

THE CITY OF TORONTO

City Clerk's Office

Minutes of the North York Community Council

Meeting 3

Wednesday, March 30, 2005

The North York Community Council met on Wednesday, March 30, 2005, 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.	2:10 p.m. to 5:30 p.m.
Councillor Minnan-Wong, Chair	x	x
Councillor Augimeri, Vice-Chair	x	x
Councillor Carroll	x	x
Councillor Feldman	x	
Councillor Fillion	x	x
Councillor Jenkins	x	x
Councillor Li Preti	x	x
Councillor Moscoe		
Councillor Pitfield	x	x
Councillor Shiner	x	x
Councillor Stintz	x	x

On motion by Councillor Augimeri, Ward 9 – York Centre, the minutes of the meeting of the North York Community Council held on February 8, 2005 were confirmed.

3.1 Draft By-law – To Permanently close a portion of the unopened Glengarry Avenue Road Allowance located at the rear of 250 Lawrence Avenue West (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a Draft By-law to permanently close a portion of the un-opened Glengarry Avenue Road Allowance located at the rear of 250 Lawrence Avenue West.

The North York Community Council also had before it, for information, Consolidated Clause 33 in Toronto North Community Council Report 5, titled “Surplus Land Declaration and Proposed Closing of a Portion of the Un-opened Glengarry Avenue Road Allowance at the rear of 250 Lawrence Avenue West (Ward 16 – Eglinton-Lawrence)”, which was adopted, without amendment by City Council, at its meeting on June 22, 23 and 24, 2004.

The North York Community Council held a public meeting in accordance with the *Municipal Act, 2001*, and notice of the proposed enactment of the draft by-law was posted on the Public Notices Page of the City’s website in accordance with the requirements of the City of Toronto Municipal Code Chapter 162. No one appeared to address the North York Community Council on March 30, 2005.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council recommended 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 3, Clause 1)

3.2 Request for Fence Exemption – 7 Vernham Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (March 7, 2005) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, reporting on a request by the owner of 7 Vernham Avenue for an exemption from the City of Toronto Municipal Code, Chapter 447, Fences.

Recommendation:

It is recommended that the application not be approved.

Ami Tamam appeared before the North York Community Council and provided photographs of the existing cedar trees.

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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 (March 7, 2005) from the North District Manager, Municipal Licensing and Standards, Urban Development Services; and
- (2) approve the request for an exemption from the City of Toronto Municipal Code, Chapter 447 Fences, for 7 Vernham Avenue, on condition that if any of the cedar trees die or cease to provide existing protection, the applicant be required to bring the fence up to standard, as prescribed by the City of Toronto Municipal Code, Chapter 447 Fences.

Ami Tamam appeared before the North York Community Council and provided photographs of the existing cedar trees.

(Report 3, Clause 2)

3.3 Request for Fence Exemption – 8 Mead Court (Ward 25 – Don Valley West)

The North York Community Council considered a report (March 7, 2005) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, reporting on a request by the owner of 8 Mead Court, for an exemption from the City of Toronto Municipal Code, Chapter 447, Fences.

Recommendation:

It is recommended that the application not be approved.

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

- (1) not adopt the report (March 7, 2005) from the North District Manager, Municipal Licensing and Standards, Urban Development Services; and
- (2) approve the request for an exemption from the City of Toronto Municipal Code, Chapter 447 Fences, for 8 Mead Court.

(Report 3, Clause 3)

3.4 Boulevard Leasing Agreement – 1728 Eglinton Avenue West (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (January 9, 2005) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, reporting on a request by Maria F. Mendonca of Cascais Bakery of 1728 Eglinton Avenue West to lease a portion of the municipal boulevard on the Locksley Avenue flankage of the property, for the purpose of a boulevard café.

Recommendations:

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

- (1) that the owner(s) enter into a Boulevard Lease Agreement with the City to the satisfaction of the City Solicitor and the Commissioner of Urban Development Services;
- (2) that the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto;
- (3) that no claims will be made against the City by the owner(s) for damage occurring to the patio, equipment, enclosure or its elements 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 \$2,000,000.00 or such greater amount as the City Solicitor may require;
- (6) in the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Commissioner of Urban Development Services;
- (7) the owner(s) will, at their expense and to the satisfaction of the Commissioner of Urban Development Services, keep and maintain the encroachment in a good and proper state of repair and safety and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;

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- (8) application for a liquor license for the said outdoor café enclosure not be made for one year after the date of approval;
- (9) no speakers or music may be placed/played or projected outside at any time of the day;
- (10) the outdoor café enclosure must be closed by 12:00 a.m.;
- (11) a new endorsement for the patio café be obtained from Municipal Licensing & Standards;
- (12) the owners pay the following fees:
 - (i) Municipal Licencing and Standards application fees of \$250.00;
 - (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 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 9, 2005) from the North District Manager, Municipal Licensing and Standards, Urban Development Services.

(Report 3, Clause 4)

3.5 Encroachment Agreement – Daniels Kenaston North Corporation – 18 Kenaston Gardens (Ward 24 – Willowdale)

The North York Community Council considered a report (February 14, 2005) from the North District Manager, Municipal Licensing & Standards, Urban Development Services, reporting on a request by the applicant, Daniels Kenaston North Corporation for an encroachment at 18 Kenaston Gardens. The encroachment consists of a new canopy facing Kenaston Gardens (east side of building), with a ground clearance of 4.605 metres that projects .55 metres x 5.685 metres for a total area of 3.12 square metres into the City right-of-way, as indicated on the Encroachment Plan dated January 18, 2005, prepared by Kirkor Architects & Planners.

Recommendations:

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

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- (1) that the owner(s) enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and the Commissioner of Urban Development Services;
- (2) that the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto;
- (3) that no claims will be made against the City by the owner(s) for damage occurring to the canopy or its elements during snow removal;
- (4) that the life of the Agreement be limited to 10 years from date of registration or to the date of removal of the encroachment, at which time, the City may consider the Agreement for further extension if requested by the applicant;
- (5) the indemnification of the City by the owner(s) of the encroachments for all liability relating in any way to the encroachment and providing of an insurance policy for such liability for the lifetime of the Agreement in a form as approved by the City Solicitor in an amount not less than \$2,000,000.00 or such greater amount as the City Solicitor may require;
- (6) in the event of sale or transfer of the property abutting the encroachment, Legal Services be authorized to extend the Encroachment Agreement to the new owner, subject to the approval of the Commissioner of Urban Development Services;
- (7) the owner(s) will, at their expense and to the satisfaction of the Commissioner of Urban Development Services, keep and maintain the encroachment in a good and proper state of repair and safety and will not make any additions or modifications to the encroachment beyond what is allowed under the terms of the Agreement;
- (8) the owner(s) pay the following fees:
 - (i) Application Fees of \$435.76
 - (ii) Legal Administration Cost and Registration of \$350.00, plus GST and Disbursements
 - (iii) Annual Fee, (rate adjusted annually), of \$3.46 per square metre, plus GST, totalling \$11.54 for 2005.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council:

- (1) recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (February 14, 2005) from the

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North District Manager, Municipal Licensing and Standards, Urban Development Services; and

- (2) requested the Director/Deputy Chief Building Official, North District, Urban Development Services and the Director, Community Planning, North District, Urban Development Services, to review the particulars of this application for an encroachment at 18 Kenaston Gardens and others in the area and advise Councillor Shiner (Ward Councillor) why these variances are requested after the buildings are built instead of requesting approval for the encroachment prior to the building being constructed so as these approvals are given in advance.

(Report 3, Clause 5)

3.6 Request to Remove One City-owned Tree – 75 St. Clements Avenue (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (February 15, 2005) from the Commissioner of Economic Development, Culture and Tourism, reporting on a request that has been filed under the provisions of City of Toronto Municipal Code, Chapter 813, Trees, Article II, 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 request for the removal of one City owned tree at 75 St. Clements Avenue be denied.

Dinko Kordic, applicant, appeared before the North York Community Council.

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

- (1) not adopt the staff recommendation in the Recommendations Section of the report (February 15, 2005) from the Commissioner of Economic Development, Culture and Tourism; and
- (2) approve the request for the removal of one City-owned tree located at 75 St. Clements Avenue, conditional on:
 - (a) the applicant paying all applicable costs and complying with all other requirements as set out in City of Toronto Municipal Code, Chapter 813, Trees, Article II;

- (b) the subject tree not being removed until permitted construction and/or demolition related activities in accordance with plans commence and warrant the destruction of the tree;
- (c) the applicant planting one 70-mm replacement tree to the satisfaction of the Commissioner of Economic Development, Culture and Tourism; and
- (d) the applicant furnishing a two-year renewable guarantee for the proposed tree planting, in the form of a letter of credit/certified cheque for \$428.00 to cover the costs of removal, replacement and maintenance of the 70-mm tree planted on City property.

(Report 3, Clause 6)

3.7 Request for Authority to Enter into a Heritage Easement Agreement – 108 Stayner Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (February 7, 2005) from the Commissioner of Economic Development, Culture and Tourism, reporting to request authority to enter into a Heritage Easement Agreement for the Jacob P. Ross house located at 108 Stayner Avenue.

Recommendations:

It is recommended that:

- (1) authority be granted by City Council for the execution of a Heritage Easement Agreement under Section 37 of the *Ontario Heritage Act* with the owner of 108 Stayner Avenue (Jacob P. Ross house), using substantially the form of easement agreement prepared in February 1987 by the City Solicitor and on file with the City Clerk, subject to such amendments as may be deemed necessary by the City Solicitor in consultation with the Commissioner of Economic Development, Culture and Tourism; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council also considered a communication (March 4, 2005) from the Toronto Preservation Board, recommending to the North York Community Council that City Council adopt the staff recommendations in the Recommendations Section of the report (February 7, 2005) from the Commissioner of Economic Development, Culture and Tourism.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (February 7, 2005) from the Commissioner of Economic Development, Culture and Tourism.

(Report 3, Clause 7)

3.8 Inclusion on the City of Toronto Inventory of Heritage Properties – 2130 Bayview Avenue (William Booth Memorial College) – 2130 Bayview Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (September 9, 2004) from the Commissioner of Economic Development, Culture and Tourism, recommending that Council include the property at 2130 Bayview Avenue (William Booth Memorial College) on the City of Toronto Inventory of Heritage Properties.

Recommendations:

It is recommended that:

- (1) Council include the property at 2130 Bayview Avenue (William Booth Memorial College) on the City of Toronto Inventory of Heritage Properties; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

The North York Community Council also considered a communication (March 4, 2005) from the Toronto Preservation Board, advising that the Toronto Preservation Board, at its meeting held on March 3, 2005, deferred consideration of the report (September 9, 2004) from the Commissioner of Economic Development, Culture and Tourism until its meeting on April 7, 2005.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council deferred the report to its meeting on May 3, 2005, to allow the Toronto Preservation Board to consider this matter at its meeting on April 7, 2005.

(Report 3, Other Items Clause 34(a))

Councillor Augimeri, Vice-Chair, assumed the Chair.

3.9 Request for Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of two illuminated pylon signs at 1765 Eglinton Avenue East (Ward 34 – Don Valley East)

The North York Community Council considered a report (December 22, 2004) from the Director of Building and Deputy Chief Building Official, Urban Development Services, reporting on a request by Pattison Sign Group on behalf of Golden Mile Motors Limited for variances from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of two illuminated pylon signs, a 10.97 metres (36 feet) and a 8.53 metres (28 feet) in height respectively on the property at 1765 Eglinton Avenue East.

Recommendations:

It is recommended that:

- (1) the request for the variance for the 10.97 metres (36 feet) high pylon sign be refused;
- (2) the request for the variance for the 8.53 metres (28 feet) high pylon sign be approved;
- (3) if the variances are approved:
 - (i) the applicant be notified of the requirement to obtain the necessary sign permits;
 - (ii) the applicant be notified of the requirement to obtain the approval from Transportation Services Division of the Works and Emergency Services Department; and
 - (iii) the applicant be notified of the requirement to obtain the approval from the Ontario Hydro Services Company.

On motion by Councillor Minnan-Wong, Ward 34 – Don Valley East, the North York Community Council deferred the report to its meeting on May 3, 2005.

(Report 3, Other Items Clause 34(b))

Councillor Minnan-Wong resumed the Chair.

3.10 Request for Driveway Entrance Widening – 73 Laskay Crescent (Ward 8 – York West)

The North York Community Council considered a report (February 21, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request to widen the driveway entrance at 73 Laskay Crescent from 3.5 metres to 5.0 metres.

Recommendation:

It is recommended that the request for a variance from the residential driveway entrance policy be approved.

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 Recommendation Section of the report (February 21, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, and approve the request to widen the driveway entrance at 73 Laskay Crescent from 3.5 metres to 5.0 metres.

(Report 3, Clause 8)

Councillor Augimeri, Vice-Chair, assumed the Chair.

3.11 City of Toronto North York Scholarship Award – York University

Councillor Minnan-Wong, Chair, welcomed Mr. Agyakar Singh, and advised that Mr. Agyakar Singh, this year's recipient of the City of Toronto North York Community Scholarship is a 1st year student in the Computer Engineering Program of the Faculty of Science and Engineering, York University, who had an admission average of 95.5%.

He further advised that Mr. Singh graduated from Westview Centennial Secondary School and was awarded the following scholarships upon entrance to York University: The Westview Entrance Award; Computer Science/Computer Engineering/Information Technology Scholarship; York University Award of Achievement; Faculty of Science and Engineering Scholarship; Queen Elizabeth II Aiming for the Top Scholarship and the York Crest Award. In addition, Councillor Minnan-Wong advised that Mr. Singh was a member of the North York Youth Clinical Services Student Advisory Group from Grade 10 to the end of 2003, where he helped to educate middle school students about the effects of drugs via educational games, posters and a website; made presentations at local middle schools; participated in the second annual Youth Mosaic at the Jane - Finch Mall;

and volunteered at the Driftwood Community Centre homework club (January to May 2001 and October 2001 to April 2002) by tutoring elementary and high school students.

Councillor Minnan-Wong and Councillor Li Preti, Ward Councillor, congratulated Mr. Agyakar Singh and presented him with the Scholarship Award on behalf of the North York Community Council.

The North York Community Council received the presentation to the recipient of the City of Toronto North York Community Scholarship, which was created by the former City of North York in 1985, in celebration of York University's 25th Anniversary.

(Report 3, Other Items Clause 34(c))

Councillor Minnan-Wong resumed the Chair.

3.12 Traffic Calming Measures (speed humps) – Lauder Avenue, Vaughan Road to Amherst Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (February 11, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the need for traffic calming measures and results of the traffic calming poll on Lauder Avenue, Vaughan Road to Amherst Avenue.

Recommendation:

It is recommended that traffic calming measures (speed humps) not be installed on Lauder Avenue, Vaughan Road to Amherst Avenue.

The North York Community Council deferred the report to its meeting on May 3, 2005.

(Report 3, Other Items Clause 34(d))

3.13 Traffic Calming Measures (speed humps) – Roselawn Avenue, Dufferin Street to Miranda Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (February 11, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the need for traffic calming measures and results of the traffic calming poll on Roselawn Avenue, Dufferin Street to Miranda Avenue.

Recommendation:

It is recommended that traffic calming measures (speed humps) not be installed on Roselawn Avenue, Dufferin Street to Miranda Avenue.

The North York Community Council deferred the report to its meeting on May 3, 2005.

(Report 3, Other Items Clause 34(e))

3.14 Traffic Calming Measures (speed humps) – Bolingbroke Road, Lawrence Avenue West to Wenderly Drive (Ward 15 – Eglinton-Lawrence)

The North York Community considered a report (February 11, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the need for traffic calming measures and results of the traffic calming poll on Bolingbroke Road, Lawrence Avenue West to Wenderly Drive.

Recommendation:

It is recommended that traffic calming measures (speed humps) not be installed on Bolingbroke Road, Lawrence Avenue West to Wenderly Drive.

The North York Community Council deferred the report to its meeting on May 3, 2005.

(Report 3, Other Items Clause 34(f))

3.15 Traffic Calming Measures (speed humps) – Times Road, Stayner Avenue to Lilywood Road (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (February 11, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on the need for traffic calming measures and results of the traffic calming poll on Times Road, Stayner Avenue to Lilywood Road.

Recommendation:

It is recommended that traffic calming measures (speed humps) not be installed on Times Road, Stayner Avenue to Lilywood Road.

The North York Community Council deferred the report to its meeting on May 3, 2005.

(Report 3, Other Items Clause 34(g))

3.16 All Way Stop Control – Covington Road at Saranac Boulevard (Ward 15 – Eglinton- Lawrence)

The North York Community Council considered a report (February 22, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to install an all way stop control at the intersection of Covington Road and Saranac Boulevard.

Recommendation:

It is recommended that Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on all approaches to the intersection of Covington Road and Saranac Boulevard.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (February 22, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 3, Clause 9)

3.17 All Way Stop Control – Drexel Road and Saranac Boulevard (Ward 15 – Eglinton- Lawrence)

The North York Community Council considered a report (March 2, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to install an all way stop control at the intersection of Drexel Road and Saranac Boulevard.

Recommendation:

It is recommended that Schedules XVIII and XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on all approaches to the intersection of Drexel Road and Saranac Boulevard.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (March 2, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 3, Clause 10)

3.18 Northbound Right Turn Lane Designation Amendment – Jane Street at Sheppard Avenue West (Ward 9 – York Centre)

The North York Community Council considered a report (March 3, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to amend the lane designation on Jane Street at Sheppard Avenue West.

Recommendations:

It is recommended that:

- (1) the easterly northbound curb lane on Jane Street at Sheppard Avenue West be designated for right turning vehicles only, buses excepted, from the southerly limit of Sheppard Avenue West to a point 30.5 metres southerly thereof; and
- (2) the appropriate by-law be amended accordingly.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (March 3, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 3, Clause 11)

3.19 Parking Prohibitions – Sentinel Road (Ward 9 – York Centre)

The North York Community Council considered a report (March 3, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to amend the existing parking regulations on Sentinel Road.

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 anytime on the west side of Sentinel Road, from a point 53 metres north of the northerly limit of Brookwell Drive to a point 25 metres northerly thereof.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (March 3, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 3, Clause 12)

3.20 40 km/h Speed Limit – Gordon Road, Munro Boulevard and Owen Boulevard (Ward 25 – Don Valley West)

The North York Community Council considered a report (February 18, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on reducing the speed limit on Owen Boulevard, Gordon Road and Munro Boulevard, to 40 km/h.

Recommendations:

It is recommended that:

- (1) By-law No. 31878, of the former City of North York, be amended by deleting the 40 km/h speed limit on Owen Boulevard, from the westerly limit of Fenn Avenue to a point 150 metres west of the easterly limit of Seneca Street;
- (2) By-law No. 31878, of the former City of North York, be amended by deleting the 40 km/h speed limit on Gordon Road, from the westerly limit of Fenn Avenue to a point 150 metres west of the easterly limit of Seneca Street;
- (3) By-law No. 31878, of the former City of North York, be amended by adding a 40 km/h speed limit on Owen Boulevard, from the westerly limit of Fenn Avenue to the easterly limit of Old Yonge Street;
- (4) By-law No. 31878, of the former City of North York, be amended by adding a 40 km/h speed limit on Gordon Road, from the westerly limit of Fenn Avenue to the southerly limit Owen Boulevard; and

- (5) By-law No. 31878, of the former City of North York, be amended by adding a 40 km/h speed limit on Munro Boulevard, from the easterly limit of Old Yonge Street to the westerly limit of Fenn Avenue.

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 report (February 18, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 3, Clause 13)

3.21 Installation of an On-Street Parking Space for Persons with Disabilities – Woburn Avenue (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (February 24, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to install an on-street disabled persons' parking space on Woburn Avenue.

Recommendations:

It is recommended that:

- (1) an on-street parking space for persons with disabilities be established on the north side of Woburn Avenue, between a point 56 metres west of the westerly limit of Yonge Street and a point 5.5 metres further west; and
- (2) the appropriate City officials be authorized and directed to take any action necessary to give effect to the foregoing, including the introduction in Council of any Bills that may be required.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (February 24, 2005) from the Director, Transportation Services, North District, Works and Emergency Services:

(Report 3, Clause 14)

3.22 Installation of On-Street Parking Space for Persons with Disabilities – Broadway Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (February 22, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on a request for the installation of an on-street disabled persons' parking space.

Recommendations:

It is recommended that:

- (1) an on-street parking space for persons with disabilities be established on Broadway Avenue, north side, between a point 129 metres east of Mount Pleasant Road and a point 5.5 metres further east; and
- (2) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto, including the introduction in Council of any Bills that may be required.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (February 22, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 3, Clause 15)

3.23 40 km/h Speed Limit – Franklin Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (February 3, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to reduce the speed limit on Franklin Avenue to 40 km/h.

Recommendations:

It is recommended that:

- (1) By-law No. 31878, of the former City of North York, be amended by deleting the 40 km/h speed limit on Franklin Avenue, from Gwendolen Crescent to Radine Road; and

- (2) By-law No. 31878, of the former City of North York, be amended by adding a 40 km/h speed limit on Franklin Avenue, from Gwendolen Crescent to a point 190 metres east of Radine Road.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (February 3, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 3, Clause 16)

3.24 40 km/h Speed Limit – Burbank Drive (Ward 24 – Willowdale)

The North York Community Council considered a report (February 1, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to reduce the speed limit on Burbank Drive, north of Burleigh Heights Drive.

Recommendations:

It is recommended that:

- (1) By-law No. 31878, of the former City of North York, be amended by deleting the 40 km/h speed limit on Burbank Drive, from the northerly limit of Sheppard Avenue East to the northerly limit of Burleigh Heights Drive; and
- (2) By-law No. 31878, of the former City of North York, be amended by designating a 40 km/h speed limit on Burbank Drive, from the northerly limit of Sheppard Avenue East to the northerly limit of Burbank Drive.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (February 1, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 3, Clause 17)

3.25 All Way Stop Control – Brooke Avenue/Ridley Boulevard at Yonge Boulevard (Ward 16 – Eglinton-Lawrence)

The North York Community considered a report (February 1, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to install an all way stop control at the intersection of Yonge Boulevard with Brooke Avenue/Ridley Boulevard.

Recommendations:

It is recommended that:

- (1) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended to delete the through street designation on Yonge Boulevard, from the southerly limit of Wilson Avenue to the northerly limit of the former City of North York boundary line;
- (2) Schedule XVIII of By-law No. 31001, of the former City of North York, be amended by designating Yonge Boulevard as a through street, from the southerly limit of Wilson Avenue to the northerly limit of Brooke Avenue; and
- (3) Schedule XIX of By-law No. 31001, of the former City of North York, be amended to require compulsory stops in all directions on Yonge Boulevard at Brooke Avenue/Ridley Boulevard;

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 (February 1, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 3, Clause 18)

3.26 40 km/h Speed Limit – Langholm Drive (Ward 9 – York Centre)

The North York Community Council considered a report (February 1, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to reduce the speed limit on Langholm Drive to 40 km/h.

Recommendation:

It is recommended that By-law No. 31878, of the former City of North York, be amended to reduce the speed limit on Langholm Drive, from the westerly limit of Blaydon Avenue to the westerly limit of Langholm Drive to 40 km/h.

The North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (February 1, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 3, Clause 19)

3.27 Parking Prohibitions – Wilmont Drive (Ward 8 – York West)

The North York Community Council considered a report (February 7, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to amend the parking regulations on Wilmont Drive.

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 anytime on both sides of Wilmont Drive, from the easterly limit of Driftwood Avenue to the westerly limit of Forge Drive.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council deferred the report to its meeting on May 3, 2005.

(Report 3, Other Items Clause 34(h))

3.28 Installation of an On-Street Parking Space for Persons with Disabilities - Castlewood Road (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (February 7, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to install an on-street disabled persons' parking space on Castlewood Road.

Recommendations:

It is recommended that:

- (1) the installation of an on-street disabled persons' parking space on the west side of Castlewood Road, between a point 117 metres south of the southerly limit of Roselawn Avenue and a point 5.5 metres further south; and
- (2) the appropriate City officials be requested to take any action necessary to give effect to the foregoing, including the introduction in Council of any bills that may be required.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (February 7, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 3, Clause 20)

3.29 Parking Prohibitions – St. Regis Crescent (Ward 8 – York West)

The North York Community Council considered a report (February 11, 2005) from the Director, Transportation Services, North District, Works and Emergency Services, reporting on obtaining approval to amend the existing parking regulations on St. Regis Crescent.

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 north side of St. Regis Crescent, from the easterly limit of Keele Street to the westerly limit of St. Regis Crescent North; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by adding a No Parking Anytime prohibition on both sides of St. Regis Crescent, from the easterly limit of Keele Street to the westerly limit of St. Regis Crescent North.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (February 11, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 3, Clause 21)

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

The North York Community Council considered a report (February 23, 2005) from the Commissioner of Economic Development, Culture and Tourism, seeking Council's approval to grant Special Occasion Beer Garden Permits to the group listed in Attachment No. 1.

Recommendations:

It is recommended that:

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

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 (February 23, 2005) from the Commissioner of Economic Development, Culture and Tourism; and
- (2) declare, for liquor licensing purposes, the community event outlined in Attachment No. 1 of the aforementioned report, to be an event of municipal and/or community significance; and that it has no objection to

this event taking place, and that the Alcohol and Gaming Commission of Ontario be so advised.

(Report 3, Clause 22)

3.31 Request for Extension of Existing Liquor License for Community Event – Armenian Community Centre Annual Summer Festival – 45 Hallcrown Place -- Friday July 8, 2005 – Sunday, July 10, 2005 (Ward 33 – Don Valley East)

The North York Community Council considered a communication (March 1, 2005) from Ani Tuysusian, Manager, Armenian Community Centre, requesting permission to apply for an extension of the existing liquor license for the annual Armenian Community Centre Summer Festival, to be held outdoors on Friday, July 8, 2005 – 5:00 p.m. to 2:00 a.m., Saturday, July 9, 2005 – 4:00 p.m. to 2:00 a.m. and Sunday, July 10, 2005 – 5:00 p.m. to 1:00 a.m. at the Armenian Community Centre, 45 Hallcrown Place.

The North York Community Council recommended that the request from the Manager of the Armenian Community Centre for an extension of the existing Liquor Licence for the annual Armenian Community Centre Summer Festival being held on July 8, 9 and 10, 2005 by the Armenian Community Centre, be approved and that the Alcohol and Gaming Commission of Ontario be so advised.

(Report 3, Clause 23)

3.32 Appointments to the Leaside Gardens Board of Management (Ward 26 – Don Valley West)

The North York Community Council considered a communication (February 22, 2005) from Henry Stachelbeck, General Manager, Secretary of the Board, Leaside Gardens, respecting the appointment of community members to the Leaside Gardens Board of Management.

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

- (1) appoint the following members to the Leaside Gardens Board of Management for a term of office ending November 30, 2006 and until successors are appointed:
 - (a) starting immediately, to replace John Parker, Alfreda Kennedy and Peter Simmie:

- (i) Varham Sedef;
 - (ii) Bruce Thornton; and
 - (iii) Paul Mercer; and
- (b) starting May 25, 2005, to replace John Masterson:
- (i) Ray White

in addition to the previously appointed citizen members of the Leaside Gardens Board of Management, Bob Brent, Liz French, Bob Dale, David Allen, Caroline Mildon; and

- (2) the appropriate officials be authorized to take any necessary action to give effect to these appointments.

(Report 3, Clause 24)

3.33 North York Civic Centre – Building Cleaning

The North York Community Council considered the following:

- 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 and recommending that this report be received for information.
- Report (March 7, 2005) from the Commissioner of Corporate Services, reporting on the feedback received from the staff located at North York Civic Centre on the building cleaning standards in place for the facility, and recommending that this report be received for information.

The North York Community Council received the reports.

(Report 3, Other Items Clause 34(i))

3.34 Amendment to former City of North York Zoning By-law No. 7625 – Front Yard Setback Requirements for the south side of Dawlish Avenue from the former City of Toronto boundary east to Bayview Avenue (Ward 25 – Don Valley West)

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

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“WHEREAS City of North York Zoning By-law No.7625 requires a 7.5 metre Front Yard Setback for homes located in R3 zones; and

WHEREAS, notwithstanding any other provision of this by-law, lots fronting on the south side of Dawlish Avenue between numbers 263 to 283 enjoy a 12 metres setback in the General Provisions for One-Family Detached Dwelling Zones (Residential); and

WHEREAS front yard setbacks maintain and enhance the streetscape when homes are uniformly set back; and

WHEREAS there is genuine concern among area residents that redevelopment homes located on the south side of Dawlish Avenue between the former City of Toronto boundary east to the dead end, when conforming to the 7.5 metre setback would leave a checkerboard pattern of front-yard setbacks; and

WHEREAS all the homes on this stretch of Dawlish Avenue have existing front yard setbacks of approximately 12 metres or greater;

THEREFORE BE IT RESOLVED that the City Planning Department be directed to review the front yard setbacks on the south side of Dawlish Avenue between the former City of Toronto boundary east to the dead end, in order to amend former City of North York Zoning By-law No. 7625 to preserve the existing setbacks and character of the streetscape; and

BE IT FURTHER RESOLVED that staff report back to the September 20th, 2005 meeting of North York Community Council on recommendations for more appropriate front yard setbacks.

The North York Community Council also considered a communication (March 23, 2005) from Adam Brown, Solicitor, of the law firm of Sherman Brown Dryer Karol.

Adam Brown, Solicitor, of the law firm of Sherman Brown Dryer Karol, appeared before the North York Community Council on behalf of the owner of 207 Dawlish Avenue.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council approved the Resolution, subject to:

(1) amending the fourth Recital to read as follows:

“WHEREAS there is genuine concern among area residents that redevelopment homes located on the south side of Dawlish Avenue between the former City of Toronto boundary east to Bayview Avenue when conforming to the 7.5 metre setback would leave a checkerboard pattern of front-yard setbacks;”

- (2) amending the first and adopting the second Operative Paragraphs to read as follows:

“THEREFORE BE IT RESOLVED that the City Planning Department be directed to review the front yard setbacks on the south side of Dawlish Avenue between the former City of Toronto boundary east to Bayview Avenue, in order to amend former City of North York Zoning By-law No. 7625 to preserve the existing setbacks and character of the streetscape;

BE IT FURTHER RESOLVED that staff report back to the September 20th, 2005 meeting of North York Community Council on recommendations for more appropriate front yard setbacks.”

(Report 3, Other Items Clause 34(j))

3.35 Preliminary Report – OPA & Rezoning Application – 05 105152 NNY 23 OZ – Plan of Subdivision Application – 05 105158 NNY 24 SB – K & G Oakburn Apartments II Limited – Page and Steele Architects – 1 – 12 Oakburn Crescent and 14 – 40 Oakburn Place (Ward 23 – Willowdale)

The North York Community Council considered a report (March 4, 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 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 Filion, Ward 23 – Willowdale, the North York Community Council approved the staff recommendations in the Recommendations Section of the report (March 4, 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 landowners and residents within the area bounded by Yonge Street, Willowdale Avenue, south of Sheppard Avenue East and Highway 401; and that the applicant pay the City for the costs associated with extending the notice area.

(Report 3, Other Items Clause 34(k))

3.36 Preliminary Report – Rezoning Application – 05 109222 NNY 24 OZ – Louis Zoppi – Jardin Design Group Inc., Architect – 198 & 202 Finch Avenue East (Ward 24 – Willowdale)

The North York Community Council considered a report (March 8, 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.

The North York Community Council approved the staff recommendations in the Recommendations Section of the report (March 8, 2005) from the Director, Community Planning, North District, Urban Development Services.

(Report 3, Other Items Clause 34(l))

3.37 Preliminary Report – Rezoning Application – 04 200946 NNY 23 OZ – Vladimir Frocov – R. E. Barnett Architect – 143 & 145 Finch Avenue West (Ward 23 – Willowdale)

The North York Community Council considered a report (March 8, 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 Filion, Ward 23 – Willowdale, the North York Community Council deferred the report to its meeting on May 3, 2005, to allow the applicant an opportunity to revise his application and to allow the Director, Community Planning, North District, Urban Development Services to submit a new preliminary report.

(Report 3, Other Items Clause 34(m))

3.38 Preliminary Report – OPA & Rezoning Application – 05 103706 NNY 10 OZ – Site Plan Control Application – 05 103714 NNY 10 SA – Franco Romano, Action Planning Consultants – Y.T. Architectural Services Inc. – 865-869 Sheppard Avenue West (Ward 10 – York Centre)

The North York Community Council considered a report (March 9, 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 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.

The North York Community Council approved the staff recommendations in the Recommendations Section of the report (March 9, 2005) from the Director, Community Planning, North District, Urban Development Services.

(Report 3, Other Items Clause 34(n))

3.39 Final Report – Part Lot Control Application – 04 194858 NNY 23 PL – Randy Lebow, Sherman Brown Dryer Karol Gold Lebow – 85 & 87 Finch Avenue East (Ward 23 – Willowdale)

The North York Community Council considered a report (March 8, 2005) from the Director, Community Planning, North District, Urban Development Services, reporting on a request for exemption from part lot control in order that 8 freehold townhouse 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 Filion, Ward 23 – Willowdale, the North York Community Council deferred the report to its meeting on May 3, 2005.

(Report 3, Other Items Clause 34(o))

3.40 Final Report – Rezoning Application – 04 120202 NNY 23 OZ – Site Plan Application – 04 120210 NNY 23 SA – Tas Design Build – Core Architects Inc. – 19-27, 33 & 37 Churchill Avenue and 52 Horsham Avenue(Ward 23 – Willowdale)

The North York Community Council commenced a statutory public meeting on March 30, 2005 and notice was given in accordance with the *Planning Act*.

No one addressed the North York Community Council since it was the decision of the North York Community Council to adjourn its public meeting until May 3, 2005.

The North York Community Council considered a report (March 4, 2005) from the Director, Community Planning, North District, Urban Development Services, reviewing and recommending approval of applications to amend the Zoning By-law and Site Plan Approval for an 18 storey apartment building with 5 street-related townhouses at the south-west corner of Churchill Avenue and Canterbury Place.

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 Amendment attached as Attachment No. 7.
- (2) authorize the City Solicitor to make such stylistic and technical changes to the draft Zoning By-law Amendment as may be required.
- (3) require the owner, prior to introducing the necessary Bills to City Council for enactment, to:
 - (i) enter into a Section 37 Agreement to implement the following:

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- (a) density incentives of 232.5 m² for the provision of private amenity area for 19 Churchill Avenue;
 - (b) density incentives of 281 m² for the provision of bicycle storage for 19 Churchill Avenue;
 - (c) lands with an area of 1,275.30 m² (known municipally as 52 Horsham Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
 - (d) lands with an area of 112.8 m² (known municipally as 33 Churchill Avenue) for the Service Road to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
 - (e) lands with an area of 1,440.5 m² (known municipally as 33 Churchill Avenue) for park purpose to be conveyed to the City for a nominal sum and free and clear of any encumbrances;
- (ii) convey to the City, part of Part xxx, Reference Plan xxx; and part of 27 Churchill Avenue, Part xxx, Reference Plan xxx; to the City for road purpose for the extension of Beecroft Road and Part xxx for road widening and corner rounding purpose on Churchill Avenue; and
 - (iii) convey to the City, Part xxx, Reference Plan xxx, (known municipally as 37 Churchill Avenue for parkland dedication; and
- (4) approve the plans and Conditions of Site Plan included as Attachment 10 and require the owner to enter into a Site Plan Agreement under Section 41 of the Planning Act based on the conditions and plans included as Attachment 10 prior to issuance of a building permit.

The North York Community Council also considered a communication (March 29, 2005) from Muriel & Allan Thompson.

On motion by Councillor Augimeri, Ward 9 – York Centre, the North York Community Council adjourned its public meeting under the *Planning Act* until May 3, 2005, to allow interested persons sufficient time to review the traffic certification report.

(Report 3, Other Items Clause 34(p))

3.41 Final Report - Context Plan for Bayview Avenue/ Sheppard Avenue East - Northwest Quadrant (“Clairtrell Area Context Plan”) – 04 200060 TM (Ward 23 – Willowdale)

The North York Community Council considered a report (March 10, 2005) from the Director, Community Planning, North District, Urban Development Services, recommending Council’s adoption of a Context Plan for the Northwest Bayview Avenue and Sheppard Avenue East quadrant, to guide consideration of development proposals and City initiated improvements within the Context Plan area.

Recommendations:

It is recommended that City Council:

- (1) adopt the Context Plan attached as Attachment 6 as an implementation tool to guide the review of development applications and City improvement initiatives for the lands included within the Context Plan area.

A staff presentation was made by Catherine Cieply, Senior Planner, North District, Urban Development Services.

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

- (1) adopt the staff recommendation in the Recommendation Section of the report (March 10, 2005) from the Director, Community Planning, North District, Urban Development Services; and
- (2) adopt a further recommendation as follows:

“that townhouse developments within this planning area be designed to permit curbside garbage collection by City vehicles.”

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

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

AGAINST: Councillors Shiner, Stintz

ABSENT: Moscoe, Feldman

Carried.

(Report 3, Clause 25)

Councillor Augimeri, Vice-Chair, assumed the Chair.

**3.42 Final Report – Zoning Amendment Application – 04 121839 NNY 23 OZ –
Canadawide Development Corporation – Sherman Brown – Designer - Simon West
– 9 & 11 Clairtrell Road (Ward 23 – Willowdale)**

The North York Community Council held a statutory public meeting on March 30, 2005, and notice was given in accordance with the *Planning Act*.

The North York Community Council considered a report (March 11, 2005) from the Director, Community Planning, North District, Urban Development Services, reviewing and recommending approval of an application to amend the Zoning By-law for a 17-unit townhouse development at 9 and 11 Clairtrell Road, north of Sheppard Avenue East and west of Bayview Avenue.

Recommendations:

It is recommended that City Council:

- (1) amend Zoning By-law 7625 for 9 & 11 Clairtrell Road 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; and
- (3) before introducing the necessary Bills to City Council for enactment, require the owner to have obtained Site Plan Approval under Section 41 of the *Planning Act*.

A staff presentation was made by Catherine Cieply, Senior Planner, North District, Urban Development Services.

Adam Brown, Solicitor, of the law firm of Sherman Brown Dryer Karol, appeared before the North York Community Council, on behalf of the applicant.

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

- (1) deferred this matter until such time as the project complies with the Planning and Transportation Committee direction to design new

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townhouse developments to permit curbside garbage collection by City vehicles; and .

- (2) requested the Director, Community Planning, North District, Urban Development Services and the General Manager, Solid Waste Management Services, Works and Emergency Services, to submit a joint report to the North York Community Council on the revised proposal.

(Report 3, Other Items Clause 34(q))

Councillor Minnan-Wong resumed the Chair.

3.43 Final Report – OPA & Rezoning Application – 04 102559 NNY 23 OZ – Farshad Kehtari – David Wooddridge, Architect – 2924, 2926, 2928 Bayview Avenue (Ward 23 – Willowdale)

The North York Community Council held a statutory public meeting on March 30, 2005, and notice was given in accordance with the *Planning Act*.

The North York Community Council considered a report (March 9, 2005) from the Director, Community Planning, North District, Urban Development Services, reviewing and recommending approval of an application to amend the Official Plan and the Zoning By-law for the development of 8, three storey townhouses at 2924, 2926 and 2928 Bayview Avenue.

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.
- (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.

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- (4) approve under Section 41 of the *Planning Act* the proposed 8, three-storey townhouse units, as indicated on the following plans and subject to the conditions of Approval found in Attachment 8:

Plan No.	Plan Title	Prepared By	Date Stamped
A1	Site Plan	David Wooldridge Inc.	December 29, 2004
A2	Floor Plans Unit 1	David Wooldridge Inc.	November 16, 2004
A3	Floor Plans Units 2-8	David Wooldridge Inc.	November 16, 2004
A4	Elevations	David Wooldridge Inc.	November 16, 2004
TI-1	Tree Inventory Plan	Landscape Planning Limited	November 16, 2004
L-1	Landscape Site Plan	Landscape Planning Limited	November 16, 2004
D-1	Landscape Details	Landscape Planning Limited	November 16, 2004

The North York Community Council also considered a communication (March 30, 2005) from George S. Belza, Partner, Analogica, on behalf of Willowdale Central Ratepayers' Association, South of Sheppard Preservation Group, Lansing Community Association, Edithvale-Yonge Community Association and Silverview Community Association.

A staff presentation was made by Kelly Jones, Planner, North District, Urban Development Services.

The following persons appeared before the North York Community Council:

- Adam Brown, Solicitor, of the law firm of Sherman Brown Dryer Karol, on behalf of the applicant;
- Barry McMonagle, on behalf of the Bayview Willowdale Ratepayers Association Inc.;
- A.W. Andersen;
- George S. Belza, Partner, Analogica, on behalf of Willowdale Central Ratepayers' Association, South of Sheppard Preservation Group, Lansing Community Association, Edithvale-Yonge Community Association and Silverview Community Association;
- Sylvia Douglas; and
- Arshil Jamil.

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Councillor Filion, Ward 23 – Willowdale, moved that the North York Community Council refer this application back to the Director, Community Planning, North District, Urban Development Services, to reconsider this proposal with specific regard to Council's approved modifications to the Official Plan to protect neighbourhoods.

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

FOR: Councillors Minnan-Wong, Augimeri, Stintz, LiPreti, Filion, Jenkins, Carroll, Shiner and Pitfield

AGAINST: Nil

ABSENT: Councillors Feldman and Moscoe

Carried Unanimously

(Report 3, Other Items Clause 34(r))

Councillor Augimeri, Vice-Chair assumed the Chair.

3.44 Final Report – Application to Amend the Official Plan and Zoning By-law and Draft Plan of Subdivision – 03 201751 NNY 08 OZ and 04 138822 NNY 08 SB – 1530787 Ontario Inc. (George Popper Architect) – 102-134 Hucknall Road (Ward 8 – York West)

The North York Community Council held a statutory public meeting on March 30, 2005, and notice was given in accordance with the *Planning Act*.

The North York Community Council considered a report (March 7, 2005) from the Director, Community Planning, North District, Urban Development Services, reviewing and recommending approval of an application to amend the Official Plan and Zoning By-law and a Draft Plan of Subdivision to permit the redevelopment of the site with 67 residential dwelling units (59 townhouse units and 8 semi-detached units) and a block containing a one-storey commercial building.

Recommendations:

It is recommended that City Council:

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- (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. 7.
- (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. 8.
- (3) authorize the City Solicitor to make such stylistic and technical changes to the draft Official Plan Amendment and draft Zoning By-law Amendment as may be required.
- (4) before introducing the necessary Bills to City Council for enactment, require the Owner to obtain Site Plan Approval from the Director, Community Planning, North District, under Section 41 of the *Planning Act*.
- (5) City Council 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 on the following conditions:
 - (a) this approval applies to the draft plan of subdivision prepared by Krcmar Surveyors Inc., dated April 28, 2004, as Attachment 1 to this report.
 - (b) the owner shall provide evidence of taxes paid.
 - (c) the appropriate standard conditions of approval for subdivisions (Attachment 10).
 - (d) the conditions of Works and Emergency Services (Attachment 9A).
 - (e) the conditions of Economic Development, Culture and Tourism, Policy Development Division (Attachment 9B).
 - (f) prior to final approval and registration of this plan, the Owner provide a two-year renewable tree planting security deposit guarantee, at \$588.00 per tree planted in turf, for all new trees proposed to be planted within the road allowance.
 - (g) prior to final approval and registration of this plan, the Owner shall provide a landscaping plan and necessary securities, to the satisfaction of the Commissioner of Urban Development Services and the Commissioner of Economic Development, Culture and Tourism for off-site landscaping along the northern boundary of Sentinel Park and within the triangular

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City-owned parcel located immediately adjacent to the corner of Sentinel Road and Hucknall Road.

- (h) prior to final approval and registration of this plan, the applicant/developer enter into an agreement to the satisfaction of the Toronto District School Board to erect and maintain signs, at points of egress and ingress of the development site, advising that:

“The Toronto District School Board makes every effort to accommodate students locally. However, due to residential growth, sufficient accommodation may not be available in this area for all students. Students may be accommodated in facilities outside the area until adequate funding or space becomes available. For information regarding designated school(s), please call (416) 394-7526.”

These signs shall be to the Board’s specifications and erected prior to registration of any building permit.

- (i) prior to final approval and registration of this plan, the applicant/developer shall agree in the subdivision agreement or in a separate agreement between the School Board and the Developer, to include the following warning clauses in all offers of purchase and sale of residential units (prior to registration of the plan and for a period of 10 years following registration) to the satisfaction of the Toronto District School Board, that;

“Despite the best efforts of the Toronto District School board, sufficient accommodation may not be locally available for all students anticipated from the development area and that students may be accommodated in facilities outside the area, and further, that students may later be transferred.

Purchasers agree for the purpose of transportation to school, if bussing is provided by the Toronto District School board in accordance with the Board’s policy, that students will not be bussed home to school, but will meet the bus at designated locations in or outside of the area.”

The North York Community Council also considered the following communications, which are on file in the City Clerk’s Office, North York Civic Centre:

- (March 8, 2005) from M. Armstrong;
- (March 27, 2005) from Fred Carmosino;
- (March 29, 2005) from Truong and Julie Ta; and

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- (March 28, 2005) from Sheila Sukloff.

A staff presentation was made by Colin Ramdial, Senior Planner, North District, Urban Development Services.

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

- Mr. George Popper; George Popper Architect, on behalf of the applicant;
- Ule Varga;
- Bob McElhinney;
- Doug Smith;
- Ippolito Spagnuolo;
- Mario Cappoccia;
- John Lariccia;
- Mary Garofalo;
- N. Di Nardo;
- Bev Dossey-Cox; and
- Joe D'Alessandro.

A. Councillor Li Preti, Ward 8 – York West, moved that the North York Community Council recommend that City Council:

- (1) not adopt the staff recommendations in the Recommendations Section of the report (March 7, 2005) from the Director, Community Planning, North District, Urban Development Services; and
- (2) refuse the application in its present form and in the event that the applicant appeals Council's decision to the Ontario Municipal Board, the City Solicitor be directed to hire an outside planning consultant to work with the Hucknall/Sentinel Working Group and the Ward Councillor to defend Council's decision at the Ontario Municipal Board.

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B. Councillor Carroll, Ward 33 – Don Valley East, moved that the North York Community Council recommend that:

- (1) City Council adopt the staff recommendations in the Recommendations Section of the Report (March 7, 2005) from the Director, Community Planning, North District, Urban Development Services; and
- (2) the developer be required, as part of the subdivision agreement, to provide the Toronto District School Board with a cash amount of \$50,000.00 to be used specifically to conduct a feasibility study to improve the student capacity of the schools in the catchment area in which the development area is situated.

A recorded vote on Motion A., moved by Councillor LiPreti, Ward 8 – York West, was as follows:

FOR: Councillors Augimeri, Stintz, LiPreti, Filion and Pitfield

AGAINST: Councillor Carroll

ABSENT: Councillors Minnan-Wong, Feldman, Moscoe, Jenkins and Shiner

Carried.

Having regard for the foregoing decision of the North York Community Council, Motion B., moved by Councillor Carroll, was not voted upon.

(Councillor Shiner declared his interest in this item in that his brother is representing an interested party in this matter.)

(Report 3, Clause 26)

Councillor Minnan-Wong resumed the Chair.

3.45 Request for Driveway Entrance Side Yard Variance – 55 Westgate Blvd. (Ward 10 – York Centre)

The North York Community Council considered a report (March 7, 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 55 Westgate Blvd.

Recommendation:

It is recommended that the application for this variance to the driveway entrance be approved.

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (March 7, 2005) from the Director, Transportation Services, North District, Works and Emergency Services.

(Report 3, Clause 27)

3.46 Agreement with CN Rail Ltd. – UDSB 1247 – TB SPC 2002 0012 – UDOZ –00-02 - Future Esther Shiner Boulevard (Ward 24 – Willowdale)

The North York Community Council considered a report (March 14, 2005) from the Director, Development Engineering, Works and Emergency Services, seeking Council's approval for the City of Toronto to enter into agreements with CN Rail Ltd. for the purposes of a road crossing (Esther Shiner Boulevard) through CN Rail lands and the proposed construction and maintenance of the CN Rail Bridge to be located over the proposed Esther Shiner Boulevard, to be constructed as part of a development application by Canadian Tire Corp.; and seeking Council approval required for the City of Toronto to enter into licences or agreements with pipeline companies for existing pipelines that must be relocated under Esther Shiner Boulevard as part of the road and underpass construction.

Recommendations:

- (1) the City enter into agreement with CN Rail Ltd., satisfactory to the City Solicitor and the Commissioner of Works and Emergency Services, to permit the City to construct and pass through CN Rail lands with the proposed east-west road (Esther Shiner Boulevard) and that the City, at its cost, maintain the proposed CN Rail bridge over the proposed Esther Shiner Boulevard;
- (2) the City enter into licences or agreements with pipeline companies whose services will be relocated under the proposed Esther Shiner Boulevard as part of the construction of the road and underpass; and
- (3) the appropriate City officials be authorized to do all things necessary to give effect to the foregoing.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (March 14, 2005) from the Director, Development Engineering, Works and Emergency Services.

(Report 3, Clause 28)

3.47 Naming of Proposed Public Street between Yonge Street and Lorraine Drive, south of Finch Avenue West – Tolman Street (Ward 23 – Willowdale)

The North York Community Council considered a report (March 10, 2005) from the City Surveyor, Works and Emergency Services, recommending that the proposed public street located between Yonge Street and Lorraine Drive, south of Finch Avenue West, be named “Tolman Street”.

Recommendations:

It is recommended that:

- (1) the proposed public street located between Yonge Street and Lorraine Drive, south of Finch Avenue West, be dedicated by by-law for public highway purposes and named "Tolman Street"; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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 report (March 10, 2005) from the City Surveyor, Works and Emergency Services.

(Report 3, Clause 29)

3.48 Renaming of Portion of Bales Avenue to “Harrison Garden Boulevard” and Renaming of Terlean Road to “Avondale Avenue” (Ward 23 – Willowdale)

The North York Community Council considered a report (March 10, 2005) from the City Surveyor, Works and Emergency Services, recommending that the portion of Bales Avenue, located south of Avondale Avenue, be renamed “Harrison Garden Boulevard” and that Terlean Road be renamed to “Avondale Avenue”.

Recommendations:

It is recommended that:

- (1) subject to the requirements for changing the name of a street set out in Chapter 162-3A and 162-4A of the City of Toronto Municipal Code, the portion of "Bales Avenue", located south of Avondale Avenue, be renamed to "Harrison Garden Boulevard" and "Terlean Road" be renamed to "Avondale Avenue"; and
- (2) the appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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 report (March 10, 2005) from the City Surveyor, Works and Emergency Services.

(Report 3, Clause 30)

3.49 Ontario Municipal Board Hearing – Committee of Adjustment Application – A0080/05NY – 8 Winton Road (Ward 25 – Don Valley West)

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

“WHEREAS the Committee of Adjustment on June 10, 2004 refused application A354/04M which sought relief from conditions of approval of a previous Committee of Adjustment application (A015/02M) which the applicant failed to satisfy; and

WHEREAS Council on November 30, December 1 & 2, 2004 approved a request for City Planning and Legal staff to attend the OMB hearing to uphold the Committee of Adjustment decision of June 10, 2004; and to challenge the validity of the applicant’s appeal since it was received by the City one month past the appeal deadline; and

WHEREAS upon the applicant’s request the OMB hearing was adjourned in order for the owner to re-apply to Committee of Adjustment with another application to avoid a procedural challenge on the validity of the appeal; and

WHEREAS on March 3, 2005, the Committee of Adjustment – North York panel – refused application A0080/05NY; and

WHEREAS the applicant has now appealed this decision to the Ontario Municipal Board;

THEREFORE BE IT RESOLVED that City Planning and Legal staff be authorized to attend at the Ontario Municipal Board hearing to uphold the Committee of Adjustment refusal decisions of June 10, 2004 and March 3, 2005.”

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

(Report 3, Clause 31)

3.50 Ontario Municipal Board Hearing – Committee of Adjustment Application – 1 Marcia Avenue (Ward 15 – Eglinton-Lawrence)

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

“WHEREAS the Committee of Adjustment for the City of Toronto (North District) refused an application by Gabriella Di Marco, the owner of 1 Marcia Avenue, to permit the construction of a greenhouse attached to the rear of the existing detached garage;

WHEREAS variances were requested dwelling length and west side yard setback;

WHEREAS Planning staff reported that the proposal would be excessive and not within the general purpose and intent of the zoning by-law and would result in a development that does not represent the established community character;

WHEREAS Planning staff recommended that the application be refused;

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

WHEREAS no date has been set for the hearing;

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

On motion by Councillor Augimeri, Ward 9 – 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 Augimeri, Ward 9 – York Centre, the North York Community Council recommended that City Council adopt the Resolution.

(Report 3, Clause 32)

3.51 Ontario Municipal Board Hearing – Committee of Adjustment Application – 282 Ellerslie Avenue (Ward 23 – Willowdale)

The North York Community Council considered the following Resolution submitted by Councillor Filion, Ward 23 – Willowdale, for consideration by the North York Community Council:

“WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused a severance application by Anatoly Podlubny, the owner, by agreement of purchase and sale of 282 Ellerslie Avenue for consent to sever a residential property fronting onto the north side of Ellerslie Avenue into two residential properties having frontages of 11.4m;

WHEREAS the Committee of Adjustment for the City of Toronto (North York Panel) refused the two associated variance applications requesting variances for lot frontage and width; lot area, and internal east and west side yard setbacks;

WHEREAS Planning staff commented on the pattern of development and the various lot sizes within the surrounding area and was generally not opposed to the proposal;

WHEREAS the applicant has appealed the refusal decisions of the Committee of Adjustment for both the severance and minor variance applications to the Ontario Municipal Board;

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

THEREFORE BE IT RESOLVED THAT Council authorize the City Solicitor to retain outside Planning Consultants and attend the Ontario Municipal Board hearing to uphold the City’s by-law and the Committee of Adjustment decisions.”

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that

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

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council recommended that City Council adopt the Resolution.

(Report 3, Clause 33)

Staff Appreciation Motion – Director, North District, Parks and Recreation Division.

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

“That the North York Community Council extend its formal gratitude to Mr. Jim Bradley, Director, North District, Parks and Recreation Division for his dedication and level of service to the North York Community Council and to wish him the best of luck in his new endeavours.”

Adjournment:

The North York Community Council adjourned its meeting at 5:30 p.m. on Wednesday, March 30, 2005.

Chair