughan Rd for the speed hump plan, in accordance with the City of Toronto Traffic Calming Policy and public notice be given pursuant to the Municipal Class Environmental Assessment Act including Notice of Study Commencement to the Ministry of Environment, Fire Services, Emergency Services and Toronto Police Services; and

BE IT FURTHER RESOLVED that the appropriate staff convey the results of the survey to the respondents; and

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

- (i) a bylaw be prepared for the alteration of sections of the effected roadway and the speed limit be reduced to 30Km/hr; and
- (ii) Pursuant to the requirements of the Municipal Class Environmental Assessment Act, Notice of Completion be issued;

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

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the foregoing Resolution.

Report 6, Clause 22

7.30 Nomination of Two Citizen Representatives from Toronto North Community Council Area to the Heritage Toronto Board of Directors

The North York Community Council considered a report (June 21, 2004) from the Executive Director, Heritage Toronto, recommending to City Council, the appointment of two representatives from the Toronto North Community Council area to the Heritage Toronto Board of Directors.

Recommendations:

It is recommended that:

- (1) the North York Community Council recommend to Council the appointment of the selected individuals listed in Attachment No. 1, to the Heritage Toronto Board of Directors for a term commencing once Council passes the by-law making the new Heritage Toronto Board composition effective, and expiring on November 30, 2006, or until a successor is appointed; and
- (2) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended to City Council that:

- (1) the selected individuals listed in Confidential Attachment 1 be appointed to the Heritage Toronto Board of Directors, for a term commencing once Council passes the by-law making the new Heritage Toronto Board composition effective, and expiring on November 30, 2006, or until a successor is appointed;
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

Report 6, Clause 23

7.31 North York Wedding Chapel (Ward 23 – Willowdale)

The North York Community Council considered the following Resolution by Councillor Moscoe, Ward 15 – Eglinton-Lawrence:

“WHEREAS the City of North York Civic Wedding Chapel located in North York City Hall offers a low cost non sectarian venue where hundreds of couples tie the knot annually; and

WHEREAS this facility is tucked away at the rear of the building in an airless, windowless room; and

WHEREAS the City of North York Civic Wedding Chapel is depressingly shabby; and

WHEREAS the funeral home like décor of this facility reflects both a somber view of marriage, a lack of maintenance and an atmosphere of neglect; hardly the best way to start out a marriage; and

WHEREAS the Mayor’s office in North York Civic Center has been vacant for almost seven years now and would be a significantly better venue for this facility; and

WHEREAS the city is now committed to an atmosphere of optimism and a brighter future; therefore

BE IT RESOLVED THAT the staff report on the feasibility of relocating and re-decorating this venue; and

BE IT FURTHER RESOLVED THAT in so doing the staff report on how much the rental fee would have to be raised to provide a first class facility; and

BE IT FURTHER RESOLVED THAT this report be brought forward so that a re-decorated and relocated facility can be in operation in the fall of 2004; and

BE IT FURTHER RESOLVED THAT a subsequent review be undertaken of all of the wedding venues currently being operated by the city.”

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the foregoing Resolution, subject to deleting the fourth Recital containing the words, “Whereas the Mayor’s office in North York Civic Centre has been vacant for almost seven years now and would be a significantly better venue for this facility”, so that the Resolution now reads as follows:

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“WHEREAS the City of North York Civic Wedding Chapel located in North York City Hall offers a low cost non sectarian venue where hundreds of couples tie the knot annually; and

WHEREAS this facility is tucked away at the rear of the building in an airless, windowless room; and

WHEREAS the City of North York Civic Wedding Chapel is depressingly shabby; and

WHEREAS the funeral home like décor of this facility reflects both a somber view of marriage, a lack of maintenance and an atmosphere of neglect; hardly the best way to start out a marriage; and

WHEREAS the city is now committed to an atmosphere of optimism and a brighter future; therefore

THEREFORE BE IT RESOLVED THAT the staff report on the feasibility of relocating and re-decorating this venue; and

BE IT FURTHER RESOLVED THAT in so doing the staff report on how much the rental fee would have to be raised to provide a first class facility; and

BE IT FURTHER RESOLVED THAT this report be brought forward so that a re-decorated and relocated facility can be in operation in the fall of 2004; and

BE IT FURTHER RESOLVED THAT a subsequent review be undertaken of all of the wedding venues currently being operated by the city.”

Report 6, Clause 24

7.32 Information Report – Ontario Municipal Board Hearing – Committee of Adjustment Appeals – 56 Blythwood Road (Ward 25 – Don Valley West)

The North York Community Council considered a report (June 17, 2004) from the City Solicitor, advising Community Council as to the outcome of Ontario Municipal Board proceedings related to the owner’s appeal of the Committee of Adjustment decision to refuse an application for minor variances and consent to sever to permit the construction of three new residential dwellings at 56 Blythwood Road (Application Nos. A734/02M, A735/02M, A736/02M and B070/02M).

Recommendation:

It is recommended that this report be received for information.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council received the report.

Report 6, Other Items Clause 48(h)

7.33 Ontario Municipal Board Hearing – Appeal of Zoning Amendment Application – English Lanes Homes Inc. – 39 Green Belt Drive (Ward 34 – Don Valley East)

The North York Community Council considered a report (June 22, 2004) from the City Solicitor advising as to the outcome of the Ontario Municipal Board proceedings as contemplated in Report No. 3, Clause 40 of the Toronto North Community Council.

Recommendation:

It is recommended that City Council authorize execution of a Section 37 Agreement prepared by the City Solicitor to secure the provision of public benefits in the value of \$27,000.00 as directed by the Ontario Municipal Board and described in the report of the City Solicitor dated June 22, 2004.

The North York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the foregoing report.

Report 6, Clause 25

7.34 Preliminary Report – OPA & Rezoning Application 04 109551 NNY 23 OZ – Rosedale Development Inc. – E.I. Richmond Architects & Kohn Shnier Architects – 4917-4995 Yonge Street, 11-27 Hollywood Avenue, 8-18 & 50 Spring Garden Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (June 16, 2004) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted revised applications and seeking Community Council's directions on further processing of the applications and on the community consultation process, and further seeking Council's direction respecting the appeals of the original applications to the Ontario Municipal Board.

Recommendations:

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It is recommended that:

- (1) staff be directed to schedule a community consultation meeting together with the Ward Councillor;
- (2) notice for the community consultation meeting be given to landowners and residents within 120 metres of the site;
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act;
- (4) the City Solicitor be directed to advise the Ontario Municipal Board that the applications made in December 2002 were incomplete, should not be approved in that form, and have been superceded by the application received in February 2004; and
- (5) the City Solicitor request the Ontario Municipal Board not to schedule a hearing respecting either the original or revised applications until there has been adequate time provided for the community planning process and for Council to formulate a position respecting the February 2004 applications.

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

- (1) approve the staff recommendations in the Recommendations Section of the report (June 16, 2004) from the Director, Community Planning, North District, Urban Development Services;
- (2) approve the following Resolution submitted by Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the Preliminary Staff Report dated June 16, 2004 from the Director, Community Planning, North District, Urban Development Services, 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 of the community consultation meeting being expanded to include all landowners and residents in the area located on the south side of Hillcrest Avenue, west of Kenneth Avenue, and south to a line connecting Kenneth Avenue in the east to Greenfield Avenue in the west, and continuing along Greenfield Avenue to Yonge Street; west of Yonge Street, the properties located

at 4910 to 4950 Yonge Street and 131 Beecroft Road to also be included.;

- (3) requested that notice also be given to the Claude Watson School for the Arts in order for the School to circulate the notice to the parents;
 - (4) requested that the applicant pay the City for the costs associated with extending the notice area.
- B. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the applicant be requested to enter into discussions with the Director, Community Planning, North District, Urban Development Services, the Toronto District School Board, the local councillor and the Toronto District School Board Trustee, to re-configure the design of the project.

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

Report 6, Other Items Clause 48(i)

7.35 Application to Amend the Official Plan and Zoning By-law 7625 – UDOZ-00-17 – 569 Sheppard Avenue West and 4383 Bathurst Street – PMG Planning Consulting (Ward 10 – York Centre)

The North York Community Council considered the following reports

- (April 24, 2002) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and Zoning By-law to permit an additional 13 storey residential condominium building at the southeast corner of Bathurst Street and Sheppard Avenue East.

Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan for the former City of North York substantially in accordance with the draft Official Plan Amendment attached as Attachment No. 6.
- (2) amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 7.

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- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.
- (4) Before introducing the necessary Bills to City Council for enactment, require the owner to:
- (a) enter into a Section 37 Agreement under the Planning Act securing:
 - (i) the existing rental apartment building remaining as rental for a minimum period of fifteen years and an agreement that no application for condominium conversion or application to demolish be made during that time period,
 - (ii) a cash contribution by the owner of \$83,500 for capital improvements to undertake one or more or portions of the following improvements to the existing rental buildings such that the cost of the improvements up to \$83,500 cannot be passed through to the tenants through rent increases:
 - (A) replacement of all windows in both buildings
 - (B) balcony, concrete and railing improvements
 - (C) underground parking garage remedial work
 - (D) plumbing upgrades
 - (E) elevator refurbishing and upgrades
 - (F) security system
 - (G) noise reduction of rooftop mechanical equipment
 - (b) obtain Site Plan Approval from the Director, Community Planning, North District, under Section 41 of the Planning Act.
 - (c) fully comply with any outstanding Orders issued under the Building Code Act for 4383 Bathurst Street or 569 Sheppard Avenue West to the satisfaction of the Municipal Licensing and Standards Division.

- (May 22, 2003) from the Director, Community Planning, North District, Urban Development Services, reporting on reviewing the written and verbal submissions provided by the deputants at the May 8, 2002 public meeting held by North York Community Council as directed.

Recommendations:

It is recommended that City Council:

- (1) Receive this report for information.
- (May 23, 2002) from the North District Manager, Municipal Licensing and Standards and Court Services, Urban Development Services, reporting on identifying Property Standards violations on the subject properties.

Recommendation:

It is recommended that:

- (1) This report be received as information on the condition of the subject properties.
- (June 22, 2004) from the Manager, Municipal Licensing & Standards, North District and the Director, Community Planning, North District, Urban Development Services, reporting on the status of the enforcement and/or completion of all the Property Standards violations identified in the report dated May 23, 2002 from the Manager, Municipal Licensing & Standards and Court Services, North District, and the costs associated with the value of these improvements; and reporting on the appropriateness of identifying any costs associated with Property Standards violations within the matters to be secured under a Section 37 Agreement so that they are not included in the costs to be passed through to the tenants through rent increases.

Recommendation:

It is recommended that this report be received for information.

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

- (1) delete recommendation 4(a)(ii) of the report (April 24, 2002) from the Director, Community Planning, North District, Urban Development Services, and replace it with the following recommendations:
 - “4(a) (ii) A cash contribution of \$300,000 be made by the owner for the construction of an outdoor swimming pool or splash pad in Earl Bales Park; and
 - (iii) The \$7,000.00 identified as the outstanding Property Standards Violation as set out in the

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report of June 22, 2004 from the Manager of Municipal Licensing and Standards, North District and the Director of Community Planning, North District, Urban Development Services, not be passed through to the tenants.”

- (2) endorse the approval by the Ontario Municipal Board of the proposed amendments to the Official Plan and to Zoning By-law 7625 of the former City of North York substantially in accordance with Attachments 6 and 7 to the report dated April 24, 2002 from the Director, Community Planning, North District, Urban Development Services to the North York Community Council;
- (3) instruct the City Solicitor to request the Ontario Municipal Board to withhold its Order approving the Official Plan Amendment and Zoning By-law Amendment until the owner has:
 - (a) executed and registered a Section 37 Agreement securing those items described in the recommendations section of the report (April 24, 2002) from the Director, Community Planning, North District, Urban Development Services, as amended;
 - (b) obtained site plan approval under Section 41 of the Planning Act; and
 - (c) complied with any outstanding Orders issued under the Building Code Act with respect to the subject property, to the satisfaction of the Manager, Municipal Licensing and Standards, Urban Development Services.
- (4) ensure that as part of the Site Plan Approval, a formal walkway is constructed to connect the subject property to Earl Bales Park where the informal walkway is presently located, as referred to in the report (April 24, 2002) from the Director of Community Planning, North District, Urban Development Services.
- (5) receive the following reports for information:
 - (a) (May 22, 2002) from the Director, Community Planning, North District, Urban Development Services;
 - (b) (May 23, 2002) from the North District Manager, Municipal Licensing and Standards and Court Services; and

- (c) (June 22, 2004) from the Manager, Municipal Licensing and Standards, North District and Director, Community Planning, North District, Urban Development Services.

Report 6, Clause 26

7.36 Final Report – Part Lot Control Application 04 138070 NNY 23 PL – Domenic Rotundo, Gambin RDQ – 73 & 75 Finch Avenue West (Ward 23 – Willowdale)

The North York Community Council considered a report (June 9, 2004) from the Director, Community Planning, North District, Urban Development Services, reporting on a request for an exemption from part lot control in order that 7 townhouse dwelling units and 2 semi-detached dwelling units may be conveyed into separate ownership.

Recommendations:

It is recommended that:

- (1) the application be approved;
- (2) the Owner of the subject lands be required to register a Section 118 Restriction under the Land Titles Act, to the satisfaction of the City Solicitor, agreeing not to convey or mortgage any part of the lands without the prior written consent of the Chief Planner or his designate;
- (3) the City Solicitor be authorized to take the necessary steps to allow for the removal of the Section 118 Restriction from title to the subject lands, upon receipt of confirmation that the Common Element Condominium Plan has been registered;
- (4) 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;
- (5) the City Solicitor introduce the necessary Bills in Council to give effect to recommendation 1 after such time that recommendations 2 and 4 are satisfied, and such by-law to expire one year after it has been enacted; and
- (6) the appropriate City Officials be authorized and directed to register the By-law on title.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 27

7.37 Final Report – Rezoning Application 04 109961 NNY 23 OZ – 1 Avondale Avenue and Rezoning Application 04 109950 NNY 23 OZ and Site Plan Application 04 109443 NNY 23 SA – 19 Avondale Avenue – BBT Development Group – Rafael and Bigauskas Architects (Ward 23 – Willowdale)

As directed by the Toronto North Community Council, at its meeting on April 7, 2004, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council considered a report (June 16, 2004) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-laws for a 20 storey mixed use building at 1 Avondale Avenue and a 7 storey residential building at 19 Avondale Avenue.

Recommendations:

It is recommended that City Council:

- (1) amend the Zoning By-law 7625 for the former City of North York substantially in accordance with the draft Zoning By-law Amendments attached as Attachments 7 for 1 Avondale Avenue and Attachment 8 for 19 Avondale Avenue.
- (2) authorize the City Solicitor to make such stylistic and technical changes to draft Zoning By-law Amendments as may be required.
- (3) require the owner, prior to introducing the necessary Bills to City Council for enactment, to enter into a Section 37 Agreement to implement density incentives for the provision of below grade bicycle storage and private amenity area for 19 Avondale Avenue as noted in the draft by-law included as Attachment 8;
- (4) approve the plans and Conditions of Site Plan for 19 Avondale Avenue included as Attachment 9 and require the applicant to enter into a Site Plan Agreement under Section 41 of the Planning Act based on the conditions and plans included as Attachment 9 prior to issuance of a building permit.

The North York Community Council also considered a communication (July 2, 2004) from Hui Kalina Shi.

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 28

7.38 Final Report – Rezoning Application 03 190843 NNY 23 OZ – Wagdi Tadros, Pyramids Engineering – 89 Finch Avenue West (Ward 23 – Willowdale)

As directed by the Toronto North Community Council, at its meeting on January 5, 2004, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council considered a report (June 16, 2004) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law for a 3 storey mixed-use at 89 Finch Avenue West.

Recommendations:

It is recommended that City Council:

- (1) amend the Zoning By-law for the former City of North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment No. 6.
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) before introducing the necessary Bills to City Council for enactment, the owner be required to:
 - (a) convey to the City, for a nominal sum and free and clear of all encumbrances, a road widening measuring approximately 2.76 metres along the Finch Avenue West frontage;
 - (b) submit revised plans reflecting the changes outlined by this report; and obtain site plan approval from the Director, Community Planning, North District under Section 41 of the Planning Act.

The North York Community Council also considered communications:

- (July 5, 2004) from George S. Belza, Partner, Analogica, on behalf of the Edithvale-Yonge Community Association; and
- (July 6, 2004) from Joseph Hacoheh, 1176968 Ontario Limited.

The following persons appeared before the North York Community Council:

- Wagdi Tadros, President, Pyramids Engineering; and
- George Belza, Analogica, on behalf of the Edithvale-Yonge Community Association.

On motion by Councillor Fillion, Ward 23 - Willowdale, the North York Community Council recommended that City Council:

- (1) adopt the staff recommendations in the Recommendations Section of the report (June 16, 2004) from the Director, Community Planning, North District, Urban Development Services; and
- (2) amend the wording in Section 2(b) of the Draft By-law, dealing with the Gross Floor Area, to the following wording:

“2 (b) Gross Floor Area

The maximum gross floor area shall not exceed 664m² of which no more than 494m² shall be used for commercial purposes including basement storage space with retail limited to no more than 194m².”

Report 6, Clause 29

7.39 Request for Direction Report – OPA & Rezoning Application – 03 163125 NNY 23 OZ – Wycliffe Leona Limited – Giancarlo Garofalo Architects - 9 to 21 Leona Drive (Ward 23 – Willowdale)

The North York Community Council considered a report (June 28, 2004) from the Director, Community Planning, North District, Urban Development Services, providing an update on the applicant’s revised proposal for an apartment building at the above address, recommending that the application as revised, not be supported, and seeking Council’s direction for staff to attend at the Ontario Municipal Board in opposition to the applicant’s appeals.

Recommendations:

It is recommended that:

- (1) City Council not support the applicant's revised Official Plan and Zoning Amendment applications;
- (2) the City solicitor and City staff continue to defend the refusal of this application at the Ontario Municipal Board; and
- (3) should the related Site Plan Approval application be appealed to the Ontario Municipal Board, the City Solicitor and City staff be authorized to appear before the Ontario Municipal Board in opposition to the Site Plan Approval application.

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 30

Councillor Feldman assumed the Chair.

7.40 Final Report – OPA & Rezoning Application 04 107621 NNY 23 OZ – B’Nai Brith Hillel of Toronto Inc. – Benjamin Schultz - 1 Kenton Drive (Ward 23 – Willowdale)

As directed by the Toronto North Community Council, at its meeting on February 17, 2004, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council considered a report (June 23, 2004) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and the Zoning By-law for a 3-storey residential care facility for Alzheimer residents at 1 Kenton Drive (southeast corner of Bathurst Street and Kenton Drive).

Recommendations:

It is recommended that City Council:

- (1) amend the Official Plan for the former North York substantially in accordance with the draft Official Plan Amendment attached as Attachment 8.

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- (2) amend Zoning By-law 7625 for the former North York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 9.
 - (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and/or draft Zoning By-law Amendment as may be required.
 - (4) before introducing the necessary Bills to City Council for enactment, require the owner to:
 - (a) convey or cause to be conveyed to the City for dedication as public highway for a nominal sum, free of all encumbrances, a 6.1 m corner rounding at the corner of Bathurst Street and Kenton Drive, and deposit with the City Solicitor deeds for these lands in a form satisfactory to the City Solicitor in consultation with the Commissioner of Works and Emergency Services, and have these deeds registered by the City;
 - (b) have obtained Site Plan Approval under section 41 of the Planning Act from the Director, Community Planning, North District, with the Site Plan Approval to include the following conditions, among such other matters as may be required by the City:
 - (i) that the owner agrees to implement, and monitor on an ongoing basis, demolition and dust control measures, for the duration of both the demolition of the existing building and the construction of the new building, substantially in accordance with the procedures outlined in Attachment 7c; and
 - (ii) that prior to the issuance of any building permit for the site, including a demolition permit for the existing building, the owner shall submit to and have approved by the Commissioner of Works and Emergency Services (Director, Transportation Services, District 3) a construction staging and truck routing plan for the project, and agrees to implement the measures contained within this plan.

The North York Community Council also considered communications:

- (April 19, 2004) from Casey K. Piekarz;
- (July 5, 2004) from Margaret Thomson, President and Anna Korolnek, Secretary, on behalf of York Condominium Corporation No. 105; and
- (July 5, 2004) from Margaret Thomson;

The following persons appeared before the North York Community Council:

- Benjamin Schultz, Architect, on behalf of the applicant;
 - Anna Korolnek;
 - Gabriele Fezza
 - Lea Kohut;
 - Brian Katz;
 - Walter Tavares; and
 - Pearl Gladman, National Director, Centre for Community Action, B’Nai Brith of Canada Inc.
- A. Councillor Filion, Ward 23 - Willowdale, moved that the North York Community Council recommend that City Council adopt the staff recommendations in the Recommendations Section of the report (June 23, 2004) from the Director, Community Planning, North District, Urban Development Services.
- B. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved in amendment to Motion A., by Councillor Filion, that City Council:
- (1) impose a further condition requiring the applicant to secure a minimum of 6 additional parking spaces from Hydro; and
 - (2) direct the Director of Transportation Services, North District, to undertake a parking study at the residential care facility for Alzheimer residents at 1 Kenton Drive, after one year of operation, and following that study, the applicant be requested to adjust the parking as may be required.

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

Upon the question of the adoption of Motion A., as amended by Motion B., it was carried.

Report 6, Clause 31

7.41 Final Report – Removal of Holding “H” Symbol – 04 125574 NMI 25 0Z - Four Seasons Hotels Limited - 1165 & 1177 Leslie Street (Ward 25 – Don Valley West)

The North York Community Council considered a report (June 23, 2004) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Zoning By-law to lift the Holding Symbol provisions as they pertain to 1165 Leslie Street and a portion of 1177 Leslie Street to accommodate a 6-storey office addition at the rear of the existing office building at 1165 Leslie Street.

Recommendations:

It is recommended that City Council:

- (1) Amend Zoning By-laws MC(23)(H) and MC(24)(H) as they pertain to 1165 and 1177 Leslie Street 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.
- (3) Before introducing the necessary Bill to City Council for enactment, require the owner to:
 - (a) submit confirmation from the Works & Emergency Services Department that the requirements noted in their memorandum dated June 21, 2004 have been satisfied;
 - (b) submit confirmation from the Finance Revenue Services Division that there are no fees or charges to be paid, including outstanding taxes and local improvement charges for 1165 and 1177 Leslie Street.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 32

Councillor Minnan-Wong, resumed the Chair.

7.42 Final Report – OPA & Rezoning Application 03 183175 NMI 26 OZ – Site Plan Application 04 135672 SA Subdivision Application 04134847 SB – Daniels Midtown Corporation, Kirkor Architects – 1929 Bayview Avenue – east of the CNIB Head Office (Ward 26 – Don Valley West)

As directed by the Toronto North Community Council, at its meeting on February 17, 2004, appropriate notice of this statutory public meeting was given in accordance with the Planning Act and the regulations thereunder.

The North York Community Council considered a report (June 15, 2004) from the Director, Community Planning, North District, Urban Development Services, reporting on an application to amend the Official Plan and the Zoning By-law for a residential development at 1929 Bayview Avenue and recommending draft plan of subdivision approval for a new public road.

Recommendations:

It is recommended that City Council:

- (1) Amend the Official Plan for the former City of North York substantially in accordance with the draft Official Plan Amendment attached as Attachment 6.
- (2) Amend the City of Toronto Official Plan substantially in accordance with the draft Official Plan Amendment attached as Attachment 7.
- (3) Amend the Official Plan for the former Borough of East York substantially in accordance with the draft Official Plan Amendment attached as Attachment 8.
- (4) 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 9.
- (5) Amend Zoning By-law 1916 for the former Borough of East York substantially in accordance with the draft Zoning By-law Amendment attached as Attachment 10.
- (6) Authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendments and draft Zoning By-laws as may be required.
- (7) Before introducing the necessary Bills to City Council for enactment, the owner shall enter into an agreement with the City of Toronto in a form satisfactory to the City Solicitor to secure the following:

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- (a) a cash contribution of \$250,000 for off site community improvements; and,
 - (b) a cash-in-lieu contribution of \$300,000 to the Capital Revolving Fund for Affordable Housing.
- (8) Council be advised that the Acting Chief Planner, who has been delegated authority to approve conditions of draft plan of subdivision approval, proposes to approve the application subject to the conditions contained in this report.
- (9) Authorize the City Solicitor to introduce the necessary Bills in Council to give effect to these recommendations and to prepare the agreements referred to.

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

The North York Community Council also considered the following communications:

- (June 18, 2004) from W.H. Willis; and
- (June 25, 2004) from Carmen and Vincent Lee.
- (June 6, 2004) from Lucy Drimmel; and
- (July 5, 2004) from Agnes Vermes.

The following persons appeared before the North York Community Council:

- Niall Haggart, Vice President, Daniels Midtown Corporation;
- Andrew Lin, who submitted a written submission;
- Bryan Smith, on behalf of North Leaside Residents' Association, who submitted a written submission;
- Lucy Drimmel;
- Peter Joyce, North Leaside Residents' Association; who submitted a written submission; and
- Bob Duffield, North Leaside Residents' Association, who submitted a written submission.

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On motion by Councillor Pitfield, Ward 26 – Don Valley West, the North York Community Council recommended that City Council:

- (1) adopt staff Recommendations (1), (2), (3), (4), (5), (6), (8) and (9) in the Recommendations Section of the report (June 15, 2004) from the Director, Community Planning, North District, Urban Development Services;
- (2) amend Recommendation 7(a) by increasing the cash contribution from \$250,000 to \$300,000, so that Recommendation 7 now reads as follows:
 - “(7) Before introducing the necessary bills to City Council for enactment, the owner shall enter into an agreement with the City of Toronto in a form satisfactory to the City Solicitor to secure the following:
 - (a) a cash contribution of \$300,000 for off site community improvements; and
 - (b) a cash-in-lieu contribution of \$300,000 to the Capital Revolving Fund for Affordable Housing.”
- (3) adopt the following Resolution submitted by Councillor Pitfield, Ward 26, Don Valley West:

“WHEREAS Mattamy (Bayview) Limited filed an appeal on April 10, 2003 on the proposed new Official Plan for the City of Toronto including an appeal of the institutional designation of the 1929 Bayview Avenue site; and

WHEREAS on April 8, 2004 Daniels Midtown Corporation became the applicant for the property at 1929 Bayview Avenue and filed an application for an amendment to the new Official Plan;

NOW THEREFORE BE IT RESOLVED that the following Recommendation respecting the Mattamy appeal be added as Recommendation (10) to recommendations section of the report (June 15, 2004) from the Director, Community Planning, North District, Urban Development Services:

- “(10) Prior to the by-laws being enacted by City Council the owner provide a written undertaking in a form satisfactory to the City Solicitor, that upon the Official Plan Amendment and Zoning By-law described in this report coming into force and effect,

that the owner's appeal of the New Toronto Official Plan be settled upon the necessary amendments to the New Official Plan being made to reflect the Official Plan amendment and Zoning By-law as finally approved."

- (4) approve the following additional Recommendations:
- (a) that the penthouse component be removed, to the best of the applicant's ability, from the 7th storey of the buildings and included within a 1.3 metre parapet;
 - (b) that no access passes to the Rumsey Road access gate be granted to the future residents of the Daniels Midtown Corporation development;
 - (c) that prospective purchasers be advised that there is no student capacity at Northlea Public School and that children from the Daniels Midtown Corporation development may be restricted from attending Northlea Public School and may be required to attend the Bennington Heights Public School;
 - (d) that the traffic study and context study of the Bayview Avenue Corridor be reinstated and undertaken; and
 - (e) that it be required that as a condition of parkland conveyance, no permanent signage can remain or be erected by the CNIB, Bloorview-MacMillan or the Daniels Midtown Corporation."

Report 6, Clause 33

7.43 OMB Settlement Report – Application to Amend the Official Plan and Zoning By-law – TB CMB 2002 0007 - Monarch Construction Limited (Hillier and Graziani and Corazza Architects Inc.) – 2025 – 2045 Sheppard Avenue East (Ward 33 – Don Valley East)

The North York Community Council considered a report (June 22, 2004) from the Director, Community Planning, North District, Urban Development Services, reporting on a proposal to amend the North York Official Plan and Zoning By-law to permit residential, office and commercial development including 900 to 1,070 residential units; and further recommending that the City Solicitor and appropriate City staff bring forward the position outlined in the report to the Ontario Municipal Board hearing scheduled to start on September 20, 2004.

Recommendations:

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It is recommended that:

- (1) City Council endorse the settlement of the OMB appeal for 2025-2045 Sheppard Avenue East, based on the revised concept submitted by the applicant, which settlement includes the following:
 - (a) The lands located between Sheppard Avenue and the proposed new road be redesignated in the North York Official Plan to Mixed Use.
 - (b) The maximum overall density be limited to 3.5 FSI excluding density exemptions.
 - (c) The maximum gross floor area be limited to 93,814 square metres, excluding density exemptions, of which a minimum of 8,740 square metres shall be for office and commercial uses to be located south of the new public road.
 - (d) The maximum number of dwelling units be limited to 900 to 1,070 units.
 - (e) A commercial use of minimum 464 square metres be built on the south side of the new road prior to or at the same time as construction of the first residential building.
 - (f) Prior to construction of the third residential tower, an office use with a minimum gross floor area of 3,251 square metres shall be built on the south side of the new road.
 - (g) The maximum building heights be limited to 38 storeys for Building A, 30 storeys for Building B, and 25 storeys for Building C.
- (2) Prior to the OMB Hearing, the applicant submit revised detailed plans to the City for review, based on the revised concept discussed in the report and which include the following:
 - (a) A Section 41 Site Plan application which includes site, elevation, landscaping and parking drawings and associated data.
 - (b) Any necessary supporting documentation for the revised proposal including a wind tunnel test report and sun/shade report for the proposed maximum heights, to the satisfaction of the Director, Community Planning, North District.

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- (3) The detailed zoning by-law incorporate performance standards which include, but is not limited to, regulations on building setbacks, building floor plate and envelopes, build to lines on Sheppard Avenue, parking, building heights, gross floor area, number of dwelling units, minimum indoor recreational amenity space, outdoor open space area, locker space, and Section 37 benefits.
- (4) As part of the detailed review of the revised plans, the applicant shall address the concerns of the commenting departments and agencies including the requirements of the Works & Emergency Services Department and the Ministry of Transportation, Corridor Management Office.
- (5) The City Solicitor request that the Ontario Municipal Board hold its Order approving the Official Plan amendment and zoning by-law until:
 - (a) the owner has entered into an Agreement under Section 37 of the Planning Act agreeing to provide a \$1 million contribution to be used for community facility improvements in the area, to the satisfaction of the Commissioner of Economic Development, Culture and Tourism in consultation with the ward Councillor. The payment is to be submitted to the City prior to building permit for the first residential building.
 - (b) The owner has entered into an Agreement under Section 37 of the Planning Act agreeing to provide a \$200,000 contribution to be used for sidewalk and other pedestrian related improvements along Sheppard Avenue west of Yorkland Road to the Don Mills subway station, to the satisfaction of the Commissioner of Urban Development Services. The payment is to be submitted to the City prior to building permit for the first residential building.
 - (c) The owner has entered into an Agreement under Section 37 of the Planning Act agreeing to contribute \$10,000 for future traffic monitoring, to the satisfaction of the Director, Community Planning, North District. The payment is to be submitted to the City prior to building permit for the first residential building.
 - (d) The owner has entered into an Agreement under Section 37 of the Planning Act agreeing to provide a shuttle bus service to the Don Mills subway station, to the satisfaction of the Director, Community Planning, North District. Details of the shuttle bus service will be included in the agreement.
 - (e) The owner has entered into an Agreement under Section 37 of the Planning Act agreeing to the timing for the provision of a commercial use and office building on the south side of the new public road.

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- (f) The owner has submitted a plan of subdivision application for the new road.
 - (g) The owner has given a written undertaking in a form satisfactory to the City Solicitor, that upon the Official Plan amendment and zoning by-law described in this report coming into force and effect, that the owner's appeal of the New Toronto Official Plan be settled upon the necessary amendments to the New Toronto Official Plan being made to reflect the Official Plan amendment and zoning by-law approved by the OMB.
 - (h) The owner has applied for and received site plan approval, which may include phasing, and entered into an agreement under Section 41 of the Planning Act.
- (6) 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 the City Solicitor and any other appropriate City staff be authorized to take such actions as necessary to give effect to the recommendations of this report.

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

The North York Community Council also considered communications:

- (June 30, 2004) from William S. Hollo, GSI Real Estate and Planning Advisors Inc., on behalf of Parkway Carwash Limited; and
- (July 5, 2004) from Donna Shames.

The following persons appeared before the North York Community Council:

- John Dawson, Solicitor, of the law firm of McCarthy Tetrault, on behalf of the applicant (Monarch Construction Limited);
- Peter Schubert, Hillier Architects Inc., on behalf of the applicant;
- George Soulis, President, Muirhead Area Ratepayers Association;
- Ken Baxter, owner of The Fish House restaurant;
- William S. Hollo, GSI Real Estate and Planning Advisors Inc., on behalf of Parkway Carwash Limited;

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- David Meadows;
 - Koorbau Giga;
 - Barry Magladerry; and
 - Ted Elliott.
- A. Councillor Carroll, Ward 33 – Don Valley East, moved that the North York Community Council recommend that City Council:
- (1) not adopt the staff recommendations in the Recommendations Section of the report (June 22, 2004) from the Director, Community Planning, North District, Urban Development Services;
 - (2) retain an outside planner to oppose this application at the Ontario Municipal Board and to produce a planning and traffic study for the Consumers Road Business Park Area; and
 - (3) request that consideration be given to the recommendations outlined in the communication dated June 30, 2004, from William Hollo, GSI Real Estate and Planning Advisors Inc., representing the Parkway Carwash Limited; and that the concerns outlined therein be addressed before finalization.
- B. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the North York Community Council recommend that City Council request staff to attempt to negotiate a settlement of this matter and in so doing, consider, as the bottom line, the staff recommendations in the Recommendations Section of the report (June 22, 2004) from the Director, Community Planning, North District, Urban Development Services, with the addition of the following:
- (a) that the bus service operate for a minimum of 20 years or until such time as the Sheppard Subway station, to the east of the Don Valley Parkway, is operable;
 - (b) that the applicant be encouraged to approach the TTC to explore the feasibility of a service being operated by the TTC as a community bus service with operating losses covered by the applicant;
 - (c) that the applicant, as part of the Section 37 Agreement provide each condominium purchaser with a free annual transit pass on a one time basis only and be encouraged to negotiate a discount

package with the TTC for the purchase of these transit passes on a bulk purchase basis;

- (d) that all pedestrian signal heads be of the countdown type and all loop detectors be of the above ground variety;
- (e) that the applicant pay the TTC an amount to be negotiated, for signal prioritization;
- (f) the phasing plan be amended to ensure that one of the two office buildings be built at the same time or immediately after the construction of the first condominium building; and
- (g) that up to 1% for public art be negotiated with the applicant and the Commissioner, Urban Development Services and the Commissioner of Economic Development, Culture and Tourism, in consultation with the Ward Councillor.

- C. Councillor Minnan-Wong, Ward 34 – Don Valley East, moved that the North York Community Council recommend that City Council request the applicant to negotiate a fair and reasonable lease agreement with the owner of the Fish House Restaurant for space within the new development.

Upon the question of the adoption of Part (1) of Motion A., by Councillor Carroll, it was carried.

Upon the question of the adoption of Parts (2) & (3) of Motion A., by Councillor Carroll, it was carried.

Upon the question of the adoption of Motion B., by Councillor Moscoe and Motion C., by Councillor Minnan-Wong, it was carried.

Report 6, Clause 34

7.44 Refusal and Request for Direction Report – Official Plan Amendment Application 04 100128 NNY 23 OZ - Zoning By-law Amendment Application UDZ-99-17 – DUCA Financial Services Credit Union Ltd. – Hendrik Op’T Root Architect Ltd. - 5270-5290 Yonge Street (Ward 23 – Willowdale)

The North York Community Council considered a report (June 28, 2004) from the Director, Community Planning, North District, Urban Development Services, recommending refusal of an Official Plan Amendment application and a revised Zoning Amendment application proposing alternative density incentives, and seeking

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Council's direction for staff to attend at the Ontario Municipal Board in opposition to the applicant's appeals.

Recommendations:

It is recommended that:

- (1) City Council refuse the Official Plan Amendment application and the applicant's revisions to the Zoning Amendment application with respect to alternative density incentives, as proposed;
- (2) the City Solicitor and City staff be authorized to attend at the Ontario Municipal Board to oppose the density incentives as proposed by the applicant; and
- (3) in the event the applicant chooses to offer a density incentive contribution that reflects the intent of the relevant Official Plan policies, prior to the Ontario Municipal Board hearing, that the City Solicitor and City staff be permitted to accept that incentive and support the proposal at the Ontario Municipal Board.

The following persons appeared before the North York Community Council:

- Andrew Jeanrie, Solicitor, of the law firm of Fraser, Milner Casgrain, on behalf of DUCA Financial Services Credit Union Ltd.; and
- Perry Copses, on behalf of the Yonge Corridor Condominium Association.

On motion by Councillor Fillion, Ward 23 - Willowdale, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 28, 2004) from the Director, Community Planning, North District, Urban Development Services, subject to recommendation (3) being amended by inserting the words "in consultation with the Ward Councillor" following the words "City staff" so that recommendation (3) now reads as follows:

- “(3) in the event that the applicant chooses to offer a density incentive contribution that reflects the intent of the relevant Official Plan policies prior to the Ontario Municipal Board hearing, that the City Solicitor and City staff, in consultation with the Ward Councillor, be permitted to accept that incentive and support the proposal at the Ontario Municipal Board.”

Report 6, Clause 35

7.45 Request for Direction Report – Application to Amend the Official Plan and Zoning By-law – 04 120027 NHY 15 OZ – Savoia Developments Ltd. (Cityscape Design Innovations Inc.) - 108 Stayner Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (June 29, 2004) from the Director, Community Planning, North District, Urban Development Services, reporting on an appeal to the Ontario Municipal Board of the official plan amendment application, to seek Council direction on whether the City Solicitor should be directed to attend and support the position outlined in this report regarding the Official Plan Amendment application and to seek Council direction on the Zoning By-law Amendment Application, as well as any subsequent appeal.

Recommendations:

It is recommended that:

- (1) The City Solicitor and appropriate City staff be instructed to attend the Ontario Municipal Board to oppose the Official Plan Amendment Application for the reasons outlined in this report;
- (2) City Council refuse the Zoning By-law Amendment application, in its current form, on the basis of the reasons outlined in this report;
- (3) The City Solicitor and appropriate City staff be instructed to attend the Ontario Municipal Board to oppose the Zoning By-law Amendment Application for the reasons outlined in this report, if appealed to the Ontario Municipal Board; and
- (4) Authorize City staff to continue discussions with the applicant to revise the proposal to address the issues outlined in this report.

The North York Community Council also considered form letters received from the following persons in opposition to the application:

- (May 17, 2004) from Mr. Anthony Coiro;
- (May 17, 2004) from Ms. Georgina M. Gilbert;
- (May 17, 2004) from Mr. Michael Garreffa;
- (May 23, 2004) from Mr. Robert Ubaldo Bianchi;
- (May 18, 2004) from Louis Tantalo;
- (May 20, 2004) from Claudio Ricci;
- (May 17, 2004) from Ms. Mary Polimeni;
- (May 23, 2004) from A. Vicente;
- (May 17, 2004) from Ms. Anna Maria Sisti;
- (May 18, 2004) from Mr. Antonio Remigio;

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- (May 17, 2004) from Mr. Frank Aldea;
- (May 17, 2004) from Mr. John Mastroianni;
- (May 18, 2004) from Ms. Maria Sibellino;
- (May 20, 2004) from Mr. Edward Gangel;
- (May 17, 2004) from Ms. Anna Eibl;
- (May 17, 2004) from Ms. Carmela Cocca;
- (May 18, 2004) from Ms. Patricia Cesario;
- (May 18, 2004) from Pat Cesario;
- (May 17, 2004) from Manuel Saraiva;
- (May 17, 2004) from Serguei Toropov;
- (May 19, 2004) from Denis DaRos;
- (May 20, 2004) from Ioanna Rizos;
- (May 18, 2004) from Ms. Maria Coiro;
- (May 18, 2004) from Ms. Margherita Esposito Perrella;
- (May 18, 2004) from Mr. Luigi D'Alessandro;
- (May 20, 2004) from Mr. Joe Coiro;
- (May 20, 2004) from Ms. Rosa Grosso;
- (May 18, 2004) from Ms. Elisabeth E. Schoenhardt;
- (May 19, 2004) from Ms. Natalina Mastroianni;
- (May 19, 2004) from Ms. Marisa Legovich;
- (May 19, 2004) from D. MacDonald;
- (May 19, 2004) from Mr. Vincenzo Bianco;
- (May 22, 2004) from Mr. Luigi Coiro;
- (May 17, 2004) from Miguel Munoz;
- (May 23, 2004) from Mr. Robert Frank Bianchi;
- (May 21, 2004) from Ms. Gloria Ricci;
- (May 24, 2004) from Mr. Philip Hornick;
- (May 17, 2004) from Mr. Reginald Smith;
- (May 18, 2004) from Giuseppe Perrelli;
- (May 20, 2004) from Mr. Brian M. Love;
- (May 17, 2004) from Mr. Emilio Cocca;
- (May 17, 2004) from Ms. Nelly Munoz;
- (May 18, 2004) from Mr. Lorenzo Sibellino;
- (May 18, 2004) from Ms. Jenny Balsam;
- (May 17, 2004) from Marina Mantothenko;
- (May 17, 2004) from Giovanni Sisti;
- (May 19, 2004) from Mr. Mike Di Cosmo;
- (May 30, 2004) from Mr. Antonio Coiro;
- (May 19, 2004) from Mr. Antonio Calabretta;
- (May 19, 2004) from Mr. Vincenzo Cozza;
- (May 18, 2004) from Assunta Di Pasquale;
- (May 17, 2004) from Ms. Anna Mastroianni;
- (May 23, 2004) from Ms. Maria Bianchi;
- (May 18, 2004) from Ms. Vanda Perrelli;
- (May 18, 2004) from Ms. Ursula Buresch;

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- (May 18, 2004) from Mr. Emil F. Schoenhardt;
- (May 18, 2004) from Mr. Bruno Perrella;
- (May 19, 2004) from Mr. Maria Coccia;
- (May 19, 2004) from Mr. Antonio Lopes;
- (May 22, 2004) from Mr. Angelo Coiro;
- (May 17, 2004) from Mr. Tom Sisti;
- (May 18, 2004) from Mr. Angelo Di Pasquale;
- (May 20, 2004) from Mr. Ralph Grosso;
- (May 20, 2004) from Ms. Paula Coiro;
- (May 19, 2004) from Ms. Grace Bianco;
- (May 17, 2004) from Ms. Maria Gertrudes;
- (May 20, 2004) from Maria Rose Coiro;
- (May 19, 2004) from Ms. Tullia Bianco;
- (May 19, 2004) from Hortence Lopes;
- (May 20, 2004) from Mr. Peter Rizos;
- (May 19, 2004) from Gerry Iori;
- (May 19, 2004) from Mr. John Cocca;
- (May 20, 2004) from Jean Grosso;
- (May 20, 2004) from H. Hutchinson;
- (May 19, 2004) from Ms. Cathy Bertucci;
- (May 22, 2004) from Pina Coiro;
- (May 23, 2004) from Jorge Pergira;
- (May 22, 2004) from Ms. Mirella R. Murdocca;
- (May 22, 2004) from Mr. Frank Murdocca;
- (May 19, 2004) from Rocco Bertucci;
- (May 19, 2004) from Maria Cozza;
- (May 19, 2004) from Giuseppe Berardini;
- (May 17, 2004) from Mr. Ronald Gilbert;
- (May 23, 2004) from Mr. Domenic Bianchi;
- (June 16, 2004) from Ms. Anna Shuryn;
- (June 15, 2004) from Mr. Bruno De Angelis;
- (June 15, 2004) from Mr. Frank Granieri;
- (June 15, 2004) from Mrs. Renata Granieri;
- (June 3, 2004) from Mrs. R. Vultaggio;
- (June 11, 2004) from Mr. Anthony Succi;
- (June 11, 2004) from Ms. Maria Succi;
- (June 10, 2004) from Nina Gray;
- (June 16, 2004) from Mr. Tony Naccarato;
- (June 16, 2004) from Silia Smith;
- (June 14, 2004) from Pasquale D'Alimonte;
- (June 14, 2004) from Vilma Sartor;
- (June 13, 2004) from Dennis Tmej;
- (June 15, 2004) from Nadia Granieri;
- (June 15, 2004) from T. Mantello;
- (June 3, 2004) from Jon Tomic;

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- (June 15, 2004) from Calisto Teodoro;
- (June 14, 2004) from Antonio Grossi;
- (June 14, 2004) from Benito Ferrari;
- (June 3, 2004) from Mary Bruno;
- (June 10, 2004) from Nadia Galati;
- (June 10, 2004) from Nicola Galati;
- (June 3, 2004) from Mr. Sal Vultaggio;
- (June 15, 2004) from Carmine Di Leo;
- (June 12, 2004) from Luisa Tmej;
- (June 3, 2004) from Shawna Bruno;
- (June 16, 2004) from Silvia Naccarato;
- (May 21, 2004) from Tony Demaria;
- (May 18, 2004) from Vittoria Ricci;
- (June 14, 2004) from Anna Ferrari;
- (June 11, 2004) from Angela Di Meo;
- (June 17, 2004) from Matthew R. Smith;
- (June 15, 2004) from Ms. Maria Granieri;
- (June 15, 2004) from David De Angelis;
- (June 15, 2004) from Orietta Granieri;
- (June 10, 2004) from Gianna Galati;
- (May 25, 2004) from M. Sisti;
- (May 28, 2004) from Dalia Gallo;
- (May 25, 2004) from R. Orsi;
- (June 16, 2004) from Pietro Cugliari;
- (June 14, 2004) from Franc Rubuo;
- (June 14, 2004) from N. Kreutos;
- (May 25, 2004) from Renie Orsi;
- (May 21, 2004) from Lisa Demaria;
- (May 22, 2004) from Joy Starkman;
- (May 19, 2004) from Antonietta Ariganello;
- (June 16, 2004) from Gaetano Di Meo;
- (June 15, 2004) from Maria T. Mantello;
- (May 28, 2004) from Aldo Saullo;
- (June 14, 2004) from Rosa Miriello;
- (June 10, 2004) from Steven Gray;
- (June 10, 2004) from Freddy Succi;
- (June 3, 2004) from P. Bellisimo; and
- (May 19, 2004) from Luigi Ariganello.

The North York Community Council also considered a form letter (June 21, 2004) from Paul Dempsey, in opposition to the proposed development.

The following persons appeared before the North York Community Council:

- Jude Tersigni, Armstrong Goldberg Hunter, on behalf of the applicant;

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- Maria Coiro;
- Anthony Coiro;
- Matthew Smith;
- Bruno De Angelis;
- Paul Dempsey; and
- Claudio Ricci;

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (June 29, 2004) from the Director, Community Planning, North District, Urban Development Services, subject to:

- (1) recommendations (1) and (3) being deleted and replaced with the following:
 - “(1) The City Solicitor and other appropriate City staff and/or outside consultants retained as necessary, be instructed to attend the Ontario Municipal Board to oppose the Official Plan Amendment Application for the reasons outlined in this report;
 - (3) The City Solicitor and other appropriate City staff and/or outside consultants retained as necessary, be instructed to attend the Ontario Municipal Board to oppose the Zoning By-law Amendment Application for the reasons outlined in this report, if appealed to the Ontario Municipal Board.”
- (2) recommendation (4) being amended by adding the words “in consultation with the local Ward Councillor and the local residents,” after the word “applicant”, so that recommendation (4) now reads as follows:
 - “(4) Authorize City staff to continue discussions with the applicant, in consultation with the local Ward Councillor and the local residents, to revise the proposal to address the issues outlined in this report.”

A recorded vote on the Recommendations moved by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, was as follows:

FOR: Councillors Pitfield, Carroll, Jenkins, Filion, Stintz, Moscoe, Minnan-Wong

AGAINST: Nil

ABSENT: Councillors Shiner, Feldman, LiPreti, Augimeri

Carried

Report 6, Clause 36

7.46 Request for Approval of a Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of a full-colour programmable display at 5000 Yonge Street (Ward 23 – Willowdale)

The North York Community Council considered:

- Clause 32 of the Toronto North Community Council Report 5, headed “Request for Approval of a Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of a full-colour programmable display at 5000 Yonge Street (Ward 23 – Willowdale), which was referred back to the North York Community Council by City Council, at its meeting held on June 22, 23 and 24, 2004;
- report (April 15, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by David Monaghan of Kramer Design Associates Limited, on behalf of Menkes Development for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a full-colour programmable display at 5000 Yonge Street.

Recommendations:

It is recommended that the request for the variance be refused for the reasons outlined in this report; and

- confidential report (July 5, 2004) from the City Solicitor, which was forwarded to all Members of North York Community Council under separate cover, having regard that the subject matter relates to the receiving of advice that is subject to solicitor-client privilege.

The following persons appeared before the North York Community Council on July 6, 2004:

- Jeremy Kramer, Kramer Design Associates Limited, on behalf of the applicant;
- David Self, Aegon Canada; and
- Robert Millward, Millward & Associates, Planning Consultants, on behalf of the applicant.

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

- (1) adopt the staff recommendation in the Recommendations Section of the report (April 15, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services; and
- (2) receive the confidential report (July 5, 2004) from the City Solicitor, which was forwarded to all Members of Council under separate cover, having regard that the subject matter relates to the receiving of advice that is subject to solicitor-client privilege.

Report 6, Clause 37

Councillor Feldman assumed the Chair.

7.47 Parking Prohibitions – “122 Graydon Hall” Transit Route (Ward 34 – Don Valley East)

The North York Community Council considered a report (June 25, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to prohibit parking on those streets affected by the extension of the “122 Graydon Hall” transit route.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the parking prohibitions between the hours of 8:00 a.m. and 4:00 p.m., Monday to Friday, on the south and west sides of Graydon Hall Drive, from a point 152.5 metres west of the easterly limit of Graydon Hall Place to the westerly limit of Fenelon Drive;

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- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the parking prohibitions between the hours of 8:30 a.m. and 6:00 p.m., Monday to Friday, on both sides of Fenelon Drive, from the southerly limit of Graydon Hall Drive to a point 231 metres south of the southerly limit of Graydon Hall Drive;
 - (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the parking prohibitions between the hours of 8:00 a.m. and 6:00 p.m., Monday to Friday, on the west side of Fenside Drive, from the northerly limit of Versend Drive to the southerly limit of Roywood Drive;
 - (4) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the south side of Graydon Hall Drive, between the hours of 6:00 a.m. and 8:00 p.m., Monday to Friday, from a point 152 metres east of the easterly limit of Don Mills Road to the westerly limit of Fenelon Drive;
 - (5) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on both sides of Fenelon Drive, between the hours of 6:00 a.m. and 8:00 p.m., Monday to Friday, from the southerly limit of Graydon Hall Drive to a point 231 metres southerly thereof;
 - (6) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on both sides of Roywood Drive, between the hours of 6:00 a.m. and 8:00 p.m., Monday to Friday, from the westerly limit of Marbury Crescent (west leg) to the westerly limit of Fenside Drive;
 - (7) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the west side of Fenside Drive, between the hours of 6:00 a.m. and 8:00 p.m., Monday to Friday, from the southerly limit of Roywood Drive to the northerly limit of Versend Drive;
 - (8) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the south side of Lynedock Crescent, between the hours of 6:00 a.m. and 8:00 p.m., Monday to Friday, from the easterly limit of Fenside Drive to the southerly limit of Roywood Drive; and
 - (9) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking on the north side of Roywood Drive, between the hours of 6:00 a.m. and 8:00 p.m., Monday to Friday, from the northerly limit of Lynedock Crescent to the easterly limit of Fenside Drive.

The North York Community Council also considered communications:

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- (July 5, 2004) from Floreen Forde, in opposition in opposition to the proposed extension of the “122 Graydon Hall” transit route;
- (July 5, 2004) from Eva Walker; in opposition of the proposed extension of the “122 Graydon Hall” transit route;
- (July 6, 2004) from Cecilia Lo, in opposition to the proposed parking prohibitions;
- (undated) from Zia Ahmed, in support of the proposed extension of the “122 Graydon Hall” transit route;
- Petition signed by 222 residents, in support of the extension of the “122 Graydon Hall” transit route;
- Petition signed by 275 area residents, in opposition to the extension of the “122 Graydon Hall” transit route.
- Petition signed by 3 residents, in opposition to the extension of the “122 Graydon Hall” transit route;

The following persons appeared before the North York Community Council and spoke in opposition to the proposed parking prohibitions and the extension of the “122 Graydon Hall” transit route:

- Virginia Laviolette;
- Marga Kubas, and who also filed a written submission on behalf of Steve Lipton;
- Anne McMaster;
- Don Hamilton;
- Anne Eaton;
- Donna Reynolds;
- Chan Shuk Bing;
- Gerald McNeely;
- Luisa De Klerk;
- Elisa Francis; and

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- Alexander Milochenko.

The following persons appeared before the North York Community Council and spoke in support of the proposed parking prohibitions and the extension of the “122 Graydon Hall” transit route:

- Abu Alam;
- Zia Ahmed; and
- Nabeel Rahman.

A. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the North York Community Council recommend that City Council adopt the staff recommendations in the Recommendations Section of the report (June 25, 2004) from the Director, Transportation Services, North District, Works and Emergency Services.

B. Councillor Minnan-Wong, Ward 34 – Don Valley East, moved that the North York Community Council recommend that City Council:

- (1) do not adopt the report (June 25, 2004) from the Director, Transportation Services, North District, Works and Emergency Services;
- (2) advise the Toronto Transit Commission that City Council does not support the extension of the “122 Graydon Hall” transit route since the parking prohibitions will not change the safety of the proposed transit route; and
- (3) request the Toronto Transit Commission to re-consider its previous decision before implementing a six-month trial run of the extension of the “122 Graydon Hall” transit route.

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

Upon the question of the adoption of Part (1) of Motion B., moved by Councillor Minnan-Wong, it was carried.

Upon the question of the adoption of Parts (2) & (3) of Motion B., by Councillor Minnan-Wong, it was carried.

Report 6, Clause 38

Councillor Minnan-Wong resumed the Chair.

7.48 Status Report – Unopened Portion of the Murray Ross Parkway Road Allowance (Ward 8 – York West)

The North York Community Council considered a joint report (June 28, 2004) from the Commissioner of Works and Emergency Services and the Commissioner of Corporate Services, advising on the status of the unopened portion of the Murray Ross Parkway road allowance, shown as Part 1 on the attached Sketch No. PS-2004-096 (the “Remaining Highway”).

Recommendation:

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

On motion by Councillor LiPreti, Ward 8 – York West, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next 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 LiPreti, Ward 8 – York West, the North York Community Council received the report.

Report 6, Other Items Clause 48(j)

7.49 Amendment of Earlier City Council Authorization respecting the Sale of Surplus Property – Parcel of Vacant Land, Block H, Plan 5345 – Northwest Side of Averill Crescent, adjacent to 53 Cummer Avenue (Ward 24 – Willowdale)

The North York Community Council considered a report (June 28, 2004) from the Commissioner of Corporate Services, recommending an amendment to Clause No. 32 of Report No. 7 of the North York Community Council, which was adopted by City Council at its meeting held on September 22, 23, 24 and 25, 2003.

Recommendations:

It is recommended that:

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- (1) City Council's earlier authorization be amended by deleting the words "save and except a one-foot strip fronting on Averill Crescent" and therefore, the whole of Block H is to be sold; and
 - (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor LiPreti, Ward 8 – York West, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next 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 LiPreti, Ward 8 – York West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 39

7.50 Parking Prohibitions – Bowie Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (June 30, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to amend the existing parking regulations on Bowie Avenue.

Recommendations:

It is recommended that:

- (1) the former City of York Traffic By-law Nos. 196-84 and 2958-94 be amended to permit parking for maximum periods of 60 minutes, between the hours of 8:00 a.m. and 4:00 p.m., Monday to Friday, on the north side of Bowie Avenue, from the easterly limit of Croham Road to the westerly limit of Caledonia Road; and
- (2) the appropriate City officials be authorized and directed to take whatever action is necessary to implement the foregoing, including the introduction in Council of any Bills that are required.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council, in accordance with the provisions of §27-126B,

Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 40

7.51 Deterioration of North York Civic Centre (Ward 23 – Willowdale)

The North York Community considered a communication submitted by Councillor Moscoe, Ward 15 – Eglinton-Lawrence:

“I am writing to express my dismay at the sad state to which North York City Hall has been allowed to deteriorate. The concrete above the main entrance is darkened and stained. Birds have built nests into the letters above the front door and the railings that frame Mel Lastman square are rusted and spalling. Light fixtures around the square are broken and the grills around the north entrance driveway are dented, broken and rusted.

Anyone entering the Garage from North York Boulevard will notice bollards with paint peeling and dull faded equipment. North York Boulevard is landscaped with two steel garbage lift containers (Better than the broken flowerpot bins but marginally).

The most disappointing aspect of this nightmare management scenario is that councillors were economically evicted from their offices for no apparent reason. The space has been sitting empty for almost six years now and those councillors who need to use facilities have no offices in which to meet constituents. They have had to do so at spaces called “touchdown facilities” on broken chairs while an entire suite of offices sit empty behind them. Anyone who managed a building in this manner in the private sector would have been either fired or designated a slum landlord.

To top it off the best offices in North York City Hall, The mayoral suite, have been locked by Lastman decree and only opened since his departure. That was seven months ago and to this day they remain empty and neglected. If we can’t manage a single building how do we expect to manage an entire city!

Recommendations:

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- (1) Property standards be directed to do a blitz of North York City Hall and Mel Lastman square and issue work orders against the corporate services department for repairs to both interior and exterior violations of the of the city's bylaw.
 - (2) The corporate services department be given 30 days to comply.
 - (3) The North York Community council establish an ad hoc building committee to make recommendations with regard to the use of space and the rehabilitation of the building.
 - (4) The committee hold a public hearing during the lunch hour and invite employees within the building to make representation.
 - (5) This committee invite employees who work in the building to offer suggestions for maintenance and improvements to the facility (on a confidential basis if they so wish).
 - (6) The committee report through the Community Council in October or sooner if they wish.
 - (7) The city discontinue the practice of charging councillors rent for city hall offices and properly equipped office space be provided to councillors who may require an office at their community council buildings, such space and equipment to be funded from the corporate services department budget.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

- A. Councillor Pitfield, Ward 26 – Don Valley West, moved that the recommendations contained in the communication submitted by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, be referred to the Policy and Finance Committee for consideration.
- B. Councillor Carroll, Ward 33 – Don Valley East, the North York Community Council recommend that City Council:
 - (1) adopt Recommendations (3), (4), (5) and (6) contained in the following communication submitted by Councillor Moscoe, Ward 15 – Eglinton-Lawrence; and
 - (2) refer Recommendations (1), (2) and (7) to the proposed Ad Hoc Building Committee to be established.

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

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

(Report 6, Clause 41)

7.52 Naming of Proposed Public Streets at 1001 Roselawn Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (June 30, 2004) from the City Surveyor, Works and Emergency Services, recommending that the proposed public streets at the development at 1001 Roselawn Avenue be named “Beograd Gardens” and “Tommy Douglas Gardens”.

Recommendations:

It is recommended that:

- (1) one of the proposed public street, as shown on Attachment No. 1, be named “Beograd Gardens”;
- (2) subject to the concurrence of the trustee of the Tommy Douglas estate, the second street, shown on Attachment 1, be named “Tommy Douglas Gardens”;
and
- (3) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the foregoing report.

Report 6, Clause 42

7.53 Request for Approval of a Variance from the former Borough of East York Sign By-law No. 64-87, as amended, to permit the erection of two land development signs at 1929 Bayview Avenue (Ward 26 – Don Valley West)

The North York Community Council considered a report (July 2, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Remo Agostino, development co-ordinator for Daniels Midtown Corporation for a variance from the former Borough of East York Sign By-law No. 64-87, as amended, to permit the erection of two land development signs at the above location.

Recommendation:

It is recommended that the request for the sign variance be refused for the reasons outlined in this report.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the North York Community Council:

- (1) submitted the matter of the variance to the Sign By-law to Council, without recommendation, in order to allow the Ward Councillor to meet with the residents and the applicant to negotiate a more appropriately sized sign; and
- (2) recommended that City Council establish a sunset clause for the signs, such sunset clause to be July 2007, at which point the signs will be removed.

Report 6, Clause 43

7.54 Environmental Assessment for the Closure of Rosewell Avenue at Cheritan Avenue (Ward 16 – Eglinton-Lawence)

The North York Community Council considered the following Resolution submitted by Councillor Stintz, Ward 16 – Eglinton-Lawence:

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“WHEREAS the Ontario Municipal Board (Case No. PL000143) approved the Rosewell Gardens development in 2001, located at 435-513 Rosewell Avenue and 164-170 Cheritan Avenue, to allow for 425 residential units; and

WHEREAS the Ontario Municipal Board’s decision requires the developer to build a roundabout at the intersection of Rosewell Avenue and Cheritan Avenue prior to occupancy of the development; and

WHEREAS the construction of the roundabout is scheduled to commence during the summer of 2004; and

WHEREAS the Lytton Park Residents Organization (LPRO) and other local residents are concerned that the increased vehicular traffic as a result of the new development will compromise the safety of pedestrians in the area, specifically during school hours; and

WHEREAS there are over 3,000 school children attending 4 schools in the immediate area; and

WHEREAS the Lytton Park Residents Organization (LPRO), through two public meetings and subsequent correspondence with Councillor Stintz have requested that Rosewell Avenue be closed to through traffic immediately south of Cheritan Avenue in the interest of pedestrian safety; and

WHEREAS traffic calming measures and a school zone review are currently underway; and

WHEREAS a Municipal Class, Schedule B Environmental Assessment (EA) is required under Provincial legislation for the “Retirement of existing roads and road related facilities;

NOW THEREFORE BE IT RESOLVED THAT the Transportation Services Division be requested to initiate a Schedule B (EA) to evaluate the need for the closure of Rosewell Avenue to through traffic south of Cheritan Avenue, upon completion of construction of the Rosewell Gardens Development”.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the foregoing Resolution.

Report 6, Clause 44

7.55 Amendment to Section 37 Agreement – Committee of Adjustment Application – 121 Parkway Forest Drive (Ward 33 – Don Valley East)

The North York Community Council considered the following Resolution submitted by Councillor Carroll, Ward 33 – Don Valley East:

“WHEREAS in 1997, Council for the former City of North York enacted Official Plan Amendment No. 438 and Zoning By-law 32985 to permit a 230 unit high-rise condominium project at 121 Parkway Forest Drive;

AND WHEREAS on January 22, 2004, the Committee of Adjustment approved a minor variance application to permit an increase in the number of dwelling units to 232;

AND WHEREAS the City and the Owner entered into a Section 37 Agreement to secure the provision of a community centre or facility of between 5,000 sq. ft. – 6,000 sq. ft. to be constructed by the owner on lands provided by the City in the Parkway Forest service area;

AND WHEREAS the Section 37 Agreement provides, in the case where the City is not in a position to provide a site for the construction of a community centre or facility, for the Owner pay to the City the sum of \$2,150.00 per unit constructed instead, and such funds to be used to fund the construction of the community centre or facility once a site becomes available;

AND WHEREAS the Section 37 Agreement entered into in 1997 contemplated either the construction of a community centre or facility or a cash contribution, but not a combination of the two;

AND WHEREAS the Owner is in the process of finalizing site plan approval for a 232 unit affordable rental apartment building on the site, being developed pursuant to the City’s Let’s Build Program, instead of the previously contemplated market condominium building;

AND WHEREAS the Owner has presented a proposal whereby it would construct community space on the ground floor of the proposed apartment building within the permitted density on the site as well as, contribute the sum of \$250,000.00 for community services and facilities, which will be achieved through capacity and

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community use improvements at the public elementary school in the Parkway Forest neighbourhood;

AND WHEREAS the proposal would be to construct 2,036 sq. ft. of community space which may be used for, but not limited to, a parent and children's resource centre or drop-in centre, completed on a turn key basis, exclusive of loose furnishings but would include multi-purpose rooms, a kitchen, washrooms, ancillary office and storage space, and associated outdoor space, similar in use and layout, but in addition to the amenity space currently proposed in the apartment building, and be targeted for tenants in the building and the Parkway Forest neighbourhood.

AND WHEREAS Council authorization is required to execute an amending Section 37 Agreement;

NOW THEREFORE BE IT RESOLVED THAT Council authorize the execution of an amendment to the Section 37 Agreement dated April 30, 1997 between the City and Sheppard/404 Properties Inc. to permit the Owner to satisfy its Section 37 obligations with a cash contribution in the amount of \$250,000.00 for community service and facilities, which will be achieved through capacity and community use improvements at the public elementary school in the Parkway Forest neighbourhood and to permit the construction of a 2,036 sq. ft. community centre or facility in the apartment building at 121 Parkway Forest, and that the design and construction of the community space or facility be generally as described in Schedule "E" attached to the original Section 37 Agreement."

On motion by Councillor Carroll, Ward 33 – Don Valley East, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Carroll, Ward 33 – Don Valley East, the North York Community Council recommended that City Council adopt the foregoing Resolution.

Report 6, Clause 45

7.56 Request for Use of Funds to Upgrade Playground Equipment – Cortleigh Parkette (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered the following Resolution submitted by Councillor Stintz, Ward 16 – Eglinton-Lawrence:

“WHEREAS there is a need to upgrade the playground equipment in Cortleigh Parkette to meet the current CAN/CSA-Z614-03 standard for Children’s Playspaces and Equipment; and

WHEREAS at a public meeting held on March 11, 2004 to discuss the proposed playground upgrades, the community expressed an interest in donating funds for additional playground equipment; and

WHEREAS the City has received donations towards the proposed playground upgrades in the amount of \$25,900 from the community; and

WHEREAS no financial implications will result from the proposed playground upgrades at Cortleigh Park;

THEREFORE BE IT RESOLVED THAT the Commissioner of Economic Development, Culture and Tourism be directed, in consultation with the local Councillor, to use the funds to make the proposed playground upgrades in Cortleigh Park reflecting the priorities established by the community.”

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the foregoing Resolution.

Report 6, Clause 46

7.57 Fire/Ambulance Facility near Sunnybrook Hospital (Ward 25 – Don Valley West)

The North York Community Council considered the following Resolution submitted by Councillor Jenkins, Ward 25 – Don Valley West:

“WHEREAS the Emergency Services Division of the City of Toronto have sought to locate a Fire/Ambulance facility near Sunnybrook Hospital to better serve the hospital and nearby community; and

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WHEREAS the University of Toronto owns the subject lands; and

WHEREAS the University of Toronto received concessions for zoning changes at Sunnybrook Hospital; and

WHEREAS negotiations have not been concluded to provide the subject Fire/Ambulance facility at Sunnybrook Hospital;

THEREFORE BE IT RESOLVED that City Council direct the Ward Councillor to convene a meeting of the principals and stakeholders – including University of Toronto, Sunnybrook-Women’s College, City staff, representatives of Emergency Services and affected community associations - to establish a timetable for resolution and report back to Council”.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council recommended that City Council adopt the foregoing Resolution.

Report 6, Clause 47

Adjournment:

The Toronto North Community Council adjourned its meeting at 9:20 p.m. on Tuesday, July 6, 2004.

Chair.