

THE CITY OF TORONTO

City Clerk's Office

Minutes of the North York Community Council

Meeting 4

Tuesday, May 3, 2005

The North York Community Council met on Tuesday, May 3, 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 2:15 p.m.
Councillor Minnan-Wong, Chair	x	x
Councillor Augimeri, Vice-Chair	x	x
Councillor Carroll	x	x
Councillor Feldman	x	
Councillor Filion	x	x
Councillor Jenkins	x	x
Councillor Li Preti	x	x
Councillor Moscoe	x	x
Councillor Pitfield	x	x
Councillor Shiner	x	x
Councillor Stintz	x	x

On motion by Councillor Augimeri, Ward 9 – York Centre, the minutes of the meeting of the North York Community Council held on March 30, 2005 were confirmed.

4.1 Draft By-law – Renaming of Heathbridge Park Road and Heathbridge Park Drive to “Heathbridge Park” (Ward 26 – Don Valley West)

The North York Community Council considered a Draft By-law from the City Solicitor, to rename the public highways Heathbridge Park Road and Heathbridge Park Drive to “Heathbridge Park”.

The North York Community Council also had before it, for information, Consolidated Clause 36 of North York Community Council Report 1, titled “Street Name Changes – Heathbridge Park Road and Heathbridge Park Drive (Ward 26 – Don Valley West)”, which was adopted, without amendment, by City Council on February 1, 2 and 3, 2005.

The North York Community Council held a public meeting and notice, in accordance with the *Municipal Act, 2001*, of the proposed enactment of the draft by-law was posted on the Public Notices Page of the City’s website from April 22, 2005 to May 2, 2005, immediately preceding the North York Community Council meeting held on May 3, 2005. No one appeared to address the North York Community Council.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, 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 4, Clause 1)

4.2 Removal of One Privately Owned Tree – 95 Lord Seaton Road (Ward 25 – Don Valley West)

The North York Community Council considered a report (March 23, 2005) from the Commissioner of Economic Development, Culture and Tourism, reporting on an application for a permit to remove one black walnut tree having a diameter measuring 56 cm on private property that has been filed on behalf of the owner of 95 Lord Seaton Road.

Recommendations:

- (1) The request for a permit to remove one privately owned black walnut tree at 95 Lord Seaton Road be denied; or
- (2) The request for a permit to remove one privately owned black walnut tree at 95 Lord Seaton Road be approved subject to conditions.

The North York Community Council also considered a communication (April 27, 2005) from John and Michelle Visser, requesting a deferral to North York Community Council meeting of May 31, 2005.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council deferred the report to its next meeting on May 31, 2005.

(Report 4, Other Items Clause 34(a))

4.3 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 (April 8, 2005) from the Toronto Preservation Board, advising that the Toronto Preservation Board, at its meeting on April 7, 2005:

- (1) deferred consideration of the report (September 9, 2004) from the Commissioner of Economic Development, Culture and Tourism until its meeting on May 12, 2005, noting that the Solicitor, Peter Van Loan, Fraser Milner Casgrain LLP, agreed that the undertaking from the Salvation Army that there will be no demolition of the property in that time remains in effect; and
- (2) requested the Commissioner of Economic Development, Culture and Tourism to submit a revised report to the May 12, 2005 meeting of the Board.

On motion by Councillor Jenkins, Ward 25 – Don Valley West, the North York Community Council deferred the report to its next meeting on May 31, 2005.

(Report 4, Other Items Clause 34(b))

4.4 Encroachment Agreement Application – 631 Sheppard Avenue West (Ward 10 – York Centre)

The North York Community Council considered a report (April 18, 2005) from the North District Manager, Municipal Licensing & Standards, reporting on a request by the applicants, Nikolai and Svetlana Shtepa, for an encroachment agreement at 631 Sheppard Avenue West, to permit a portion of the front porch to encroach onto City of Toronto road allowance.

Recommendations:

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

- (1) That the owners enter into an Encroachment Agreement with the City to the satisfaction of the City Solicitor and the General Manager, Municipal Licensing and Standards;
- (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 owners for damages occurring to the area of encroachment or its elements during snow removal;
- (4) That the life of the Agreement be limited to 5 years from the date of registration or to the date of the 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 owners of the encroachment 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 General Manager, Municipal Licensing and Standards;
- (7) The owners will, at their expense and to the satisfaction of the General Manager, Municipal Licensing and Standards, keep and maintain the encroachment in a good and proper state of repair and safety and will not make any additions or

modifications to the encroachment beyond what is allowed under the terms of the Agreement;

- (8) The owners pay the following fees:
- (i) Legal administration Cost and Registration, plus GST and Dispersments;
 - (ii) Annual Fee (rate adjusted annually) of \$3.46 per square metre, plus GST, totalling \$13.83, for 2005.

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 (April 18, 2005) from the North District Manager, Municipal Licensing and Standards.

(Report 4, Clause 2)

4.5 Residential Demolition Application – 224 Lytton Boulevard (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (April 15, 2005) from the Director of Building and Deputy Chief Building Official, North District, reporting on a demolition application by Anthony Ercolani, on behalf of the owner, Bruce Moran, made under Section 33 of the *Planning Act* and the former City of Toronto Municipal Code Chapter 146, Article II, Demolition Control, for the property at 224 Lytton Blvd.

Recommendations:

It is recommended that:

- (1) the application made under Section 33 of the *Planning Act* to demolish the subject residential building be approved, subject to the following conditions:
 - (a) that the Owner shall, prior to the issuance of the demolition permit, provide arborist reports, security deposits and tree protection agreements all to the satisfaction of the Urban Forestry Services.
 - (b) that the owner construct and substantially complete the new building, authorized by building permit file no. 05 119419 BLD 00 NH, on the site of the building to be demolished by not later than two (2) years from the day the demolition is commenced;
 - (c) that, on failure to complete the new building within the time specified, the City Clerk shall be entitled to enter on the collector's roll, to be collected in like manner as municipal taxes, the sum of twenty-thousand dollars

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- (\$20,000.00) for each dwelling unit contained in the building in respect of which the demolition permit is issued, and that such sum shall, until payment, be a lien or charge upon the land in respect of which the permit to demolish the residential property is issued;
- (d) that a construction fence be erected in accordance with the provisions of the Municipal Code, Chapter 363, Article III, if deemed appropriate by the Chief Building Official;
 - (e) that all debris and rubble be removed immediately after demolition;
 - (f) that the site be maintained free of garbage and weeds, in accordance with the Municipal Code Chapter 623-5 and 629-10, Paragraph B;
 - (g) that any holes on the property are backfilled with clean fill.
- (2) the appropriate City officials be authorized to take the necessary action to give effect thereto.

The North York Community Council also considered a communication (April 28, 2005) from Adam J. Brown, Solicitor, of the law firm of Sherman Brown Dryer Karol, on behalf of the applicant, requesting that this item be withdrawn from the May 3, 2005 North York Community Council agenda since the residential demolition permit application and associated building permit had been withdrawn from the City of Toronto Building Division and the matter was no longer required to be heard before Community Council.

On motion by Councillor Stintz, Ward 16 – Eglinton-Lawrence, the North York Community Council received the report (April 15, 2005) from the Director of Building and Deputy Chief Building Official, North District because the residential demolition permit application and associated building permit were withdrawn from the City of Toronto Building Division and the matter was no longer required to be heard before the Community Council.

(Report 4, Other Items Clause 34(c))

Councillor Augimeri, Vice-Chair, assumed the Chair.

4.6 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, North District, 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.

The North York Community Council also considered a communication (April 27, 2005) from Dominic Rotundo, Pattison Sign Group, requesting that this matter be withdrawn.

On motion by Councillor Minnan-Wong, Ward 34 – Don Valley East, the North York Community Council received the report (December 22, 2004) from the Director of Building and Deputy Chief Building Official, North District, as the application was withdrawn by the applicant because the variances to the Sign By-law are no longer required.

(Report 4, Other Items Clause 34(d))

Councillor Minnan-Wong resumed the Chair.

4.7 Request for Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of five illuminated ground signs and eleven illuminated poster units attached to existing lamp pole standards at Fairview Mall – 1800 Sheppard Avenue East (Ward 33 – Don Valley East)

The North York Community Council considered a report (April 12, 2005) from the Director of Building and Deputy Chief Building Official, North District, reporting on a request by Robert Lacas of Traffic Communications on behalf of Cadillac Fairview Corporation for variances from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of five illuminated ground signs and eleven illuminated poster units attached to existing lamp pole standards at Fairview Mall – 1800 Sheppard Avenue East.

Recommendations:

It is recommended that:

- (1) the request for the variances be approved; and
- (2) the applicant be advised, upon the approval of the variances, of the requirement to obtain the necessary sign permits.

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 (April 12, 2005) from the Director of Building and Deputy Chief Building Official, North District.

(Report 4, Clause 3)

4.8 Request for Approval of a Variance from the former City of North York Sign By-law No. 30788, as amended, for the erection of a projecting sign at 1887 Avenue Road (Ward 16 – Eglinton-Lawrence)

The North York Community Council considered a report (April 13, 2005) from the Director of Building and Deputy Chief Building Official, North District, reporting on a request by Renny Cannon of Daniel Johnson Architect Inc., on behalf of Starbucks Coffee, for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of a projecting sign at 1887 Avenue Road.

Recommendations:

It is recommended that:

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- (1) the request for the variance be approved; and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permits.

Renny Cannon of Daniel Johnson Architect Inc., appeared before the North York Community Council, on behalf of the applicant.

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 (April 13, 2005) from the Director of Building and Deputy Chief Building Official, North District.

(Report 4, Clause 4)

4.9 Request for Approval of Variances from the former City of North York Sign By-law No. 30788, as amended, for the erection of three ground signs at 3140 Dufferin Street (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (April 13, 2005) from the Director of Building and Deputy Chief Building Official, North District, reporting on a request by Albert Kruger of A-tec Signs, on behalf of De-Jure Consulting Inc., for a variance from the former City of North York Sign By-law No. 30788, as amended, to permit the erection of three ground signs at 3140 Dufferin Street.

Recommendations:

It is recommended that:

- (1) the request for the variance be approved, and
- (2) the applicant be advised, upon approval of the variance, of the requirement to obtain the necessary sign permits.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council deferred the report until City Council has dealt with the Mobile Sign By-law.

(Report 4, Other Items Clause 34(e))

4.10 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, 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.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (February 11, 2005) from the Director, Transportation Services, North District, and traffic calming measures (speed humps) not be installed on Lauder Avenue, Vaughan Road to Amherst Avenue.

(Report 4, Clause 5)

4.11 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, 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.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendation in the Recommendation Section of the report (February 11, 2005) from the Director, Transportation Services, North District, and traffic calming measures (speed humps) not be installed on Roselawn Avenue, Dufferin Street to Miranda Avenue.

(Report 4, Clause 6)

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

The North York Community Council considered a report (February 11, 2005) from the Director, Transportation Services, North District, 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.

A. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that:

- (1) the staff recommendations in the report (February 11, 2005) from the Director, Transportation Services, be received;
- (2) the traffic calming measures (speed humps), as illustrated in attachment 2 of the staff report, be installed on Bolingbroke Road, Lawrence Avenue West to Wenderly Drive;
- (3) by-laws be prepared for the alteration of sections of the affected road and the reduction of the speed limit to 30km/h;
- (4) pursuant to the Municipal Class Environmental Assessment Act, Notice of Completion be issued; and
- (5) 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.

B. Councillor Shiner, Ward 24 – Willowdale, moved that the North York Community Council recommend to City Council that the staff recommendations in the Recommendations Section of the report (May 31, 2005) from the Director, Transportation Services, North District, be adopted.

A recorded vote on Motion A., by Councillor Moscoe, was as follows:

FOR: Councillors Moscoe, Li Preti, Filion, Jenkins

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

ABSENT: Nil

Lost.

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

This item was later re-opened.

- C. Councillor Augimeri, Ward 9 – York Centre, moved that consideration of this matter be re-opened.

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

- D. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the North York Community Council defer the report to its next meeting on May 31, 2005 to allow area residents to address the North York Community Council.

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

(Report 4, Other Items Clause 34(f))

4.13 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, 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.

- A. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the North York Community Council recommend that in view of the positive results of the poll in accordance with City Policy, that:
- (1) the staff recommendation in the Recommendation Section of the report (February 11, 2005) from the Director, Transportation Services, North District, be received;

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- (2) the traffic calming measures (speed humps), as illustrated in Attachment 2 of the staff report, be installed on Times Road, Stayner Avenue to Lilywood Road;
 - (3) by-laws be prepared for the alteration of sections of the affected road and the reduction of the speed limit to 30 km/h;
 - (4) pursuant to the *Municipal Class Environmental Assessment Act*, Notice of Completion be issued; and
 - (5) 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.

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

FOR: Councillors Augimeri, Feldman, Moscoe, Li Preti, Filion, Jenkins

AGAINST: Councillors Minnan-Wong, Stintz, Carroll, Shiner, Pitfield

ABSENT: Nil

Carried.

(Report 4, Clause 7)

4.14 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, 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 September 20, 2005.

(Report 4, Other Items Clause 34(g))

4.15 Parking Prohibitions – Church Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (April 12, 2005) from the Director, Transportation Services, North District, reporting on obtaining approval to amend the parking prohibitions on Church Avenue.

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 prohibitions on the north side of Church Avenue, from the easterly limit of Kenneth Avenue to the westerly limit of Dudley Avenue; and
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at anytime on the north side of Church Avenue, from the easterly limit of Kenneth Avenue to the westerly limit of Willowdale Avenue.

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 (April 12, 2005) from the Director, Transportation Services, North District.

(Report 4, Clause 8)

4.16 All Way Stop Control – Addison Crescent (north leg) at Duncairn Road (Ward 25 – Don Valley West)

The North York Community Council considered a report (March 29, 2005) from the Director, Transportation Services, North District, reporting on a request to install all way stop control at the intersection of Addison Crescent (south leg) at Duncairn Road.

Recommendation:

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

The North York Community Council also considered a communication (May 3, 2005) from Martha Ferguson.

The following persons appeared before the North York Community Council:

- Terry West, President, Don Mills Residents Inc.;

- Maria Turcotte;
- Cyndi Passek; and
- Tony Ercolani
- A. Councillor Jenkins, Ward 25 – Don Valley West, moved that the staff recommendations be received and an all way stop control be installed at the intersection of Addison Crescent (south leg) at Duncairn Road.
- B. Councillor Shiner, Ward 24 – Willowdale, moved that the North York Community Council:
 - (1) the report be deferred to its next meeting on May 31, 2005; and
 - (2) the Director, Transportation Services, North District, and the Director, Parks, Forestry and Recreation, North District, be requested to review the location of the barrier in Bond Park and determine if it can be relocated in order to provide more access from Leslie Street, yet still permit emergency vehicles access from Leslie Street via Bond Avenue.

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

FOR: Councillors Minnan-Wong, Augimeri, Feldman, Carroll, Shiner, Pitfield

AGAINST: Councillors Stintz, Moscoe, Li Preti, Filion, Jenkins

ABSENT: Nil

Carried.

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

(Report 4, Other Items Clause 34(h))

4.17 Disabled Loading Zone – Roslin Avenue (Ward 25 – Don Valley West)

The North York Community Council considered a report (March 18, 2005) from the Director, Transportation Services, North District, reporting on obtaining approval to install a Disabled Loading Zone on Roslin Avenue.

Recommendations:

It is recommended that:

- (1) a Disabled Loading Zone be installed on the south side of Roslin Avenue, from a point 27 metres east of the easterly limit of Mount Pleasant Road to a point eight metres easterly thereof; and
- (2) all appropriate by-law(s) be amended accordingly.

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 (March 18, 2005) from the Director, Transportation Services, North District.

(Report 4, Clause 9)

4.18 Pedestrian Crossing Restrictions – Jane Street at Giltspur Drive (Ward 9 – York Centre)

The North York Community Council considered a report (March 15, 2005) from the Director, Transportation Services, North District, reporting on obtaining approval to regulate pedestrian crossings at the intersection of Jane Street and Giltspur Drive.

Recommendations:

It is recommended that:

- (1) pedestrian crossings be prohibited on the south side of the signalized intersection of Jane Street and Giltspur Drive, between the northerly curb line on Giltspur Drive and a point 30.5 metres south of the southerly curb line of Giltspur Drive; and
- (2) the appropriate by-laws 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 15, 2005) from the Director, Transportation Services, North District.

(Report 4, Clause 10)

4.19 All Way Stop Control – Beth Neilson Drive at Wickstead Avenue (Ward 26 – Don Valley West)

The North York Community Council considered a report (March 29, 2005) from the Director, Transportation Services, North District, reporting on obtaining approval to install an all way stop control at the intersection of Beth Neilson Drive and Wickstead Avenue.

Recommendations:

It is recommended that:

- (1) traffic on all approaches to the intersection of Beth Neilson Drive and Wickstead Avenue be required to stop; and
- (2) the appropriate City officials be authorized and directed to take whatever action is necessary to give affect thereto including the introduction in Council of any Bills that are required.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (March 29, 2005) from the Director, Transportation Services, North District.

(Report 4, Clause 11)

4.20 Stopping and Parking Prohibitions/Restrictions – Old Sheppard Avenue (Ward 33 – Don Valley East)

The North York Community Council considered a report (April 18, 2005) from the Director, Transportation Services, North District, reporting on obtaining approval to amend the on-street stopping/parking prohibitions/restrictions on Old Sheppard Avenue, adjacent to the St. Gerald's Elementary School.

Recommendations:

It is recommended that:

- (1) Schedule IX of By-law No. 31001, of the former City of North York, be amended by deleting the No Stopping, 8:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the north side of Old Sheppard Avenue, from a point 100.65 metres west of the westerly limit of Victoria Park Avenue to the westerly limit of Victoria Park Avenue;

- (2) 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 Old Sheppard Avenue, from the easterly limit of Muirhead Road to the westerly limit of Victoria Park Avenue;
- (3) Schedule X of By-law No. 31001, of the former City of North York, be amended by installing a 15 Minute Permitted Parking, 8:00 a.m. to 4:00 p.m., Monday to Friday, restriction on the north side of Old Sheppard Avenue, from the easterly limit of Ladner Drive to the westerly limit of Victoria Park Avenue;
- (4) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by installing a No Parking, 4:00 p.m. to 8:00 a.m., Monday to Friday, prohibition on the north side of Old Sheppard Avenue, from the easterly limit of Ladner Drive to the westerly limit of Victoria Park Avenue;
- (5) Schedule VIII of By-law No. 31001, of the former City of North York, be amended by installing a No Parking Anytime prohibition on the north side of Old Sheppard Avenue, from the easterly limit of Muirhead Road to the westerly limit of Ladner Drive; and
- (6) Schedule IX of By-law No. 31001, of the former City of North York, be amended by installing a No Stopping, 8:00 a.m. to 4:00 p.m., Monday to Friday, prohibition on the south side of Old Sheppard Avenue, from easterly limit of Ladner Drive to the westerly limit of Victoria Park Avenue.

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 (April 18, 2005) from the Director, Transportation Services, North District.

(Report 4, Clause 12)

4.21 Amendments to Stopping Restrictions – Banbury Road (Ward 25 – Don Valley West)

The North York Community Council considered a report (April 12, 2005) from the Director, Transportation Services, North District, reporting on obtaining approval to amend the existing stopping restrictions on Banbury Road, adjacent to the Windfields Junior High School.

Recommendations:

It is recommended that:

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- (1) Schedule IX of By-law No. 31001, of the former City of North York, be amended to delete the No Stopping, 8:00 a.m. to 6:00 p.m., Monday to Friday, prohibition on the east side of Banbury Road, from the northerly limit of Heathcote Avenue to a point 45.75 metres north of the northerly limit of the south leg of Junewood Crescent; and
- (2) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping on the west side of Banbury Road, from 8:00 a.m. to 4:00 p.m., Monday to Friday, between the northerly limit of Heathcote Avenue to the southerly limit of the north leg of Junewood Crescent.

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 (April 12, 2005) from the Director, Transportation Services, North District.

(Report 4, Clause 13)

4.22 Community Safety Zone – Grandravine Drive (Ward 8 – York West and Ward 9 – York Centre)

The North York Community Council considered a report (March 29, 2005) from the Director, Transportation Services, North District, reporting on a request to introduce a Community Safety Zone on Grandravine Drive, Driftwood Avenue to Keele Street.

Recommendation:

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

- A. Councillor Li Preti, Ward 8 – York West, moved that the North York Community Council defer the report to its next meeting on May 31, 2005, and request that it be considered at 10:00 a.m. to provide citizens and ratepayer groups an opportunity to address the North York Community Council on this matter.
- B. Councillor Augimeri, Ward 9 – York Centre, moved that the recommendation in the Recommendation Section of the report (May 31, 2005) from the Director, Transportation Services, North District, to receive the report for information, be adopted.

A recorded vote on Motion A., moved by Councillor Li Preti, was as follows:

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

AGAINST: Councillors Augimeri, Pitfield

ABSENT: Councillor Filion

Carried.

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

(Report 4, Other Items Clause 34(i))

4.23 On-Street Pay and Display Parking – Kilgour Road (Ward 25 – Don Valley West)

The North York Community Council considered a report (April 14, 2005) from the Director, Transportation Services, North District, reporting on obtaining approval to install on-street pay and display parking machines and prohibit stopping at anytime on Kilgour Road.

Recommendations:

It is recommended that:

- (1) Schedule IX of By-law No. 31001, of the former City of North York, be amended to prohibit stopping at anytime on the north side of Kilgour Road, from the easterly limit of Bayview Avenue to a point 310 metres easterly thereof;
- (2) Schedule IX of By-law No. 31001 of the former City of North York, be amended to prohibit stopping at anytime on the south side of Kilgour Road, from the easterly limit of Bayview Avenue to the easterly limit of Kilgour Road;
- (3) pay and display parking be installed on the north side of Kilgour Road, from a point 310 metres east of the easterly limit of Bayview Avenue to a point 190 metres easterly thereof, to operate between the hours of 8:00 a.m. and 6:00 p.m., Monday to Saturday, for maximum periods of two hours at a rate of \$1.00 per hour; and
- (4) the City solicitor be directed to prepare the appropriate Bills for the installation of pay and display parking on the north side of Kilgour Road, from a point 310 metres east of the easterly limit of Bayview Avenue to a point 190 metres easterly thereof.

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 (April 14, 2005) from the Director, Transportation Services, North District.

(Report 4, Clause 14)

4.24 All Way Stop Control – Van Horne Avenue at Clipper Road/Taverly Road (Ward 33 – Don Valley East)

The North York Community Council considered a report (April 18, 2005) from the Director, Transportation Services, North District, reporting on obtaining approval to install all way stop control at the intersection of Van Horne Avenue and Clipper Road/Taverly Road.

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 Van Horne Avenue, from the easterly limit of Bickerton Crescent (west leg) to the westerly limit of Victoria Park Avenue;
- (2) Schedule XIX of By-law No. 31001, of former City of North York, be amended to require traffic to stop on Van Horne Avenue, east and west of Clipper Road/Taverly Road;
- (3) Schedule XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on Clipper Road, south of Van Horne Avenue; and
- (4) Schedule XIX of By-law No. 31001, of the former City of North York, be amended to require traffic to stop on Taverly Road, north of Van Horne Avenue

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 (April 18, 2005) from the Director, Transportation Services, North District.

(Report 4, Clause 15)

4.25 Temporary Speed Reduction/Turn Restrictions – Wilson Heights Boulevard Bridge over W.R. Allen Road Ramp, north of Wilson Avenue (Ward 10 – York Centre)

The North York Community Council considered a report (April 11, 2005) from the Director, Transportation Services, North District, reporting on obtaining approval to install temporary left turn prohibition at the intersection of Clanton Park Road and Wilson Heights Boulevard and reduce the speed limit on Wilson Heights Boulevard, between Joel Swirsky Boulevard and Faith Avenue from 60 km/h to 50 km/hr.

Recommendations:

It is recommended that:

- (1) commencing the first day of construction (expected to be May 1, 2005) and terminating on the last day of construction (expected to be November 30, 2005), that the following traffic regulations be implemented:
 - (a) Schedule XV of By-law No. 31001, of the former City of North York, be amended to prohibit southbound left turns at anytime from Wilson Heights Boulevard to Clanton Park Road until such time that the Bridge Rehabilitation project is complete;
 - (b) Schedule XV of By-law No. 31001, of the former City of North York, be amended to prohibit westbound left turns at anytime from Clanton Park Road to Wilson Heights Boulevard until such time that the Bridge Rehabilitation project is complete;
 - (c) By-law No. 28674, of the former City of North York, be amended by reducing the speed limit on Wilson Heights Boulevard, from Joel Swirsky Boulevard to Faith Avenue from 60 km/h to 50 km/h until such time that the Bridge Rehabilitation project is complete;
- (2) that the above By-law amendments be rescinded and that the appropriate By-laws be introduced in Council to reinstate all traffic regulations upon the completion of the bridge rehabilitation project; and
- (3) appropriate City officials are directed to take the necessary action to implement the foregoing, including the introduction of any necessary Bills in Council to give effect thereto.

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

(Report 4, Clause 16)

4.26 Right Turns on Red Prohibition – Doris Avenue at Greenfield Avenue (Ward 23 – Willowdale)

The North York Community Council considered a report (April 11, 2005) from the Director, Transportation Services, North District, reporting on obtaining approval to prohibit the southbound right turns on red signal display from Doris Avenue to Greenfield Avenue.

Recommendations:

It is recommended that:

- (1) right turns during the red signal indication be prohibited at all times from southbound Doris Avenue to westbound Greenfield Avenue; and
- (2) all appropriate by-law(s) be amended, accordingly.

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

(Report 4, Clause 17)

4.27 All Way Stop Control – Brian Drive at Van Horne Avenue (Ward 33 – Don Valley East)

The North York Community Council considered a report (April 19, 2005) from the Director, Transportation Services, North District, reporting on a request to install an all way stop control at the intersection of Brian Drive and Van Horne Avenue.

Recommendation:

It is recommended that this report be received for information.

On motion by Councillor Carroll, Ward 33 – Don Valley East, the North York Community Council received the report.

(Report 4, Other Items Clause 34(j))

4.28 Proposed Parking Prohibitions – Benner Avenue (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (April 4, 2005) from the Director, Transportation Services, North District, reporting on obtaining approval to amend the existing parking restrictions on Benner Avenue.

Recommendation:

It is recommended that Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking at any time on both sides of Benner Avenue, from the northerly limit of Benner Avenue to the southerly limit of Benner Avenue.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (April 4, 2005) from the Director, Transportation Services, North District.

(Report 4, Clause 18)

4.29 Parking Prohibitions – Esandar Drive (Ward 26 – Don Valley West)

The North York Community Council considered a report (April 14, 2005) from the Director, Transportation Services, North District, reporting on obtaining approval to amend the existing parking regulations on Esandar Drive.

Recommendations:

It is recommended that:

- (1) parking be prohibited at anytime both sides of Esandar Drive, from easterly limits of Laird Drive to southerly limit of Industrial Road; and
- (2) the appropriate City officials be authorized to take whatever action is necessary to give effect to the foregoing, including the introduction in Council of any Bills that are required.

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (April 14, 2005) from the Director, Transportation Services, North District.

(Report 4, Clause 19)

4.30 Parking/Stopping Amendments – Campbell Crescent (Ward 25 – Don Valley West)

The North York Community Council considered a report (April 12, 2005) from the Director, Transportation Services, North District, reporting on obtaining approval to amend the current parking/stopping restrictions on Campbell Crescent.

Recommendations:

It is recommended that:

- (1) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No Parking Anytime prohibition on the west side of Campbell Crescent, from the southerly limit of Old York Mills Road to the northerly limit of Old Yonge Street;
- (2) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No Parking Anytime prohibition on the east side of Campbell Crescent, from the southerly limit of Old York Mills Road to the northerly limit of Old Yonge Street;
- (3) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to delete the No Parking, 8:00 a.m. to 6:00 p.m., Monday to Friday, prohibition on the east side of Campbell Crescent, from the southerly limit of Old York Mills Road to a point 39.65 metres south of the southerly limit of Old York Mills Road;
- (4) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking from Monday to Saturday on the west side of Campbell Crescent, from a point 40 metres south of the southerly limit of Old York Mills Road to the northerly limit of Old Yonge Street;
- (5) Schedule VIII of By-law No. 31001, of the former City of North York, be amended to prohibit parking anytime on the east side of Campbell Crescent, from a point 40 metres south of the southerly limit of Old York Mills Road to the northerly limit of Old Yonge Street;
- (6) Schedule XI of By-law No. 31001, of the former City of North York, be amended to delete the No Standing Anytime prohibition on the east and west sides of Campbell Crescent, from the southerly limit of Old York Mills Road to a point 40 metres southerly thereof;
- (7) Schedule XI of By-law No. 31001, of the former City of North York, be amended to prohibit standing on the west side of Campbell Crescent, Monday to Saturday,

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from the southerly limit of Old York Mills Road to a point 40 metres southerly thereof; and

- (8) Schedule XI of By-law No. 31001, of the former City of North York, be amended to prohibit standing anytime on the east side of Campbell Crescent, from a the southerly limit of Old York Mills Road to a point 40 metres southerly thereof.

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 (April 12, 2005) from the Director, Transportation Services, North District.

(Report 4, Clause 20)

4.31 All Way Stop Control – Brian Drive at Crossbow Crescent (north leg) (Ward 33 – Don Valley East)

The North York Community Council considered a report (April 11, 2005) from the Director, Transportation Services, North District, reporting on a request to install all way stop control at the intersection of Brian Drive and Crossbow Crescent (north leg).

Recommendation:

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

On motion by Councillor Carroll, Ward 33 – Don Valley East, the North York Community Council received the report.

(Report 4, Other Items Clause 34(k))

4.32 Payment-In-Lieu of Parking – New Gowaks Limited – 223-251 Sheppard Avenue East (Ward 23 – Willowdale)

The North York Community Council considered a report (April 6, 2005) from the Director, Transportation Services, North District, seeking Council's approval to exempt the applicant from a parking deficiency of two (2) parking spaces, subject to payment-in-lieu of parking.

Recommendation:

It is recommended that payment-in-lieu of parking of \$5,000.00 be approved for a deficiency of two (2) parking spaces.

On motion by Councillor Filion, Ward 23 – Willowdale, the North York Community Council deferred the report until the parking study has been completed.

(Report 4, Other Items Clause 34(l))

4.33 Surplus Land Declaration and Proposed Closing of a Portion of the Dufferin Street Road Allowance, abutting 2069 Dufferin Street (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (April 8, 2005) from the Acting General Manager of Transportation Services and Chief Corporate Officer, recommending that a portion of the public highway, shown as Parts 1 and 2 on the attached Sketch No. PS-2003-076 (the “Highway”), be permanently closed and declared surplus to the City’s requirements.

Recommendations:

It is recommended that:

- (1) subject to compliance with the requirements of the *Municipal Act, 2001*, and subject to City Council approving the sale of the Highway, the Highway be permanently closed as a public highway;
- (2) subject to City Council approving the sale of the Highway, notice be given to the public of a proposed by-law to permanently close the Highway, in accordance with the requirements of Chapter 162 of the City of Toronto Municipal Code, and the North York Community Council hear any member of the public who wishes to speak to this matter;
- (3) the Highway be declared surplus to the City’s requirements, subject to the retention of a permanent easement over Parts 1 and 2 on Sketch No. PS-2003-076 in favour of the City for the protection and maintenance of an existing storm sewer and watermain and all steps necessary to comply with Chapter 213 of the City of Toronto Municipal Code be taken;
- (4) the Chief Corporate Officer be authorized to invite an offer to purchase from the owner of 2069 Dufferin Street;
- (5) following the closure of the Highway, an easement be granted to Enbridge Gas over Parts 1 and 2 on Sketch No. PS-2003-076 for existing gas line, and a right-of-way be granted over Part 2 on Sketch No. PS-2003-076 in favour of 2073 Dufferin Street for access purposes; and

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- (6) the appropriate City officials be authorized and directed to take the necessary action to give effect to the foregoing, including the introduction in Council of any bills necessary to give effect thereto.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (April 8, 2005) from the Acting General Manager of Transportation Services and Chief Corporate Officer.

(Report 4, Clause 21)

4.34 Request for Special Occasion Permit for Community Event – Festival de Verano Summer Festival – Parc Downsview Park – August 14, 2005 (Ward 9 – York Centre)

The North York Community Council considered a communication (April 20, 2005) from Councillor Palacio, Ward 17 – Davenport, requesting that the North York Community Council recommend that City Council for liquor licensing purposes, declare the Festival de Verano (Summer Festival) being held on August 14, 2005 at Parc Downsview Park, between the hours of 1:00 p.m. to 11:00 p.m., to be an event of municipal significance, and that the Alcohol and Gaming Commission be advised that the North York Community Council has no objection to its taking place.

- A. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the communication (April 20, 2005) from Councillor Palacio, be referred to the Parc Downsview Park Protocol Committee for consideration and be reported back to the North York Community Council in a timely manner so that the North York Community Council can make recommendation to City Council prior to the event taking place.

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

This matter was later re-opened.

- B. Councillor Moscoe, moved that this matter be re-opened since it was brought to his attention that the membership and new terms of reference for the Parc Downsview Park Protocol Committee have not been established and referral of this request to that Committee would delay the processing of the Special Occasion Permit for this community event.

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

-
- C. Councillor Moscoe, Ward 15 – Eglinton-Lawrence, moved that the North York Community Council recommend that City Council declare, for liquor licensing purposes, the Festival de Verano (Summer Festival) to be held on August 14, 2005 at Parc Downsview Park, from 1:00 p.m. to 11:00 p.m. 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 be so advised.

Upon the question of the adoption of Motion C., by Councillor Moscoe, it was carried.

(Report 4, Clause 22)

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

The North York Community Council considered a report (April 15, 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.

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- A. Councillor Pitfield, Ward 26 – Don Valley West, moved that the North York Community Council recommend that City Council:
- (1) adopt the recommendations in the Recommendations Section of the report (April 15, 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 to the 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; and
 - (3) grant an exemption to the Toronto Municipal Code, Chapter 591, Noise, to permit the amplification of sound or playing of music until 2:00 a.m. on Sunday, August 28, 2005; and 1:00 a.m. on Monday, August 29, 2005, on the basis that no complaints have been received by Municipal Licensing and Standards on past events.

This matter was later re-opened.

- B. Councillor Pitfield, Ward 26 – Don Valley West, moved that this matter be re-opened for a technical amendment.

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

- C. Councillor Pitfield, Ward 26 – Don Valley East, moved that Recommendation (3) referred to in Motion A., be deleted since it does not relate to the event identified in the staff report.

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

(Report 4, Clause 23)

4.36 Non-Objection Letter for Alcohol and Gaming Commission for the 2005 Celebrate Toronto Street Festival (Ward 16 – Eglinton-Lawrence, Ward 22 – St. Paul’s, Ward 25 – Don Valley West and Ward 27 – Toronto Centre-Rosedale)

The North York Community Council considered a report (April 13, 2005) from the Commissioner of Economic Development, Culture and Tourism, seeking to have Council declare the 2005 Celebrate Toronto Street Festival an event of municipal significance in

order to obtain a liquor licence from the Ontario Alcohol and Gaming Commission for the Celebrate Toronto Street Festival July 8, 9 and 10, 2005.

Recommendations:

It is recommended that:

- (1) The 2005 Celebrate Toronto Street Festival be declared an event of municipal significance, for LLBO and AGCO purposes and indicate that there is no objection to granting a liquor licence for beer gardens on the four festival sites along Yonge Street;
- (2) Approval for the extension of temporary patio licences be given, upon request, to other businesses within the festival sites;
- (3) Non-objection letter requests from restaurants applying for an extension of premises permit, in conjunction with the 2005 Celebrate Toronto Street Festival, be submitted at a later date;
- (4) Toronto Special Events obtain sidewalk sale permits on behalf of businesses within the festival sites; and
- (5) The appropriate City Officials be authorized and directed to take the necessary action to give effect thereto.

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 staff recommendations in the Recommendations Section of the report (April 13, 2005) from the Commissioner of Economic Development, Culture and Tourism, be adopted.

(Report 4, Other Items Clause 34(m))

4.37 Proposed Naming of a new Park located on lands north of Murray Ross Parkway and to the east and west of Sentinel Road to Dan Iannuzzi Park (Ward 8 – York West)

The North York Community Council considered a report (April 20, 2005) from the General Manager, Parks, Forestry and Recreation, seeking Council's approval for the naming of the new park located on lands to the north of Murray Ross Parkway and to the east and west of Sentinel Road to Dan Iannuzzi Park, in honour of Daniel Andrea Iannuzzi.

Recommendations:

It is recommended that:

- (1) Council approve the naming of the new park located on lands to the north of Murray Ross Parkway and to the east and west of Sentinel Road to Dan Iannuzzi Park subject to meeting all criteria outlined in the Parkland Naming Policy, as approved by Council on November 25, 26, 27, 1998; 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 petition submitted by Councillor Li Preti, Ward 8 – York West, signed by 478 area residents in support of the proposed renaming.

On motion by Councillor Li Preti, Ward 8 – York West, the North York Community Council recommended that City Council adopt the recommendations in the Recommendations Section of the report (April 20, 2005) from the General Manager, Parks, Forestry and Recreation.

A recorded vote on the Motion, moved by Councillor Li Preti, Ward 8 – York West was as follows:

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

AGAINST: Nil

ABSENT: Councillor Filion

Carried Unanimously

(Report 4, Clause 24)

4.38 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.

The North York Community Council also considered a status report from the Director, Community Planning, North District, providing an update on the status of the rezoning application for 143 & 145 Finch Avenue West.

Recommendation:

That the Preliminary Report for the revised application be brought forward to the North York Community Council, once revised plans have been submitted by the applicant.

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 (April 22, 2005) from the Director, Community Planning, North District, as follows:

“That the preliminary report for the revised application be brought forward to the North York Community Council, once revised plans have been submitted by the applicant.”

(Report 4, Other Items Clause 34(n))

4.39 Preliminary Report – Rezoning Application 04 176757 NNY 10 OZ – George Popper, Architect – 920 Sheppard Avenue West (Ward 10 – York Centre)

The North York Community Council considered a report (April 15, 2005) from the Director, Community Planning, North District, 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 also considered a communication (April 26, 2005) from George Popper, George Popper Architect, requesting a deferral, on behalf of the property owner, Urban Fabric Development (Sheppard West) Inc.

On motion by Councillor Feldman, Ward 10 – York Centre, the North York Community Council deferred the report sine die.

(Report 4, Other Items Clause 34(o))

4.40 Preliminary Report – Rezoning Application 05 114048 NNY 34 OZ – Carson Architects Limited – 78 Tisdale Avenue (Ward 34 – Don Valley East)

The North York Community Council considered a report (April 15, 2005) from the Director, Community Planning, North District, 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 (April 15, 2005) from the Director, Community Planning, North District.

(Report 4, Other Items Clause 34(p))

4.41 Preliminary Report – Rezoning Application 05 112591 NNY 23 OZ – Adam Brown, Sherman Brown, John Shuki Lau Architect Inc. – 16 -22 Clairtrell Road (Ward 23 – Willowdale)

The North York Community Council considered a report (April 19, 2005) from the Director, Community Planning, North District, providing preliminary information on the above-noted application for 27, 3-storey townhouse units and seeking Community Council's directions on further processing of the application and on the community consultation process.

Recommendations:

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

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

- (1) approved the staff recommendations in the Recommendations Section of the report (April 19, 2005) from the Director, Community Planning, North District; 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 report dated April 19, 2005 (16-22 Clairtrell Road) recommends that staff be directed to schedule a community consultation meeting together with the Ward Councillor, and that notice of the community consultation meeting be given to landowners and residents within 120 metres of the site;

THEREFORE BE IT RESOLVED that the preliminary report be approved subject to the notice area for the community consultation meeting being extended to include all residents and landowners within the area bounded

by Bayview Avenue to the east (up to and including 2968 Bayview Avenue); Sheppard Avenue to the south, Wilfred Avenue to the west; and properties along the north side of Hillcrest Avenue to the north; and

BE IT FURTHER RESOLVED that the applicant pay the City for the costs associated with extending the notice area.”

(Report 4, Other Items Clause 34(q))

4.42 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, 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 Fillion, Ward 23 – Willowdale, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (March 8, 2005) from the Director, Community Planning, North District.

(Report 4, Clause 25)

4.43 Final Report – Part Lot Control Application 04 113610 NHY 15 PL – Andrew Ip, Masongsong Associates Engineering Ltd. – 108 – 122 Neptune Drive (Ward 15 – Eglinton-Lawrence)

The North York Community Council considered a report (April 15, 2005) from the Director, Community Planning, North District, requesting the extension of the exemption from Part Lot Control By-law 376-2004 in order that 8 townhouse dwelling units may continue to 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) the By-law shall expire one year from the date of enactment;
- (4) prior to the introduction of Bills in Council, the owner shall confirm payment of outstanding taxes to the satisfaction of Revenue Services Division, Finance Department; and
- (5) the appropriate City Officials be authorized and directed to register the By-law on title.

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (April 15, 2005) from the Director, Community Planning, North District.

(Report 4, Clause 26)

4.44 Final Report – Part Lot Control Application 05 105685 NNY 23 PL – William Friedman – 8, 10, 12 Clairtrell Road (Ward 23 – Willowdale)

The North York Community Council considered a report (April 20, 2005) from the Director, Community Planning, North District, reporting on a request for exemption from part lot control in order that 23 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.

The North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (April 20, 2005) from the Director, Community Planning, North District.

(Report 4, Clause 27)

4.45 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 considered a report (March 4, 2005) from the Director, Community Planning, North District, 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:
 - (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;

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- (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 supplementary report (April 29, 2005) from the Director, Community Planning, North District, providing a review of the Traffic Certification and providing an updated version of the draft zoning by-law.

Recommendations:

It is recommended that:

- (1) City Council amend the Zoning By-law for the former City of North York, substantially in accordance with the draft Zoning By-law Amendment (Attachment 1).
- (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:
 - (a) density incentives of 231 m² for the provision of private amenity area for 19 Churchill;
 - (b) conveyance of lands with a density of 1,275 m², Part of Lot 13, R.P. 2057, (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;
 - (c) conveyance of lands with a density of 112.8 m², Part 3 of Plan 66R-21671 (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;

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- (d) conveyance of lands with a density of 1,436.8 m², Part 2 of Plan 66R-21671, (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;
- (e) a monetary contribution paid prior to enactment of the proposed zoning by-law amendment toward the cost of land acquisition for the North York Centre Service Road for the proposed 287 m² density incentive, in accordance with the provisions of the Official Plan Amendment 557.
- (f) The owner agrees to the following as depicted on Plans dated April 28, 2005 and red-lined April 29, 2005:
 - (1) Maximum of 107 storage lockers in underground parking levels, as shown on Plans A201, A202, and A202B
 - (2) Townhouse 01 with reduced basement level, as shown on Plan 202
 - (3) Outdoor landscaped amenity area and increased glazing at north-east corner of building on ground floor, as shown on red-lined Plan A203
 - (4) Mechanical space on ground and 2nd floors to be used exclusively for mechanical purposes, as shown on Plans A203 and A204
 - (5) Double-height lobby, as shown on Plan A204
 - (6) Floor to ceiling height of 4.5 metres for Unit 04 on the third floor, such ceiling height to apply to the entire area of the unit with the exception of the area 2 metres from the outside walls, which shall be 6 metres in height as shown on red-lined Plan A206.
- (ii) convey to the City, Part 2 of Plan 66R 21658 and Parts 4, 5, 7, 9, and 11 of Plan 66R 21671 to the City for service road, road widening and corner rounding purposes;
- (iii) convey to the City, Part 1 of Plan 66R-21671, (known municipally as 37 Churchill Avenue) for parkland dedication;
- (4) approve the plans and Conditions of Site Plan included as Attachment 5 and require the owner to enter into a Site Plan Agreement under Section 41 of the Planning Act based on the conditions and plans prior to issuance of a building permit.

The North York Community Council also considered the following communications:

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- (May 1, 2005) from George S. Belza, Partner, Analogica, on behalf of the Edithvale-Yonge Community Association;
- (May 3, 2005) from Adam J. Brown, Solicitor, of the law firm of Sherman Brown Dryer Karol, on behalf of the owner/applicant.

The North York Community Council commenced a statutory public meeting on March 30, 2005 and continued the public meeting on May 3, 2005 and notice was given in accordance with the Planning Act.

No one addressed the North York Community Council on March 30, 2005 since it was the decision of the North York Community Council to adjourn its public meeting until May 3, 2005.

No one addressed the North York Community Council at the continuation of the statutory public meeting on May 3, 2005 since a further statutory public meeting was being recommended.

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

- (1) deferred consideration of the application and referred the submission by the applicant's Solicitor to the Director, Community Planning, North District, for consideration in consultation with the Ratepayers; and
- (2) requested that the application be brought forward again with a preferred solution, at a new statutory public meeting to be held on May 31, 2005, if possible.

(Report 4, Other Items Clause 34(r))

4.46 Sale of Surplus Portion of the Phippen Avenue Road Allowance (Commonly known as Parklea Drive), abutting 206 Hanna Road (Ward 26 – Don Valley West)

The North York Community Council considered a report (April 18, 2005) from the Chief Corporate Officer, recommending that the North York Community Council authorize the sale of a portion of the Phippen Avenue road allowance (commonly known as Parklea Drive), abutting 206 Hanna Road.

Recommendations:

It is recommended that:

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- (1) the Offer to Purchase from Jason and Kristine Locklin to purchase a portion of the City-owned Phippen Avenue road allowance abutting 206 Hanna Road, being part of the public highway Phippen Avenue (commonly known as Parklea Drive), Registered Plan 1908, Borough of East York also shown as Part 1 on Sketch No. PS-2004-002, (the "Property"), in the amount of approximately \$39,043.80 based on a cost of \$398.00 per square metre for an area of approximately 98.1 m² (exact area to be determined once the purchaser deposits a Reference Plan of Survey), be accepted, substantially on the terms and conditions outlined in the body of this report, and that either one of the Chief Corporate Officer or the Director of Real Estate Services be authorized to accept the Offer on behalf of the City;
 - (2) authority be granted to direct a portion of the proceeds on closing to fund the outstanding expenses related to this Property;
 - (3) the City Solicitor be authorized to complete the transaction on behalf of the City, including making payment of any necessary expenses and amending the closing date and other relevant transaction dates to such earlier or later date(s) and on such terms and conditions as she may from time to time consider reasonable; and
 - (4) 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 necessary to give effect thereto.

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 (April 18, 2005) from the Chief Corporate Officer.

(Report 4, Clause 28)

**4.47 Ontario Municipal Board Hearing – Committee of Adjustment Application
187 Gordon Road (Ward 25 – Don Valley West)**

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

“WHEREAS on March 17, 2005, Committee of Adjustment – North Panel, refused an application for variances (A0128/05NY) for a below grade garage and side yards for the property at 187 Gordon Road in the St. Andrew’s neighbourhood; and

WHEREAS City Planning staff, in their staff report of March 8, 2005, did not support the below grade garage; and

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WHEREAS the owner has appealed the decision to the Ontario Municipal Board (no hearing date has been set); and

WHEREAS in March this year City Planning and Legal staff appeared before the Ontario Municipal Board to defend City By-law 32892, prohibiting below grade garages on lots with frontages greater than 13.71 m (45 ft), for a property at 109 Munro Boulevard (A068/04N) in the same neighbourhood; and

WHEREAS the decision of the Board indicated that “the variance requested to allow a below grade garage did not meet the statutory planning tests required under subsection 45(1) of the *Planning Act*”; and

WHEREAS it is important that the City is vigilant about enforcing its by-laws and protecting the integrity of its neighbourhoods;

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 decision of March 17, 2005.”

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

(Report 4, Clause 29)

**4.48 Ontario Municipal Board Hearing – Committee of Adjustment Application
207 Dawlish Avenue (Ward 25 – Don Valley West)**

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

"WHEREAS on February 17, 2004 Committee of Adjustment – North Panel, refused an application (B024/04N) for consent of the division of a parcel of residential lands at 207 Dawlish Avenue into two parts for conveyance purposes; and

WHEREAS the application was accompanied by a neutral Community Planning staff report; and

WHEREAS the owner has appealed the Committee decision to the Ontario Municipal Board (no hearing date has been set); and

WHEREAS abutting residents are very concerned about the appropriateness of dividing the existing lot into two parcels in a way that the new lot is essentially land locked with only a few feet of street frontage for access; and

WHEREAS abutting residents are very concerned that there will be no street separation between the proposed east lot and the lots immediately to the north which would normally be separated from the front of the proposed house by a street; and

WHEREAS the entire area of the property is protected under the City of Toronto Municipal Code, Chapter 658 – Ravine Protection; and

WHEREAS abutting residents are very concerned about the change in drainage patterns of this greenbelt and the planned destruction of mature trees;

WHEREAS the proposed building will be in a low point on the property with steep hill sides on several sides which exposes future owners to potential flooding during extreme weather conditions; and

WHEREAS abutting residents are very concerned about flooding in neighbouring properties and streets due to the change in drainage patterns caused by the loss of absorptive ground when a second large house and two steep driveways are added within this ravine;

THEREFORE BE IT RESOLVED THAT the City Solicitor be authorized to attend at the Ontario Municipal Board hearing to uphold the Committee of Adjustment refusal decision of March 17, 2005 and retain outside consultants, if necessary."

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

(Report 4, Clause 30)

4.49 Payment-In-Lieu of Parking: Owner – Keyvan Pazuki, 80 Finch Avenue East (Ward 24 – Willowdale)

The North York Community Council considered a report (April 25, 2005) from the Director, Transportation Services, North District, seeking Council's approval to exempt the applicant from a parking deficiency of two (2) parking spaces, subject to payment-in-lieu of parking.

Recommendation:

It is recommended that payment-in-lieu of parking of \$5,000.00 be approved for a deficiency of two (2) parking spaces.

On motion by Councillor Shiner, Ward 24 – Willowdale, the North York Community Council deferred the report until the parking study has been completed.

(Report 4, Other Items Clause 34(s))

4.50 Request for Poll – Speed Hump Plan – Lilywood Road (Ward 15 – Eglinton-Lawrence)

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

“WHEREAS residents of Lilywood Road have expressed concern with regards to vehicle speeds on the roadway; and

WHEREAS residents of Lilywood Road have expressed concern with regards to the volume of traffic on the roadway; and

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

BE IT FURTHER RESOLVED that the results of the poll be reported by staff along with an evaluation of the need for speed humps; and

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

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

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

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

On motion by Councillor Moscoe, Ward 15 – Eglinton-Lawrence, the North York Community Council deferred sine die, the aforementioned Resolution.

(Report 4, Other Items Clause 34(t))

4.51 Special Occasion Beer Garden Permit – Community Event – Paragon Arts and Music Festival – July 30, 2005 at Mel Lastman Square (Ward 23 – Willowdale)

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

“WHEREAS Variety Village, Inner City Angels & Paragonyx Entertainment Inc. will be hosting a Paragon Arts and Music Festival at Mel Lastman Square on Saturday, July 30, 2005; and

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

WHEREAS this event will include a Special Occasion Beer Garden; and

WHEREAS the Alcohol and Gaming Commission of Ontario requires that for events of this nature, approval be granted by City Council; and

WHEREAS it is recommended that:

- (1) permission be granted to hold this Special Occasion Beer Garden Permit event;
- (2) a Special Occasion Permit from the Liquor Licensing Board of Ontario be obtained;
- (3) a facility permit fee, in accordance with Parks, Forestry and Recreation’s Facility Permit Policy and additional costs incurred by the Parks and Recreation Division for goods and services not readily available at the site be charged;
- (4) proof of liability insurance coverage in the amount of \$2M, naming the City as additional insured be provided;
- (5) all bartenders and servers be required to attend a Smart Serve Training Program at the group’s expense;
- (6) all regulations outlined in all City policies pertaining to alcohol consumption at the time of the event be complied with; and
- (7) the appropriate City officials be authorized and directed to take the necessary action to give effect thereto.

THEREFORE BE IT RESOLVED THAT City Council, for liquor licensing purposes, declare this community event to be an event of municipal and/or community significance; that it has no objection to this event taking place, and that the Alcohol and Gaming Commission of Ontario be so advised.”

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 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 4, Clause 31)

4.52 Municipal Representation Request – Alcohol and Gaming Commission Liquor Licence Application Hearings – Spice Isle Sports Bar – 1928 Eglinton Avenue West (Ward 15 – Eglinton-Lawrence)

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

“WHEREAS the new operator, Mr. Modeste, of Spice Isle Sports Bar (1928 Eglinton Ave W) has submitted an application to the Alcohol and Gaming Commission to have the condition that their outdoor patio be closed removed from their liquor licence; and

WHEREAS there have been numerous complaints and a signed petition from the community relating to litter, loitering, parking and noise from this establishment dating back to 2003; and

WHEREAS in September 2003 a community meeting with the property owner, and police to deal with these concerns; and

WHEREAS on August 19, 2004 the Alcohol and Gaming Commission conducted a hearing attended to by city staff, the police and members of the community and Mr. Modeste with respect to the liquor licence; and

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WHEREAS the Board ordered the licence be suspended for a period of 60 days and several conditions placed on the licence (see attached which were agreed to by Mr. Modeste); and

WHEREAS to date none of these conditions have been fulfilled.

THEREFORE BE IT RESOLVED THAT based on the history of this location removing this condition would not be in the public interest; and

BE IT FURTHER RESOLVED THAT Council request the City Solicitor and appropriate City Staff to attend any Alcohol and Gaming Commission Liquor Licence Application Hearings in opposition to the granting of this application.”

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

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

(Report 4, Clause 32)

Councillor Augimeri assumed the Chair.

4.53 Report Request – Outstanding Repairs and Security Issues at Mel Lastman Square (Ward 23 – Willowdale)

The North York Community Council considered a Resolution submitted by Councillor Minnan-Wong, Ward 34 – Don Valley East, for consideration by the North York Community Council:

“WHEREAS Mel Lastman Square is an important part of the North York Civic Centre and is located in North District of the former City of North York; and

WHEREAS Mel Lastman Square conducts many important civic events and sponsors many important activities for local community groups represented by North York Community Council; and

WHEREAS there are a number of capital repairs and security issues at Mel Lastman Square requiring immediate attention; and

WHEREAS these repairs relate to water leakage, electrical, mechanical and structural repairs, many of which are associated with Health and Safety and risk management issues; and

WHEREAS these repairs and security issues are not included in the capital budget of Parks, Forestry and Recreation; and

WHEREAS Facilities and Real Estate has responsibility for capital budgets for Nathan Phillips Square, it should also take responsibility for capital requirements of Mel Lastman Square.

THEREFORE BE IT RESOLVED THAT Facilities and Real Estate, in consultation with Parks, Forestry and Recreation, be directed to submit a joint report to the North York Community Council at its next meeting on May 31, 2005, outlining the outstanding repairs and security issues requiring a capital budget.”

On motion by Councillor Minnan-Wong, Ward 34 – Don Valley East, the North York Community Council, in accordance with the provisions of §27-126B, Supplementary Items, of Chapter 27 of the City of Toronto Municipal Code, waived the requirement that the supplementary item be placed on the agenda for the next regular subsequent regular meeting, and decided to consider same at that meeting, which carried, more than two-thirds of members present, having voted in the affirmative.

On motion by Councillor Minnan-Wong, Ward 34 – Don Valley East, the North York Community Council recommended that City Council adopt the Resolution.

(Report 4, Other Items Clause 34(u))

Councillor Minnan-Wong resumed the Chair.

4.54 Report Request – Review of the former Borough of East York Zoning By-law 1916 – Minimum Front Yard Setbacks on Rykert Crescent and other residential areas within Leaside having existing front yard setbacks greater than 6 metres (Ward 26 – Don Valley West)

The North York Community Council considered a Resolution submitted by Councillor Pitfield, Ward 26 – Don Valley West, for consideration by the North York Community Council:

“WHEREAS the minimum front yard setbacks permitted in Zoning By-law 1916 of the former East York do not in all cases reflect the existing front yard setbacks on Rykert Crescent;

AND WHEREAS a review of former Borough of East York Zoning By-law is necessary to determine what changes might be required to the zoning by-law to prevent homes from being constructed closer to the street than the existing homes.

THEREFORE BE IT RESOLVED THAT a review of the former Borough of East York Zoning By-law No. 1916 be undertaken on Rykert Crescent to determine what changes may be required to be made to the by-law to prevent homes from being built closer to the road than the existing homes; and that City Planning staff also report on whether a similar review should be undertaken for other low density residential areas within Leaside which have existing front yard setbacks greater than 6 metres.”

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

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

(Report 4, Other Items Clause 34(v))

4.55 Community Festival Permit Application – Cypriot Community of Toronto Inc. – Cultural and Wine Festival – June 25 and 26, 2005 (Ward 26 – Don Valley West)

The North York Community Council considered a report (May 2, 2005) from the City Clerk, advising the North York Community Council and City Council that a Community Festival Permit Application from the Cypriot Community of Toronto Inc., was received by the City Clerk’s North York Office respecting a proposed Cultural and Wine Festival to be held at 6 Thorncliffe Park Drive on June 25 and 26, 2005.

Recommendations:

The North York Community Council recommends that:

- (1) the Cultural and Wine Festival to be held on Saturday, June 25, 2005 and Sunday, June 26, 2005, and hosted by the Cypriot Community of Toronto Inc., be deemed as a Community Festival;

- (2) City Council sanction and grant the Community Festival Permit for the Cultural and Wine Festival to Cypriot Community of Toronto Inc., subject to the following terms and conditions:
- (i) Section 3.2 (f) of the former Borough of East York By-law No. 67-95 regarding security provisions to the Community Festival Permit be waived provided that the Cypriot Community of Toronto Inc. provides approximately five to ten security officers from their membership who will oversee the security for the Cultural and Wine Festival;
 - (ii) the applicant shall be responsible for arranging the private collection and disposal of all waste generated from the Cultural and Wine Festival;
 - (iii) where the festival takes place outdoors, the applicant shall ensure that adequate containers are provided to control litter and that the containers are emptied on a regular basis to ensure that litter does not become a problem on the permitted or surrounding properties;
 - (iv) for any portion of the event to be held outdoors, the applicant shall ensure that there is provision of barriers for liquor control, portable washrooms and increased security;
 - (v) the applicant complying with the following requirements from Building Division, North District:
 - (a) drawings in duplicate must be submitted to the Building Division at the North York Civic Centre, 5100 Yonge Street and a building permit must be obtained, for the installation of any tents and the construction of the stage for the orchestra, prior to the actual installation/construction;
 - (b) drawings must indicate the size and location of the tent with distances from the property lines and other buildings;
 - (c) details of the tent and its material must be submitted;
 - (d) the drawings must also show the size of the stage platform, the structural framing and its support, steps, guards and handrails; and
 - (e) a qualified professional engineer shall provide the design;
 - (vi) applicant complying with the following requirements from Municipal Licensing & Standards, North District:

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- (a) the sound emitted from any equipment shall not exceed an equivalent sound level (Leq) of 85 dBA when measured 20 metres from the source over a five minute period;
 - (b) where the sound level exceeds 85 dBA, the applicant shall comply with any request made by an officer of the Toronto Police Service or a Municipal Standards Officer of the Municipal Licensing & Standards Division with respect to the volume of sound from the equipment to ensure compliance with Toronto Municipal Code, Chapter 591 – Noise, subsection D(1);
 - (c) no sound other than the equipment approved under the permit shall be used by the applicant;
 - (d) the event or activity shall be restricted to the approved location; and
 - (e) the permission granted is for the date and times for the event or activity as set out in the permit;
- (vii) the applicant complying with the following requirements from Fire Prevention Division, North Command, Toronto Fire Services:
- (a) no open flames (candles, food warmers, etc.) to be used on tables inside the tent; and
 - (b) one 3A, 10BC rated ULC listed portable fire extinguisher is to be provided near the BBQ area; and
- (viii) the applicant complying with the requirements of Toronto Public Health to ensure that the event organizer and food vendors to comply with all requirement of the Ontario Food Premises Regulation (O. Reg 562 as amended); and
- (3) City Council grant an exemption to the Toronto Municipal Code, Chapter 591 – Noise, to permit the amplification of sound or playing of music until 2:00 a.m. on June 26, 2005; and 1:00 a.m. on June 27, 2005, on the basis that no complaints have been received by Municipal Licensing and Standards on past events.

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

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

On motion by Councillor Pitfield, Ward 26 – Don Valley West, the North York Community Council recommended that City Council adopt the staff recommendations in the Recommendations Section of the report (May 2, 2005) from the City Clerk, as follows:

- (1) the Cultural and Wine Festival to be held on Saturday, June 25, 2005 and Sunday, June 26, 2005, and hosted by the Cypriot Community of Toronto Inc., be deemed as a Community Festival;
- (2) City Council sanction and grant the Community Festival Permit for the Cultural and Wine Festival to Cypriot Community of Toronto Inc., subject to the following terms and conditions:
 - (i) Section 3.2 (f) of the former Borough of East York By-law No. 67-95 regarding security provisions to the Community Festival Permit be waived provided that the Cypriot Community of Toronto Inc. provides approximately five to ten security officers from their membership who will oversee the security for the Cultural and Wine Festival;
 - (ii) the applicant shall be responsible for arranging the private collection and disposal of all waste generated from the Cultural and Wine Festival;
 - (iii) where the festival takes place outdoors, the applicant shall ensure that adequate containers are provided to control litter and that the containers are emptied on a regular basis to ensure that litter does not become a problem on the permitted or surrounding properties;
 - (iv) for any portion of the event to be held outdoors, the applicant shall ensure that there is provision of barriers for liquor control, portable washrooms and increased security;
 - (v) the applicant complying with the following requirements from Building Division, North District:
 - (a) drawings in duplicate must be submitted to the Building Division at the North York Civic Centre, 5100 Yonge Street and a building permit must be obtained, for the installation of any tents and the construction of the stage for the orchestra, prior to the actual installation/construction;

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- (b) drawings must indicate the size and location of the tent with distances from the property lines and other buildings;
 - (c) details of the tent and its material must be submitted;
 - (d) the drawings must also show the size of the stage platform, the structural framing and its support, steps, guards and handrails; and
 - (e) a qualified professional engineer shall provide the design;
- (vi) the applicant complying with the following requirements from Municipal Licensing & Standards, North District:
- (a) the sound emitted from any equipment shall not exceed an equivalent sound level (Leq) of 85 dBA when measured 20 metres from the source over a five minute period;
 - (b) where the sound level exceeds 85 dBA, the applicant shall comply with any request made by an officer of the Toronto Police Service or a Municipal Standards Officer of the Municipal Licensing & Standards Division with respect to the volume of sound from the equipment to ensure compliance with Toronto Municipal Code, Chapter 591 – Noise, subsection D(1);
 - (c) no sound other than the equipment approved under the permit shall be used by the applicant;
 - (d) the event or activity shall be restricted to the approved location; and
 - (e) the permission granted is for the date and times for the event or activity as set out in the permit;
- (vii) the applicant complying with the following requirements from Fire Prevention Division, North Command, Toronto Fire Services:
- (a) no open flames (candles, food warmers, etc.) to be used on tables inside the tent; and
 - (b) one 3A, 10BC rated ULC listed portable fire extinguisher is to be provided near the BBQ area; and

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- (viii) the applicant complying with the requirements of Toronto Public Health to ensure that the event organizer and food vendors to comply with all requirement of the Ontario Food Premises Regulation (O. Reg 562 as amended); and
- (3) City Council grant an exemption to the Toronto Municipal Code, Chapter 591 – Noise, to permit the amplification of sound or playing of music until 2:00 a.m. on June 26, 2005; and 1:00 a.m. on June 27, 2005, on the basis that no complaints have been received by Municipal Licensing and Standards on past events.

(Report 4, Clause 33)

Adjournment:

The North York Community Council adjourned its meeting at 2:15 p.m. on Tuesday, May 3, 2005.

Chair