

THE CITY OF TORONTO

City Clerk's Office

Minutes of the North York Community Council

Meeting 2

Tuesday, February 8, 2005

The North York Community Council met on Tuesday, February 8, 2005, in the Council Chambers, North York Civic Centre, commencing at 9:45 a.m.

Attendance:

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

	9:45 a.m. to 12:30 p.m.	2:10 p.m. to 4:30 p.m.
Councillor Minnan-Wong, Chair	x	x
Councillor Augimeri, Vice-Chair	x	
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	
Councillor Shiner	x	x
Councillor Stintz	x	

On motion by Councillor Feldman, Ward 10 – York Centre, the minutes of the meeting of the North York Community Council held on January 18, 2005 were confirmed.

2.1 Request to Remove One City-owned Tree – 967 Briar Hill Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (November 17, 2004) from the Commissioner of Economic Development, Culture and Tourism, reporting on a request for

permission to remove one City owned tree situated on the City road allowance adjacent to the above noted property.

Recommendation:

It is recommended that the North York Community Council deny the request for the removal of one City owned tree at 967 Briar Hill Avenue.

Lino Vitorio, applicant, appeared before the North York Community Council.

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

- (1) City Council adopt the Recommendation in the Recommendation Section of the report (November 17, 2004) from the Commissioner, Economic Development, Culture and Tourism; and
- (2) the applicant be permitted to construct two driveway entrances, each driveway measuring 2.4 metres in width, in order to preserve the City-owned tree.

(Report 2, Clause 1)

2.2 Renewal of Patio Café Licence – 1678 Avenue Road – The Bistro On Avenue (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (November 30, 2004) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, reporting on a request by The Bistro On Avenue Inc. to renew the existing boulevard lease for the above location.

Recommendations:

Recommendations for Council consideration:

- (1) Council grant a Boulevard Café License renewal with any amendments that Council considers appropriate.
- (2) Council refuse a Boulevard Café License and direct the removal from City road allowance within a specified time frame.
- (3) Council refuse a Boulevard Café License but permit the applicant to pursue an encroachment agreement application.

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Rhys Fockler, appeared before the North York Community Council.

A. Councillor Stintz, Ward 16 – Eglinton-Lawrence, moved that:

- (1) the North York Community Council recommend that City Council adopt Recommendation (3) in the Recommendations Section of the report November 30, 2004) from the North District Manager, Municipal Licensing and Standards, Urban Development Services, as follows:

“(3) Council refuse a Boulevard Café Licence but permit the applicant to pursue an encroachment agreement application;” and

- (2) the North District Manager, Municipal Licensing and Standards, Urban Development Services be requested to submit a report to the North York Community Council for its meeting on May 31, 2005, on the applicant’s submission for an encroachment agreement so that the Community Council can consider the terms and conditions of such agreement.

B. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the North York Community Council recommend to City Council that the permanent structure be removed and the applicant be permitted to apply for a temporary summertime boulevard café licence.

A recorded vote on Motion A., moved by Councillor Stintz, Ward 16 – Eglinton-Lawrence was as follows:

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

AGAINST: Councillors Filion, Moscoe

ABSENT: Councillor Shiner

Carried.

Having regard for the foregoing decision of the North York Community Council, Motion B., by Councillor Moscoe was deemed redundant and was not voted upon.

Report 2, Clause 2

2.3 Request for Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of four (4) projecting signs at 4952 Dufferin Street (Ward 8 – York West)

The North York Community Council considered Clause 11 of North York Community Council Report 9, titled “Request for Variances from the former City of North York Sign By-law No. 30788, as amended, for the Erection of Four (4) Projecting Signs at 4952 Dufferin Street (Ward 8 – York West), containing the report (October 26, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services, which was referred back to the North York Community Council by City Council, at its meeting on November 30, December 1 and 2, 2004.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council deferred sine die, the report (October 26, 2004) from the Director of Building and Deputy Chief Building Official, contained in Clause 11 of North York Community Council Report 9.

(Report 2, Other Items Clause 19(a))

2.4 Request for Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of a third party advertising roof sign at 1811 Avenue Road (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (June 23, 2003) from the Director of Buildings and Deputy Chief Building Official, Urban Development Services, reporting on a request by Astral Media Outdoor on behalf of the owners of the property, 983829 Ontario Limited, for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of an off premise roof sign on a commercial building.

Recommendation:

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

The North York Community Council also considered a communication (February 7, 2005) from Rosalind Ross.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (June 23, 2003) from

the Director of Building and Deputy Chief Building Official, Urban Development Services.

(Report 2, Clause 3)

2.5 Request for Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of illuminated identification ground sign - 1100 Sheppard Avenue West (Ward 8 – York West)

The North York Community Council considered a report (January 25, 2005) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reviewing and making recommendations on a request by Frank Manno of Platinum Sign Supply on behalf of 584952 Ontario Ltd. (Idomo), for variances from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a 29.47 square metres and 9.75 metre high illuminated tenant identification ground sign at 1100 Sheppard Avenue West.

Recommendations:

It is recommended that:

- (1) the request for variance be approved for reasons outlined in this report and,
- (2) the applicant be advised, upon approval of the variance, of the requirements to obtain the necessary sign permit from the Commissioner of Urban Development Services.

Gerrit DeBoer appeared before the North York Community Council, on behalf of 584942 Ontario Ltd. (Idomo).

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 report (January 25, 2005) from the Director of Building and Deputy Chief Building Official, Urban Development Services.

(Report 2, Clause 4)

Councillor Augimeri, Vice-Chair, assumed the Chair.

2.6 Principles and Proposed By-law Provisions for a City-wide A-Frame and Mobile Signs By-law

The North York Community Council considered a communication (December 7, 2004) from the Planning and Transportation Committee, advising that the Planning and Transportation Committee, at its meeting held on December 7, 2004, amongst other things, referred the report (November 15, 2004) from the Commissioner of Urban Development Services, entitled "Principles and Proposed By-law Provisions for a City-wide A-Frame and Mobile Signs By-law" to the Community Councils for consideration and report thereon to the Planning and Transportation Committee for its meeting to be held on March 7, 2005.

The North York Community Council also considered a communication (February 3, 2005) from Ron Abraham, President, Toronto Real Estate Board, addressed to the Chair, Planning and Transportation Committee.

A staff presentation was made by Mr. Stephen Miller, Supervisor, North District, Municipal Licensing and Standards, Urban Development Services.

A. Councillor Shiner, Ward 24 - Willowdale, moved that the North York Community Council refer the following recommendations to the Planning and Transportation Committee for consideration at its meeting on March 7, 2005:

- (1) that A-frame and mobile signs not be permitted anywhere; and
- (2) that the following provision be included in Appendix C dealing with By-law provisions for Residential Development Signs:

"that the applicable zoning by-laws be in place prior to permitting the signs advertising the proposed development;"

B. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the following recommendation be referred to the Planning & Transportation Committee:

"that in the event the Planning and Transportation Committee does not support the ban on A-frame and mobile signs, that the following recommendations be adopted:

- (a) A-frame or mobile signs shall not be located in an area that has tall grass or weeds, litter, trash or is generally unkempt; and it shall be the responsibility of the owner of the businesses displaying the signs, to keep the property free of such conditions. Signs in violation of

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this provision shall be removed forthwith, in accordance with this policy;

- (b) all lettering on A-frame signs shall be done in a professional, workmanlike manner;
- (c) a provision be drafted for signs that go on lawns of places of worship that are designed to convey a cultural or charitable message; and that staff consult with the Canadian Jewish Congress and Council of Churches;
- (d) that the maximum height for all portable signs be six (6) feet”;

C. Councillor Feldman, Ward 10 – York Centre, moved that the following Recommendation be referred to the Planning and Transportation Committee:

“that “Open House” and “For Sale” signs for single residences, normally placed by realtors, be permitted on corners or in front of properties for sale, for not more than three (3) hours”.

A recorded vote on Part (1) of Motion A., moved by Councillor Shiner, Ward 24 - Willowdale was as follows:

FOR: Councillors Minnan-Wong, Augimeri, Stintz, Moscoe, Li Preti, Carroll, Shiner, Pitfield

AGAINST: Councillors Feldman, Jenkins

ABSENT: Councillor Filion

Carried.

A recorded vote on Motion B., moved by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, was as follows:

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

AGAINST: Nil

ABSENT: Councillor Filion

Carried.

Upon the question of the adoption of Part (2) of Motion A., by Councillor Shiner and Motion C., by Councillor Feldman, it was carried.

(Report 2, Other Items Clause 19(b))

Councillor Minnan-Wong resumed the Chair.

2.7 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit angled driveway widening at 94 Wanless Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (May 18, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit angled driveway widening at 94 Wanless Avenue, which does not meet the requirements of the Code.

Recommendation:

It is recommended that City Council deny the application for angled driveway widening at 94 Wanless Avenue.

Craig MacPherson, applicant, appeared before the North York Community Council meeting.

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

- (1) not adopt the staff recommendation in the Recommendation Section of the report (May 18, 2004) from the Director, Transportation Services, North District, Works and Emergency Services; and
- (2) approve the request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit angled driveway widening at 94 Wanless Avenue, subject to:
 - (a) the parking area not exceeding 2.2 m by 4.7 m in dimension;
 - (b) the applicants providing the landscape features substantially in accordance with the plan as shown on Appendix 'C', to the satisfaction of the Commissioner of Works and Emergency Services;

- (c) the City sidewalk not being encumbered at any time and pedestrian traffic on the sidewalk being maintained at all times; and
- (d) the applicants paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.

(Report 2, Clause 5)

2.8 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit angled driveway widening at 96 Wanless Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (May 17, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit angled driveway widening at 96 Wanless Avenue, which does not meet the requirements of the Code.

Recommendation:

It is recommended that City Council deny the application for angled driveway widening at 96 Wanless Avenue.

Brian Webster, applicant, appeared before the North York Community Council.

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

- (1) not adopt the staff recommendation in the Recommendation Section of the report (May 17, 2004) from the Director, Transportation Services, North District, Works and Emergency Services; and
- (2) approve the request for an exemption from Municipal Code Chapter 248, Parking Licences, of the Former City of Toronto Municipal Code, to permit angled driveway widening at 96 Wanless Avenue, subject to:
 - (a) the parking area not exceeding 1.8 m by 4.8 m in dimension;
 - (b) the applicants providing the landscape features substantially in accordance with the plan as shown on Appendix 'C', to the satisfaction of the Commissioner of Works and Emergency Services;

- (c) the City sidewalk not being encumbered at any time and pedestrian traffic on the sidewalk being maintained at all times; and
- (d) the applicants paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.

(Report 2, Clause 6)

2.9 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit angled driveway widening at 98 Wanless Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (May 18, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit angled driveway widening at 98 Wanless Avenue, which does not meet the requirements of the Code.

Recommendation:

It is recommended that City Council deny the application for angled driveway widening at 98 Wanless Avenue.

Howard Kim, applicant, appeared before the North York Community Council.

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

- (1) not adopt the staff recommendation in the Recommendation Section of the report (May 18, 2004) from the Director, Transportation Services, North District, Works and Emergency Services; and
- (2) approve the request for an exemption from Municipal Code Chapter 248, Parking Licences, of the Former City of Toronto Municipal Code, to permit angled driveway widening at 98 Wanless Avenue, subject to:
 - (a) the parking area not exceeding 1.8 m by 4.8 m in dimension;
 - (b) the City sidewalk not being encumbered at any time and pedestrian traffic on the sidewalk being maintained at all times;

- (c) the applicants providing the landscape features substantially in accordance with the plan as shown on Appendix 'C', to the satisfaction of the Commissioner of Works and Emergency Services; and
- (d) the applicants paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.

(Report 2, Clause 7)

2.10 Request for an Exemption from Chapter 248 of the former City of Toronto Municipal Code to permit angled driveway widening at 100 Wanless Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (May 18, 2004) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request for an exemption from Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code, to permit angled driveway widening at 100 Wanless Avenue, which does not meet the requirements of the Code.

Recommendation:

It is recommended that City Council deny the application for angled driveway widening at 100 Wanless Avenue.

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

- (1) not adopt the staff recommendation in the Recommendation Section of the report (May 18, 2004) from the Director, Transportation Services, North District, Works and Emergency Services; and
- (2) approve the request for an exemption from Municipal Code Chapter 248, Parking Licences, of the Former City of Toronto Municipal Code, to permit angled driveway widening at 100 Wanless Avenue, subject to:
 - (a) the parking area not exceeding 2.8 m by 4.7 m in dimension;
 - (b) the City sidewalk not being encumbered at any time and pedestrian traffic on the sidewalk being maintained at all times; and

- (c) the applicants providing the landscape features substantially in accordance with the plan as shown on Appendix 'C', to the satisfaction of the Commissioner of Works and Emergency Services;
- (d) the applicants paying all applicable fees and complying with all other criteria set out in Municipal Code Chapter 248, Parking Licences, of the former City of Toronto Municipal Code.

(Report 2, Clause 8)

2.11 All Way Stop Control – Edith Drive and Montgomery Avenue (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (January 17, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, on obtaining approval to install an all way stop control at the intersection of Edith Drive and Montgomery Avenue.

Recommendations:

It is recommended that:

- (1) traffic be required to stop on all approaches to the Edith Drive and Montgomery Avenue intersection; 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 Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (January 17, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 2, Clause 9)

2.12 Request for Driveway Entrance Side Yard Variance – 61 Stuart Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (January 20, 2005) from the Director, Transportation Services, North District, Works and Emergency Services,

reviewing a request to allow a variance to the Driveway Entrance Policy for a side yard setback at 61 Stuart Avenue.

Recommendation:

It is recommended that the application for this variance to the driveway entrance 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 Recommendation Section of the report (January 20, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 2, Clause 10)

2.13 Special Occasion Beer Garden Permit Requests for Community Events (Ward 23 – Willowdale and Ward 26 – Don Valley West)

The North York Community Council considered a report (January 13, 2005) from the Commissioner of Economic Development, Culture and Tourism, seeking Council's approval to grant Special Occasion Beer Garden Permits to the groups listed in Attachment No. 1.

Recommendations:

It is recommended that:

- (1) permission be granted to the groups listed in Attachment No.1, to hold Special Occasion Beer Garden Permit events;
- (2) the groups be required to obtain a Special Occasion Permit from the Alcohol and Gaming Commission of Ontario;
- (3) the groups be charged the approved \$50.00 facility permit fee and additional costs incurred by the Parks and Recreation Division for goods and services not readily available at the site;
- (4) the groups provide proof of liability insurance coverage in the amount of \$2M, naming the City as additional insured;
- (5) all bartenders and servers be required to attend a Smart Serve Training Program at the group's expense;

- (6) the groups comply with all regulations outlined in all City policies pertaining to alcohol consumption at the time of the event; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

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

- (1) adopt the staff recommendations in the Recommendations Section of the report (January 13, 2005) from the Commissioner of Economic Development, Culture and Tourism; and
- (2) declare, for liquor licensing purposes, the community events outlined in Attachment No. 1 of the aforementioned report, to be events of municipal and/or community significance; and that it has no objection to these events taking place, and that the Alcohol and Gaming Commission of Ontario be so advised.

(Report 2, Clause 11)

2.14 Decision of the Agnes Macphail Award Selection Committee - Recipient of 2005 Agnes Macphail Award

The North York Community Council considered a confidential communication (February 7, 2005) from Karen Weaver, Administrative Support, Agnes Macphail Recognition Committee, forwarded to all Members of Council, under separate cover, and further that, in accordance with the Municipal Act, consideration of this communication be held in camera because the subject matter relates to personal matters about identifiable individuals, including municipal or local board employees.

The North York Community Council also considered a communication (January 17, 2005) from Karen Weaver, Administrative Support, Agnes Macphail Recognition Committee, advising that the Agnes Macphail Selection Committee does not meet until February 7, 2005 and that the name of the selected recipient for the 2005 Agnes Macphail Award will be submitted directly to the Community Council meeting on February 8, 2005.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the North York Community Council recommended to Council, when considering the report of the Toronto East York Community Council, with respect to this matter, that the recommendation contained in the confidential communication (February 7, 2005)

from Karen Weaver, Administrative Support, Agnes Macphail Recognition Committee, be adopted.

(Report 2, Other Items Clause 19(c))

2.15 Preliminary Report – Rezoning Application – 04 169492 NNY 23 OZ – Adam Brown, Sherman Brown Dryer Karol – Rafael & Bigauskas Architects – 4679-4685 Yonge Street (Ward 23 – Willowdale)

The North York Community Council considered a report (January 21, 2005) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and seeking Community Council's directions on further processing of the application and on the community consultation process.

Recommendations:

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.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council approved the staff recommendations in the Recommendations Section of the report (January 21, 2005) from the Director, Community Planning, North District, Urban Development Services.

(Report 2, Other Items Clause 19(d))

2.16 Preliminary Report – Rezoning Application – 04 197498 NNY 23 OZ – Site Plan Application – 04 197505 NNY 23 SA – Park Willow Developments – Kirkor Architects & Planners – 55-65 Eglinton Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (January 20, 2005) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted applications and seeking Community

Council's directions on further processing of the applications and seeking community consultation process.

Recommendations:

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.

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

- (1) approved the staff recommendations in the Recommendations Section of the report (January 20, 2005) from the Director, Community Planning, North District, Urban Development Services; and
- (2) approved the following Resolution submitted by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, on behalf of Councillor Filion, Ward 23 – Willowdale:

“WHEREAS the preliminary staff report dated January 20, 2005 from the Director, Community Planning, North District, Urban Development Services, recommends that staff be directed to schedule a 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 north to include all landowners and residents residing on the south side of Churchill Avenue and expanded west to include all landowners and residents residing on the east side of Tamworth Road; and that the applicant pay the City for the costs associated with extending the notice area.

(Report 2, Other Items Clause 19(e))

2.17 Preliminary Report – Rezoning Application – 04 200604 NNY 10 OZ – Sasha Milenov – Milenov Associates, Architects and Planners – 4442, 4446 and 4450 Bathurst Street (Ward 10 – York Centre)

The North York Community Council considered a report (January 26, 2005) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above-noted application and seeking Community Council's directions on further processing of the application and on the community consultation process.

Recommendations:

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.

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council approved the staff recommendations in the Recommendations Section of the report (January 26, 2005) from the Director, Community Planning, North District, Urban Development Services.

(Report 2, Other Items Clause 19(f))

2.18 Preliminary Report – Application to amend the Zoning By-law – 04 192756 NNY 23 OZ – Richard Y.S. Min – 140 Finch Avenue West (Ward 23 – Willowdale)

The North York Community Council considered a report (January 21, 2005) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above noted application to amend the zoning by-law to permit the conversion of a portion of the first floor from residential to office use, and seeking Community Council's direction on processing the application and conducting a community consultation meeting.

Recommendations:

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; and
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council approved the staff recommendations in the Recommendations Section of the report (January 26, 2005) from the Director, Community Planning, North District, Urban Development Services.

(Report 2, Other Items Clause 19(g))

2.19 Preliminary Report – Application to amend the Zoning By-law – 04 193220 NNY 23 OZ – Franco Romano – 65, 67 Finch Avenue West (Ward 23 – Willowdale)

The North York Community Council considered a report (January 21, 2005) from the Director, Community Planning, North District, Urban Development Services, providing preliminary information on the above noted application to amend the zoning by-law to permit the construction of two 4 storey townhouse buildings containing ten dwelling units, and seeking Community Council's direction on processing the application and conducting a community consultation meeting.

Recommendations:

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; and
- (3) notice for the Public Meeting under the Planning Act be given according to the regulations under the Planning Act.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council approved the staff recommendations in the Recommendations

Section of the report (January 21, 2005) from the Director, Community Planning, North District, Urban Development Services, subject to the notice area for the community consultation meeting being expanded to include, in addition to the 120 metre area, all residents and landowners within the area bounded by Talbot Road, Lorraine Drive, Finch Avenue West, Eldora Drive and Hendon Avenue; and that the applicant pay the City for the costs associated with extending the notice area.

(Report 2, Other Items Clause 19(h))

Councillor Augimeri assumed the Chair.

2.20 Final Report – Part Lot Control Application – 04 103266 NMI 34 PL – Ghasem Ghods English Lane Homes Inc. – 212-240, 265-281 and 285-299 David Dunlap Circle (Ward 34 – Don Valley East)

The North York Community Council considered a report (January 20, 2005) from the Director, Community Planning, North District, Urban Development Services, reporting on a request for exemption from part lot control in order that 32 street townhouse dwelling units may be conveyed into separate ownership.

Recommendations:

It is recommended that:

- (1) the application be approved;
- (2) The City Solicitor be authorized to introduce the necessary Bills in Council to give effect to recommendation 1;
- (3) Staff obtain proof of payment of all current property taxes for the subject site from the owner prior to the enactment of the Part Lot Control Exemption By-law;
- (4) The by-law shall expire two years from the date of enactment; and
- (5) The appropriate City Officials be authorized and directed to register the By-law on title.

On motion by Councillor Minnan-Wong, Ward 34 – Don Valley East, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (January 20, 2005) from the Director, Community Planning, North District, Urban Development Services.

(Report 2, Clause 12)

Councillor Minnan-Wong resumed the Chair.

2.21 Final Report – Draft Plan of Subdivision – 04 175091 NNY 33 SB – Monarch Construction Limited – 2025-2045 Sheppard Avenue East (Ward 33 – Don Valley East)

The North York Community Council held a statutory public meeting on February 8, 2005, and notice was given in accordance with the *Planning Act*.

The North York Community Council considered a report (January 12, 2005) from the Director, Community Planning, North District, Urban Development Services, recommending draft plan of subdivision approval to the Chief Planner for 2025-2045 Sheppard Avenue East.

Recommendations:

It is recommended that City Council:

- (1) recommend the Chief Planner, who has been delegated authority to approve conditions of subdivision approval, approve the draft plan of subdivision, subject to the following conditions:
 - (i) that this proposal applies to the draft plan of subdivision prepared by David Horwood Limited, revised July 29, 2004 (Project No. 6197-Draft-Rev-2) as further revised to reflect the conditions below.
 - (ii) that Street “A” shall be dedicated as a public highway on the final plan.
 - (iii) that Block 3 shall be eliminated and combined with Block 2.
 - (iv) that the Owner grants all easements as may be required for the provision of services and utilities to the authority having jurisdiction.
 - (v) that the Owner shall enter into an agreement with the City, financial and otherwise for the provision of roads and services.
 - (vi) that the Owner shall enter into an agreement with the City that provides for the northern strip of Block 2 (currently shown as Block 3) located on the east side of the new public road to be used only for the following:
 - (a) conveyance to the abutting lands to the east for redevelopment and/or access; and
 - (b) in the event that there is no conveyance, it can only be used for landscaping and walkway in association with Block 2.

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- (vii) that the appropriate standard conditions of approval for subdivisions shall apply (Attachment 6).
- (viii) that the Owner agree to carry out or cause to carry out the conditions and requirements of the Technical Services Division and Transportation Services Division, Works and Emergency Services Department as stated in their memorandum dated December 21, 2004 (Attachment 4) and any addendums thereafter.
- (ix) that the Owner agree to carry out or cause to carry out the conditions of the Ministry of Transportation, Corridor Management Office as stated in their letter dated November 4, 2004 (Attachment 5);
- (ix) that the draft plan of subdivision be subject to red-line revisions in order to meet any requirement of the above conditions, if necessary.

Notes to Draft Plan Approval

- A. The owner shall agree to grant to Bell Canada any easements that may be required for telecommunication services. Easements may be required subject to final servicing decisions. In the event of any conflict with existing Bell Canada facilities or easements, the owner/developer shall be responsible for the relocation of such facilities or easements.

The North York Community Council also considered a communication (February 4, 2005) from William S. Hollo, GSI Real Estate and Planning Advisors Inc., on behalf of Parkway Car Wash Ltd.

The following persons appeared before the North York Community Council:

- William S. Hollo, GSI Real Estate and Planning Advisors Inc., on behalf of Parkway Car Wash Ltd.; and
 - Peter Smith, Bousfields Inc. Planning Consultants, on behalf of the applicant.
- A. Councillor Carroll, Ward 33 – Don Valley East, moved that the North York Community Council recommend that City Council adopt the staff recommendations in the Recommendations Section of the report (January 12, 2005) from the Director, Community Planning, North District, Urban Development Services.
 - B. Councillor Jenkins, Ward 25 – Don Valley West, moved that the North York Community Council request the Commissioner of Urban Development Services to submit a report to City Council for its meeting on February 16, 2005, on the approximate amount of Development Charges that would be accrued from the subsequent development.

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

Upon the question of the adoption of Motion A., moved by Councillor Carroll, Ward 33 – Don Valley East, it was carried.

(Report 2, Clause 13)

2.22 Refusal Report – OPA & Rezoning Application – 04 194214 NNY 33 OZ – 2041098 Ontario Ltd. (El-Ad Group Canada Inc.) – WZMH Architects – 25, 100, 110 & 125 Parkway Forest Drive, 120 & 130 George Henry Blvd. – 32-50, 65 & 80 Forest Manor Road (Ward 33 – Don Valley East)

The North York Community Council considered a report (January 25, 2005) from the Director, Community Planning, North District, Urban Development Services, recommending refusal of applications to amend the Official Plan and Zoning By-law to permit 3,568 additional residential units within ten new apartment buildings including the demolition and replacement of 332 existing rental units in the Parkway Forest neighbourhood; and seeking Community Council's directions on further processing of the applications and on a community consultation process.

Recommendations:

It is recommended that:

- (1) City Council refuse the Official Plan and Zoning Amendment applications in their present form.
- (2) Should the applications be appealed to the Ontario Municipal Board, the City Solicitor and appropriate City Staff be authorized to appear before the Ontario Municipal Board to defend the position outlined in this report; and,
- (3) Should the applicant be prepared to reconsider their applications with a proposal that contemplates less intensification, City Staff be directed to develop a community consultation strategy, in consultation with the Ward Councillor, including meetings with working groups of landowners and residents with interests in the local area, in order to determine appropriate opportunities for intensification for the lands.

The North York Community Council also considered the following communications:

- (February 8, 2005) from N. Jane Pepino, Aird & Berlis, solicitor on behalf of El-Ad Group (Canada) Inc.;

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- (February 8, 2005) from Mireya Martin;
- (February 8, 2005) from Udi Erez, President and CEO, El-Ad Group Canada Inc.; and
- (February 8, 2005) from Bernadette Hymus.

The following persons appeared before the North York Community Council:

- N. Jane Pepino, Aird & Berlis, Solicitor, on behalf of El-Ad Group (Canada) Inc.;
- Mireya Martin; and
- Richard Birt.

On motion by Councillor Carroll, Ward 33 – Don Valley East, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (January 25, 2005) from the Director, Community Planning, North District, Urban Development Services.

A recorded vote on the Motion moved by Councillor Carroll, Ward 33 – Don Valley East, was as follows:

FOR: Councillors Minnan-Wong, Feldman, Moscoe, Li Preti, Jenkins, Carroll, Shiner

AGAINST: Nil

ABSENT: Councillor Augimeri, Stintz, Fillion, Pitfield

Carried Unanimously

(Report 2, Clause 14)

2.23 Final Report – Applications to Amend the Zoning By-law and Approve a Draft Plan of Subdivision – UDZ-97-36 and UDSB-1233 – Elderbrook Developments Ltd. – Rafael + Bigauskas Architects - Northwest Corner of Finch Avenue West and York Gate Boulevard (Ward 8 – York West)

The North York Community Council held a statutory public meeting on February 8, 2005, and notice was given in accordance with the *Planning Act*.

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The North York Community Council considered a report (January 17, 2005) from the Director, Community Planning, North District, Urban Development Services, recommending approval of an application to amend the Zoning By-law and approval of a draft plan of subdivision to permit 780 apartment dwelling units and 219 townhouse and semi-detached dwelling units at the northwest corner of Finch Avenue West and York Gate Boulevard.

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. 8.
- (2) direct the City Solicitor to request the Ontario Municipal Board to modify the Official Plan for the City of Toronto substantially in accordance with Attachment No. 9.
- (3) 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. 10.
- (4) authorize the City Solicitor to make such stylistic and technical changes to the the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
- (5) before introducing necessary Bills to amend the former City of North York Official Plan and Zoning By-law to Council for enactment, the applicant shall submit a letter of undertaking agreeing to withdraw their appeal with respect to the Toronto Official Plan upon the Zoning By-law amendment coming into force to the satisfaction of the City Solicitor.
- (6) remove the part-lot control exemption from the subject lands in accordance with the draft by-law attached at Attachment No. 11.
- (7) be advised that the 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.

The North York Community Council also considered the following communications:

- (January 25, 2005) from Ann Newman, Crossings Co-ordinator, Eastern Region, Enbridge Pipelines Inc.

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- (January 25, 2005) from Nicolina Calabrese

The following persons appeared before the North York Community Council:

- Lindsay Dale-Harris, Bousfields Inc. (Planning Consultants), on behalf of the applicant;
 - Andrew Bigauskas, Rafael + Bigauskas Architects, on behalf of the applicant;
 - Rosanna Vidale, Finch North Homeowners Association, who filed a written submission;
 - Franca Guadagnolo, Hullmar North Homeowners Association, who filed a written submission;
 - Ishwar Bisram, President, Jane Street Homeowners' Association, who filed a written submission;
 - Guido DeRose, President, Elm Park Ratepayers' Association, who filed a written submission;
 - Paul Borghese, who filed a written submission;
 - J. B. DeThomas, President, Yorkwoods Homeowners' Association, who filed a written submission;
 - Joe Astrella, President, Grandravine Homeowners' Association, who filed a written submission;
 - Mary Cicogna, Jane-Finch Fights Back Committee, who filed a written submission;
 - Attilio Didiano, who filed a written submission;
 - Karen Brooks; and
 - M. Hull.
- A. Councillor Li Preti, Ward 8 – York West, moved that the North York Community Council recommend to City Council that the staff recommendations in the Recommendations Section of the report (January 17, 2005) from the Director, Community Planning, North District, Urban Development Services, not be adopted and that the application be refused.

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- B. 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 (January 17, 2005) from the Director, Community Planning, North District, Urban Development Services, with the following amendments:
- (1) approval of the draft plan of subdivision is to be subject to phasing; specifically, the freehold semi-detached and freehold townhouse dwellings north of Street “A” shall be constructed prior to the issuance of any building permits for the condominium apartment and condominium townhouse dwellings south of Street “A”;
 - (2) before introducing the necessary Bills to amend the North York Official Plan and Zoning By-law to Council for enactment, the owner shall enter into an agreement with the City of Toronto pursuant to Section 37 of the Planning Act, in a form satisfactory to the City Solicitor, to secure the following prior to the issuance of a building permit:
 - (a) a contribution of \$500.00 per unit towards the provision of community amenities at one or more area facilities such as the Yorkwoods Community Centre and/or John Booth Arena; and
 - (b) a contribution of half percent (1/2%) of the gross construction cost of the development towards the provision of public art in the area;
 - (3) approval of the draft plan of subdivision is to be subject to architectural control to the satisfaction of the Director, Community Planning, North District, Urban Development Services. The applicant shall submit architectural control guidelines for review for both phases of the development. The proposed guidelines shall also be satisfactory to the Commissioner of Urban Development services, in consultation with the Ward Councillor prior to the issuance of any building permit;
 - (4) all development charges collected by the City from the development for municipal purposes, are to be allocated in accordance with Council policy with an emphasis on the provision of services in Ward 8;
 - (5) if the applicant is not in agreement with the recommendations outlined above, Council authorize the retention of outside legal and planning support to attend the Ontario Municipal Board to uphold Council’s decision.

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- C. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the conditions outlined in the communication (January 25, 2005) from Enbridge Pipelines Inc., be referred to the Commissioner of Urban Development Services for review and planning staff be authorized to recommend any or all of them, or to modify the conditions, and report directly to City Council on this matter, for its meeting on February 16, 2005.
- D. Councillor Jenkins, Ward 25 – Don Valley West, moved that the Commissioner of Urban Development Services, be requested to also report directly to City Council for its meeting on February 16, 2005, on the approximate amount of development charges that would apply to this application and what amounts, if any, would be dedicated to parks or other specified infrastructure.

Recorded Votes:

A recorded vote on Motion A., moved by Councillor Li Preti, Ward 8 – York West, that the North York Community Council recommend to City Council that the staff recommendations in the Recommendations Section of the Report (January 17, 2005) from the Director, Community Planning, North District, not be adopted and that the application be refused, was as follows:

FOR: Councillors Li Preti, Jenkins

AGAINST: Councillors Minnan-Wong, Feldman, Moscoe, Carroll

ABSENT: Councillors Augimeri, Stintz, Filion, Shiner, Pitfield

Lost.

A recorded vote on Motions B. and C., moved by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, was as follows:

FOR: Councillors Minnan-Wong, Feldman, Moscoe, Carroll

AGAINST: Councillors Li Preti, Jenkins

ABSENT: Councillors Augimeri, Stintz, Filion, Shiner, Pitfield

Carried.

Upon the question of the adoption of Motion D., moved by Councillor Jenkins, Ward 25 – Don Valley West, it was carried.

(Report 2, Clause 15)

2.24 Café Demetre – Boulevard Café – 518 Eglinton Avenue West (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (December 31, 2004) from the Manager, Municipal Licensing & Standards, Urban Development Services, reporting on the refusal by the Commissioner, based on the results of the public poll conducted in the matter, of an application for a boulevard café licence on the Heddington Avenue flankage of 518 Eglinton Avenue West.

Recommendations:

The North York Community Council may recommend that:

- (1) The application for a boulevard café licence at 518 Eglinton Avenue West be denied; or
- (2) The application for a boulevard café licence be granted for the proposed location.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council submitted this matter to City Council without recommendation.

(Report 2, Clause 16)

2.25 Parking Restrictions – Leacrest Road (Ward 26 – Don Valley West)

The North York Community Council considered a report (January 28, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to rescind the parking restrictions on Leacrest Road.

Recommendations:

It is recommended that:

- (1) the no parking at any time restrictions be rescinded 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) the appropriate by-law(s) be amended accordingly.

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 report (January 28, 2005) from the Director, Community Planning, North District, Urban Development Services.

(Report 2, Clause 17)

2.26 North York Civic Centre – Building Cleaning

The North York Community Council considered a report (January 25, 2005) from the Commissioner of Corporate Services, reporting on the standards applied to the cleaning of the North York Civic Centre, and on plans to upgrade the cleaning standards.

Recommendation:

It is recommended that this report be received for information.

- A. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the North York Community Council:
- (1) defer the report to its meeting on March 30, 2005; and
 - (2) requested that:
 - (a) a copy of this report be forwarded by e-mail to all employees at the North York Civic Centre;
 - (b) employees be encouraged to comment on the report and a copy of all verbatim responses be printed and forwarded to the North York Community Council for its meeting on March 30, 2005.
- B. Councillor Pitfield, Ward 26 – Don Valley West, moved that, if after consultation with North York Civic Centre employees, cleaning frequency is recommended to be increased, that a report from the Commissioner of Corporate Services be submitted to the North York Community Council outlining the budget implications.

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

(Report 2, Other Items Clause 19(i))

Councillor Augimeri assumed the Chair.

2.27 Site Plan Control Application – TB SPC 2001 0077 – Revival Time Tabernacle – 4340 Dufferin Street (Ward 8 – York West)

The North York Community Council considered a report (February 2, 2005) from the Director, Community Planning, North District, Urban Development Services, reviewing a site plan control application, referred by Councillor Li Preti to City Council for a decision, in accordance with By-law No. 483-2000.

Recommendations:

- (1) It is recommended that Site Plan Control Application TB SPC 2001 00077 at 4340 Dufferin Street be approved, as indicated on the following plans and subject to the conditions of Site Plan Approval contained in Attachment 5:

Drwg No.	Plan Title	Prepared By	Revised To:
2485-SP04.dwg	Site Plan (Revivaltime Tabernacle)		December 15, 2004
L4	Proposed Religious Academy Building Plan and Details	Schollen & Company Inc.	July 2001
L-1	Landscape Plan	Alexander Budrevics Associates Limited	August 31, 2004
FLPL103	Front & Rear Elevations		November 12, 2003

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next 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 Li Preti, Ward 8 – York West, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendations Section of the report (February 2, 2005) from the Director, Community Planning, North District, Urban Development Services, subject to deleting Condition 16 of the Conditions of Site Plan Approval, outlined in Attachment 5 of the report.

(Report 2, Clause 18)

Councillor Minnan-Wong resumed the Chair.

2.28 Report Request – Naming of a new Park Located on Lands North of Murray Ross Parkway and West of Sentinel Road in Honour of Dan Iannuzzi

The North York Community Council considered the following Motion by Councillor Li Preti, Ward 8 – York West:

“WHEREAS the City has acquired a new park as part of the required 5% parkland dedication from a residential development project by York University and Tribute Communities (York) Inc.; and

WHEREAS the new park is located north of Murray Ross Parkway and west of Sentinel Road and in close proximity to Fred Young Park; and

WHEREAS Dan Iannuzzi was a giant in the field of Canadian media who dedicated his entire adult life to multiculturalism in Canada; and

WHEREAS Dan Iannuzzi founded the world’s first multilingual television station, as well as Corriere Canadese, one of just two Italian-language daily newspapers in the world outside Italy; and

WHEREAS Dan Iannuzzi served on many national committees and received numerous citations and awards; and

WHEREAS Dan Iannuzzi was awarded the Order of Ontario in 1989 and the Order of Canada in 1990 for his outstanding contribution to the Canadian media community; and

WHEREAS the Iannuzzi family has requested naming the park located on the campus of York University, a well-known Canadian institution with a thriving Communication and Culture program; and

WHEREAS the Iannuzzi family believes the naming of this new park in honour of Dan Iannuzzi would be a wonderful tribute to his memory; and

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

BE IT FURTHER RESOLVED THAT the Economic Development, Culture and Tourism Department be requested to report back to North York Community Council at its meeting on May 3, 2005.”

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

(Report 2, Clause 19(j))

Adjournment:

The North York Community Council adjourned its meeting at 4:30 p.m. on Tuesday, February 8, 2005.

Chair